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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. JACKSON of Illinois).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 14, 2008.

I hereby appoint the Honorable JESSE L. JACKSON, Jr., 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. JACKSON of Illinois) at 2 p.m.

PRAYER

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

On this Monday in July, Lord, Congress seeks Your blessing as it gathers to take up its work of policy and legislation for the United States of America.

The problems facing the Nation, the concerns of its citizens, as well as life itself, will not be settled with simplistic solutions. Since the light of truth is sought in every corner of economic darkness, and energy is needed to sustain every aspect of contemporary life, we stand humbly before You admitting our limitations.

Lord, give the Members of the House of Representatives the ability to listen intently to differing opinions and respond creatively. May their faith in You be strong enough to stretch every self-interest to the broader vision of the common good, expecting Your intervention in ordered routine or Your radical twist to basic intent.

Thus may all seek Your wisdom to guide this government and this Nation 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 Texas (Mr. POE) come forward and lead the House in the Pledge of Allegiance.

Mr. POE 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.

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, July 14, 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 July 14, 2008, at 12:42 p.m.:

That the Senate passed without amendment H.R. 4289.

That the Senate passed S. 1046.

That the Senate passed with an amendment H. Con. Res. 236.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

(By Deborah M. Spriggs, Deputy Clerk).

CONGRATULATIONS TO DR. HARRIS PASTIDES

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

Mr. WILSON of South Carolina. Mr. Speaker, on Friday, the Board of Trustees of the University of South Carolina unanimously selected Dr. Harris Pastides as the 28th president of the university since 1801. Prior to his being selected as president of USC, Dr. Pastides had been Vice President for Research and Health Sciences. His appointment completes a long and thorough selection process chaired by Trustee Miles Loadholt of Barnwell, and I commend the university on their extraordinary work in choosing a strong and capable individual to lead the university.

As an alumnus of USC law school, I cherish the relationship the university

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continues to form with the South Carolina community, and its national leadership in areas of research and discovery; most notably, the university's research in biomedical technology, as well as fuel cell and hydrogen technology. I welcome Dr. Pastides' and his wife Patricia's dedication to these goals.

I wish to thank Dr. Andrew Sorensen and his wife, Donna, for their remarkable leadership of the university for the past 6 years.

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

POST OFFICE CONGRESS

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

Mr. POE. Mr. Speaker, almost every morning I talk to my parents who are both in their 80s and are very inquisitive about what goes on in Congress.

Today, like most Mondays, I tell them we are working on postal legislation. I don't really go further and tell them the legislation actually is just naming post office buildings throughout the vast plains and prairies of America. After all, we have named 72 Federal buildings in Congress.

According to the Wall Street Journal, almost 30 percent of our legislation passed this Congress has been naming Federal buildings. Today I see we will be naming two more post offices.

Today Mom said she can't even afford gas to get to the post office. Mr. Speaker, maybe this ''Drill Nothing Congress'' should find more energy for Americans. Open up the Outer Continental Shelf to crude oil. Congress needs to get to work and solve the gasoline issue. We can name post office buildings at some other time.

There has been enough talk about energy. Now action is demanded. However, it seems when all is said and done, more is said than done about the energy problem. Maybe we should rename our Congress the Post Office Congress.

And that's just the way it is.

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.

NATIONAL SEA GRANT COLLEGE PROGRAM AMENDMENTS ACT OF 2008

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5618) to reauthorize and amend the National Sea Grant College Program Act, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5618

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Sea Grant College Program Amendments Act of 2008''.

SEC. 2. REFERENCES.

Except as otherwise expressly provided therein, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the National Sea Grant College Program Act (33 U.S.C. 1121 et seq.).

SEC. 3. FINDINGS AND PURPOSE.

(a) FINDINGS.—Section 202(a) (33 U.S.C. 1121(a)) is amended—

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

''(D) encourage the development of preparation, forecast, analysis, mitigation, response, and recovery systems for coastal hazards;'';

(2) in paragraph (2) by striking ''program of research, education,'' and inserting ''program of integrated research, education, extension,''; and

(3) by striking paragraph (6) and inserting the following:

''(6) The National Ocean Research Priorities Plan and Implementation Strategy issued by the National Science and Technology Council's Joint Subcommittee on Ocean Science and Technology on January 26, 2007, identifies research priorities for compelling areas of interaction between society and the ocean, and calls for the engagement of a broad array of ocean science sectors (government, academia, industry, and non-government entities) to address the areas of greatest research need and opportunity.

''(7) The National Oceanic and Atmospheric Administration, through the national sea grant college program, offers the most suitable locus and means for such commitment and engagement through the promotion of activities that will result in greater such understanding, assessment, development, utilization, and conservation. The most cost-effective way to promote such activities is through continued and increased Federal support of the establishment, development, and operation of programs and projects by sea grant colleges, sea grant institutes, and other institutions, including strong collaborations between Administration scientists and research and outreach personnel at academic institutions.''.

(b) PURPOSE.—Section 202(c) (33 U.S.C. 1121(c)) is amended by striking ''to promote research, education, training, and advisory service activities'' and inserting ''to promote integrated research, education, training, and extension activities''.

SEC. 4. DEFINITIONS.

(a) AMENDMENTS.—Section 203 (33 U.S.C. 1122) is amended—

(1) in paragraph (11) by striking ''advisory services'' and inserting ''extension services'';

(2) in each of paragraphs (12) and (13) by striking ''(33 U.S.C. 1126)''; and

(3) by adding at the end the following:

''(17) The term 'regional research and information plan' means a plan developed by one or more sea grant colleges or sea grant institutes that identifies regional priorities to implement the National Ocean Research Priorities Plan and Implementation Strategy.

''(18) The term 'National Ocean Research Priorities Plan and Implementation Strategy' means such plan and strategy issued by the National Science and Technology Council's Joint Subcommittee on Ocean Science and Technology on January 26, 2007.''.

(b) REPEAL.—Section 307 of the Act entitled ''An Act to provide for the designation of the Flower Garden Banks National Marine Sanctuary'' (Public Law 102–251; 106 Stat. 66) is repealed.

SEC. 5. NATIONAL SEA GRANT COLLEGE PROGRAM, GENERALLY.

(a) PROGRAM ELEMENTS.—Section 204(b) (33 U.S.C. 1123(b)) is amended—

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

''(1) sea grant programs that comprise a national sea grant college program network, including international projects conducted within such programs and regional and national projects conducted among such programs;'';

(2) by amending paragraph (2) to read as follows:

''(2) administration of the national sea grant college program and this title by the national sea grant office and the Administration;''; and

(3) by amending paragraph (4) to read as follows:

''(4) any regional or national strategic investments in fields relating to ocean, coastal, and Great Lakes resources developed in consultation with the board and with the approval of the sea grant colleges and the sea grant institutes.''.

(b) TECHNICAL CORRECTION.—Section 204(c)(2) (33 U.S.C. 1123(c)(2)) is amended by striking ''Within 6 months of the date of enactment of the National Sea Grant College Program Reauthorization Act of 1998, the'' and inserting ''The''.

(c) FUNCTIONS OF DIRECTOR OF NATIONAL SEA GRANT COLLEGE PROGRAM.—Section 204(d) (33 U.S.C. 1123(d)) is amended—

(1) in paragraph (2)(A), by striking ''long-range'';

(2) in paragraph (3)(A)—

(A) by striking ''(A)(i) evaluate'' and inserting ''(A) evaluate and assess'';

(B) by striking ''activities; and'' and inserting ''activities;''; and

(C) by striking clause (ii); and

(3) in paragraph (3)(B)—

(A) by redesignating clauses (ii) through (iv) as clauses (iv) through (vi), respectively, and by inserting after clause (i) the following:

''(ii) encourage collaborations among sea grant colleges and sea grant institutes to address regional and national priorities established under subsection (c)(1);

''(iii) encourage cooperation with Minority Serving Institutions—

''(I) to enhance collaborative research opportunities for faculty and students in the areas of atmospheric, oceanic, and environmental sciences, and remote sensing;

''(II) to improve opportunities for, and retention of, students and faculty from Minority Serving Institutions in the NOAA related sciences; and

''(III) to increase the number of such students graduating in NOAA science areas;''; and

(B) in clause (iv) (as so redesignated) by striking ''encourage'' and inserting ''ensuring''.

SEC. 6. PROGRAM OR PROJECT GRANTS AND CONTRACTS.

(a) EXEMPTION FROM LIMITATION ON COST SHARE.—Section 205(a) (33 U.S.C. 1124(a)) is

amended in the matter following paragraph (2), by inserting ''or that are appropriated under section 208(b)'' before the period at the end.

(b) SPECIAL GRANTS; MAXIMUM AMOUNT.—Section 205(b) (33 U.S.C. 1124(b)) is amended by striking the matter following paragraph (3) and inserting the following:

''The total amount that may be provided for grants under this subsection during any fiscal year shall not exceed an amount equal to 5 percent of the total funds appropriated for such year under section 212.''.

SEC. 7. EXTENSION SERVICES BY SEA GRANT COLLEGES AND SEA GRANT INSTITUTES.

Section 207(a) (33 U.S.C. 1126(a)) is amended in each of paragraphs (2)(B) and (3)(B) by striking ''advisory services'' and inserting ''extension services''.

SEC. 8. FELLOWSHIPS.

(a) RESTRICTION ON USE OF FUNDS AVAILABLE FOR FELLOWSHIPS.—Section 208 (33 U.S.C. 1127) is amended by adding at the end the following:

''(c) RESTRICTION ON USE OF FUNDS.—Amounts available for fellowships under this section, including amounts accepted under section 204(c)(4)(F) or appropriated under section 212 to implement this section, shall be used only for award of such fellowships and administrative costs of implementing this section.''.

(b) TECHNICAL CORRECTION.—Section 208(a) (33 U.S.C. 1127(a)) is amended by striking ''Not later than 1 year after the date of the enactment of the National Sea Grant College Program Act Amendments of 2002, and every 2 years thereafter,'' and inserting ''Every 2 years,''.

SEC. 9. NATIONAL SEA GRANT ADVISORY BOARD.

(a) REDESIGNATION OF SEA GRANT REVIEW PANEL AS BOARD.—

(1) REDESIGNATION.—The sea grant review panel established by section 209 of the National Sea Grant College Program Act (33 U.S.C. 1128), as in effect before the date of the enactment of this Act, is redesignated as the National Sea Grant Advisory Board.

(2) MEMBERSHIP NOT AFFECTED.—An individual serving as a member of the sea grant review panel immediately before the enactment of this Act may continue to serve as a member of the National Sea Grant Advisory Board until the expiration of such member's term under section 209(c) of such Act (33 U.S.C. 1128(c).

(3) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to such sea grant review panel is deemed to be a reference to the National Sea Grant Advisory Board.

(4) CONFORMING AMENDMENTS.—

(A) IN GENERAL.—Section 209 (33 U.S.C. 1128) is amended by striking so much as precedes subsection (b) and inserting the following:

''SEC. 209. NATIONAL SEA GRANT ADVISORY BOARD.

''(a) ESTABLISHMENT.—There shall be an independent committee to be known as the National Sea Grant Advisory Board.''.

(B) DEFINITION.—Section 203(9) (33 U.S.C. 1122(9)) is amended to read as follows:

''(9) The term 'Board' means the National Sea Grant Advisory Board established under section 209.'';

(C) OTHER PROVISIONS.—The following provisions are each amended by striking ''panel'' each place it appears and inserting ''Board'':

(i) Section 204 (33 U.S.C. 1123).

(ii) Section 207 (33 U.S.C. 1126).

(iii) Section 209 (33 U.S.C. 1128).

(b) DUTIES.—Section 209(b) (33 U.S.C. 1128(b)) is amended to read as follows:

''(b) DUTIES.—

''(1) IN GENERAL.—The Board shall advise the Secretary and the Director concerning—

''(A) strategies for utilizing the sea grant college program to address the Nation's highest priorities regarding the understanding, assessment, development, utilization, and conservation of ocean, coastal, and Great Lakes resources;

''(B) the designation of sea grant colleges and sea grant institutes; and

''(C) such other matters as the Secretary refers to the Board for review and advice.

''(2) BIENNIAL REPORT.—The Board shall report to the Congress every two years on the state of the national sea grant college program. The Board shall indicate in each such report the progress made toward meeting the priorities identified in the strategic plan in effect under section 204(c). The Secretary shall make available to the Board such information, personnel, and administrative services and assistance as it may reasonably require to carry out its duties under this title.''.

(c) EXTENSION OF TERM.—Section 209(c)(2) (33 U.S.C. 1128(c)(2)) is amended by striking the second sentence and inserting the following: ''The Director may extend the term of office of a voting member of the Board once by up to 1 year.''.

(d) ESTABLISHMENT OF SUBCOMMITTEES.—Section 204(c) (33 U.S.C. 1123(c)) is amended by adding at the end the following:

''(8) The Board may establish such subcommittees as are reasonably necessary to carry out its duties under subsection (b). Such subcommittees may include individuals who are not Board members.''.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION.—Section 212(a) (33 U.S.C. 1131(a)) is amended to read as follows:

''(a) AUTHORIZATION.—There are authorized to be appropriated to the Secretary to carry out this title—

''(1) $66,000,000 for fiscal year 2009;

''(2) $72,800,000 for fiscal year 2010;

''(3) $79,600,000 for fiscal year 2011;

''(4) $86,400,000 for fiscal year 2012;

''(5) $93,200,000 for fiscal year 2013; and

''(6) $100,000,000 for fiscal year 2014.''.

(b) REPEAL OF DISTRIBUTION REQUIREMENT.—Section 212 (33 U.S.C. 1131) is amended by striking subsection (c), and by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from South Carolina (Mr. WILSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

GENERAL LEAVE

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

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

There was no objection.

Ms. BORDALLO. Mr. Speaker, H.R. 5618, the National Sea Grant College Program Amendments Act of 2008, is legislation that I introduced this past March. The bill reauthorizes the National Sea Grant College Program Act to improve marine resource conservation, management and utilization.

Sea Grant Colleges sponsor a wide range of applied and basic marine science research, education, training and technical assistance programs promoting the understanding, the assessment, the development, the utilization and the conservation of ocean, coastal and Great Lakes resources. The reauthorization bill affords the National Oceanic and Atmospheric Administration the ability and the flexibility to strengthen the current network of Sea Grant Colleges and their collaborating institutions through fiscal year 2014. It does so based on the sensible recommendation of the Sea Grant Association, the Sea Grant Review Panel, the National Sea Grant Program Office, and other stakeholders.

By reauthorizing this program, the opportunity for enlisting more partnering institutions and increasing the overall number of designated Sea Grant Colleges remains. Capacity building for eventual Sea Grant College designation is ongoing at several institutions. And I note that in reauthorizing the program, H.R. 5618 keeps intact in current law the authority for NOAA to provide administrative, technical and financial assistance to institutions preparing and aiming for eventual Sea Grant College designation. The current eligibility criteria have ensured ultimate success with the entire program.

The University of Guam, in my district, Mr. Speaker, continues to plan for eventual designation. I support NOAA's efforts to assist with capacity building at the University of Guam and at other institutions in the Western Pacific region and across the United States that are working to develop the expertise and resources necessary to be designated a Sea Grant Institution.

Finally, Mr. Speaker, I note that in reauthorizing the overall program, we also renewed the authority for the continuation of the highly successful Dean John A. Knauss Marine Policy Fellowship program. Several of us here serving in Congress have had the extraordinary opportunity to host a legislative Sea Grant Fellow in our office. The skill and the competency of the Sea Grant fellows are a testament to the strength and the depth of the Sea Grant College program. The contributions of Sea Grant fellows in both the executive and the legislative branches have helped ensure policy is both crafted and implemented with an invaluable science perspective.

In reauthorizing the National Sea Grant College Program, Congress reaffirms its national value to protecting our human and our environmental health to the design and the utilization of sustainable development practices, and to the overall advancement of important research and extensive activities in the Marine Sciences.

With our support, the network of Sea Grant Colleges is positioned to continue collaborative ground-breaking research and engagement in the Marine Sciences with stakeholders in communities all across the United States.

Mr. Speaker, I therefore ask Members on both sides to support passage of this noncontroversial bill.

I reserve the balance of my time.

Mr. WILSON of South Carolina. Mr. Speaker, the majority, capably led by Congresswoman MADELEINE BORDALLO of the Republic of Guam, has superbly explained the bill. The National Sea Grant College Program has been an important component in addressing local and regional research for needs for ocean and Great Lakes issues. The program, such as the one at Buford, South Carolina, has been extremely effective in disseminating science-based information to citizens through education and outreach programs.

H.R. 5618 reauthorizes this important marine science program, and I support its passage with particular appreciation for the Buford Laboratory.

I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I have no further speakers on this particular piece of legislation. I want to thank my colleague, Mr. WILSON of South Carolina, for his supportive remarks.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today in strong support of H.R. 5618, amending the National Sea Grant College Program Act and reauthorizing the program that is scheduled to expire fiscal year 2008.

First and foremost, I want to commend Congresswoman BORDALLO of Guam, Chairwoman of the Subcommittee on Fisheries, Wildlife, and Oceans of the Committee on Natural Resources, for taking the initiative to introduce this important legislation. This bill is an example of the efforts by the Congress to support our many Sea Grant College programs in improving marine resource conservation and management.

H.R. 5618 implements changes in the Sea Grant Program, which is administered by the National Oceanic and Atmospheric Administration, NOAA, that were recommended by the National Research Council in their 2006 report that has strong support from the various agencies and the Sea Grant Association. Such recommendations include increasing the interaction between the National Sea Grant and the individual state programs. It will improve programmatic performance reviews that will strengthen oversight and accountability but at the same time will ensure that Sea Grant programs are consistent and supportive of the national objectives. Importantly, the increase in funding levels will greatly assist in the needs of our coastal and Great Lake communities and will improve program activities and research that have been at a standstill because of flat-funding for the past few years.

Like our national land grant programs, the National Sea Grant College Program is a powerful resource in maintaining America's status in the world for research and development of our marine sciences. It is a program that we must continue to strengthen and support.

Mr. Speaker, this legislation will authorize funding for the National Sea Grant Program until FY 2014. The inclusion of the many recommendations by the NRC in the language of the bill and the strong support of the Federal agencies and the Sea Grant Association reinforce the necessity to pass this legislation immediately. Given that almost 54 percent of our population lives on the coast, the U.S. has continued to provide so little for marine policy research. Through H.R. 5618, I am hopeful that we are able to increase this necessary funding to monitor the drastic changes that are greatly affecting our coastlines.

I am grateful for the work that Sea Grant has been able to provide through research and projects to my Congressional district. Through the University of Hawaii, Sea Grant has a strong presence at the American Samoa Community College and has continued to educate students of the necessity in protecting our reefs and marine environments. They have also continued to provide the tools for marine research that is urgently needed by the U.S. territories.

For these reasons, I urge my colleagues to pass H.R. 5618. Again, I thank my colleagues for their support of this legislation.

Mr. FARR. Mr. Speaker, I rise in support of H.R. 5618 the National Sea Grant College Program Amendments Act of 2008 authored by my friend and chairwoman of the Natural Resources Subcommittee on Fisheries, Wildlife and Oceans, Representative Madeleine Bordallo.

The National Sea Grant College Program has, since 1966, provided research grants, traineeships and fellowships which help graduate students and researchers study areas of the ocean which have strong effects on people. This is mostly done through the State Sea Grant programs which operate in most coastal States in conjunction with major universities. The Sea Grant programs provide valuable research and education into the economics, public health, and environmental impacts where people connect with the oceans. I have trouble thinking of a better return to the public on our research investments.

The National Sea Grant program operates the Dean John A. Knauss National Marine Policy Fellowship which provides graduate students in ocean science and environmental studies the opportunity to bring their expertise as a fellow in a Congressional office or in a Federal agency office to gain experience and impact ocean policy. In my tenure in Congress, I have had 11 Sea Grant Fellows in my office. They have provided invaluable knowledge and passion for the oceans that have improved my understanding and helped to bolster my fight for the oceans.

In California, we are lucky to have two Sea Grant Programs: the California Sea Grant program operated through the world class University of California system and the Southern California Sea Grant program operated through the University of Southern California. These programs are on the ground in California connecting the research and policy community, providing research grants, and educating the public, scientists, and policy makers on the importance of human interactions with the ocean.

Mr. Speaker, the National Sea Grant programs have done a lot with a little money and I am confident that they will continue this tradition. I cannot emphasize enough the need for this Congress to provide for ocean stewardship now. The oceans and the Great Lakes belong to all the people of the United States and it is our duty to understand the implications of our actions on them. I support the National Sea Grant College Program Amendment Act and I urge my colleagues to join me.

Ms. BORDALLO. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 5618, 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.

COASTAL BARRIER RESOURCES SYSTEM BOUNDARY ADJUSTMENT

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1714) to clarify the boundaries of Coastal Barrier Resources System Clam Pass Unit FL–64P.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1714

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

SECTION 1. REPLACEMENT OF CERTAIN COASTAL BARRIER RESOURCES SYSTEM MAPS.

(a) IN GENERAL.—The map subtitled ''FL–64P'', relating to the Coastal Barrier Resources System unit designated as Coastal Barrier Resources System Clam Pass Unit FL–64P, that is included in the set of maps entitled ''Coastal Barrier Resources System'' and referred to in section 4(a) of the Coastal Barrier Resources Act (16 U.S.C. 3503(a)), is hereby replaced by another map relating to that unit entitled ''Coastal Barrier Resources System Clam Pass Unit, FL–64P'' and dated July 21, 2005

(b) AVAILABILITY.—The Secretary of the Interior shall keep the map referred to in subsection (a) on file and available for inspection in accordance with section 4(b) of the Coastal Barrier Resources Act (16 U.S.C. 3503(b)).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from South Carolina (Mr. WILSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

GENERAL LEAVE

Ms. BORDALLO. 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 gentlewoman from Guam?

There was no objection.

Ms. BORDALLO. Mr. Speaker, H.R. 1714 is noncontroversial legislation that would replace the Coastal Barrier Resources System map designated as Clam Pass Unit FL–64P to correct legitimate inaccuracies. This legislation is identical to noncontroversial legislation reported by the Committee on Resources during the 109th Congress.

The new map, dated July 21, 2005, that would be adopted by passage of this legislation, would remove approximately 48 acres of private land from the otherwise protected area, or the

OPA, that was established in 1990 to include the Clam Pass Conservation Area. Private land owners indicated that these lands were never held within the conservation area, and were erroneously included in the OPA. The U.S. Fish and Wildlife Service, after completing an exhaustive investigation, agreed that these areas, in fact, were added in error.

□ 1415

The U.S. Fish and Wildlife Service fully supports this technical correction legislation which will also add approximately 68 acres of undeveloped land to the OPA that were previously omitted. In addition, Mr. Speaker, the new map that would be adopted also has been certified as accurate by all local authorities.

Again, I ask my colleagues to support passage of this noncontroversial bill.

I reserve the balance of my time.

Mr. WILSON of South Carolina. Mr. Speaker, H.R. 1714, introduced by Congressman CONNIE MACK of Florida, corrects an honest mapping mistake made in the Coastal Barrier Improvement Act of 1990. Under current law, only Congress can add or delete property from the Coastal Barrier Resources System.

Under this bill, 48 acres of previously held land would be removed from the system, which would allow the affected homeowners to qualify for Federal flood insurance. We would be making this change because this property is not contained within the designated Clam Pass Conservation Area, these are not inholdings, and these lands were never held for conservation or recreation purposes.

We would be providing this relief because this bill satisfies the threshold of being a legitimate mapping mistake. The Fish and Wildlife Service testified in support of this technical correction, and the new implementing map would add 65 acres of conservation land to the Coastal Barrier Resources System that was overlooked when the unit was originally created. As a result, the net effect of H.R. 1714 is to actually increase the size of the system by 17 acres.

I would urge an ''aye'' vote on H.R. 1714.

I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I have no further speakers on this legislation. Again, I want to thank my colleague from South Carolina (Mr. WILSON) for supporting this noncontroversial piece of legislation, and I urge Members to support the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 1714.

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.

FISH STOCKING IN NORTH CASCADES NATIONAL PARK SERVICE COMPLEX LAKES

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3227) to direct the Secretary of the Interior to continue stocking fish in certain lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3227

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

SECTION 1. PURPOSE.

The purpose of this Act is to authorize the National Park Service to allow the stocking of fish in certain lakes under certain conditions in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area.

SEC. 2. STOCKING OF CERTAIN LAKES IN NORTH CASCADES NATIONAL PARK, ROSS LAKE NATIONAL RECREATION AREA, AND LAKE CHELAN NATIONAL RECREATION AREA.

(a) IN GENERAL.—The Secretary of the Interior, acting through the Director of the National Park Service, may authorize the stocking of fish in lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area.

(b) CONDITIONS.—The following conditions shall apply to stocking of lakes under subsection (a):

(1) The Secretary is authorized to allow stocking in up to, but not to exceed, 42 lakes. The 42 lakes which may be stocked are those lakes identified for potential stocking under Alternative B of the 2005 North Cascades National Park Service Complex Mountain Lakes Fishery Management Plan Draft.

(2) The Secretary shall only stock fish that are—

(A) native to the slope of the Cascade Range on which the lake to be stocked is located; and

(B) functionally sterile.

(3) The Secretary is authorized to coordinate the stocking of fish with the State of Washington.

(c) REPORTS.—The Secretary shall continue a program of research and monitoring of the impacts of fish stocking on park resources and shall report the results of such research and monitoring to the appropriate committees of Congress every 5 years.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from South Carolina (Mr. WILSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

GENERAL LEAVE

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

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

There was no objection.

Ms. BORDALLO. Mr. Speaker, H.R. 3227 authorizes the National Park Service to stock fish in the North Cascades National Park, the Ross Lake National Recreation Area, and Lake Chelan National Recreation Area. These lakes do not naturally contain fish, but fish stocking has been conducted in these lakes periodically since the late 1800s.

The North Cascades National Park is currently working on the Mountain Lake Fisheries Management Plan Environmental Impact Statement that evaluates fish stocking in the park. The Draft Environmental Impact Statement found that fish stocking could only take place in these lakes if the National Park Service was granted the authority to do so by Congress. During committee consideration of H.R. 3227, changes were made to the bill to incorporate suggestions from the Draft Environmental Impact Statement.

Mr. Speaker, we have no objections to H.R. 3227.

I reserve the balance of my time.

Mr. WILSON of South Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Congressman DOC HASTINGS of Washington State and the cosponsors of this bill should be congratulated for their efforts to ensure continuation of a long-standing and highly successful program that creates fishing opportunities in the North Cascades region.

For over 100 years, 91 of the 245 lakes in the North Cascades Complex have been stocked with fish. This has created recreational opportunities that are important to the quality of life and the region and help sustain the local economy.

I urge support for the bill.

I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I have no further speakers on this legislation. Again, I want to thank the gentleman from South Carolina for his cooperation in managing these three bills this afternoon on the floor.

Mr. HASTINGS of Washington. Mr. Speaker, I urge my colleagues to support H.R. 3227, legislation to allow for the continued stocking of fish in certain alpine lakes in the North Cascades National Park Complex, including the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area.

Many of these lakes have been stocked since the turn of the 20th century, long before they became part of the National Park complex. For decades, volunteer groups, working with the State of Washington, have stocked trout in a number of lakes in this area under carefully constructed management plans written by State and Park Service biologists. In addition, congressional consideration of the creation of the North Cascades National Park points to allowing fish stocking.

In order to protect this longstanding practice in the North Cascades, I introduced H.R. 3227 to ensure that fish stocking can continue. While I believe the original text of this bill provided the clearest path to the protection and continuation of fish stocking, I am also confident that this amended text also fully ensures the stocking of fish in these lakes.

I would like to briefly mention two of the changes to the legislation. First, the amended version of H.R. 3227 reduces the number of lakes that can be studied from 91, which is the number of lakes that have historically had fish stocking, to 42. I believe this reduction was unnecessary but am supporting it to ensure the advancement of this legislation. In my view, it should be left up to scientists in the Park Service and the State of Washington to decide which lakes should be stocked. Congress does not have the proper science to study which lakes are best and, therefore, we should not be arbitrarily limiting the number of lakes that can be studied.

The changes made in the Resources Committee also limited the type of fish that can be used to stock the lakes. After working with the National Park Service and the State of Washington, my original legislation was drafted to allow fish that are either native to the watershed or functionally sterile to be used. The version before us today states that the fish have to be both native to the Cascade Range and functionally sterile. The one word change from "or" to "and" puts a needless burden on those who stock the lakes. Those involved with fish stocking want to ensure that the lakes and the surrounding area are kept in pristine condition. In addition, the National Park Service and the State of Washington are the only entities with the authority to stock the lakes. Again, it is my view that these decisions should be left up to science and the people working in the North Cascades to decide what fish are both safe for the environment and the best for stocking. This change will only serve to increase the cost and the effort needed to stock the lakes of the North Cascades—but such a compromise moves this bill forward.

Despite my disagreement on the wisdom of changes made to this legislation, I am pleased that the House has the opportunity to pass H.R. 3227 today. Although the version before us is far from perfect, it does allow fish stocking to rightfully continue in the North Cascades. Compromise is never easy, and at times it produces a diminished product. That is the case today. However, I can support it as a result of bipartisan negotiations and agreement. But, more importantly, I can support it because it provides firm protections to continue fish stocking where it was always intended to be allowed.

Finally, I would like to thank many of my Washington state colleagues who cosponsored H.R. 3227, including RICK LARSEN, NORM DICKS, and CATHY MCMORRIS RODGERS, BRIAN BAIRD and ADAM SMITH. I especially would like to note the assistance provided by NORM DICKS, whose involvement in this issue goes back to his time as a staff member in Congress. I urge all my colleagues to support this legislation to make sure that my constituents and many other residents of Washington and our surrounding States can continue to enjoy the recreation opportunities created by fish stocking in the North Cascades.

Ms. BORDALLO. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 3227, 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 authorize the Secretary of the Interior to allow stocking fish in certain lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area.".

A motion to reconsider was laid on the table.

NATIONAL DAY OF THE COWBOY

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 984) expressing support for the designation of July 26, 2008 as "National Day of the Cowboy".

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 984

Whereas pioneering men and women, known as cowboys, helped establish the American West;

Whereas the cowboy embodies honesty, integrity, courage, compassion, respect, a strong work ethic, and patriotism;

Whereas the cowboy spirit exemplifies strength of character, sound family values, and good common sense;

Whereas the cowboy archetype transcends ethnicity, gender, geographic boundaries, and political affiliation;

Whereas the cowboy is an excellent steward of the land and its creatures;

Whereas the cowboy lives off the land and works to protect and enhance the environment;

Whereas cowboy traditions have been part of the American culture for generations;

Whereas the cowboy continues to be an important part of the economy, through the work of approximately 727,000 ranchers in all 50 States, and contributes to the well-being of nearly every county in the Nation;

Whereas annual attendance at professional and working ranch rodeo events exceeds 27,000,000 fans, and the rodeo is the 7th most watched sport in the Nation;

Whereas membership and participation in rodeo and other organizations that promote and encompass the livelihood of the cowboy spans race, gender, and generations;

Whereas the cowboy is a central figure in literature, film, and music, and occupies a central place in the public imagination;

Whereas the cowboy is an American icon; and

Whereas the ongoing contributions made by cowboys and cowgirls to their communities should be recognized and encouraged: Now, therefore, be it

Resolved, That the House of Representatives—

(1) expresses support for the designation of a "National Day of the Cowboy"; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from South Carolina (Mr. WILSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

GENERAL LEAVE

Ms. BORDALLO. 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 gentlewoman from Guam?

There was no objection.

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

Mr. Speaker, I stand to join my colleagues in the consideration of H. Res. 984 which supports the designation of July 26, 2008, as National Day of the Cowboy.

H. Res. 984 was introduced by Representative GABRIELLE GIFFORDS of Arizona on February 13, 2008, and since then, the bill has garnered the support and cosponsorship of 52 Members of Congress, both men and women, from both sides of the aisle. The measure was considered and passed by voice vote out of the Oversight Committee on June 12, 2008.

Mr. Speaker, it is reasonable to assert that our great country wouldn't be what it is today without the significant influences of the cowboy. This is why each year a day is set aside for Americans to celebrate the contributions of the cowboy and cowgirl to our Nation's culture and heritage. With the advocacy of the National Day of the Cowboy Organization for the past several years, the National Day of the Cowboy has been celebrated by the public through education, the arts, special events, rodeos, and other community activities.

This year, July 26 has been selected as the day for honoring and preserving the rich history of the cowboy settlement in the American West, an act that forever changed the landscape of our country.

Mr. Speaker, I thank the gentlewoman from Arizona for introducing this thoughtful measure, and I urge all of my colleagues to join me in celebrating the American cowboys and cowgirls by agreeing to pass H. Res. 984.

I reserve the balance of my time.

Mr. WILSON of South Carolina. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of the resolution designating July 26, 2008, as the National Day of the Cowboy.

For the last 3 years on the last Saturday of July, people across America gathered to honor one of the greatest icons of our Nation, the American cowboy. National Day of the Cowboy first emerged in July of 2005 in large part to the efforts of the late United States Senator Craig Thomas of Wyoming.

Cowboys are the original heroes of American culture. From the earliest western settlers to present-day ranchers and cattlemen, their tireless courage, integrity, and adventurous spirit has made them a symbol of values that built this great Nation.

Their trade nourishes our bodies as well as our souls. The values inspire each of us. From Maine to California, from twisted urban streets to the vast, open plains, Americans envy and respect those who each day, ride off into the sunset.

I urge my colleagues to join me in support of this resolution and leave you with the words of poet laureate Ron Wilson—

We give thanks for all that cowboys and cowgirls do,
To keep the Cowboy way alive and true.
So we honor this legacy for the value it will employ,
As we celebrate the National Day of the American Cowboy.

I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I have no further speakers, and I thank my colleague from South Carolina for supporting this resolution.

Ms. GIFFORDS. Mr. Speaker, I am proud that today the House is considering H. Res. 984, a resolution I sponsored that officially designates July 26, 2008, as the "National Day of the Cowboy."

Located in beautiful Willcox, Arizona, the National Day of the Cowboy organization works to increase national support for the proclaimed "Cowboy Day," and to publicize news and information about the resolution and campaign, so that active participation in celebration of the National Day of the Cowboy continues to grow each year.

Many thanks to Bethany Braley, executive director and publisher of the National Day of the Cowboy organization, for her tireless vision to remind future generations of the cowboys' contribution to America's rich western heritage.

While the U.S. Senate has recognized the National Day of the Cowboy in 2005, 2006, 2007 and 2008, H. Res. 984 represents the first time that the U.S. House of Representatives has officially recognized the contribution of the cowboy and cowgirl to America's culture and heritage. I am pleased to be a part of the 4th Annual National Day of the Cowboy designation. On June 20, 2008, the National Day of the Cowboy resolution also passed in the Arizona State Legislature, making Arizona the first State to pass the resolution.

Our legendary cowboy and cowgirl are embraced and respected by people the world over as symbols of rugged individualism. Each represents a commitment to explore, work hard and seek adventure while demonstrating the personal determination to survive. He/she is loyal to an honorable code of ethics as well as persistent and tenacious in the face of any challenge.

In honor of cowboys and cowgirls worldwide, I encourage Americans to observe the National Day of the Cowboy on Saturday, July 26, 2008, with appropriate ceremonies and activities.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and agree to the resolution, H. Res. 984.

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.

BISHOP RALPH E. BROWER POST OFFICE BUILDING

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5506) to designate the facility of the United States Postal Service located at 369 Martin Luther King Jr. Drive in Jersey City, New Jersey, as the "Bishop Ralph E. Brower Post Office Building".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5506

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

SECTION 1. BISHOP RALPH E. BROWER POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 369 Martin Luther King Jr. Drive in Jersey City, New Jersey, shall be known and designated as the "Bishop Ralph E. Brower Post Office Building".

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

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentleman from South Carolina (Mr. WILSON) 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.

As a Member of the House Committee on Oversight and Government Reform, I am pleased to join my colleagues in the consideration of H.R. 5506 which names the postal facility in Jersey City, New Jersey, after Bishop Ralph E. Brower. H.R. 5506, which was introduced by Representative ALBIO SIRES of New Jersey on February 27, 2008, was reported from the Oversight Committee on June 12, 2008, by voice vote.

This measure has the support of the entire New Jersey delegation and provides this body a chance to recognize the contributions and accomplishments of a distinguished and highly respected gentleman from the Garden State of New Jersey, the admirable Bishop Ralph E. Brower.

□ 1430

Unfortunately, Representative SIRES is unable to join us on the floor today, but nonetheless, he asked that his statement of support be submitted for the RECORD.

Born into humble beginnings in North Carolina as the eldest of six children, Bishop Brower's educational aspirations led him to attend Laurinburg Institute and Kettle College of North Carolina. He received his master's degree from Kings College in Briarcliff Manor, New York, his master's in divinity from Florida State University, and his Ph.D. from Grambling State University.

Bishop Brower began to make his mark on New Jersey and the community of Jersey City in the early 1950s when he took the helm of St. Michael's Methodist Church. Over the years, he has overseen the growth of the congregation from six members to the thousands that now worship at St. Michael's.

Largely responsible for helping the church and its congregation blossom into a positive force for change in the community, Bishop Ralph E. Brower undoubtedly deserves the honor of having a United States postal facility named after him.

Therefore, Mr. Speaker, I ask that my colleagues join me in support of this measure by voting in favor of H.R. 5506.

I reserve the balance of my time.

Mr. WILSON of South Carolina. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 5506, a resolution to designate the post office located at 369 Martin Luther King Jr. Drive in Jersey City, New Jersey, as the "Bishop Ralph E. Brower Post Office Building."

Bishop Ralph E. Brower, a Methodist pastor and native of North Carolina, has been a vital presence in the religious and civic communities of northern New Jersey for over five decades.

A community leader and accomplished intellectual, Bishop Brower is, above all, a devoted family man. Married to his loving wife, Alberta, for over 60 years, the bishop has been the guiding force in the lives of his three wonderful children and 18 grandchildren and great-grandchildren.

His dedication to his denomination and community is exemplary, and it is fitting to name the post office in Jersey City, New Jersey, in his honor.

Generous and compassionate, Bishop Brower's passion for religious and civic duties is fueled by a personal commitment to intellectual development. After receiving his B.A. from Kettle College, he went on to earn an M.A. from Kings College, and finally a Ph.D from Grambling State University.

Academic accolades only scratch the surface of a man who has devoted so much of his life to improving the lives of the people surrounding him. He served in numerous positions including as the Commissioner for the Jersey City Redevelopment Agency and 4 years as the Deputy Mayor of Jersey City. His service demonstrates that he truly is a man of the people. This devotion has not gone unnoticed. Over the years, the Bishop has received a number of accolades for his civic devotion by organizations such as the New Jersey Urban League and NAACP.

Mr. SIRES. Mr. Speaker, I rise in support of H.R. 5506 which would designate the U.S. Postal Service building located at 369 Martin Luther King Jr. Drive in Jersey City, New Jersey as the "Bishop Ralph E. Brower Post Office Building."

Bishop Ralph E. Brower has dedicated more than 50 years of his life in service to the community of Jersey City, New Jersey. In 1954, he was called to build the St. Michael Methodist Church. He started the church with only six members, and served their parish as pastor for over 54 years.

In addition to his role as pastor, Bishop Brower served the Jersey City community in

many ways. His professional and ministerial accomplishments also include being president of the Interdenominational Ministerial Alliance for 25 years; Hudson County Chaplain for 25 years; commissioner for the Jersey City Redevelopment for 5 years; and deputy mayor for 4 years.

With his lifetime of dedication to public service and ministry, Bishop Ralph E. Brower consistently illustrates his caring and commitment to the Jersey City community.

I am thrilled to celebrate this dedicated community leader through this legislation. I cannot think of better way to honor Bishop Brower's work then to designate a U.S. Postal Office in his name.

I urge my colleagues to support this legislation.

Mr. WILSON of South Carolina. Mr. Speaker, I yield the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield back the balance of my time and urge passage.

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. 5506.

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.

MINNIE COX POST OFFICE BUILDING

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4010) to designate the facility of the United States Postal Service located at 100 West Percy Street in Indianola, Mississippi, as the ''Minnie Cox Post Office Building''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4010

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

SECTION 1. MINNIE COX POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 100 West Percy Street in Indianola, Mississippi, shall be known and designated as the ''Minnie Cox Post Office Building''.

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

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentleman from South Carolina (Mr. WILSON) 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, on behalf of the House Committee on Oversight and Government Reform, I am pleased to join my colleagues, particularly the gentleman from Mississippi, in the consideration of H.R. 4010 which names a postal facility in Indianola, Mississippi, after the first black postmistress in the United States of America, Ms. Minnie Geddings Cox.

Introduced on October 30, 2007, by Congressman Bennie Thompson, the Representative of Mississippi's Second Congressional District, H.R. 4010 is cosponsored by the State's entire delegation. Congressman THOMPSON's measure, H.R. 4010, was reported from the Oversight Committee on June 12, 2008, by voice vote.

This afternoon's postal naming bill honoring our country's first black female postmaster is designed to pay tribute to Minnie M. Cox, who served as the postmaster of Indianola, Mississippi, during the administrations of Presidents Benjamin Harrison, William McKinley, and Theodore Roosevelt.

As we can see, Mississippi has a long, glorious history, and Ms. Cox is indeed a part of it. Ms. Cox's legacy stands as a beacon for all Americans to admire and emulate, in tribute to all that she accomplished by breaking barriers and providing quality service to her hometown of Indianola, Mississippi.

So, Mr. Speaker, let us pass H.R. 4010 and designate the postal office building located at 100 West Percy Street in Indianola, Mississippi, as the ''Minnie Cox Post Office Building.''

I reserve the balance of my time.

Mr. WILSON of South Carolina. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 4010, legislation to designate the post office at Indianola, Mississippi, as the ''Minnie Cox Post Office Building.''

Minnie M. Geddings Cox was born in 1869 in a Mississippi emerging from the Civil War. After graduating from Fisk University, she returned to teach in the common schools in her hometown of Lexington.

In 1891 at the age of 22, Ms. Cox was appointed postmistress of Indianola by President Benjamin Harrison, becoming the first black postmistress of the United States. She was reappointed by President William McKinley and, again, by President Theodore Roosevelt.

In 1902, however, some of the local whites of Indianola demanded Ms. Cox's resignation, determined to remove her from her leadership position solely because of her race.

Ms. Cox refused, but when threats against her and her family persisted, she submitted her resignation to be effective in January 1903. Theodore Roosevelt felt that Ms. Cox had been aggrieved and refused to accept her resignation. Instead, he closed the post office in Indianola, rerouted the mail, and continued paying Ms. Cox.

It is important to remember determined and dedicated Americans such as Minnie Cox and be ready to stand for what is right when people are treated unjustly.

Let us now commemorate this courageous woman by naming the post office building in Indianola in honor of Minnie Cox.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today in support of H.R. 4010, legislation designating the United States Post Office located at 100 W. Percy Street in Indianola, Mississippi as the ''Minnie Cox United States Post Office''.

Minnie M. Geddings Cox was one of two daughters born to William and Mary Geddings of Lexington, Mississippi. She graduated from Fisk University and first taught school at the common schools in Lexington. Soon after, she married and assisted her husband, Wayne, when he was principal of the Indianola Colored Public School.

Minnie M. Geddings Cox, was appointed postmistress of Indianola, Mississippi in 1891, by President Benjamin Harrison, and was reappointed by President William McKinley; thereby, becoming the first Black postmistress of the United States. On January 25, 1900, President McKinley raised the rank of the Indianola Post Office from fourth class to third class and appointed Mrs. Cox for a full 4-year term.

However, in the fall of 1902, under the presidency of Theodore Roosevelt, a controversy brought national attention to Mrs. Cox. James K. Vardaman, running for governor, in 1902 used Minnie Cox as proof that African Americans had too much power, and that President Theodore Roosevelt was a Negrophile. Vardaman, who was indeed elected governor, called Theodore Roosevelt that ''coon-flavored miscegenationist in the White House.''

Jim Crow Laws overran Reconstruction in America and whites wanted blacks eliminated from leadership positions. Mrs. Cox was threatened with violence by local whites, who held several mass or mob meetings to demand her removal (her term expired in 1904). The mayor and sheriff declined to protect her, and as a result of the increased tension and threats of physical harm, she resigned as postmaster, effective January 1, 1903, and left town for a time.

President Roosevelt believed Mrs. Cox had been wronged, and that the authority of the federal government was being compromised and refused to accept her resignation. Instead, he closed Indianola's post office on January 2, 1903, rerouted the mail to Greenville, MS, thirty miles away and Minnie Cox continued to receive her salary. For four hours in January 1903, the Indianola postal event was debated on the floor of the United States Senate, and appeared on the front pages of newspapers across the country. One year later, at the expiration of Mrs. Cox's term, in February 1904, the post office was reopened, but demoted in rank from third class to fourth class.

Minnie Cox and her husband Wayne W. Cox, who had been an employee in the railway mail service, returned to Indianola and organized the ''Delta Penny Savings Bank.'' They had been substantial property owners before 1903, and they bought more land and became successful bankers as well. Much of

the success of African-Americans is attributed to Wayne and Minnie Cox. Both descendants of parents who were former slaves, through their ability to penetrate barriers, promote progress, and instill pride as educators, bankers, entrepreneurs, real estate investors, and political activists, exemplify remarkable courage, wisdom and tenacity.

United in matrimony October 31, 1889, Wayne and Minnie Cox had one daughter, Ethel Grant Cox. The Coxes acquired thousands of acres of land and ranked among the wealthiest of the race in Mississippi. Their spacious home sat on some five acres of land in the white section of town. As premier supporters of the business enterprises of blacks in the state, they sold homes to hundreds of African Americans on terms that would not have been possible if they were dealing with people who had no interest in them.

Today, a street in Indianola named in their honor, Cox Street, bears their name. Also, the city's most popular park, Cox Park, located within minutes of the business district at Faisonia Avenue and West Gresham Street in Indianola, is named in their honor. Minnie Cox died in 1933.

Mr. Speaker, I stand here today to in strong support of this resolution and urge Congress to pass this legislation renaming the Post Office in Indianola, MS, after the first African-American postmistress, Mrs. Minnie Cox.

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

Mr. DAVIS of Illinois. Mr. Speaker, I would urge passage of this resolution and 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. 4010.

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

A motion to reconsider was laid on the table.

RECOGNIZING THE 50TH ANNIVERSARY OF THE CROSSING OF THE NORTH POLE BY THE USS ''NAUTILUS''

Mr. COURTNEY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1067) recognizing the 50th anniversary of the crossing of the North Pole by the USS *Nautilus* (SSN 571) and its significance in the history of both our Nation and the world.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1067

Whereas the USS *Nautilus* (SSN 571), built and launched at Electric Boat in Groton, Connecticut, on January 21, 1954, was the first vessel in the world to be powered by nuclear power;

Whereas the USS *Nautilus* overcame extreme difficulties of navigation and maneuverability while submerged under the polar ice, and became the first vessel to cross the geographic North Pole on August 3, 1958;

Whereas the USS *Nautilus* continued on her voyage and became the first vessel to successfully navigate a course across the top of the world;

Whereas the USS *Nautilus*, having claimed this historic milestone and returned home to Naval Submarine Base New London, continued to establish a series of naval records in her distinguished 25-year career, including being the first submarine to journey ''20,000 leagues under the sea'';

Whereas the USS *Nautilus* completed these significant and laudable achievements during a critical phase of the Cold War, providing a source of inspiration for Americans and raising the hopes of the Free World;

Whereas the USS *Nautilus* was the first naval vessel in peacetime to receive the Presidential Unit Citation for its meritorious efforts in crossing the North Pole;

Whereas Commander William R. Anderson of the United States Navy was awarded the Legion of Merit for his role in commanding the USS *Nautilus* during its historic voyage;

Whereas the USS *Nautilus* and its contribution to world history was praised by a range of American Presidents, including President Harry Truman, President Dwight D. Eisenhower, President Lyndon B. Johnson, President Jimmy Carter, and President Bill Clinton; and

Whereas President Eisenhower described the voyage to the North Pole as a ''magnificent achievement'' from which ''the entire free world would benefit'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the historic significance of the journey to the North Pole undertaken by the USS *Nautilus*;

(2) commends the officers and crew of the USS *Nautilus* on the 50th anniversary of their magnificent achievement;

(3) recognizes the importance of the USS *Nautilus*' journey to the North Pole as not only a military and scientific accomplishment, but also in confirming America's longstanding interest in this vital region of the world;

(4) commends the role of the USS *Nautilus* and the United States Submarine Force in protecting the interests of the free world during the Cold War; and

(5) supports the continuing role of the United States Submarine Force in defending our Nation in the 21st century.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Connecticut (Mr. COURTNEY) and the gentleman from Alabama (Mr. ROGERS) each will control 20 minutes.

The Chair recognizes the gentleman from Connecticut.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, as the author of House Resolution 1067, I rise today in strong support, which honors an important anniversary not only to my district but to our Navy and our country.

In June 1958, the USS *Nautilus* (SSN 571), the world's first nuclear-powered submarine, departed Seattle, Oregon, as part of a top secret operation called Operation Sunshine. Unknown to many at the time, the *Nautilus* was embarking on a historic mission that took it on a course north to the arctic ice cap. At 11:15 p.m. on August 3, 1958, the boat became the first vessel to cross the geographic North Pole when Commander William Anderson, *Nautilus*' commanding officer, announced to his crew: ''For the world, our country, and the Navy—the North Pole.''

This historic crossing of 90 North took place at a critical time in our Nation's history: the Cold War was heating up; the Soviet Union had seemingly laid claim to space with the launch of Sputnik; and many Americans and many around the world were looking for something to rally around, a sign that we were not ceding big ideas and notable achievements to others. *Nautilus*' sonar man, Al Charette, one of my constituents, described their journey as an effort to out-Sputnik the Russians and they did it.

Few on board the *Nautilus* realized the scope of their achievement. They were simply sailors doing their job and doing it well. However, on reaching the North Pole, the *Nautilus* clearly demonstrated our undersea superiority and opened the region to decades of scientific research and exploration.

The crossing of the North Pole was praised by numerous world leaders at the time, being described by President Eisenhower as a magnificent achievement from which the entire free world would benefit. A ticker tape parade was held in honor of the crew in New York City. The *Nautilus* became the first naval vessel in peacetime to receive the Presidential Unit Citation for its meritorious efforts in crossing the North Pole, and Commander William R. Anderson was awarded the Legion of Merit.

In the 50 years since, the United States Navy and Coast Guard have repeatedly followed in the footsteps of this historic voyage. Dozens of U.S. submarines, in addition to specially fitted vessels and general aircraft of the United States Coast Guard, have journeyed to the top of the world in service to their country and to reinforce our Arctic presence. These submarines and their intrepid crews have broken through the surface, charted new courses, and expanded our knowledge of the Arctic.

I myself have had the unique opportunity to see this work firsthand when I traveled aboard the USS *Alexandria*, a Groton-based submarine, to observe the 2007 Ice Exercises in the Arctic Circle. While the technology and capabilities of our submarines has changed in the 50 years since the *Nautilus*' journey, the unmatched skill, the dedication and the talent of our submariners continues to allow our Nation to retain an important presence in this critical part of the world.

I just want to add, Mr. Speaker, having the opportunity again to be onboard a submarine under the ice just reinforces to me anyway the incredible accomplishment of the *Nautilus*. At

the time, scientific opinion believed that it was physically impossible for a submarine to pass under the North Pole because of blockages by the ice and the shifting movements of the ice under the North Pole. This was a vessel which was completely and utterly alone at the time. If there was any accident, if there was any problem, basically they were completely on their own and had no means of any type of rescue or support.

Built and launched at Electric Boat in Groton, Connecticut, on January 21, 1954, the *Nautilus* was the first vessel in the world to be powered by nuclear power. After claiming their historic milestone at 90 North and returning home to Naval Base New London, the *Nautilus* continued to establish a series of naval records in her distinguished 25-year career, including being the first submarine to journey 20,000 leagues under the sea.

The history and legacy of the *Nautilus* is not the only meaningful story to my congressional district but to the entire submarine force and to our Nation. Today, the *Nautilus* proudly serves as a museum where visitors from around the world come to learn about both her history-making service to our country and the role of the submarine force in securing our Nation. The *Nautilus* truly helped set the tone as the standard bearer for the submarine force, and achievements like the crossing of 90 North both proved the capabilities of our Nation at a critical time in our history and raised the bar for all who came after her.

Too often the critical achievements of our submarine force, our silent service, go unnoticed. The resolution today rightfully honors not only the officers and crew of the *Nautilus* but all those who played a part in her success, from the highest levels of our government, to the countless support ships and personnel who helped her along the way, and finally, the talented workforce at Electric Boat who gave us the first and finest submarine in our history.

I would like to enter two articles from the New London Day into the RECORD, one highlighting the opening of the new exhibit at the Submarine Force Museum in Groton and an editorial praising the achievements of the *Nautilus* and her crew.

□ 1445

I will also enter into the RECORD at a later date a list of the crew who journeyed to 90 North so that their names will be tied to the historic achievements in today's resolution.

I want to thank the Commander of the naval submarine base in New London, Captain Mark Ginda, who first planted the idea for this resolution in my staff's mind. And in addition, since I introduced H. Res. 1067, my office has received nearly 50 e-mails from individuals all across the country who served or whose loved ones served aboard the *Nautilus*' journey to 90 North. I want to thank them for their comments and their strong support. In particular, I want to thank Captain Anderson's widow, who I met at the Farragut Square anniversary service for the submarine force earlier this year, who was just an incredibly gracious, wonderful person who has done everything that she can to make sure that the memory of this incredible achievement is brought forth to young people all across the country and is a strong supporter of our Navy.

And most especially, I want to recognize the veterans of the *Nautilus*' journey to 90 North that I am privileged to represent here in Congress. We are all proud of them and the legacy they have established for our submarine force and our Nation.

H. Res. 1067 is a much-deserved recognition of the important role the submarine force plays in the security of our Nation, and I urge its passage.

[From the New London Day, June 30, 2008]

50 YEARS LATER, ''NAUTILUS'' CREW STILL FEELS IT COULD REPEAT POLAR FEAT

(By Jennifer Grogan)

GROTON.—Former USS *Nautilus* crew members say it does not seem like 50 years have passed since they made their historic crossing of the North Pole under the ice cap, and that if the Navy would kindly give them another nuclear power plant, they could man their ship and head back out to sea.

''When you first join the Navy and look forward to 20 years and retirement, you say, 'That's forever.' I put 28 in and it seems like it all happened just yesterday,'' said Al Charette, a sonarman on board for the North Pole trip. ''Every time we have a reunion, the crew thinks we should go out and get that ship underway. We're ready. We're still a crew.''

''We remember each little feature of rigging it for dive. We feel very confident we could do that again,'' said Jack Kurrus, an engineman also on the trip. ''Wouldn't it be nice to go to sea one more time?''

Nautilus (SSN 571) left Pearl Harbor, Hawaii, on July 23, 1958, under top-secret orders to conduct Operation Sunshine, the first crossing of the North Pole by a ship. About 10 months earlier, the Soviet Union had launched the first artificial satellite into space.

''We wanted to out-Sputnik the Russians,'' Charette said.

The crew of 116 men reached the North Pole at 11:15 p.m. on Aug. 3, 1958. They received the Presidential Unit Citation, the first ever issued in peacetime.

Charette, Kurrus and another former crew member, Joe Degnan, were at the U.S. Navy Submarine Force Museum Friday for the unveiling of a new exhibit that commemorates the 50th anniversary of their voyage. The exhibit, which includes artifacts and previously unpublished color images, runs through March 2009.

The successful 1958 trip was not the *Nautilus*' first attempt to cross from the Pacific to the Atlantic over the top of the world.

The crew was in the Arctic a year earlier to see how the submarine would operate under the ice. When the ship lost power to its gyrocompasses, Cmdr. William R. Anderson gave the order to turn back because there was no way to fix the ship's position.

''We spent 72 hours trying to find our way out and that was really, really scary,'' Kurrus said.

Nautilus visited the Pacific in 1958, under the cover of teaching those in the Pacific Fleet about nuclear submarines. The submarine headed to the North Pole but encountered heavy ice and shallow water on the way. At one point, the 320-foot submarine had just a few feet of water over its sail and about 20 feet below the keel.

The crew returned to Pearl Harbor and waited a month for the ice to break up and melt before making another attempt to go to Portland, England, by way of the North Pole.

Kenneth Carr, who was then a lieutenant and later retired as a vice admiral, said it was ''pretty routine on board'' as they neared 90 degrees North on Aug. 3, 1958.

Carr said he asked the scientist on the trip, ''how will we know we crossed the pole?'' Dr. Waldo K. Lyon pointed to a machine with a green dot going around in a circle.

''He said the dot would stop and go in the other direction, and it did,'' Carr said. ''It wasn't anything dramatic.''

Once the *Nautilus* surfaced, Anderson sent a message to the Navy—''Nautilus 90 North.''

''I'm not sure we really appreciated the depth of what had just happened, and I think it was a long time before any of us realized it,'' Charette said. ''All we knew was when we ended up in England, everyone and their brother wanted an autograph.''

Those on board nicknamed themselves PANOPOs, an acronym from the phrase from the Pacific to the Atlantic via the North Pole. A ''Welcome Home PANOPOs'' banner is one of the artifacts on display in the new exhibit. Sarah Martin, who works at the Naval Submarine Base, was the graphic designer for the exhibit.

Several events are planned at the museum leading up to the anniversary, including a book signing and lecture by Alfred McLaren about the USS *Queenfish* on July 12 and by Don Keith about the *Nautilus* on Aug. 2, and a ceremony on the *Nautilus* Aug. 3.

The Nautilus Alumni Association is planning a reunion Sept. 25–28 at the Groton Inn and Suites.

[From the New London Day, July 9, 2008]

WONDER OF ''NAUTILUS''

Even after 50 years, the feat of the men and their boat, USS *Nautilus*, is astounding. Crossing the North Pole under the polar ice cap in a nuclear-powered submarine constituted much more than the single event itself. The voyage unlocked the tremendous potential of submersibles powered in a way that they could travel indefinitely on a mission. And imaginations soared.

There has followed one generation after another of nuclear submarines, each more capable than its predecessors, but the pioneering brilliance of *Nautilus* remains a marker for naval historians. So, too, does the relentless pursuit of excellence that characterized Adm. Hyman G. Rickover's direction of the Navy's nuclear power program.

As reporter Jennifer Grogan's feature story June 30 revealed, the voyage also created an impenetrable bond among the crew and officers of *Nautilus*. At the time of the trip, few in civilian life quite understood the magnitude of the *Nautilus*' accomplishment. But succeeding classes of submarines have made clear the almost limitless capabilities of these boats.

The self-confidence and optimism displayed by the veterans in Ms. Grogan's story is a modem expression of the morale of the crew that ventured north in 1958. Those men and the imagination that conceptualized their voyage are a credit to the Navy's versatility and technical skills.

That is why it is especially fitting that the *Nautilus*, open to the public, resides here next to the Submarine Base, an interesting naval laboratory for all to see. If you haven't yet taken the time to pay a visit, we urge you to do so.

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

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

Mr. Speaker, I rise today in strong support of House Resolution 1067, recognizing the 50th anniversary of the crossing of the North Pole by the USS *Nautilus* and its significance in the history of both our Nation and the world.

I want to commend my colleague on the House Armed Services Committee, Representative JOE COURTNEY of Connecticut, for sponsoring this important resolution, as well as the 20 other cosponsors, including Representative ROSCOE BARTLETT, the ranking member of the Seapower and Expeditionary Forces Subcommittee.

Submarines have been a central component of our Nation's naval forces for over a century. Congress authorized the construction of the *Nautilus* in July 1951. After merely 26 months of construction, unheard of by today's standards, the first nuclear-powered submarine—indeed, the first nuclear-powered vessel in the world—was commissioned into the United States Navy. Shortly thereafter, on the morning of January 17, 1955, *Nautilus'* first Commanding Officer, Commander Eugene P. Wilkinson, ordered the boat away from the pier and signaled the historic message, ''Underway on Nuclear Power.'' From that day forward, *Nautilus* continued to break all submerged speed and distance records. This included the historic mission to the North Pole on August 3, 1958.

In honoring the USS *Nautilus*, I note that now, just as 50 years ago, both quality and quantity matter with respect to our naval fleet. Although our current military conflicts have caused us to rightly focus on the health of our ground forces, it is again time for the Nation to have a strategic outlook on the future role of our naval forces. We should do our level best to maintain our maritime dominance and forward presence around the globe.

I will conclude by noting that the USS *Nautilus'* journey from the North Pole is historically significant and a magnificent scientific and military achievement. I am proud that the United States Navy has set an international standard of excellence.

So, Mr. Speaker, I call upon all Americans to pause and honor the service and sacrifice of not only those brave Americans who crossed the North Pole 50 years ago, but all those who have served and continue to serve in the defense of our Nation and its values.

I urge my colleagues to support this most worthy resolution.

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

Mr. COURTNEY. Mr. Speaker, I want to thank the gentleman for his strong support for this measure, and just for the record indicate that on August 3 the Nautilus Museum will be holding a formal event to celebrate the 50th anniversary of this, again, incredible scientific and historic achievement by the U.S. Navy. Again, I just want to salute the efforts of all those people involved and urge passage of the resolution.

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 Connecticut (Mr. COURTNEY) that the House suspend the rules and agree to the resolution, H. Res. 1067.

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. COURTNEY. 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.

HONORING THE SERVICE AND SACRIFICE OF THE 101ST AIRBORNE DIVISION

Mr. COURTNEY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1080) honoring the extraordinary service and exceptional sacrifice of the 101st Airborne Division (Air Assault), known as the Screaming Eagles, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1080

Whereas the 101st Airborne Division (Air Assault), or the Screaming Eagles, headquartered in Fort Campbell, Kentucky, has faithfully answered America's call for service since its formation on August 15, 1942;

Whereas the 101st Airborne Division (Air Assault) defense of Bastogue during World War II is regarded as one of the great achievements in United States military history;

Whereas the 101st Airborne Division (Air Assault) is the only air assault division in the world;

Whereas the 101st Airborne Division (Air Assault) has since deployed tens of thousands of young men and women to Iraq and Afghanistan no less than three times in support of the Global War on Terrorism, performing counter-insurgency operations, securing liberty for such nations to deny safe-haven to terrorists, and helping build a better future for such nations;

Whereas over 6,000 Screaming Eagles have made the ultimate sacrifice and countless others have been injured in multiple operations since inception; and

Whereas the 101st Airborne Division (Air Assault) has recognized its ''rendezvous with destiny,'' serving the Nation in five wars, with 19 of its members having been awarded the Medal of Honor: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the 101st Airborne Division (Air Assault), also known as the Screaming Eagles, as one of the great Divisions in American military history;

(2) recognizes that America owes a tremendous debt to the 101st Airborne Division (Air Assault) for the extraordinary service, sacrifice, and patriotism of the soldiers of the Division and their families; and

(3) acknowledges that the contributions of the 101st Airborne Division (Air Assault) to ensure the continued safety and security of this nation will not go unnoticed.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Connecticut (Mr. COURTNEY) and the gentleman from Alabama (Mr. ROGERS) each will control 20 minutes.

The Chair recognizes the gentleman from Connecticut.

GENERAL LEAVE

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

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

There was no objection.

Mr. COURTNEY. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I rise today in support of House Resolution 1080, honoring the extraordinary service and exceptional sacrifice of the 101st Airborne Division, more commonly known as the Screaming Eagles.

On August 16, 1942, the day the 101st Airborne Division was activated, Major General William C. Lee observed that ''The 101st has no history, but it has a rendezvous with destiny.'' Since that day over 60 years ago, the 101st Airborne Division has distinguished itself time and again.

Currently headquartered at Fort Campbell, Kentucky, the 101st Airborne Division has faithfully answered America's call to service and has a distinguished history as the only air assault division in the world. The division cleared the way for the 1st and 4th Infantry Divisions at Omaha and Utah Beach on D-day in Normandy.

One of the most notable of the Screaming Eagles' achievements was the defense of Bastogne, Belgium during the Battle of the Bulge, where the division was surrounded by advancing enemy forces who demanded their immediate surrender. Brigadier General Anthony McAuliffe led the 101st through the siege, which was broken on December 26, 1944.

The division again proved its laudable skill and courage fighting bitter battles in Vietnam. The 101st established an extraordinary helicopter force of troops trained and ready for combat in Vietnam. Dense jungle and uneven terrain made the use of helicopters highly desirable for maneuverability and aided in the Tet Offensive.

The 101st Airborne Division (Air Mobile) was designated the 101st Airborne Division (Air Assault) in October 1974. The Screaming Eagles continued their rendezvous with destiny by faithfully completing combat missions in the Middle East, and humanitarian and peacekeeping missions in Rwanda, Somalia, Haiti, and in Bosnia. During the 1990 invasion of Kuwait, the division

conducted the largest air assault in history.

Today, the 101st continues their history of exemplary combat service to our Nation in Iraq and Afghanistan. Thousands of men and women proudly wear the patch of the Screaming Eagle on their right shoulder as they deploy to defend the liberties that we enjoy here in the United States. Today, we recognize the Screaming Eagles and the hundreds of thousands of their brethren in uniform who volunteer to defend our Nation each and every day.

I urge my colleagues to join me in support of this resolution.

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

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

Mr. Speaker, I rise today in strong support of this resolution honoring the extraordinary service and exceptional sacrifice of all those who have served and are serving in the 101st Airborne Division known as the Screaming Eagles.

For more than 65 years, since its formation in 1942, the division has established a record of bravery, commitment, military prowess and excellence that marks it as one of the great military units in American history.

When activated, the division's first commander told his men that, while the division had no history, it had a ''rendezvous with destiny.'' And through five wars, the soldiers of that division have never failed that vision.

In World War II, from Normandy to Holland to Bastogne, and Hitler's Eagle's Nest, the division fought with great distinction. More than 2,000 of its members died defending freedom. Deployed to Vietnam for 7 years, the division never failed to accomplish any mission.

Though few of its battles became household names, the division's 4,000 deaths and 17 Medals of Honor are evidence of the unhesitating courage and sacrifice the division has made in Southeast Asia.

Today, tens of thousands of the 101st soldiers have deployed to Iraq and Afghanistan, helping to secure liberty for those nations, denying a safe haven to terrorists, and helping to protect America's interests.

So, Mr. Speaker, it is entirely fitting that we honor the 101st Airborne Division as one of the great American military units. More importantly, we must recognize and honor the tremendous debt that we owe to all who have served so well in this storied and historic division.

I want to thank my colleague, Mr. WHITFIELD, for introducing this resolution.

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

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

Mr. ROGERS of Alabama. Mr. Speaker, I yield such time as he may consume to my friend and colleague from Kentucky, Mr. ED WHITFIELD.

Mr. WHITFIELD of Kentucky. I certainly want to thank the gentleman from Connecticut (Mr. COURTNEY) and the gentleman from Alabama (Mr. ROGERS) as well as Chairman SKELTON and Ranking Member HUNTER for bringing this resolution to the floor today.

As has been said, Fort Campbell, Kentucky is the home of the 101st Airborne Division known as the Screaming Eagles, which is the only air assault division in the world. It has been my distinct privilege and pleasure to represent the First Congressional District of Kentucky, which is the home of this great unit.

I would also like to say that, while this resolution focuses explicitly on the 101st Airborne Division, Fort Campbell is also the home of the 160th Special Aviation Regiment, the Fifth Special Forces Group, the 86th Combat Support Hospital, and we have many young men and women also serving at the Blanchfield Army Hospital as well as the Garrison Command at Fort Campbell.

I was delighted that the gentleman from Connecticut and the gentleman from Alabama talked briefly about the history of this great 101st Airborne Division. I might say that, throughout its history, 19 individuals of that unit have received the highest declaration offered by the U.S. Government, which is the Medal of Honor.

Since Operation Enduring Freedom and Operation Iraqi Freedom began, thousands of members of the 101st Airborne Division have been deployed no less than three times, performing dangerous counter-insurgency operations and working to secure liberty in nations that once served as safe havens for terrorists.

I might also say that we pay special tribute to the nearly 200 members of the 101st Division who have lost their lives fighting the global war on terrorism, and throughout its proud history over 6,000 have lost their lives.

Despite the dangers and difficulties faced by these soldiers and their loved ones, I might say that 65 percent reenlist and request to stay with the 101st Airborne Division, which certainly demonstrates the loyalty to the proud history and tradition of this unit.

I'd like to thank all of the cosponsors of this resolution. The brave soldiers of the 101st Airborne Division have never hesitated to answer this Nation's call to duty, and it is my great privilege to honor them with this resolution.

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

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

Mr. COURTNEY. Mr. Speaker, again, I just want to salute Mr. WHITFIELD's and Mr. ROGERS' fine comments. They've said it all.

Mr. TANNER. Mr. Speaker, I rise today in strong support of H. Res. 1080, a resolution honoring the extraordinary service and sacrifice of the Screaming Eagles of the 101st Airborne Division of the United States Army and their families. I am proud to represent in this chamber a portion of Fort Campbell, where the Screaming Eagles are based.

This resolution is especially timely as soldiers from the 101st Airborne Division are currently deployed to Afghanistan and Iraq. In April, Major General Jeffrey Schloesser, who commands the Screaming Eagles, took over as the senior U.S. commander in Afghanistan. Under General Schloesser, the 101st Airborne Division took over command of Regional Command East, an area comprised of 14 provinces in eastern Afghanistan. At the same time, three Brigade Combat Teams from the 101st Airborne Division are serving in Iraq. Many of the soldiers have been deployed multiple times in Afghanistan and Iraq, some of those deployments under the command of General David Petraeus, now the Commander of U.S. Central Command.

One need only look at the history of the Screaming Eagles to understand the legacy of the 101st Airborne Division. Originally activated during World War I, the Screaming Eagles would go on to serve in World War II, Vietnam, and Desert Storm, along with their most recent deployments to Afghanistan and Iraq.

During World War II, the soldiers of the 101st Airborne Division would have the distinction of being the first Americans to land in France as part of the D-Day invasion. Nearly 60 years later, the Screaming Eagles became the first conventional unit to deploy in the Global War on Terror; participated in Operation Anaconda, a tough early battle in Afghanistan; and help lead the invasion into Iraq.

Mr. Speaker, thank you for joining us today to honor the 101st Airborne Division, the men and women who have earned their place in history. They and their families will be in our thoughts and prayers as they continue to serve with distinction.

Mr. COURTNEY. 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 Connecticut (Mr. COURTNEY) that the House suspend the rules and agree to the resolution, H. Res. 1080, as amended.

The question was taken.

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

Mr. ROGERS of Alabama. 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.

EXPRESSING APPRECIATION OF CONGRESS TO THE FAMILIES OF MEMBERS OF ARMED FORCES

Mr. COURTNEY. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 295) expressing the deepest appreciation of Congress to the families of members of the United States Armed Forces.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 295

Whereas more than 2,000,000 Americans are demonstrating their devotion to the United States and freedom by serving in the United States Armed Forces;

Whereas there are a multitude of family members, including mothers, fathers, siblings, spouses, and children, supporting each member of the Armed Forces;

Whereas, even in peacetime, the family of a member of the Armed Forces makes concessions given the inherent dangers of military service and the frequent relocations resulting in disruption of everyday routine;

Whereas, during wartime, family members endure increased sacrifices, forgo time with their loved one, and face increased worry and uncertainty when their loved one serves extended tours overseas or engages in enhanced training activities;

Whereas an increasing number of family members have taken on volunteer responsibilities in organizations associated with the Armed Forces;

Whereas the family of a member of the Armed Forces wounded in action willingly accepts the additional role of caregiver, even when it requires postponement of personal goals;

Whereas the families of members of the Armed Forces serve as a pillar of strength and encouragement for those serving the interests of the United States at home and abroad; and

Whereas the families of members of the Armed Forces play a critical role in providing emotional support and readjustment assistance as members transition from military life to civilian life: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress expresses its deepest appreciation to the families, both immediate and extended, of members of the United States Armed Forces for the unwavering support, both physical and emotional, that family members give their loved ones while they answer the call to serve their country and keep the United States safe.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Connecticut (Mr. COURTNEY) and the gentleman from Alabama (Mr. ROGERS) each will control 20 minutes.

The Chair recognizes the gentleman from Connecticut.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise today in strong support of House Current Resolution 295, which expresses the deep appreciation of Congress to the families of members of the United States Armed Services.

□ 1500

Over 2 million American men and women are serving in the Armed Forces today. These military men and women have parents, spouses, and children who are being asked to sacrifice their time with their loved one. Given the high operational tempo, these families have faced continued and sustained separation from their servicemember, many of whom have been deployed more than one time.

Living without the support of a beloved servicemember can be a daily struggle, and especially so for young children. Even so, our military families rise to the challenge with incredible strength and perseverance. These families are proud to know that the sacrifices that they and their loved one makes are to serve the country they love.

When a member returns home, it is our military families who are there for warriors. They provide our first line of defense to ensure that warriors who are wounded or need assistance receive the help that they have earned and deserve. Families are often the first to identify the needs of their loved one and to help ensure that those needs are met. Many families have made tremendous sacrifices to support their wounded warrior, often giving up their own personal goals to ensure that our wounded warriors are well cared for.

Military families are also unsurpassed in their devotion to their military communities. We depend on military family members who volunteer to support units and other families. As the demand has only increased over time with repeated deployments, the responsibilities that these family members have undertaken has also increased tenfold. These are Americans who answer the call in their hearts to serve the men and women who protect our homeland. Their strength, compassion, and unselfish sacrifice truly epitomize all that is good about the American spirit.

House Concurrent Resolution 295 is our way in the Congress of expressing our sincerest appreciation to our military families for the unwavering support that they give to the men and women who serve to keep the United States safe. I urge my colleagues to join me in support of this very important resolution.

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

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

I rise in support of House Concurrent Resolution 295, which expresses the deepest appreciation of Congress to the families of members of the United States Armed Forces. I would like to thank Mr. BILIRAKIS of Florida for introducing this resolution.

Mr. Speaker, I am honored to pay tribute today to the force behind the force: the military family. It has long been known that the military services recruit individuals but we retain families. This has never been more true or more critical than it is today.

The support our troops receive from their loving families—mothers, fathers, sisters, brothers, spouses, and children—is intangible but it is nothing less than a powerful force multiplier.

Today millions of Americans have one or more family members serving in the Armed Forces. These incredible families attempt to lead normal lives while their loved ones stand in harm's way, fulfilling our Nation's oath to serve and protect. The strength of the military family is astounding. Military parents give their sons and daughters to our Nation and pray relentlessly for their safe return. They look forward to every letter and phone call, while fearing the ringing of the phone and the doorbell at the same time.

As we celebrate military families, let us not forget the sacrifices of the children. Military children are special in their strength and their maturity. They do not always have ''hometowns,'' but they have a heightened sense of family both in the traditional sense and in the special characteristics of the military community.

Military families have an uncanny resilience. They are some of the strongest citizens in this country, and I am privileged to recognize them not only today but every day.

I urge my colleagues to support this very important resolution. Without the support of our military families, the Armed Forces would not be the incredible power they are today.

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

Mr. COURTNEY. Mr. Speaker, I yield such time as he may consume to my friend and colleague and leader, the distinguished chairman of the Armed Services Committee, the gentleman from Missouri (Mr. SKELTON).

Mr. SKELTON. I thank the gentleman from Connecticut for his leadership on this issue.

Mr. Speaker, we recall that our Nation has been at war for over 6 years. It is often in times of conflict that our uniformed services are called upon, as in wartime now, to extraordinary duty.

It is their families that we seem from time to time to forget, but the support of their families is so very important. They are a very special group. Military families regularly face months of separation, one, two, three, and in some cases, four deployments. Children being born—I recall, Mr. Speaker, not all that long ago coming into port and then helicoptered out to the USS *Harry S. Truman* and seeing a good number of sailors being allowed to leave the ship first to meet their family and to meet the newborn children of those families that they had never seen before. Stories of children being born, of precious moments like graduations and birthdays being separated.

I think it is important that we in Congress recognize the importance and give moral support and comfort and thanks to those military families who bond together in times of crisis and help each other. And I think it's incumbent upon every American not only to say thanks and show appreciation to those we see in uniform but to do the same thing for the spouses and the children in those wonderful families.

Mr. ROGERS of Alabama. Mr. Speaker, I would like to yield such time as he may consume to the sponsor of this legislation, the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Mr. Speaker, I rise today in support of H. Con. Res. 295, which I introduced. I would like to thank Chairman SKELTON and Ranking Member HUNTER for allowing this resolution to come to the floor. I also want to thank Mr. COURTNEY and, of course, Mr. ROGERS.

Among the many things that make our Nation so great is our strong and valiant military. The strength, courage, and dedication of the men and women in uniform keep us safe at home from threats abroad. While Congress rightfully has and continues to recognize these men and women, so too should we honor their family members who serve as constant pillars of strength for them.

Behind each and every one of the more than 2 million individuals serving in the United States Armed Forces is a multitude of family members, be it mothers, fathers, sisters, brothers, spouses, aunts, uncles, extended family, offering encouragement and providing the emotional and physical support our defenders need to successfully protect our Nation. These family members make daily sacrifices as they forgo time with their loved ones and face increased worry and uncertainty as members of the Armed Forces serve extended tours abroad and engage in more frequent training missions.

Even under the most difficult circumstances, when one of our soldiers is wounded in action, these families willingly take on the role of caregiver. They selflessly postpone their personal goals and rearrange their lives to meet the physical and emotional needs of their loved ones as they transition back to civilian life.

Our members of the Armed Forces are able to exhibit the level of strength and devotion that is their trademark, in part because of the network of support that they know they have at home. That is why I have introduced H. Con. Res. 295, which recognizes the integral role the families of our servicemembers play in defense of our Nation.

Mr. Speaker, it is with great honor and privilege that I rise today to express my deepest appreciation to the immediate and extended families of the members of the Armed Forces for their unwavering support that they provide to our Nation's heroes. I urge all my colleagues to do the same by supporting this resolution.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Connecticut (Mr. COURTNEY) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 295.

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. ROGERS of Alabama. 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.

RECOGNIZING THE 60TH ANNIVERSARY OF THE INTEGRATION OF THE ARMED FORCES

Mr. COURTNEY. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 297) recognizing the 60th anniversary of the integration of the United States Armed Forces, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 297

Whereas the United States has always had strong Armed Forces made up of courageous men and women serving the ideals of duty, honor, and country;

Whereas the Armed Forces were unfortunately once a place of segregation of the races;

Whereas despite segregation, minority members of the Armed Forces, such as the Tuskegee Airmen, who trained at historic Moton Field in Macon County, Alabama, demonstrated honor and bravery above and beyond the call of duty;

Whereas the bravery and sacrifice of all members of the Armed Forces regardless of race during World War II and prior conflicts is a matter of national honor;

Whereas the integration of the Armed Forces beginning in 1948 was a seminal event in our Nation's history and instilled the democratic ideal of equality in the military; and

Whereas the continued bravery and dedication of every member of the Armed Forces continues to be a source of pride to every American: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress to honorably and respectfully recognize the historic significance and to celebrate the 60th Anniversary of President Truman's Executive Order 9981 signed on July 26, 1948 that declared it to be the policy of the President that there shall be equality of treatment and opportunity for all persons in the armed services without regard to race, color, religion or national origin thereby beginning the process of ending segregation in the United States Armed Forces.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Connecticut (Mr. COURTNEY) and the gentleman from Alabama (Mr. ROGERS) each will control 20 minutes.

The Chair recognizes the gentleman from Connecticut.

GENERAL LEAVE

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

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

There was no objection.

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

I rise in support of House Concurrent Resolution 297, which recognizes the 60th anniversary of the beginning of the integration of the Armed Forces.

Our military men and women are representative of the fabric of American society. They originate from every region of the world and represent the beautiful diversity of our planet. They bring forth with them a wide array of diverse talents and skill sets that has long made the U.S. military the superpower it is today.

House Concurrent Resolution 297 celebrates the 60th anniversary of President Harry Truman's 1948 executive order declaring that the equality of treatment and opportunity for all persons in the Armed Forces was the policy of the President. We celebrate this seminal event in our Nation's history for installing the democratic ideals of equality in our military and our country.

During the Second World War, the Tuskegee Airmen broke the color barrier within the Armed Forces to become the first black pilots, navigators, and bombardiers. It was the impenetrable code created from the Navajo language and utilized by the Navajo Code Talkers that helped save lives in the Pacific. Japanese American soldiers volunteered to serve in uniform while their families were held in concentration camps in the United States. It was the ingenuity of refugee scientists escaping anti-Semitism in their homeland that led to the American acquisition of nuclear technology. Diversity has made our Armed Forces and our Nation safer and stronger.

Unfortunately, our Armed Forces was once a place of discrimination and segregation. Many Americans of African, Asian, and Hispanic descent who served in the Armed Forces struggled against frequent episodes of racism and bigotry. Often these American servicemembers felt that they were fighting two wars, one against a foreign enemy and the other against racism from within their own ranks.

Despite great adversity, Americans of minority descent proudly served with honor and bravery, above and beyond the call of duty. We in Congress recognize their contributions and honor them for their sacrifices. The bravery and sacrifice of all members of the Armed Forces, regardless of race, color, or creed, will always be a matter of national honor.

Today the multi-racial makeup of our troops is a testament to the democratic ideals that all Americans hold dear, that all men and women are created equal. Our diverse forces serve as a proud example for the rest of the world in these times of racial and religious intolerance.

I urge my colleagues to join me in support of this important resolution.

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

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

I rise in strong support of this resolution commemorating the 60th anniversary of the beginning of integration in the United States Armed Forces.

□ 1515

Throughout the course of our Nation's history, the men and women of the armed services have defended our liberties with bravery, honor and sacrifice. But because our Nation racially segregated its military prior to 1948, generations of African Americans selflessly served our Nation with the knowledge that they were fighting abroad for many of the freedoms that they were frequently denied here at home. Despite this injustice, not only did African Americans serve honorably to fight for all our freedoms, they did so with dignity and bravery that earned many of them our Nation's top military honors.

One of the most important events in our Nation's history that helped move our country toward a more integrated America occurred on July 26, 1948, when President Harry S. Truman signed Executive Order 9981. This important order, which we acknowledge with this resolution today, ordered that there be equality of treatment with all persons in the armed services regardless of race, color, religion or national origin.

Even though it took years to accomplish the complete integration of the armed services, it was Executive Order 9981 that began the process.

Of the many units that served with distinction, I particularly would like to recognize the contributions of the Tuskegee Airmen, who trained at historic Moton Field in my congressional district in Alabama.

As most of us know, over the course of World War II, the Tuskegee Airmen became one of the most highly decorated units in the Armed Forces. These brave pilots destroyed more than 1,000 German aircraft while accumulating an unprecedented record of flying more than 200 bomber escort missions over central and southern Europe.

These brave Americans served without the loss of a single bomber to enemy aircraft and returned home with some of our Nation's highest military honors. But they also returned home to a racially segregated America. It's that injustice, and the steps our Nation has taken to help right that wrong, that we are helping recognize today. I'm also delighted that this body will help further recognize the occasion with a ceremony in the Capitol Rotunda later this month.

I would like to thank Speaker PELOSI, Majority Leader HOYER, and Chairman SKELTON for allowing this resolution today. I'd also like to thank my good friend and colleague from Florida, Mr. KENDRICK MEEK, for his strong support of this resolution.

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

Mr. COURTNEY. Mr. Speaker, I yield such time as he may consume to my friend and colleague, the distinguished chairman of the Armed Services Committee, the gentleman from the State of Missouri, the same State that brought us President Harry Truman, Mr. IKE SKELTON.

Mr. SKELTON. I thank my friend from Connecticut for yielding and take this opportunity to mention the fact that my fellow Missourian, President Harry S. Truman, on the 26th day of July, 1948, signed Executive Order 9981 establishing the ''policy of the President that there shall be equality of treatment and opportunity for all persons in the armed services with regard to race, color, religion, or national origin.'' That executive order also established the President's Committee on Equality of Treatment and Opportunity in our armed services.

On the 23rd of this month, our Congress will recognize the 60th anniversary of the beginning of the process of integration for our military.

African American men and women have served this Nation with honor, courage, commitment, even as they were denied the basic constitutional freedoms promised to all Americans. Their successful integration of forces paved the way for further integration of women, Asians, Hispanics, and other ethnic minorities.

The cosmopolitan make-up of our armed services is a testament to the American value that we hold dear, that all men are created equal. It is also a reflection of our society that we should treat all individuals, regardless of their race, their color, or national origin with respect and with dignity. And with these days of conflict, our forces, our military forces of our country, are an example of what can be achieved by respecting one's differences and working together to achieve a common goal.

House Concurrent Resolution 297 recognizes the 60th anniversary. I applaud those who have sponsored it, and I applaud the fact that we are taking it up today and recognizing the importance of this anniversary.

Mr. ROGERS of Alabama. Mr. Speaker, I have no further requests for time at this time so I will yield back the balance of my time.

Mr. COURTNEY. Mr. Speaker, I yield 3 minutes to my friend and colleague, the gentleman from New Jersey who serves on the Education and Labor Committee, Mr. PAYNE.

Mr. PAYNE. Thank you very much for yielding.

Let me commend the sponsor of this great resolution and also let me just commend Representative SKELTON for the outstanding work that he has done for so many years in the Armed Services Committee.

I stand in support of this resolution, H. Con. Res. 297, because as we all know, there were many, many African Americans who have fought valiantly through many of the wars. I'm very proud to have an uncle who just passed away 2 years ago, 3 years ago, who was in the invasion of Normandy. I used to recall as a young boy receiving the letters that he would send that were photocopied and made about the size of your hand where anything they felt was strategic was blacked out. And my Uncle John was a staff sergeant. As I mentioned, he was in the invasion of Normandy. And his wife, Ruth Garrett, who is still alive, worked in Picatinny Arsenal in New Jersey for the war effort making weapons for our armed services. He was very proud when the World War II monument was opened, and he proudly sat with his uniform and his cap and his medals and made us very, very proud of his service. Even today, one of my employees, Richard Turner, is serving in Iraq.

But there have been African Americans who have served for so many years. It took Mrs. Eleanor Roosevelt to fly with the Tuskegee Airmen for them to finally allow the Tuskegee Airmen to fly in combat because there was resistance to that. And as we know, the first person, as a matter of fact, to die in the Revolutionary War was Crispus Attucks back in 1770 on March 5 when he and four other patriots were taken down by the British to start the Revolutionary War in the Battle of Bunker Hill where we had Crispus, and where we had Salem Poor who fought at the battle of Bunker Hill. And we can go on and on.

A neighbor of mine, Needham Roberts and Sergeant Henry Johnson, captured 30 German soldiers in World War I and kept them captive for over a month. And people wondered how two soldiers could have kept so many enemy soldiers at bay. And so I am so proud to have this recognition and certainly pay tribute to Harry S. Truman. He was a person who had said ''the buck stops here.'' He was from Missouri. He said that he'll take the heat, and he did.

And so I would just like to once again commend so many of the men and women who continue even today to show their appreciation and strength for our Nation as they serve valiantly in the United States Armed Services.

Mr. CONYERS. Mr. Speaker, it is with deep pride that I rise to commemorate the 60th anniversary of the integration of the Armed Forces. As I stand here today, our forces around the world are united in their efforts to preserve our liberty; however, it was not long ago that the men and women of the Armed Forces faced forced division, even while protecting our unity.

African Americans have been essential to the creation and preservation of our Nation. These valiant men and women fought abroad for freedom and security in segregated units, while their own families were subject to oppression and inequality on the home front. Despite this, African-American troops still honored the ideals of the United States and courageously defended the country; many of them would go on to earn top military honors.

Fortunately the United States military would not remain so divided. On July 26, 1948,

President Harry Truman signed Executive Order 9981, mandating the equal treatment of all persons in the armed services without regard to race, color, religion or national origin. In addition to beginning the process of immigration, Executive Order 9981 also established the President's Committee on Equality of Treatment and Opportunity in the Armed Services. While it would take years for the integration of the armed services to be completed, it was Executive Order 9981 which began to pave the path to unity.

The Revolutionary War was spurred by a document, the Declaration of Independence, which proclaimed, "All men are created equal". Many African Americans fought in the Revolution, while experiencing unequal treatment. Another document, Executive Order 9981, authored by President Truman, was able to begin the integration of the armed services, which ended this pervasive inequality and segregation. The signing of Executive Order 9981 was a pivotal moment in our history and I wholeheartedly support its commemoration.

I commend my colleagues, Representatives MIKE ROGERS and KENDRICK MEEK, for bringing this legislation to the floor.

Mr. COURTNEY. 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 Connecticut (Mr. COURTNEY) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 297, as amended.

The question was taken.

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

Mr. ROGERS of Alabama. 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.

REGULATORY IMPROVEMENT ACT OF 2007

Mr. SCHIFF. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 3564) to amend title 5, United States Code, to authorize appropriations for the Administrative Conference of the United States through fiscal year 2011, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

On page 2, lines 9 through 11, strike "$1,000,000 for fiscal year 2008, $3,300,000 for fiscal year 2009, $3,400,000 for fiscal year 2010, and $3,500,000 for fiscal year 2011" and insert *"$3,200,000 for fiscal year 2009, $3,200,000 for fiscal year 2010, and $3,200,000 for fiscal year 2011"*.

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

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, the Federal regulation process is one of the most important ways by which our Nation implements public policy. Each year, agencies issue thousands of regulations to promote safety in our lives, from the food we eat, to the cars we drive, to the air we breathe.

Although regulations play a critical role in protecting so many aspects of our daily lives, there is no independent, nonpartisan entity that Congress can rely upon to help us ensure that these regulations are working as intended.

The Administrative Conference of the United States was just such an entity, a public-private think tank that provided invaluable guidance to Congress about how to improve the administrative and regulatory process.

First authorized by President John F. Kennedy, the Conference made numerous recommendations over the course of its 27-year existence, many of which were enacted into law. The conference was last funded into in 1995. H.R. 3564, the Regulatory Improvement Act of 2007, would reauthorize it for 3 years.

Some might ask why we are reauthorizing an entity that has been out of existence for so long. Let me mention three important reasons. First, the Conference can save taxpayer dollars, in fact, millions of dollars. When it was in existence, it helped agencies implement many cost-saving procedures and make numerous recommendations to eliminate excessive litigation costs and long delays.

Just one agency alone, the Social Security Administration, estimated that the Conference's recommendation to change that agency's appeal process yielded approximately $85 million in savings. Indeed, Justice Stephen Breyer testified before the Subcommittee on Commercial and Administrative Law about the "huge" savings to the public resulting from the Conference's recommendations. Justice Antonin Scalia likewise agreed that it was an enormous bargain.

Second, the Administrative Conference promoted innovation among agencies. For example, it convinced 24 agencies to use alternative dispute resolution for issues concerning the private sector. The Conference also spearheaded implementation of the Negotiated Rulemaking Act, the Equal Access to Justice Act, and the Magnuson-Moss Warranty Act, governing consumer product warranties.

The Conference played a major role in encouraging agencies to promulgate smarter regulations. It did this by working to improve the public's understanding and participation in the rulemaking process, promoting judicial review of agency regulations, and reducing regulatory burdens on the private sector.

Third, and perhaps most importantly, Congress needs the conference. Experience with the Congressional Review Act proves that there are limitations in Congress' ability to provide aggressive oversight of the regulatory process.

Congressional recognition of the Conference's significant contributions to the regulatory process is probably best evidenced by the fact that legislation assigning responsibilities to it continues to be introduced in nearly every Congress, including the current one.

The Congressional Research Service advises that reactivation of the Conference now would come at "an opportune time," especially in light of efforts by the White House to augment its involvement in the regulatory process.

There are few entities that have enjoyed more bipartisan support than the Administrative Conference, and understandably so. It is all about promoting good government.

I commend my colleague, the ranking member of the Subcommittee on Commercial and Administrative Law, CHRIS CANNON of Utah, for his leadership in continuing to pursue reauthorization of the conference.

Last October, the House passed this bill on suspension by voice vote without amendment. The Senate late last month finally acted and passed the bill with a small amendment which essentially reauthorizes the Conference at a level of funding in the amount of $3.2 million.

I urge my colleagues to concur in the Senate amendment so we can send this bill to the President.

I reserve the balance of my time.

□ 1530

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

I thank my friend from California for his work on this bill, and thank the chairman of the committee and also the ranking members of the subcommittee and committee.

I am delighted to see us conclude today our consideration of H.R. 3564 which would reauthorize the Administrative Conference of the United States. The bill we consider today was amended slightly by the Senate which required this action by us today. But I strongly urge the House to concur in the Senate's amendment today. I also urge the Appropriations Committee and the House to appropriate funds promptly to ACUS. We need this exemplary agency once again to become a living, breathing entity and reality.

So why is that? As the distinguished Member from Utah (Mr. CANNON) remarked when we originally voted out the bill, and quoting from prior adage,

''The government that governs best, governs least. And when the government does govern, it should govern at its best.'' He is exactly right. That is the role of ACUS, to ensure that when the government acts, it acts at its best.

The small appropriations that we historically invested in ACUS yielded us major overall savings in time and in money. ACUS consistently pinpointed ways for the government to reduce the cost it incurs and that it imposes. As we confront the specter of exploding Social Security and Medicare entitlement costs hijacking the Federal budget, we need ACUS all the more. We must do everything we can to avoid waste in our spending and to lighten the government burden on our economy. By reauthorizing and refunding ACUS, we can take important steps in that effort. I again thank the gentleman from California for his work.

I reserve the balance of my time.

Mr. SCHIFF. Mr. Speaker, may I inquire how many more speakers my colleague from Texas has remaining.

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

Mr. SCHIFF. Mr. Speaker, I thank the gentleman from Texas and I thank the Speaker as well as the work of Mr. CANNON of Utah. I urge passage of the bill.

As we have seen most recently in the actions and inactions by the FDA dealing with the salmonella incidents, or whether it is the Consumer Product Safety Commission and some of the issues involving manufactured products from other countries, the regulatory process is extraordinarily important in protecting the American people. Congress is doing its best to oversee these agencies, but we can use the assistance of this important conference, and I join my colleague in urging passage of this bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 3564, Regulatory Improvement Act of 2007. The administrative conference was first created inside the Department of Justice by President Kennedy. Later, it was moved out of the Department of Justice by President Johnson. The mission was a private partnership to discuss administrative law and regulatory system and how to make it better. Supreme Court Justices Breyer and Scalia served on the Conference before becoming Justices and both have testified in the past for its re-authorization. This bill reauthorizes the Administrative Conference. I support this bill and I encourage my colleagues to do likewise.

The Administrative Conference of the United States (ACUS), an independent agency and advisory committee created in 1968, studied U.S. administrative processes with an eye to recommending improvements to Congress and agencies. From 1968 to 1995, the ACUS issued approximately 200 recommendations, most of which have been at least partially implemented. Congressional funding for ACUS was terminated in 1995.

ACUS's recommendations were published periodically in the Code of Federal Regulations prior to 1995. Little known ''outside the Beltway,'' ACUS was a unique entity. Comprised of between 75 and 101 individuals drawn from agencies, academia, and the private sector, the Conference was classified as both an independent agency and a federal advisory committee. Organizationally, it consisted of a Chair, a Council, and an Assembly. The Chair, appointed by the President and confirmed by the Senate for a five-year term, was responsible for the day-to-day activities and supervision of the 18 permanent staff. The Council, which functioned like a board of directors, consisted of ten members appointed by the President for three-year terms, five of whom were always current senior federal officials. The Assembly was made up of the Chair, the Council, and the other members of the Conference, a majority of whom had to come from government service. All of the members (other than the Chair) served without compensation.

The primary, although not exclusive, function of the Conference was to study administrative processes with an eye to recommending improvements to Congress and the agencies. It performed this function by commissioning studies by law professors expert in the administrative process that then were reviewed by one of six standing committees: adjudication, administration, governmental processes, judicial review, regulation, and rulemaking. The recommendations developed by committees of the Conference would be considered for adoption by the Assembly in plenary sessions, which were typically held twice a year.

The improvements occasioned by the Conferences recommendations are legion. Inasmuch as the Conference never had the power to impose its recommendations on unwilling subjects, the fact that so many of its recommendations bore fruit is a testimony to their intrinsic sense. Some, like the Conference's recommendation in 1968, its first year of operation, to eliminate a jurisdictional amount in suits under the APA, were followed by Congress in passing new legislation. Another example is its recommendation to provide administrative penalty authority to agencies to increase the effectiveness of agency enforcement activities at lower cost, first proposed by the Conference in 1972 and since adopted by Congress in over 200 statutes. A third is its 1980 recommended solution to unseemly races to the courthouse in rulemaking appeals, adopted by Congress in 1988.

Other recommendations, like the Conference's early recommendation to eliminate the exemption from the APA's notice-and-comment requirements for rules relating to public property, loans, grants, benefits, and contracts, were sufficiently influential to lead agencies to adopt the recommendations on their own. Its recommendation in 1988 on Presidential Transition Workers' Code of Ethical Conduct were used by President Bush as the basis for his transition standards of conduct, and the Clinton administration likewise followed what had become standard procedures. From 1968 to 1995, the Conference issued approximately 200 recommendations, most of which have been at least partially implemented.

Probably the area in which the Conference had its greatest influence was in introducing and supporting the use of alternative dispute resolution techniques in agency practice. Its recommendation in 1982 provided procedures by which agencies could negotiate proposed regulations, and it followed the recommendation with support and encouragement to agencies to experiment with this new technique. Ultimately, Congress adopted the Negotiated Rulemaking Act in 1990, virtually copying the procedures contained in the Conference's original recommendation. Similarly, in 1986 the Conference issued the first of some fifteen recommendations on using alternative means of dispute resolution in agency adjudications. In 1990 Congress again followed the Conference's lead and enacted the Administrative Dispute Resolution Act. Recognizing the Conference's leadership role in this area, that Act gave the Conference the principal role for coordinating and promoting ADR in the federal government.

Another area in which the Conference had a major influence involved its study of Presidential review of agency rulemaking undertaken during the Reagan administration. This was a subject that had the potential to become highly partisan, but the Conference's reputation for neutrality and expertise enabled it to review the practice, generally validate its exercise, and makes certain recommendations to improve its openness and public acceptability. Because of the Conference's track record of useful and expert studies of the administrative process, all the regulatory reform bills considered by the Senate in the last session included provisions for the Conference to study the effects of the legislation.

The Conference's contribution to administrative law and procedure was not limited just to studies. Drawing on its expertise, ACUS issued numerous publications designed to assist agencies in their administrative processes. For example, in 1972 the Conference published the first edition of its Manual for Administrative Law Judges (now in its 3d edition); in 1978 it published its Interpretive Guide to the Government in the Sunshine Act; in 1981 it issued Model Rules for Agency Implementation of the Equal Access to Justice Act. The latter two of these documents were responsive to Congress' requirement for agencies to consult with the Conference in implementing these statutes. In addition, the Conference has published sourcebooks on Federal Administrative Procedure, Negotiated Rulemaking, and Alternative Dispute Resolution, as well as the Guide to Federal Agency Rulemaking.

Finally, in recent years, following the collapse of the Soviet Union, Congress authorized the Conference to lend its expertise to newly emerging democracies in their creation of administrative law and procedures. As a result, the Conference sponsored seminars in the Ukraine, Hungary, the People's Republic of China, and South Africa.

The ABA has long been a strong supporter of the Conference, and over the years the Conference and the Section on Administrative Law and Regulatory Practice have enjoyed a close and mutually supportive relationship. This bill reauthorizes the administrative conference.

I support this Act and encourage my colleagues to support it also.

Mr. SCHIFF. 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. SCHIFF) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 3564.

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

A motion to reconsider was laid on the table.

HONORING THURGOOD MARSHALL ON THE 100TH ANNIVERSARY OF HIS BIRTH

Mr. SCHIFF. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 381) honoring and recognizing the dedication and achievements of Thurgood Marshall on the 100th anniversary of his birth.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 381

Whereas Thurgood Marshall was born in Baltimore, Maryland, on July 2, 1908, the grandson of a slave;

Whereas Thurgood Marshall developed an interest in the Constitution and the rule of law in his youth;

Whereas Thurgood Marshall graduated from Lincoln University in Pennsylvania with honors in 1930, but was denied acceptance at the all-white University of Maryland Law School because he was African-American;

Whereas Thurgood Marshall attended law school at Howard University, the country's most prominent black university, and graduated first in his class in 1933;

Whereas Thurgood Marshall served as the legal director of the National Association for the Advancement of Colored People (NAACP) from 1940 to 1961;

Whereas Thurgood Marshall argued 32 cases before the Supreme Court of the United States, beginning with the case of Chambers v. Florida in 1940, and won 29 of them, earning more victories in the Supreme Court than any other individual;

Whereas, as Chief Counsel of the NAACP, Thurgood Marshall fought to abolish segregation in schools and challenged laws that discriminated against African-Americans;

Whereas Thurgood Marshall argued Brown v. Board of Education before the Supreme Court in 1954, which resulted in the famous decision declaring racial segregation in public schools unconstitutional, overturning the 1896 decision in Plessy v. Ferguson;

Whereas Thurgood Marshall was nominated to the United States Court of Appeals for the Second Circuit by President John F. Kennedy in 1961, and was confirmed by the United States Senate in spite of heavy opposition from many Southern Senators;

Whereas Thurgood Marshall served on the United States Court of Appeals for the Second Circuit from 1961 to 1965, during which time he wrote 112 opinions, none of which were overturned on appeal;

Whereas Thurgood Marshall was nominated as Solicitor General of the United States by President Lyndon Johnson, and served as the first African-American Solicitor General from 1965 to 1967;

Whereas Thurgood Marshall was nominated as an Associate Justice of the Supreme Court by President Johnson in 1967, and served as the first African-American member of the Supreme Court;

Whereas Thurgood Marshall sought to protect the rights of all Americans during his 24 years as a justice on the Supreme Court;

Whereas Thurgood Marshall was honored with the Liberty Medal in 1992, in recognition of his long history of protecting the rights of women, children, prisoners, and the homeless; and

Whereas Thurgood Marshall died on January 24, 1993, at the age of 84: Now, therefore, be it

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

(1) honors the dedication and achievements of Thurgood Marshall;

(2) recognizes the contributions of Thurgood Marshall to the struggle for equal rights and justice in the United States; and

(3) celebrates the lifetime achievements of Thurgood Marshall on the 100th anniversary of his birth.

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

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, this resolution commemorates the life and work of Thurgood Marshall on the 100th anniversary of his birth, which was July 2, 1908.

I commend the gentleman from New Jersey (Mr. PAYNE) for his leadership in allowing us to recognize an American whose life work was marked by the principles of justice, equality, and freedom, and I am pleased to cosponsor this legislation.

It is hard to know where to begin in reciting Justice Marshall's accomplishments. While best known for breaking the color barrier on the Supreme Court, Justice Marshall is honored because he was an expert jurist who worked on behalf of all Americans. Born 100 years ago in Baltimore, Maryland, and with just one generation between him and slavery, Thurgood Marshall experienced its legacy of segregation and racist hatred in his own time.

Rather than allow that legacy to defeat him, however, he dedicated his life to removing its stain from our society. His courageous determination propelled him to success in the classroom, in the courtroom, and on the bench.

When he was denied admission on the basis of race to the University of Maryland's School of Law, he attended Howard University's School of Law and graduated first in his class in 1933.

When he challenged the separate-but-equal status quo in his capacity as legal director of the National Association for the Advancement of Colored People, the NAACP, from 1940 through 1961, he won 29 out of 32 cases before the Supreme Court, the most Supreme Court cases won by any attorney.

Later, as a judge on the U.S. Court of Appeals for the Second Circuit from 1961 to 1965, he would author 112 opinions, with not one of them being overturned.

Thurgood Marshall would continue his service to this country in two very distinguished capacities. He served as the first African American Solicitor General, from 1965 until 1967. That year, he was appointed associate justice on the U.S. Supreme Court, the first African American Justice, where he served until he retired in 1991.

While Justice Marshall is best known for his lead role in the cases culminating in the 1954 decision in Brown v. Board of Education, which laid the foundation for the dismantling of Jim Crow segregation, he fought racial segregation in every aspect of society, and this pursuit for a fair and just America made him one of the Nation's best advocates of civil rights.

In Chambers v. Florida, he challenged a biased criminal justice system. In Shelley v. Kraemer, he challenged discrimination in housing. And in Smith v. Allwright, he challenged inequitable voting practices.

Finally, in commemorating Justice Marshall, we acknowledge not just a good lawyer and judge, but a good man who reminded us that ''in recognizing the humanity of our fellow beings, we pay ourselves the highest tribute.''

Thurgood Marshall should be remembered as an individual who raised the morale, spirit and conscience of this country and who tirelessly fought social injustice throughout his life.

I ask my colleagues to join me in support of this resolution that calls upon us to recognize the important legacy of Thurgood Marshall, a man who challenged and inspired Americans to live up to the principles and ideals on which this country was founded.

I reserve the balance of my time.

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

Mr. Speaker, I again thank my friend from California, I thank the chairman of the committee, the ranking member of the committee, and those who have worked on this bill.

I rise in support of House Concurrent Resolution 381 honoring and recognizing the dedication and achievements of Thurgood Marshall on the 100th anniversary of his birth.

Thurgood Marshall, born in Baltimore, Maryland, on July 2, 1908, was the grandson of a slave. But after graduating first in his class from Howard Law School in 1933, he went on to serve as the legal director of the National Association for the Advancement of Colored People and argued over 30 cases before the Supreme Court of the United States. He won 29 of them, including the landmark decision Brown v. Board of Education in 1954, which held that racial segregation in public schools was unconstitutional.

Thurgood Marshall, as most people know, was later nominated to the United States Court of Appeals for the

Second Circuit by President John F. Kennedy in 1961. He served there as the first African American Solicitor General from 1965 to 1967. And in 1967, he was nominated by President Johnson to be an associate justice of the Supreme Court, its first African American member.

I recall the days before I took the oath as a district judge back in Texas. I was told by a retired judge who was dying of cancer that it was a good job and a noble job, but that it would be the loneliest job I had ever held. I can only imagine that would have been true for any Supreme Court Justice, but particularly true for the first African American Justice on the Supreme Court. It had to be a lonely job; yet he honored himself and he honored this country with his brilliant work.

Thurgood Marshall will be remembered for the many Supreme Court decisions he had a hand in writing, including the concurring opinion in Church of Jesus Christ of Latter-Day Saints v. Amos.

Justice Marshall made so much in the way of contributions that are so far-reaching and still very timely today. For example, we have had the remaining Presidential candidates of both political parties express support for allowing faith-based organizations to take part in Federal social service programs. So it is worth remembering that in the Amos case Justice Marshall joined with Justice Brennan in stating that section 702(a) of the Civil Rights Act of 1964 was constitutional. That section of the Civil Rights Act has, from its inception, exempted nonprofit, private religious organizations engaged in both religious and secular nonprofit activities from title VII's prohibition on discrimination in employment on the basis of religion. If religious organizations are to be allowed to join Federal social service efforts, they must be allowed to remain religious organizations, and they can only do so if they are allowed to be free to compose themselves of individuals who share their religious world view. Justice Marshall recognized that, and so should we.

He even had something to say about vouchers for education. In Witters v. Washington Department of Services for the Blind, Justice Marshall upheld a voucher program in which ''vocational assistance is provided under a program that is paid directly to the student, who transmits it to the educational institution of his or her choice.'' Justice Marshall held that such programs are constitutional where the resources ''ultimately flow to religious institutions as a result of the genuinely independent and private choices of aid recipients.''

It is also worth noting that he did allow exception to the Civil Rights Act to allow religious institutions to hire people who agreed with their religious beliefs.

I would urge all of my colleagues to join me in supporting House Concurrent Resolution 381 in recognizing Justice Marshall's judicial legacy. It was profound, it was far-reaching, and it changed the country for the good. That rich legacy includes his support for the right of religious organizations to maintain their religious identity, for government voucher programs that allow individuals to exercise free and independent choices, even when those best choices or services are provided by religious organizations. It is a real honor for me to get to honor the legacy of Thurgood Marshall.

I reserve the balance of my time.

Mr. SCHIFF. Mr. Speaker, at this point I would like to yield 1 minute to the majority leader of the House of Representatives, the distinguished gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I want to thank my friend from California (Mr. SCHIFF), congratulate Mr. PAYNE for his leadership on this effort, and Mr. GOHMERT for his joining in bringing this legislation to the floor.

I come from the State of Maryland, and Thurgood Marshall is one of the great sons of our State. But I must tell you something that you will find, I think, ironic. If you go to the State capitol which is the oldest State capitol still in use as a State capitol in this country, and you look on the east front of the capitol and you walk out the front, there is a statue on the east front that overlooks the Annapolis harbor, and that statue is of a justice of the Supreme Court of the United States from the State of Maryland. His name is Roger Brooke Taney, the author of the Dred Scott decision.

But if you walk out the door to the west and look out on Rowe Boulevard, there is another statue, another Justice, another son of Maryland; and that Justice is Thurgood Marshall.

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I have always thought it somewhat ironic that juxtaposed in the Maryland State Capitol are these two justices, both of whom were learned, both of whom served their country, one of whom, however, whose judgment was skewed by the times in which he grew up, whose brilliance was diminished by his failure to see the promise of America, and another who—notwithstanding the fact that he was discriminated against and his people were discriminated against by a country that professed a promise of equal opportunity for all. Nevertheless, the love for his country rose above that segregated environment to preach the principles and to seek their reality.

Today we recall the life and legacy of one of America's champions of civil rights, Thurgood Marshall. Justice Marshall is, as I have said, one of Maryland's greatest sons.

If you come to my office and visit the majority leader's office, you will see, just outside of my door, six portraits of very distinguished Marylanders. One, the first President of the United States, John Hanson. Now, I know that George Washington was technically first President of the United States of America, but John Hanson was the first president of the Continental Congress. You will see others, signers of the Declaration of Independence, but there will be that picture just outside of my door of Thurgood Marshall, because of what he stood for and what his life stands for today.

Few lives were as consequential to the cause of American equality, and it's fitting that we pause the work of legislating and remember that life. Thurgood Marshall said that his lifelong fascination with the Constitution began in grade school, when, as a punishment, interestingly, as a punishment, a teacher forced him to read it cover to cover. Even then he must have been struck by the gulf between that document's promise of equal protection and the reality of a segregated America, a gulf that turned that promise into a lie for millions of our citizens.

Thurgood Marshall spent his career working to restore that promise and dismantling the structures of segregation piece by piece. Nearly two decades before the famous case of Brown vs. Board of Education, he was at the forefront of a legal movement that aimed to chip away at discrimination through the courts.

His first victory was also in some ways his sweetest. He convinced the Maryland Court of Appeals to desegregate the University of Maryland law school 6 years after that very school had barred him on account of his race. Over the years to come, he rarely lost a case. In fact, he won 29 out of 32 cases he argued before the Supreme Court.

Another famous Marylander and his wife, whom I know, is Speaker JACKSON, himself a distinguished African American leader of a distinguished African American family. I know so well the Mitchell family, Clarence Mitchell, Jr., the NAACP's representative in Washington, known as the 100th Senator; and Juanita Jackson Mitchell, one of the first African Americans admitted to the University of Maryland law school.

Some of the credit must go to Thurgood Marshall and his legendary powers of persuasion. But credit, I think, also belongs to the powerful simplicity of his argument that separate can never be equal, that the Constitution belongs to Americans of all colors. His career as an advocate culminated with Brown, which overturned ''separate but equal,'' and it overturned it for good. Not only did it overturn it finally, but also for the good of our people.

Thurgood Marshall later distinguished himself as a Federal judge and a solicitor general before President Lyndon Johnson nominated him as America's first African American Supreme Court justice. President Johnson called the appointment, and I quote, ''The right thing to do, the right time to do it, the right man, and the right place.''

Justice Marshall, of course, as we all know, proved him absolutely correct.

He served on the Court with distinction for almost a quarter of a century as one of its leading defenders of individual liberty and civil rights. Other civil rights leaders gave us inspiration, uplift and prophetic challenge. Thurgood Marshall added something to that contribution, dogged advocacy and the discipline of the law.

As a newspaper editorial put it at the time of his death, ''We make movies about Malcolm X, we get a holiday to honor Dr. Martin Luther King. But every day we live with the legacy of Justice Thurgood Marshall.'' Thurgood Marshall would be the first to acknowledge just how far America remains from the promise of equality, an equality that exists in fact, every bit as in law.

But he would be the last to be discouraged. He said that ''A child born to a black mother in a State like Mississippi, by merely drawing its first breath in the democracy has exactly the same right as a white baby born to the wealthiest person in the United States. It's not true, but I challenge anyone to say it's not a goal worth working for.''

The great thing that we remember about Thurgood Marshall, as I said at the beginning, is that confronted with segregation, confronted with racism, confronted with a negative reaction to his color, he, as so many civil rights leaders have done in the past, as Nelson Mandela did in South Africa, as so many other civil rights leaders throughout this world have done, he rose above the hate and the division to bring clarity to our Constitution and unity to our people.

How appropriate it is to remember Thurgood Marshall on the eve of his 100th year.

Mr. GOHMERT. Mr. Speaker, at this time I would yield to my friend, Mr. CHABOT from Ohio, such time as he may consume.

Mr. CHABOT. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of H. Con. Res. 381, a resolution recognizing the dedication and achievements of Thurgood Marshall on the 100th anniversary of his birth.

Justice Marshall's life was full of distinction and firsts, including successfully arguing to overturn the separate but equal doctrine before the U.S. Supreme Court and the seminal case of Brown v. Board of Education, serving as the Nation's first African American solicitor general and later serving as the first African American U.S. Supreme Court justice, a position that he held for 24 years.

Still, at an early age with the premise that all men are created equal, Justice Marshall dedicated his life to bringing meaning to the protections enshrined in our Constitution. His work transformed this Nation. First, at the NAACP and later in the public sector, Justice Thurgood Marshall put civil rights at the forefront of this Nation's conscience, ensuring that the Constitution and rule of law applied fairly to all citizens.

I commend the distinguished gentleman from New Jersey, Congressman PAYNE, for ensuring that Thurgood Marshall's legacy lives on. I urge my colleagues to support this resolution.

Mr. SCHIFF. Mr. Speaker, at this time it is my great pleasure to yield 5 minutes to the gentleman from New Jersey (Mr. PAYNE).

Mr. PAYNE. Let me begin by thanking my fellow colleagues, Mr. SHERMAN included, who joined me in the cosponsorship of this commemorative resolution, which honors Justice Thurgood Marshall's legacy and his dedication to civil rights and public service.

Thurgood Marshall was born the grandson of a slave back in Baltimore, Maryland, on July 2, 1908. Marshall's mother, Norma Marshall, was one of the first black persons to graduate from Columbia Teacher's College in New York City. His father, William Canfield Marshall, worked as a railroad porter and as head steward at an exclusive white club. Mr. Marshall was the first black person to serve on a grand jury in Baltimore in the 20th century.

Thurgood Marshall grew up in Baltimore and graduated from an all-black high school at the age of 16. During his childhood, his parents taught him to argue by making him prove every statement he made and by challenging every point he made. At school, as it was mentioned earlier, when Thurgood Marshall got into trouble, the principal would make him sit in the basement and read the U.S. Constitution.

Students couldn't return to class until a section of the Constitution was memorized. Evidently Thurgood Marshall had an opportunity, because he memorized a great deal of the Constitution, but that moved him into the interest of being a lawyer rather than a dentist, which his mother wanted him to be.

After graduating from high school, Justice Marshall attended Lincoln University, a historically black university in Chester, Pennsylvania, a school that many outstanding blacks from the United States and abroad went to, including the first president of Ghana, Kwame Nkrumah.

However, education was such a priority for the Marshall family that Mrs. Marshall sold her engagement ring in order to send Thurgood Marshall to school. After his graduation with honors at Lincoln University, Justice Marshall applied to the University of Maryland Law School. He was not accepted because he was black, and that set in motion the events of his future.

That same year, Marshall was accepted at Howard Law School, and he went on to graduate in the class of 1933. Upon graduating, Justice Marshall started his own practice in Baltimore. The next year he discovered the NAACP and became an active member.

As a matter of fact, Justice Marshall then sued the University of Maryland's law school, where he was not admitted, and won the case about discrimination. So he did get justice in the end.

From 1940 to 1961, Thurgood Marshall served as legal director of the NAACP, which allowed him to travel throughout the United States representing numerous court cases. Most of the clients had disputes involving questions of racial justice, which ranged from common crimes to appellate advocacy, raising the most intricate matters of constitutional law.

I had the privilege to follow his work very closely, because I was then president in the middle 1950s of the NAACP youth councils in college chapters and attended the NAACP convention in Detroit in 1957 when Dr. Martin Luther King received the Spingarn Award.

Of course, Thurgood Marshall was still a person that we all admired. As we heard, out of the 32 cases, he won 29 of them, earning more Supreme Court victories than any other individual before the Supreme Court and as chief counsel of the NAACP, the landmark Brown v. Board of Education in 1954, which overturned Plessy v. Ferguson of 1897, saying that ''separate but equal'' was constitutional.

In 1961, John F. Kennedy appointed Thurgood Marshall to the United States Court of Appeals in the Second Circuit, despite heavy opposition from many southern Senators. Thurgood Marshall served on the United States Court of Appeals for the Second Circuit from 1961 to 1965. As we heard, he wrote 112 opinions, none of which was overturned on appeal.

In 1965, President Johnson appointed Thurgood Marshall to the position of solicitor general, which he held from 1965 to 1967. Then in 1967, President Johnson appointed Thurgood Marshall as the first African American Justice to serve on the Supreme Court.

During his 24 years of service in the Supreme Court, Thurgood Marshall promoted affirmative action and sought protection for the rights of all Americans.

□ 1600

In 1992, he was honored with the Liberty Medal recognizing his long history of protecting individual rights of women, children, prisoners, and homeless.

The SPEAKER pro tempore. The time of the gentleman from New Jersey has expired.

Mr. SCHIFF. I yield the gentleman 30 additional seconds.

Mr. PAYNE. Justice Marshall once said, ''Sometimes history takes things into its own hands.'' His commitment to civil rights and public service resonate still today. I ask you to listen to the words of Justice Marshall and strongly support this resolution by recognizing his contributions to humanity, acknowledged July 2, 2008, the 100th anniversary of his birth.

Mr. GOHMERT. Mr. Speaker, I have no additional speakers. But in the spirit with which Thurgood Marshall conducted himself, I can't help but think,

as the son of a teacher, that he would be pleased if the name of the teacher that may have changed history by having him memorize part of the Constitution had her or his name entered, and if no one on the floor knows who that is, Mr. Speaker, I would ask unanimous consent for 48 hours to revise and extend my remarks so that we get the name of that teacher that helped this student, Thurgood Marshall, change history be inserted into the CONGRESSIONAL RECORD.

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

There was no objection.

Mr. GOHMERT. With that, I reserve the balance of my time.

Mr. SCHIFF. Mr. Speaker, I would now be delighted to yield 3 minutes to the gentleman from Illinois, DANNY DAVIS.

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, I want to commend the gentleman from New Jersey for introducing this resolution. I was thinking that in 1954, I was a pre-adolescent, just beginning to read, write and try and understand what was going on. And where I lived, I remember the first school bus that I rode on was actually made from a flatbed truck that Mr. Arthur Dooley had. And when the schools were consolidated, he put a cabin on it and some wooden benches, and that was my first ride on a school bus.

Then I remember the next year, we inherited a school bus from the white school. Then, I remember that all of the books that I read, all of the while that I was growing up, had someone else's name in the books when we got them, after they had been used by the other school system where I lived.

And so, when I think of Thurgood Marshall, not only do I think of the tremendous impact that he continues to have today, but I think of the impact that he had on the lives of individuals like myself, who lived in an environment that was obviously very separate and very unequal.

What he did will last as long as America lasts because he clearly showed that there could be an opportunity for people to experience some of what we call the goodness and the greatness of America. And for that reason, I come to commemorate him today.

Mr. Speaker, I wish to take a moment to support H. Con. Res. 381, which celebrates the contributions and achievements of Thurgood Marshall on the 100th anniversary of his birth. Born in Baltimore, Maryland, on July 2, 1908, Thurgood Marshall was the grandson of a slave and at an early age his father, William Marshall, instilled in him an appreciation for the United States Constitution and the rule of law. He attended undergraduate school at Lincoln University in Pennsylvania. In 1930, he was accepted to Howard Law School; however, he also applied to the University of Maryland Law School, but was denied admission because he was Black. This event caused the direction of his professional life to focus on equal desegregated education. As an African-American man who lived through segregation and oppression he once said, ''Today's Constitution is a realistic document of freedom only because of several corrective amendments. Those amendments speak to a sense of decency and fairness that I and other Blacks cherish.'' As an attorney and during his tenure on the Supreme Court, Justice Marshall's opinions did much to advance the decency and fairness of our laws, making America a much stronger nation.

Thurgood Marshall's tireless work within the justice system to eradicate the legacy of slavery and destroy the racist segregation system of Jim Crow clearly demonstrated his dedication to the struggle for equal rights and justice in the United States. As chief legal counsel to the National Association for the Advancement of Colored People, NAACP, he championed one of the most important cases for equal rights, Brown v. Board of Education of Topeka, the landmark case that demolished the legal basis for segregation in America. He continued to push for equal rights as the first African-American Supreme Court Justice, succeeding in creating new protections under law for women, children, prisoners, and the homeless. By these accomplishments, Thurgood Marshall established a record for supporting the voiceless Americans and left a legacy that recognizes that discrimination includes factors beyond just race and gender. He built a structure of individual rights that has become the cornerstone of protections for all Americans. I commemorate the years he has served and the improvements he has made to this great Nation.

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

Ms. LEE. Mr. Speaker, I rise today in strong support of H. Con. Res. 381, a resolution honoring one of the greatest legal minds and civil rights pioneers of the 20th century, Thurgood Marshall. I thank Congressman PAYNE for introducing this resolution and for his leadership on so many important issues.

When I think of 20th century trailblazers, Thurgood Marshall ranks among America's greatest heroes. It is an honor and a privilege to pay tribute to this legal giant as the House commemorates the 100th anniversary of his birth.

As Thurgood Marshall stated so eloquently, ''A man can make what he wants of himself if he truly believes that he must be ready for hard work and many heartbreaks.'' His life's work truly embodied this quotation. Rising from the segregated streets of Baltimore, Maryland to the hallowed halls of the Supreme Court of the United States, Thurgood Marshall's story is one of triumph and courage. More than the first African-American Supreme Court Justice, Thurgood Marshall was a true pioneer whose selfless acts advanced the cause of civil rights not only in the United States, but around the world.

It was more than 50 years ago when Thurgood Marshall and his fellow Howard University School of Law colleagues and professors launched their campaign to topple the house Jim Crow built. They acted in the audacious belief that the citadel of ''separate but equal'' built on the foundation of Plessey v. Ferguson could be brought down. Thurgood Marshall's faith that justice will triumph over power was vindicated when the Supreme Court issued its unanimous opinion in the landmark case of Brown v. Board of Education. That decision outlawed de jure segregation in public education, and fueled an international civil rights revolution that continues to this day.

The victory in Brown v. Board was not Thurgood Marshall's first, nor would it be his last triumph before the Court he would later grace for nearly a quarter century. Thurgood Marshall was the principal architect of equality, working through the courts to eradicate the legacy of slavery and destroy the segregation system of Jim Crow.

There was Shelley v. Kramer, which held that racial restrictive covenants in housing were unconstitutional. There was Smith v. Allwright, which outlawed the infamous ''dual primaries,'' excluding blacks from the voting in the primary election from which the general election winner always emerged. Before Thurgood Marshall ascended to the federal bench as Circuit Judge and later Supreme Court Associate Justice Marshall, he would argue 32 cases before the Supreme Court, tallying 29 victories, more than any other individual in history.

Thurgood Marshall's deep faith and commitment to the cause of equality was the key to his success and to the legacy he leaves us. The legal strategy he developed as the chief lawyer for the NAACP and the judicial philosophy he refined as a member of the Supreme Court reoriented the federal judiciary as champion and protector of civil rights and individual liberty. The Civil Rights Movement for which the Brown ruling gave momentum greatly influenced leaders who later fought for the rights of women, the disabled, the politically oppressed, and the environment. Even the media has Thurgood Marshall to thank for the enhanced protection of its liberties.

Mr. Speaker, all Americans are indebted to the late Justice Thurgood Marshall. Throughout his life, he bravely worked to help our country make real the promise of the Declaration of Independence. and extend the blessings and protections of our great Constitution to all Americans. His work honored America and so it is fitting that Congress pause to pay tribute to this great American by marking the 100th anniversary of his birth.

Margaret Mead said, ''Never doubt that a small group of thoughtful committed people can change the world; indeed, it is the only thing that ever has.''

The remarkable life of Thurgood Marshall is irrefutable proof that one person can make a difference.

Happy Birthday, Justice Marshall.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of this legislation that honors an individual of unprecedented stature and achievement. This leader was a fighter who stood boldly on the front lines of democracy to fight for liberty and equality for all. This legal giant is none other than the late Thurgood Marshall.

Dr. Martin Luther King, Jr., said that we all can be great because we all can serve. It is my responsibility to pay tribute to the late great Thurgood Marshall who served our Nation by transforming it.

The late Thurgood Marshall put in place mechanisms to elevate the United States to its greatest potential. As a result, all Americans presently can reap the benefits of Thurgood

Marshall's arduous travail. One of his greatest victories was his work in the landmark Supreme Court case of Brown v. Board of Education in 1954. In Brown, the Supreme Court ruled that ''separate but equal'' public education was unconstitutional because it could never be truly equal.

Marshall's arguments before the Supreme Court were myriad and historic. In total, Marshall won an unprecedented 29 out of the 32 cases he argued before the Supreme Court.

In 1961, President John F. Kennedy appointed Marshall to the United States Court of Appeals for the Second Circuit. On June 13, 1967, President Johnson appointed Marshall to the Supreme Court following the retirement of Justice Tom C. Clark. In appointing Marshall, President Johnson declared this was ''the right thing to do, the right time to do it, the right man and the right place.'' He was the 96th person to hold the position, and the first African-American.

Today I stand before you, as many of my colleagues do, as a proud product of Thurgood Marshall's vision for equal access to education. Because of Thurgood Marshall's profound vision, one's access to education is no longer dependent upon the color of their skin or their income, but upon the demonstration of their academic promise, and scholarly merit and capability. Notwithstanding Marshall's legendary achievements in civil rights, America has much work to do. In thinking of our progress, I am reminded of the Bible in Jeremiah 8:20, ''The harvest is past, the summer is ended, and we are not saved.'' America has reaped the harvest of Marshall's life, Marshall's life is now past, and America has much work to do in civil rights. American people are not yet saved. The problem of this century, as it has been in past centuries, is still the problem of the color line. America has made great strides in this regard. Nonetheless, America still has work to do.

Although there are still some barriers to overcome, Thurgood Marshall removed the road block that stymied America from being as good as its promise. Thurgood Marshall also impacted the international community. Mr. Marshall was asked by the United Nations and the United Kingdom to help draft the constitutions of the emerging African nations of Ghana and what is now Tanzania. It was felt that the person who so successfully fought for the rights of America's oppressed minority would be the perfect person to ensure the rights of all African citizens, both Black and White, in these two former European colonies.

Being the right man or woman at the right time is no easy task. There is no room for passiveness or reluctance to action. Following in the tradition of the late Thurgood Marshall, we, the representatives of the United States citizenry, are the right people at the right time. Although our current battles differ slightly from those of Thurgood Marshall, we are faced with our own battles which include, the economy, creating affordable housing, immigration, Iraq, the pursuit of energy independence, and making sure that our veterans are properly taken care of.

The precedent that the late Thurgood Marshall set, in fighting to make the U.S. as great as its promise, should be our motivation to pass good legislation to protect the rights of American people as we honor and recognize his dedication and achievements on this 100th anniversary of his birth.

Mr. Speaker, I encourage my colleagues to join me in recognizing a true hero, Thurgood Marshall who died on January 24, 1993, at the age of 84. Let us honor his dedication and achievements as we recognize his contributions to the struggle for equal rights and justice in the United States.

Mr. SCHIFF. Mr. Speaker, I thank my colleagues for their eloquent words, and I join them in urging the passage of this resolution recognizing a genuine American giant.

I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. SCHIFF) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 381.

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

A motion to reconsider was laid on the table.

SENSE OF HOUSE REGARDING FLAGS ON GOVERNMENT BUILDINGS

Mr. SCHIFF. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1182) expressing the sense of the House of Representatives that American flags flown on Federal Government buildings and on Federal property be made in the United States.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1182

Whereas, on June 14, 1777, the Stars and Stripes was officially adopted as the national flag of the United States;

Whereas Francis Scott Key was so inspired by the sight of the American flag still flying over Baltimore's Fort McHenry after a British bombardment that he wrote the ''Star-Spangled Banner'' on September 14, 1814;

Whereas the American flag has 7 red and 6 white horizontal stripes;

Whereas these stripes represent the 13 original States;

Whereas the flag still has its field of blue, which represents the Union and contains 50 stars, one for each State;

Whereas many brave men and women have fought and died for the freedoms that this flag represents; and

Whereas the sight of this banner brings feelings of joy, courage, pride, and unity for all Americans: Now, therefore, be it

Resolved, That it is the sense of the United States House of Representatives that all American flags flown over Federal buildings be entirely produced in the United States.

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

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, this resolution, introduced by BOB FILNER of California, chairman of the Veterans' Affairs Committee, is both appropriate and timely. It expresses the sense of the House of Representatives that American flags flown on Federal Government buildings and on Federal property should be made in the United States.

As with many basic products sold in the U.S. today, it can be difficult to find a flag that is made in America. But the American flag is not just any product. It is our national symbol, and especially when it flies over Federal Government property, it ought to be made in America by Americans.

I am proud that the Architect of the Capitol flies only American-made flags. When one of our constituents or a community organization receives a flag flown over the Capitol, they can be sure it was made in the U.S.A.

When we see the American flag, it should remind us of American workers whose jobs are sometimes now being shipped overseas to countries with lower labor and worker safety protections. The American flag represents the values of our Nation, values that cannot be reconciled with the conditions in many overseas factories.

There is a lot we need to do to ensure that America retains the jobs that drive our economy. But as one step, if only a small symbolic step, let us assure the American people that we will not fly imported American flags over Federal property. The flags we fly will be made by American workers in American factories. They will never be made in foreign sweatshops or by children.

I urge my colleagues to support this resolution. And I want to commend the gentleman from California for introducing it.

I reserve the balance of my time.

Mr. GOHMERT. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman from California, and I do rise in support of House Resolution 1182, a sense of Congress that U.S. flags flown over Federal buildings should be made in the good old U.S.A.

The flag represents our unity and strength to the rest of the world, and it is only fitting that U.S. flags flown over Federal buildings be a product of our own country's labor and resources. Americans produce the best in the world when they put their minds to it, and it is entirely appropriate that the flag staffs on our Federal buildings be reserved for the best in the world, made right here in America.

Mr. FILNER. Mr. Speaker, I would like to thank the Speaker and Chairman CONYERS for bringing H. Res. 1182 to the floor today. This important resolution expresses the sense of the Congress that all American flags flown over Federal Government buildings and on

Federal property should be made in the United States.

The U.S. Census bureau estimates that $5.3 million worth of American flags were imported from other countries in 2006, mostly from China. Even though U.S. law requires every flag be labeled with its ''country of origin,'' the figure of foreign-made American flags has steadily grown over the past few years. This is an absolute shame! I am glad that the office of the Architect of the Capitol has reassured me that flags that we fly everyday over this very Capitol are proudly made in the United States.

As we celebrated Independence Day last week, we were reminded that the American flag is much more than our national symbol. It embodies our courage, liberty, and justice. The flag reminds us each and every day of the blood that was shed so that we may enjoy our freedoms. So as we proudly fly the Stars and Stripes, we must ensure that they are homespun in the United States. I urge my colleagues to vote for H. Res. 1182.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H. Res. 1182 introduced by my distinguished colleague from California, Representative FILNER. This important legislation seeks to express the sense of the House of Representatives that American flags flown on Federal Government buildings and on Federal property be made in the United States.

On June 14, 1777, the Stars and Stripes were officially adopted as the national flag of the United States. Francis Scott Key was so inspired by the sight of the American flag still flying over Baltimore's Fort McHenry after a British bombardment that he wrote the ''Star-Spangled Banner'' on September 14, 1814. The American flag has 7 red and 6 white horizontal stripes; these stripes represent the 13 original States.

The flag still has its field of blue, which represents the Union and contains 50 stars, one for each State. Many brave men and women have fought and died for the freedom that this flag represents. The sight of this banner brings feelings of joy, courage, pride, and unity for all Americans. Therefore, it should be the sense of the United States House of Representatives that all American flags flown over Federal buildings be entirely produced in the United States.

For more than 200 years, the American flag has been the symbol of our Nation's strength and unity. It's been a source of pride and inspiration for millions of citizens. And the American Flag has been a prominent icon in our national history. On June 14, 1777, in order to establish an official flag for the new Nation, the Continental Congress passed the first Flag Act, ''resolved that the flag of the United States be made of thirteen stripes, alternate red and white; that the Union be thirteen stars, white in a blue field, representing a new Constellation.''

Between 1777 and 1960, Congress passed several acts that changed the shape, design and arrangement of the flag and allowed for additional stars and stripes to be added to reflect the admission of each new state. Executive Order of President Eisenhower dated January 3, 1959—provided for the arrangement of the stars in seven rows of seven stars each, staggered horizontally and vertically. Executive Order of President Eisenhower dated August 21, 1959—provided for the arrangement of the stars in nine rows of stars staggered horizontally and eleven rows of stars staggered vertically which made official the design of the flag that we know today.

Therefore, we should not reserve the right to make our Nation's flag at home, where blood was shed by brave men who had a vision for a free country rooted in democracy and justice. Although we may outsource many things, I support that we preserve the integrity of the symbol that serves as the very essence of our national anthem. This anthem serves to remind us of the United States flag, also known as the Star-Spangled Banner, which waves over the land of the free and the home of the brave. When we rise to pledge allegiance to our country, we place our hand over our beating heart; then we sing the delicate notes of the Star-Spangled Banner, but most of all we fix our gaze upon our Nation's flag. This time of reverence serves as a moment of introspection. Not until we fully come to grips with ourselves can we apply the wisdom that is needed to gather solutions for international issues.

Our Nation was founded upon the principles of liberty, equality and justice, which are reflected by the symbol of our Nation's flag. Therefore, I strongly support this powerful resolution that says that flags flown on Federal Government buildings and on Federal property be made in the United States. I urge my colleagues to join me in supporting this resolution.

Mr. GOHMERT. I hope all my colleagues will join me in supporting this resolution.

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

Mr. SCHIFF. I join my colleague from Texas in urging support of this measure, 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. SCHIFF) that the House suspend the rules and agree to the resolution, H. Res. 1182.

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.

HONORING THE DRUG ENFORCEMENT ADMINISTRATION ON ITS 35TH ANNIVERSARY

Mr. SCHIFF. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 369) honoring the men and women of the Drug Enforcement Administration on the occasion of its 35th anniversary.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 369

Whereas the Drug Enforcement Administration (DEA) was created by an Executive order on July 6, 1973, and merged the previously separate law enforcement and intelligence agencies responsible for narcotics control;

Whereas the first administrator of the DEA, John R. Bartels, Jr., was confirmed by the Senate on October 4, 1973;

Whereas since 1973, the men and women of the DEA have served our Nation with courage, vision, and determination, protecting all Americans from the scourge of drug trafficking, drug abuse, and related violence;

Whereas the DEA has adjusted and refined the tactics and methods by which it targets the most dangerous drug trafficking operations to bring to justice criminals such as New York City's Nicky Barnes, key members of the infamous Colombian Medellin cartel, Thai warlord Khun Sa, several members of the Mexican Arellano-Felix organization, Afghan terrorist Haji Baz Mohammad, and international arms dealer Viktor Bout;

Whereas throughout its 35 years, the DEA has continually adapted to the evolving trends of drug trafficking organizations by aggressively targeting organizations involved in the growing, manufacturing, and distribution of such substances as marijuana, cocaine, heroin, methamphetamine, Ecstasy, and controlled prescription drugs;

Whereas in its 227 domestic offices in 21 field divisions, the DEA continues to strengthen and enhance existing relationships with Federal, State, and local counterparts in every State in the Union to combat drug trafficking;

Whereas in this decade alone, DEA special agents have seized over 5,500 kilograms of heroin; 650,000 kilograms of cocaine; 2,300,000 kilograms of marijuana; 13,000 kilograms of methamphetamine; almost 80,000,000 dosage units of hallucinogens; and made over 240,000 arrests;

Whereas in its 87 foreign offices in 63 countries, the DEA has the largest international presence of any Federal law enforcement agency;

Whereas its personnel continue to collaborate closely with international partners around the globe, including in such drug-producing countries as Colombia, Mexico, Afghanistan, and Thailand;

Whereas the results of this international collaboration in this decade alone have led to the indictments of 63 leaders, members, and associates of the Revolutionary Armed Forces of Colombia, a designated foreign terrorist organization, as well as 144 arrests and detainments of narcotics traffickers for violations of Afghan and United States narcotics laws and terrorist-related offenses;

Whereas through the creation of the Diversion Control Program in 1971, the DEA now registers and regulates over 1,200,000 registrants, while simultaneously combating the continually-evolving threat posed by the diversion of controlled pharmaceuticals;

Whereas the DEA continues to hit drug traffickers financially, where it hurts the most, denying drug trafficking organizations $3,500,000,000 in fiscal year 2007 alone, exceeding their 5-year goal of $3,000,000,000 annually by fiscal year 2009;

Whereas DEA special agents continue to work shoulder-to-shoulder with Federal, State, and local law enforcement officials throughout the Nation in a cooperative effort to put drug traffickers behind bars;

Whereas throughout its history, many DEA employees and members of the agency's task forces have given their lives in the line of duty, including: Charles Archie Wood, Stafford E. Beckett, Joseph W. Floyd, Bert S. Gregory, James T. Williams, Louis L. Marks, James E. Brown, James R. Kerrigan, John W. Crozier, Spencer Stafford, Andrew P. Sanderson, Anker M. Bangs, Wilson M. Shee, Mansel R. Burrell, Hector Jordan, Gene A. Clifton, Frank Tummillo, Richard Heath, Jr., George F. White, Emir Benitez, Gerald Sawyer, Leslie S. Grosso, Nickolas Fragos, Mary M. Keehan, Charles H. Mann, Anna Y. Mounger, Anna J. Pope, Martha D. Skeels, Mary P. Sullivan, Larry D. Wallace,

Ralph N. Shaw, James T. Lunn, Octavio Gonzalez, Francis J. Miller, Robert C. Lightfoot, Thomas J. Devine, Larry N. Carwell, Marcellus Ward, Enrique S. Camarena, James A. Avant, Charles M. Bassing, Kevin L. Brosch, Susan M. Hoefler, William Ramos, Raymond J. Stastny, Arthur L. Cash, Terry W. McNett, George M. Montoya, Paul S. Seema, Everett E. Hatcher, Rickie C. Finley, Joseph T. Aversa, Wallie Howard, Jr., Eugene T. McCarthy, Alan H. Winn, George D. Althouse, Becky L. Dwojeski, Stephen J. Strehl, Juan C. Vars, Jay W. Seale, Meredith Thompson, Frank S. Wallace, Jr., Frank Fernandez, Jr., Kenneth G. McCullough, Carrol June Fields, Rona L. Chafey, Shelly D. Bland, Carrie A. Lenz, Shaun E. Curl, Royce D. Tramel, Alice Faye Hall-Walton, Elton Armstead, Larry Steilen, Terry Loftus, Jay Balchunas, and Richard E. Fass;

Whereas many other DEA employees and task force officers have been wounded or injured in the line of duty; and

Whereas over 9,000 employees of the DEA, including special agents, intelligence analysts, diversion investigators, program analysts, forensic chemists, attorneys, and administrative support, along with over 2,000 task force officers, and over 2,000 vetted foreign officers, work tirelessly to hunt down and bring to justice the drug trafficking cartels that seek to poison our citizens with dangerous narcotics: Now, therefore, be it

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

(1) congratulates the Drug Enforcement Administration (DEA) on the occasion of its 35th anniversary;

(2) honors the heroic sacrifice of the agency's employees who have given their lives or have been wounded or injured in service of our Nation; and

(3) gives heartfelt thanks to all the men and women of the DEA for their past and continued efforts to defend the American people from the scourge of illegal drugs and terrorism.

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

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. SCHIFF. 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.

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

There was no objection.

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

Mr. Speaker, I ask my colleagues to join me in honoring the brave men and women of the Drug Enforcement Administration on the occasion of its 35th anniversary. The DEA's employees include not only the special agents, but intelligence analysts, diversion investigators, program analysts, forensic chemists, attorneys and administrative support staff, together with task force officers and vetted foreign officials. These men and women work tirelessly to hunt down and bring to justice the drug trafficking cartels that profit by poisoning our citizens with dangerous narcotics.

The DEA and its dedicated officers have served our Nation with courage, vision and determination, protecting all Americans from the scourge of drug trafficking, drug abuse and related violence. It is fitting that we recognize their accomplishments and express our gratitude for their service.

Throughout its 35 years, the DEA has combated the evolving trends of drug trafficking by aggressively targeting both domestic and international organizations involved in the unlawful growing, manufacturing and distribution of such substances as marijuana, cocaine, heroin, methamphetamine, Ecstasy and controlled prescription drugs. These successes are unfortunately not without tragic costs.

Over its history, more than 75 DEA employees and task force members have given their lives in the line of duty, with many others wounded. During the time I served with the U.S. Attorney's Office in Los Angeles, I had many, many occasions to work with DEA officers. I saw the professionalism of their work, their determination, their bravery and courage.

For some time I worked on the investigation into the capture, murder and torture of Enrique Camarena and, along with my colleagues, worked to investigate and bring to justice some of those that were responsible for the death of that courageous agent. So I have great personal regard for the many employees of the DEA, their proud history and the great work they do.

It is a commitment to duty almost too great to ask of anyone, yet these dedicated men and women of the DEA and their families face the risks and endure the hardships to make our Nation safer for all of us.

And so, Mr. Speaker, this resolution is a well-deserved tribute to the DEA on the occasion of its 35th anniversary.

I urge my colleagues to support it, and I reserve the balance of my time.

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

I rise in support of H. Con. Res. 369. This concurrent resolution does honor the men and women of the Drug Enforcement Administration on the occasion of its 35th anniversary.

The Drug Enforcement Administration, or DEA, was created by President Nixon in July 1973. The DEA was established to create a single unified command to conduct ''an all-out global war on the drug menace.''

The DEA has the core mission to enforce U.S. controlled substances laws that regulate drugs such as marijuana, cocaine, heroin, methamphetamine, Ecstasy and controlled prescription drugs. Initially, the DEA had 1,470 special agents and a budget of less than $75 million. Its foreign presence consisted of 43 foreign offices in 31 countries. Since that time the DEA has grown substantially and is now 5,235 special agents, a budget of more than $2.3 billion, and 87 foreign offices in 63 countries.

I have personally seen them at work, both here and abroad, and know that the DEA agents are on the front lines of our war on drugs. They are courageous individuals, and they are to be honored and commended.

DEA special agents work to track and identify the individuals and organized crime syndicates that grow, manufacture and traffic drugs into the U.S. To accomplish that mission, the DEA manages a national drug intelligence program by cooperating with Federal, State, local and foreign officials to collect, analyze and disseminate strategic and operational drug intelligence information. The DEA and its multi-jurisdictional partners form task forces that use this intelligence to plan highly successful operations.

In May, a DEA-led task force completed an investigation called ''Operation Sudden Fall'' in San Diego. This investigation resulted in the arrest of 96 individuals, including 75 San Diego State University students who were involved with the trafficking of cocaine, marijuana and Ecstasy on the university's campus.

As the plague of drugs has become more pervasive, the DEA has also increased its international efforts to combat drug trafficking abroad. The DEA coordinates with the United Nations, Interpol and foreign governments to develop programs designed to reduce the availability of illicit drugs in the United States such as crop eradication, crop substitution and training of foreign officials.

□ 1615

These international efforts bring significant results. Recently, Colombia extradited 14 members of a paramilitary and drug trafficking group to the United States to face charges of drug trafficking, support to a terrorist organization, and money laundering.

In June, the DEA worked with partners in Afghanistan to conduct Operation Albatross. This effort resulted in the seizure of 262 tons of hashish, the largest of any known drug seizure in history.

As H. Con. Res. 369 notes, in this decade alone, DEA agents have seized over 5,500 kilograms of heroin, 650,000 kilograms of cocaine, 2.3 million kilograms of marijuana, 13,000 kilograms of methamphetamine, almost 80 million dosage units of hallucinogens, and made over 240,000 arrests. This is a tremendous amount of poison that they have prevented from entering our fellow citizens.

In supporting this resolution, I join my colleagues in, one, congratulating the DEA on the occasion of its 35th anniversary; two, honoring the heroic sacrifice of the agency's employees who have given their lives or have been wounded or injured in service of our Nation; and three, giving heartfelt thanks to all of the men and women of the DEA for their past and continued efforts to defend the American people from the scourge of illegal drugs and terrorism.

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

Mr. SCHIFF. Mr. Speaker, it gives me great pleasure to yield 3 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Thank you for yielding.

Mr. Speaker, I rise to honor the men and women of the Drug Enforcement Administration on the occasion of their 35th anniversary. We must take every opportunity to honor our brave law enforcement officers, but we often forget the critical importance of the DEA and the terrible dangers that their officers face in order to keep our streets safe from drugs. When you look at the list of those who have given their lives, Mr. Speaker, we know how serious this is. And we have this issue occur on our streets every day.

I want to congratulate the DEA acting administrator, Michele M. Leonhart, for leading this commendable agency through its 35th year. I want to give great thanks to Gerald McAleer, Special Agent in charge of the DEA New Jersey division, for all of the tremendous work he's done to team with local law enforcement in order to provide the most effective level of security against drugs in our neighborhoods.

Just 3 days ago, the DEA in New Jersey teamed with Passaic County Prosecutor James F. Avigliano to arrest six individuals affiliated with the Trey 9 set of the Bloods street gang who were peddling large quantities of drugs in Newark, Parsippany, and in my town of Paterson, New Jersey. These arrests were executed as part of New Jersey Governor Jon Corzine's Crime Initiative to target criminal gangs, drugs, and guns.

This particular 35-day investigation was initiated by the prosecutor's office of gang/narcotics task force, the Drug Enforcement Administration, the United States Postal Office, and the Clifton Police Department, proving once again that our greatest level of homeland security can only come from Federal, State, and local enforcement agencies working in this partnership.

In regards to the DEA's efforts in this high-profile drug bust, I can provide no greater testament to the urgency of the work than by quoting Prosecutor James Avigliano who stated this: ''Without the outstanding cooperation with the DEA Newark office, we would have been unable to arrest six major gang leaders and confiscate a substantial quantity of narcotics. The assistance provided by the DEA is key to our continued success in taking high level dealers and large quantities of drugs off the street.''

It is due to the critical nature of their work that I am very thankful that we saw fit to approve much-needed funding of the DEA in last year's Consolidated Appropriations Act that put 200 more agents on the street after having to endure a long hiring freeze in previous years. No justification for that whatsoever, Mr. Speaker.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. SCHIFF. I yield the gentleman an additional 30 seconds.

Mr. PASCRELL. We must do more to honor the DEA and I pledge my full support.

Mr. Speaker, let me plead with you and my fellow Members on both sides of the aisle that there is no greater threat to the United States of America than the undermining of our will and our morale with the issuing of drugs through proliferation through our streets. There is no greater danger, Mr. Speaker. I cannot say it enough. The DEA understands that. Hopefully the Congress will come to understand it as well.

Mr. GOHMERT. Mr. Speaker, at this time I have no other speakers.

I reserve the remainder of my time.

Mr. SCHIFF. Mr. Speaker, at this time it gives me great pleasure to yield 2 minutes to the gentleman from Maryland (Mr. RUPPERSBERGER).

Mr. RUPPERSBERGER. Mr. Speaker, I rise today in support and recognition of House Resolution 369 honoring the men and women of the Drug Enforcement Administration on the occasion of its 35th anniversary.

For the last 35 years, the men and women of the DEA have served their country with distinction and honor while fighting one of the most dangerous problems this country faces today. Drug use and the violence associated with drug trafficking touches every American's life in some way or another. The men and women of the DEA are working tirelessly every day to prevent drugs from coming into the United States and to prevent or dismantle the manufacturing and distribution of drugs within our borders. This is no easy task.

The DEA consistently adapts to changes in the drug trade. From dismantling illegal Internet pharmacies to identifying new trends in manufacturing and distribution, the DEA is and must be at the top of their game. Because the DEA has the greatest presence overseas of any Federal law enforcement agency, diplomacy and collaboration with the leadership of drug-producing countries, like Colombia, is essential for their efforts to be effective. The men and women of the DEA are up to the challenge.

The over 9,000 employees of the DEA are an asset to the country, and I'm proud to honor them every day. They are in very dangerous places putting their lives on the line every day. I want to thank them for their dedication and their commitment to the agency and our country. I urge my colleagues to support the resolution.

Mr. GOHMERT. With that, Mr. Speaker, we would urge our colleagues to join us in this resolution's support.

My friend from Ohio will be managing the next two bills, the Debbie Smith Reauthorization Act, and the one to follow. Before I finish yielding back my time, I would like to express my thanks to my friend from California, the chairman of the Judiciary Committee, the ranking member of Judiciary, as well as our chairman in Crime, BOBBY SCOTT, on the Debbie Smith reauthorization. I will not be here to be able to speak on that, but I am so grateful we were able to keep that from being overly burdened with things that would keep it from achieving its goal which, here again, helps everybody, including the DEA agents, when we do that job properly. I'm so grateful that we're going to be able to take that up and get that done today.

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

Mr. SCHIFF. Mr. Speaker, just to conclude on the legislation recognizing the 35th anniversary of the DEA, I recall very well the loss of two DEA agents in the City of San Marino, very close to my district, back when I was with the U.S. Attorney. They were involved in a buy-bust. It was a small amount of drugs, a small amount of money, I think amounting to some $35,000. These two agents, one was killed in a shoot-out with the drug dealers, the other shot at point-blank range execution style when these young drug dealers decided they would rather keep the $35,000 and kill two people for it.

This is the kind of risk the DEA agents face every day. We're extraordinarily grateful to have such courageous men and women working within the agency. I urge the passage of the recognition bill.

Mr. SMITH of Nebraska. Mr. Speaker, I rise today in support of H. Con. Res. 369, honoring the men and women of the United States Drug Enforcement Administration on the occasion of its 35th Anniversary.

Earlier this year, I had the opportunity to visit the DEA's training facility in Quantico, Virginia.

This training facility is designed to prepare local law enforcement agents to deal with the specific hazards surrounding small, clandestine methamphetamine labs. More than 100 law enforcement officers from my home state of Nebraska have taken part in the training.

We also had the opportunity to speak briefly with agent trainees at the DEA training facility.

I truly appreciate these men and women who are battling against the evil of illegal drugs in the heartland of Nebraska and throughout our country.

These individuals—both the agents on the street and their instructors—deserve commendation for their dedication and sacrifice.

Through public education, vigilance, and the efforts of law enforcement, we can curb the spread of dangerous drugs in our communities.

Mr. SCHIFF. 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. SCHIFF) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 369.

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

A motion to reconsider was laid on the table.

DEBBIE SMITH REAUTHORIZATION ACT OF 2008

Mr. SCHIFF. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5057) to reauthorize the Debbie Smith DNA Backlog Grant Program, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5057

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 ''Debbie Smith Reauthorization Act of 2008''.

SEC. 2. REAUTHORIZATION OF THE DEBBIE SMITH DNA BACKLOG GRANT PROGRAM.

(a) AMENDMENTS.—Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively;

(B) by inserting after paragraph (2) the following new paragraph:

''(3) To carry out, for inclusion in such Combined DNA Index System, DNA analyses of samples from missing or unidentified persons, including samples from the remains, personal effects, or biological relatives of such persons.'';

(C) in paragraph (4) (as redesignated by subparagraph (A)), by striking ''paragraph (1) or (2)'' and inserting ''paragraph (1), (2), or (3)''; and

(D) in paragraph (5) (as so redesignated), by striking ''in paragraph (1)'' and inserting ''in paragraphs (1) and (3)'';

(2) in subsection (b)—

(A) in paragraph (6), by striking ''and'' after the semicolon;

(B) in paragraph (7), by striking the period and inserting ''; and''; and

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

''(8) provide assurances that the State or unit of local government has implemented, or will implement not later than 2 years after the date of such application, a process under which the State or unit, respectively, provides for the collection, for purposes of inclusion in the Combined DNA Index System of the Federal Bureau of Investigation, of DNA samples from all felons who are imprisoned in a prison of such State or unit, respectively, (including all felons imprisoned in such prison or unit, respectively, as of the date of the enactment of the Debbie Smith Reauthorization Act of 2008).'';

(3) in subsection (c)(3)—

(A) by striking subparagraphs (A) through (D);

(B) by redesignating subparagraph (E) as subparagraph (A); and

(C) by inserting after subparagraph (A) (as so redesignated) the following new subparagraph:

''(B) For each of the fiscal years 2010 through 2014, not less than 40 percent of the grant amounts shall be awarded for purposes under subsection (a)(2) of this section.''; and

(4) by amending subsection (j) to read as follows:

''(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Attorney General for grants under subsection (a)—

''(1) $151,000,000 for fiscal year 2009; and

''(2) $200,000,000 for each of the fiscal years 2010 through 2014.''.

(b) EFFECTIVE DATE.—The amendments made by paragraph (2) of subsection (a) shall apply to grants made on or after January 1, 2009.

SEC. 3. STUDY TO ASSESS THE DNA ANALYSIS BACKLOG.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) despite the funding provided for more than 5 fiscal years by the Federal Government to assist in the reduction of the DNA analysis backlog, the backlog continues to exist in many crime laboratories around the country;

(2) as a consequence of the continuance of the DNA analysis backlog, many violent crimes that could be solved remain unsolved, and individuals who have been wrongfully convicted who could be determined to be innocent through DNA testing remain in prison; and

(3) the causes of the DNA analysis backlog are complex and require a thorough and detailed study.

(b) STUDY REQUIRED.—The National Academy of Sciences shall, in consultation with no fewer than 3 forensic science practitioners from States and units of local government, conduct a study to determine the resources and other requirements necessary to eliminate the DNA analysis backlog and to prevent such a backlog from reoccurring after it has been eliminated.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the National Academy of Sciences shall submit to the Attorney General and to Congress a report on the results of the study conducted under subsection (b).

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $2,000,000 for fiscal year 2009.

SEC. 4. INCENTIVES FOR PERMANENT STATE-GENERATED DNA FUNDING STREAMS.

(a) MATCHING FUNDS.—For each fiscal year beginning after the date of the enactment of this Act, each eligible DNA funding State, with respect to a funding mechanism described in subsection (b) implemented by such State, shall be eligible for Federal matching funds to carry out such mechanism in an amount determined to be appropriate by the Attorney General.

(b) ELIGIBLE DNA FUNDING STATES DESCRIBED.—For purposes of this section, the term ''eligible DNA funding State'' means a State that demonstrates to the satisfaction of the Attorney General that the State has implemented (and applies) a permanent funding mechanism that generates funds, whether by fees or penalties, that are allocated by the State only for purposes of the analysis of DNA samples for law enforcement purposes.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2009 through 2013.

SEC. 5. EVALUATION OF DNA INTEGRITY AND SECURITY.

(a) EVALUATION.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Attorney General shall evaluate the integrity and security of DNA collection and storage practices and procedures at a sample of crime laboratories in the United States to determine the extent to which DNA samples are tampered with or are otherwise contaminated in crime laboratories. Such sample shall be a representative sample of crime laboratories in the United States.

(b) REPORT.—The Attorney General shall annually report to Congress the findings of the evaluation conducted under subsection (a).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each of the fiscal years 2009 through 2015.

SEC. 6. INCENTIVES FOR STATES TO COLLECT DNA SAMPLES FROM INDIVIDUALS ARRESTED FOR OR CHARGED WITH MURDER AND SEX CRIMES.

(a) IN GENERAL.—In the case of a State that receives funds for a fiscal year under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 and that has an implemented enhanced State DNA collection process for such year, the amount of funds that would otherwise be allocated for that fiscal year to the State under such subpart shall be increased by 10 percent.

(b) ENHANCED STATE DNA COLLECTION PROCESS DEFINED.—For purposes of this section, the term ''enhanced State DNA collection process'' means, with respect to a State, a process under which the State provides for the collection, for purposes of inclusion in the Combined DNA Index System of the Federal Bureau of Investigation, of DNA samples from the following individuals who are at least 18 years of age:

(1) Such individuals who are arrested for or charged with a criminal offense under State law that consists of murder or voluntary manslaughter or any attempt to commit murder or voluntary manslaughter.

(2) Such individuals who are arrested for or charged with a criminal offense under State law that has an element involving a sexual act or sexual contact with another and that is punishable by imprisonment for more than 1 year, or an attempt to commit such an offense.

(3) Such individuals who are arrested for or charged with a criminal offense under State law that consists of a specified offense against a minor (as defined in section 111(7) of the Sex Offender Registration and Notification Act (42 U.S.C. 16911(7))), or an attempt to commit such an offense.

The expungement requirements under section 210304(d) of the DNA Identification Act of 1994 (42 U.S.C. 14132(d)) shall apply to any samples collected pursuant to this section for purposes of inclusion in the Combined DNA Index System.

(c) EFFECTIVE DATE.—The provisions of this section shall apply to grants made on or after the date of the enactment of this Act.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated, in addition to funds made available under section 508 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3758), such sums as may be necessary to carry out this section for each of the fiscal years 2009 through 2013.

SEC. 7. ADDITIONAL STUDY AND REPORT ON INVESTIGATIONS AND PROSECUTIONS RELATED TO CODIS ''HITS''.

(a) STUDY.—The Inspector General of the Department of Justice shall carry out a study on—

(1) the number of instances in which DNA samples that are matched with samples included in the Combined DNA Index System database of the Federal Bureau of Investigation that are followed up on by appropriate law enforcement entities;

(2) the number of such matches described in paragraph (1) that are brought to the attention of a prosecutor;

(3) the number of the investigations described in paragraph (2) that result in a trial; and

(4) in the case of matches described in paragraph (1) that were not followed up on by appropriate law enforcement entities, were not brought to the attention of a prosecutor, or did not result in a trial—

(A) the reasons why such matches were not pursued accordingly; and

(B) the resulting impact on the criminal justice system, including whether other

crimes were committed that could have been prevented if such matches had been pursued accordingly.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Inspector General shall submit to Congress a report on the study under subsection (a).

SEC. 8. NATIONAL DNA INDEX SYSTEM ADVISORY BOARD.

(a) ESTABLISHMENT.—The Attorney General shall establish the National DNA Index System Advisory Board (in this section referred to as the ''NDIS Advisory Board'' to develop and, if appropriate, periodically revise standards and requirements for the use of and access to the index described in section 210304(a) of the DNA Identification Act of 1994 (42 U.S.C. 14132(a)).

(b) MEMBERSHIP.—Not later than 30 days after the date of the enactment of this Act, the Director of the Federal Bureau of Investigation shall appoint members to the NDIS Advisory Board as follows:

(1) At least 4 directors of State or local forensic laboratories.

(2) One representative from the Federal Bureau of Investigation.

(3) One representative from the Scientific Working Group on DNA Analysis Methods.

(4) One representative from the Office of Legal Policy of the Department of Justice.

(5) One representative from the National Institute of Justice.

(6) One representative from the National Academies of Science.

(7) One State or local prosecutor.

(8) One criminal defense attorney.

(9) One representative from the National Institute of Standards and Technology.

(10) One member of the academic community who specializes in DNA privacy issues.

(11) One crime victim or crime victim advocate.

(12) One representative of a State police agency.

(13) One representative of a local police agency.

(c) APPLICATION OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.), other than section 14 of such Act, shall apply to the NDIS Advisory Board.

(d) NOTICE, COMMENT, AND PUBLICATION.—The Attorney General shall provide for public notice and comment for each standard developed under this section and for publication of each such standard.

(e) PAY AND REIMBURSEMENT.—

(1) NO COMPENSATION FOR MEMBERS OF NDIS ADVISORY BOARD.—Except as provided in paragraph (2), a member of the NDIS Advisory Board may not receive pay, allowances, or benefits by reason of their service on the Board.

(2) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence under subchapter I of chapter 57 of title 5, United States Code.

(f) QUALITY ASSURANCE STANDARDS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the NDIS Advisory Board shall develop (and provide recommendations to the Director of the Federal Bureau of Investigation on) standards governing the use of and access to the index described in subsection (a). The NDIS Advisory Board shall periodically update such standards as appropriate. The standards shall provide for the expedited uploading into such index by State and local forensic laboratories of DNA analyses of samples obtained from persons convicted of crimes, including such analyses processed by private forensic laboratories.

(2) CONSIDERATION OF ADDITIONAL PROPOSALS TO EXPEDITE PROCESSING AND UPLOADING OF DNA SAMPLES.—Not later than one year after the date of the enactment of this Act, the NDIS Advisory Board shall also provide recommendations to the Director of the Federal Bureau of Investigation on the following:

(A) The feasibility and desirability of entering into agreements with private forensic laboratories to enable direct access to the Combined DNA Index System of the Federal Bureau of Investigation for the purpose of uploading DNA analyses of samples obtained from persons convicted of crimes.

(B) The feasibility and desirability of providing for more limited technical review audits of DNA analyses of samples prior to uploading such data into the Combined DNA Index System.

(C) The feasibility and desirability of permitting greater participation in the technical review of DNA analyses of samples by contractor personnel.

(D) The feasibility and desirability of allowing immediate upload of DNA profiles obtained from crime scene samples and rape kits.

(3) ISSUANCE OF POLICIES, PROCEDURES, AND STANDARDS.—The Director of the Federal Bureau of Investigation, with the approval of the Attorney General, after taking into consideration the recommended policies, procedures, and standards recommended by the NDIS Advisory Board under this section shall issue (and revise from time to time) policies, procedures, and standards relating to the administration of the National DNA Index System including, standards for quality assurance, testing the proficiency of forensic laboratories, and forensic analysts, in conducting analyses of DNA.

(g) EXCLUSIVITY OF POLICIES, PROCEDURES, AND STANDARDS.—The policies, procedures, and standards issued under subsection (f)(3) shall be the exclusive policies, procedures, and standards issued with respect to State, local, and private laboratories that participate in the National DNA Index System. Polices, procedures, laboratory audit requirements, standards, and any other manner of regulation or control (other than any condition imposed pursuant to a grant awarded through the Department of Justice) may not be inconsistent with, or expand upon provisions contained in such approved policies, procedures, or standards.

SEC. 9. DNA TECHNOLOGY ENHANCEMENT GRANTS.

(a) IN GENERAL.—The Attorney General shall establish a grant program under which the Attorney General may make grants to States and units of local government to purchase forensic DNA technology or to improve such technology.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $50,000,000 for each of the fiscal years 2009 through 2013 to carry out subsection (a).

SEC. 10. REAUTHORIZATIONS OF CERTAIN DNA-RELATED GRANT PROGRAMS.

(a) DNA TRAINING AND EDUCATION FOR LAW ENFORCEMENT, CORRECTIONAL PERSONNEL, AND COURT OFFICERS.—Section 303(b) of the Justice For All Act of 2004 (42 U.S.C. 14136(b)) is amended by striking ''2009'' and inserting ''2014''.

(b) SEXUAL ASSAULT FORENSIC EXAM PROGRAM GRANTS.—Section 304(c) of such Act (42 U.S.C. 14136a(c)) is amended by striking ''2009'' and inserting ''2014''.

(c) DNA RESEARCH AND DEVELOPMENT.—Section 305(c) of such Act (42 U.S.C. 14136b(c)) is amended by striking ''2009'' and inserting ''2014''.

(d) DNA IDENTIFICATION OF MISSING PERSONS.—Section 308(c) of such Act (42 U.S.C. 14136d(c)) is amended by striking ''2009'' and inserting ''2014''.

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

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, H.R. 5057, the Debbie Smith Reauthorization Act of 2008, authorizes the Attorney General to provide grants to States to assist them in reducing the enormous DNA evidence backlog in the Nation's laboratories. This important legislation will help to solve more crimes. It will help to solve more crimes more quickly, and perhaps most importantly, it will help to ensure that other crimes are prevented altogether.

Across our Nation, law enforcement officers and prosecutors have come to recognize the role that DNA evidence can play in solving crimes. As a result, ever-increasing numbers of DNA samples are being collected from crime scenes and offenders. There is no better example that demonstrates the effectiveness of DNA technology in solving crimes than that of Debbie Smith, the bill's namesake.

In 1989, Ms. Smith was kidnapped in her Virginia home and viciously attacked by a stranger who threatened her life should she report the attack. Nevertheless, with remarkable courage and determination, she reported the rape, and the crime lab preserved the DNA evidence of her attacker. Eventually, when the perpetrator was required to provide a DNA sample for a separate violent crime he was convicted for, a match was made to the sample collected from his attack on Ms. Smith, identifying him as her attacker.

Mr. Speaker, Debbie Smith and her husband, Rob, are here with us today, and I would like to ask them to stand so we can not only acknowledge their presence but thank them for their courage and determination and their work which has served as the driving force behind this legislation.

The remarkable law enforcement value of DNA evidence has unfortunately been limited by the enormous backlog of DNA samples still awaiting analysis. This means that crimes remain unsolved, violent offenders remain at large, and innocent individuals may be wrongfully imprisoned. H.R. 5057 would significantly increase the funding levels authorized for this important program and would also provide for important studies to further improve the system. H.R. 5057 also includes a number of other important initiatives that were adopted during the committee process.

Beginning in the 1990s, the Nation's crime labs were largely unprepared for the onslaught of requests for DNA services. Samples continue to pour into our Nation's crime labs at a pace faster than they can be processed. In order to address backlog problems, many States have begun outsourcing some of the work to accredited private laboratories. However, the FBI requires the crime labs perform in-house technical reviews of 100 percent of database samples from contract labs. While this requirement is certainly important with regard to forensic casework samples, it is found to be an onerous requirement with regard to the rather simple swabs that are taken from convicted offenders.

□ 1630

In fact, these requirements add substantial additional costs and further delay backlog reduction. Indeed, even Debbie Smith grant funds are expended on fulfilling these onerous requirements.

The National Institute of Justice has confirmed that ''the burden of these requirements has increased the backlog of convicted offender samples, cost millions of dollars, and forced crime laboratories to remove staff from analyzing rape kits and other forensic samples.''

In order to address this issue, I offered a bipartisan provision with my colleague Representative Dan Lungren that would create a new National DNA Index System Advisory Board to ensure diverse representation of views, including State and local lab directors, officials from the FBI and DOJ, and other relevant stakeholders.

The board is directed to develop new standards governing the use of the Federal index that provide for the expedited uploading by State and local forensic labs of convicted offender profiles generated by private labs. These new standards are to be issued within 6 months.

In addition, the board is directed to look into the feasibility of other measures that would greatly expedite analysis and uploading, as well as backlog reduction. These include the feasibility and desirability of entering into agreements with private forensic labs to enable direct access to CODIS for the purpose of uploading DNA analyses of samples obtained from persons convicted of crimes; the feasibility and desirability of providing for more limited technical review audits of DNA analyses of samples prior to uploading such data into CODIS; and the feasibility and desirability permitting greater participation in the technical review process of contractor personnel.

I also authored another provision in this legislation that aims to increase the crime-solving abilities of our DNA databases.

Today, 12 States collect samples from murder and sex crime arrestees, including my home State of California. Four of these States, including California, collect or are preparing to collect samples from all felony arrestees.

Virginia was the first State to expand its database to include arrestees, and since then, the State has seen a total of 398 hits to their arrestee database, 74 of which were associated with sexual assault cases. For the first two months of this year alone, six hits to arrestees were made, the first hit coming just after the upload of the first 80 samples into the database.

A 2005 Chicago study examined the criminal activities of only eight individuals and found that 60 violent crimes could have been prevented, including 53 murders and rapes, if DNA was required for felony arrests.

In one example, Andre Crawford was charged with 11 murders and one attempted murder/aggravated sexual assault. If the State had required him to give a DNA sample during an earlier felony arrest, the subsequent 10 murders and one rape would not have occurred.

In another example, Mario Villa was charged with four rapes, linked by DNA to two other rapes, and a main suspect in an additional rape and two attempted rapes. If the State had required him to give a DNA sample during an earlier felony arrest, eight rapes or attempted rapes could have been prevented.

A recent Maryland study looked at the criminal histories for three offenders and found that 20 crimes, including rapes, sexual assaults, and murder could have been prevented had their DNA samples been required upon arrest.

Mr. Speaker, States who have moved to collect arrestee samples, such as Virginia and California, are greatly increasing the power of the national DNA network, while States with far narrower collection regimes are making the Federal database, which Congress has invested a substantial amount of money in, less sufficient. These States can still avail themselves of the Federal database and take full advantage of the expansive collection regimes of other States.

Therefore, a provision of this bill would provide incentives for States to follow the lead of the 12 States that currently collect samples from individuals arrested for or charged with murder and sex crimes. These States who would enact such an enhanced collection process would be eligible for a 10 percent increase in Federal formula law enforcement funds.

Since State backlogs are so huge and Federal funds remain limited, States have had to share a significant portion of the burden to fund these activities. However, State funding can fluctuate from year-to-year given the budget process and competing priorities. Some States, such as California, have penalty fee structures in place that provide a more stable and consistent funding stream.

Proposition 69 in California provided for a $1 penalty for every $10 or fraction thereof upon every fine, penalty and forfeiture levied on criminal offenses, including traffic expenses, but excluding parking. Over $40 million has been raised in California since its inception, and this has taken some of the burden off the Federal Government and the Debbie Smith grant funds available each year.

States should be encouraged to put such structures in place and for their ability to not rely as heavily on Federal resources.

Therefore, I authored a provision in this bill that would authorize the Attorney General to provide matching funds to those States that have implemented permanent funding mechanisms that generate funds, whether by fees or penalties, that are allocated by the State only for the purpose of analyzing DNA samples for law enforcement purposes.

Finally, this legislation includes a separate grant authorization for upgrading laboratory capability and infrastructure. And it provides supplemental grant incentives for States to fund their own DNA initiatives.

We have a comprehensive bill that will give lawmakers the best information for formulating policy, as well as provide law enforcement the most up-to-date tools and technology for solving crimes.

I'd like to commend CAROLYN MALONEY of New York for her leadership in authoring this bill. I also want to thank Chairman CONYERS and Ranking Member SMITH of Texas, as well as Subcommittee Chairman BOBBY SCOTT and Ranking Member LOUIE GOHMERT for their leadership in making this a fully bipartisan effort.

I urge my colleagues to support this legislation.

I reserve the balance of my time.

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

I am pleased to join the gentleman from California (Mr. SCHIFF) in support of H.R. 5057, the Debbie Smith Reauthorization Act.

Congresswoman CAROLYN MALONEY introduced this legislation to reauthorize the Debbie Smith DNA Backlog Elimination Grant Program through fiscal year 2014 at $151 million per year.

DNA has become an invaluable tool in identifying and convicting criminal suspects. At the same time, the increased use of DNA evidence in criminal prosecutions has also increased DNA collection and processing requests. The result is a substantial backlog in processing DNA evidence across the country.

The Debbie Smith program provides grants to State and local governments to reduce the DNA backlog of samples collected and entered into the national DNA database. The program, originally authorized in 2000, expires at the end of fiscal year 2009.

Since 2000, DNA backlog grants have assisted State and local governments with the collection of 2.5 million DNA samples from convicted offenders and

arrestees for inclusion in the national DNA database. The backlog grants have also funded the testing of approximately 104,000 DNA cases between 2004 and 2007.

While the Debbie Smith Program has indeed been successful in reducing the backlog, there is still work to do. A 2003 Department of Justice report indicated a backlog of 48,000 DNA samples. The current backlog is expected to be just as high.

Mr. Speaker, every 2.7 minutes a person becomes a victim of sexual assault in this country. That's 22 Americans every hour, 528 every day, and over 3,600 every week who are the victims of rape or sexual assault. Debbie Smith was one of these victims, and it took 6 years before her assailant was identified through DNA evidence.

I also would like to commend Debbie Smith and her family for their courage and determination to help others who may become victims and also to prevent others from becoming victims in the future. It's very commendable for her and very brave of her and her family to step forward and go through what they have gone through.

There is another aspect of this bill that I would also like to highlight, and that is the expansion of the grant program to locate and identify missing persons and human remains. There are estimated to be more than 40,000 sets of unidentified human remains just, oftentimes, literally sitting on the shelves in medical examiner offices or in law enforcement offices or in coroner offices around the country. These cases have been put at the bottom of the list far too often, while most recent cases are investigated and solved using DNA technology. Yet, many of the 40,000 are also victims of heinous crimes.

For example in 1996, a woman who became a very good friend of myself and the staff people in my office, Debbie Culberson, her daughter Carrie died a gruesome death. While the murderer was convicted and will serve the rest of his life in jail, Carrie has never been found. Evidence has led investigators to the Ohio River, which divides the States of Ohio and Kentucky, but we don't know for sure.

Grants such as those made available by H.R. 5057 will ensure that law enforcement nationwide have the resources to make identifying these human remains a priority as well.

Congress has a responsibility to assist States with investigating, prosecuting, and severely punishing those who commit rapes and other sexual offenses and provide justice for victims. The Debbie Smith Reauthorization Act protects victims by providing Federal funding to process the DNA evidence needed to take violent criminals off the streets.

I urge my colleagues to join me in supporting this important legislation.

I reserve the balance of my time.

Mr. SCHIFF. Mr. Speaker, it gives me great pleasure to recognize the gentlewoman from Texas (Ms. JACKSON-LEE) for 4 minutes.

Ms. JACKSON-LEE of Texas. I thank the distinguished member of the Judiciary Committee and the manager of the minority side, as well as the chairman of the full committee, Mr. CONYERS; the ranking member, Mr. SMITH; the subcommittee Chair, Mr. SCOTT; and the ranking member, Mr. GOHMERT.

As a member of the subcommittee on crime and a senior member of the House Judiciary Committee, I rise with great enthusiasm to support H.R. 5057, the Debbie Smith Reauthorization Act of 2008.

And I salute Mr. and Mrs. Smith. This is not a new bill to me. Congresswoman MALONEY has worked very hard and has engaged the many women of the Congress to look at this issue in many, many different ways. We thank you, Debbie Smith for your courage, and we thank you for your bravery.

This is an important initiative. There are many improvements that have made this bill even better, but had it not been for Debbie Smith and her courage, we would not be where we are today.

As my colleague has already said, this bill was named for Debbie Smith who was kidnapped in her Virginia home and raped by a stranger. The Debbie Smith DNA backlog grant bill authorized grant money to States to collect samples from crime scenes and convicted persons.

This legislation also allows us to conduct DNA analysis and enter these results into a comprehensive national database. Debbie Smith's attacker remained unidentified for over 6 years, until a DNA sample collected from a convicted person serving time in Virginia State prison revealed his involvement in her rape. Although eventually identified, the 6 years between crime and identification allowed Ms. Smith's attacker to engage in more criminal activity.

What is the purpose and value of this legislation? It is to ensure that the perpetrator, the person who has acted in a violent and heinous way, is tried and convicted in a direct and fair and just manner, and that this individual is taken off the streets in order not to harm anyone else.

I am very gratified that we have expanded this legislation and that it is also an opportunity not only to ensure that those who have committed the crime are ''doing the time'' but to make sure that DNA is accurate and untainted for a fair and just results.

I support this legislation, and therefore, I offered a successful amendment that would require the Attorney General to evaluate the integrity and security of DNA collection and storage practices and procedures at a sample of crime laboratories throughout the country to determine the extent to which DNA samples are tampered with or are otherwise contaminated in such laboratories. This is crucial. A person who should be convicted and is still walking the streets, can create more danger, and those who have been tried and incarcerated on contaminated DNA deserve a fair and just recommendation of their case. Contaminated DNA helps no one and this amendment corrects that problem.

The sample should be a representative sample and should include at least one lab from each State. My amendment would require the Attorney General to conduct this evaluation annually, and the Attorney General would be required to submit the evaluation to Congress. This amendment is necessary, and it authorizes some $10 million over a 5-year period to allow this process to occur.

In Harris County, Texas, and other places around the Nation, DNA evidence was contaminated and wrongfully used to convict persons based upon faulty evidence. An investigation into the crime lab in Houston, for example, revealed that bad management, undertrained staff, false documentation, and inaccurate work cast doubt on thousands of DNA-based convictions. Investigators raised serious questions about the reliability of evidence in hundreds of cases they investigated and asked for further independent scrutiny and new testing to determine the extent to which individuals were wrongly convicted with faulty evidence.

Two individuals, Mr. Rodriguez and Mr. Joshua Sutton, were victimized by this faulty DNA process. Both served time in jail and were released when their cases were properly reviewed.

□ 1645

This is evidence that my amendment helps an already good bill, which will help victims like Mrs. Smith, but it also provides the added integrity to this system.

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

Mr. SCHIFF. I would be happy to yield an additional minute to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. My amendment ensures that Congress will exercise the appropriate oversight over the DNA Data Collection Program. It will ensure the integrity and security of the DNA collection and storage procedures. It is my hope that my amendment will minimize wrongful convictions and will make the DNA storage and collection process more reliable.

When such a sacrifice has been made by someone as brave as Mrs. Smith, along with the work that has been done by my colleague, Congresswoman MALONEY, and this Congress, it further enhances the Nation's criminal justice system. We all agree, the criminal justice system should convict those who have done these dastardly acts, incarcerate them through a fair process of justice. And then, those who are innocent, make sure that the criminal justice system has the tools to insure them not guilty through transparent DNA evidence.

This is the way the American's justice system should be. We want this open fair system as much for Harris County, Texas, as we want it for Los Angeles, Chicago, and other places around the Nation.

This bill is a bill of integrity and fairness, and it upholds the fair justice system of the United States of America.

Mr. Speaker, this act authorizes funding to eliminate the large backlogs of DNA crime scene samples awaiting testing in State forensic labs. I am in support of this bill.

In recent years, law enforcement agencies have realized the critical value that DNA evidence has in quickly solving cases. Often, a DNA sample result can scientifically link a perpetrator to a crime or prove a defendant's innocence with virtual certainty. Many of the Nation's Federal and State criminal forensics laboratories currently are overwhelmed with innumerable samples awaiting DNA analysis.

Named for Debbie Smith, who was kidnapped in her Virginia home and raped by a stranger, the Debbie Smith DNA Backlog Grant Program authorized grant money to States to collect samples from crime scenes and convicted persons, conduct DNA analyses, and enter these results into a comprehensive national database. Debbie Smith's attacker remained unidentified for over six years, until a DNA sample collected from a convicted person serving time in a Virginia State prison revealed his involvement in her rape. Although eventually identified, the six years between crime and identification allowed Ms. Smith's attacker to engage in more criminal activity.

Reauthorization of the Debbie Smith DNA Backlog Grant Program will help law enforcement throughout the Nation. It will facilitate the development of a comprehensive national data base against which samples from current crime scenes can be compared. It will allow laboratories to reduce the currently unacceptable delays in processing DNA samples. Finally, it will provide law enforcement and prosecutors strong tools to quickly identify and prosecute criminals, minimizing the costs of investigation and prosecution, the possibility of prosecuting the wrong person and the possibility of future heinous crimes.

Recognizing that the backlog of biological evidence that had to be entered in State databases was preventing law enforcement officials from solving many of the Nation's most heinous crimes, like the tragedy that befell Debbie Smith, Congress passed the DNA "Analysis Backlog Elimination Act of 2000" (P.L. 106–546). The bill authorized the Attorney General to make grants to eligible States to collect DNA samples from convicted individuals and crime scenes for inclusion in the Federal DNA database, Combined DNA Index System (CODIS), and to increase the capacity of State crime laboratories. The act required the Bureau of Prisons and the military to collect DNA samples from convicted individuals and forward these samples for analysis, and required the FBI to expand its CODIS database to include the analyses of these DNA samples.

The act also amended the criminal code to require all defendants on probation or supervised release to cooperate with the collection of a DNA sample. The act expressed the sense of Congress that State grants should be conditioned upon the State's agreement to ensure post-conviction DNA testing in appropriate cases; and that Congress should work with the States to improve the quality of legal representation in capital cases. Finally, the act authorized an unspecified amount of appropriations to the Attorney General to carry out the act.

In 2004, DNA backlog elimination was incorporated into the Justice for All Act of 2004", P.L. 108–405 and was renamed the Debbie Smith DNA Backlog Grant Program, which became Title II of P.L. 108–405. While the act authorized $151 million for each fiscal year 2005–2009, Congress did not appropriate any money until FY 2008, at which time it appropriated $147.4 million.

The Debbie Smith DNA Backlog Grant Program expires at the end of FY 2009. H.R. 5057, the "Debbie Smith Reauthorization Act," which has strong bipartisan support, would renew the law and authorize $151 million for each fiscal year 2009–2014. H.R. 5057 specifies that not less than 40 percent of the total amount awarded in grants must be used for DNA analyses of samples from crime scenes, rape kits and other sexual assault evidence, and in cases that do not have an identified suspect.

AMENDMENT

While I support this legislation, I successfully offered an amendment at subcommittee markup. My amendment would require the Attorney General to evaluate the integrity and security of DNA collection and storage practices and procedures at a sample of crime laboratories throughout the country to determine the extent to which DNA samples are tampered with or are otherwise contaminated in such laboratories. The sample should be a representative sample and should include at least one lab from each State. My amendment would require the Attorney General to conduct this evaluation annually and the Attorney General should be required to submit the evaluation to Congress. This amendment is necessary.

In Harris County, Texas, DNA evidence was tainted and wrongfully used to convict persons based upon faulty evidence. An investigation into the crime lab in Houston revealed that bad management, under-trained staff, false documentation, and inaccurate work cast doubt on thousands of DNA based convictions. Investigators raised serious questions about the reliability of evidence in hundreds of cases they investigated and asked for further independent scrutiny and new testing to determine the extent to which individuals were wrongly convicted with faulty evidence.

My amendment ensures that Congress will exercise some oversight of the program. It will ensure the integrity and security of the DNA collection and storage and procedures. It is my hope that my amendment will minimize wrongful convictions and will make the DNA storage and collection process more reliable.

SCHIFF AMENDMENT

I note that one of my colleagues on the Subcommittee offered an amendment, Mr. SCHIFF. I do not agree with this amendment. The amendment would require that DNA be collected from all arrestees. This amendment has serious civil liberties concerns.

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

Mr. SCHIFF. Mr. Speaker, the reauthorization of this important program also provides us with an opportunity to investigate some important related issues.

From my work on this issue, I've learned that the Federal Government is unable to determine how many hits the Federal Government informs States about are actually followed up on by law enforcement. I think this data is very important for policymakers to have.

A few years ago, USA Today engaged in a comprehensive examination of DNA cases. In one case, the DNA of a convicted child molester matched DNA from an attempted sexual assault of a 10-year-old girl. Police did not contact the offender until after he had molested another 10-year-old child 6 months later.

In another case, the DNA of a career felon matched DNA left at a rape and abduction from 2001. At the time the offender was serving a prison sentence for assault. The police did not contact him until 8 months later, after he had been released from prison and only after being alerted by the rape victim, who encountered the offender by chance while walking in a local park.

These are two examples of situations where there was a match made in the Federal database. States were informed about it, but no action was taken, with tragic consequences. Therefore, I have authored a provision in this bill that would direct the Department of Justice Inspector General to investigate and report on how many CODIS database hits are actually followed up on by law enforcement, how many of those hits are ultimately brought to the attention of a prosecutor and how many go to trial.

Importantly, the report will also shed additional light on the factors that play in the event that matches were not followed up on. In particular, we asked the IG to determine the reason why matches were not pursued accordingly, and to determine the resulting impact on the criminal justice system, namely, whether other crimes were committed that could have been prevented if the matches were pursued accordingly.

Mr. HELLER of Nevada. Mr. Speaker, I rise to urge my colleagues to vote for the Debbie Smith Reauthorization Act (H.R. 5057), a bill that I cosponsored and strongly support. I appreciate the efforts of my colleague from New York, Mrs. MALONEY, in bringing this legislation and previous bills regarding DNA evidence to the House floor.

A tragic death that took place in my District early this year highlights the need for Congress to support the Debbie Smith DNA Backlog Grant Program at the U.S. Department of Justice, DOJ. As many of my colleagues know from national news reports, nineteen-year-old Brianna Denison was abducted, strangled to death, and left in a vacant field in southeast Reno. Based on DNA evidence, law enforcement determined that Brianna's murder was the work of a serial offender linked to several other attacks in the Reno area.

Like a majority of states, Nevada has experienced a significant backlog in DNA processing. At the time of Brianna's murder, more

than 3,000 samples were waiting to be processed in Nevada alone. Local law enforcement petitioned the Reno community for donations that would enable them to expedite processing of samples collected as part of Brianna's case and tackle the statewide backlog. Nevadans contributed nearly $300,000 to eliminate the backlog of DNA samples in our State.

This significant outpouring of support demonstrates the American people's commitment to fighting crime through DNA technology. Congress should take this opportunity to mirror the priorities of those we represent. In an age where DNA technology has the potential to solve previously unsolvable crimes and quickly put violent offenders behind bars, there is no excuse for failing to equip law enforcement agencies with the tools and personnel they need to quickly process DNA.

The Debbie Smith Reauthorization Act provides a vital means of reducing the DNA evidence backlog in labs across the country. I joined 26 of my colleagues, including the author of this legislation, in sending a letter to appropriators earlier this year urging appropriators to provide full funding for the Debbie Smith DNA Backlog Grant Program. Few investments could be more important to effective law enforcement in the 21st century. The national DNA database has made matches or otherwise aided in more than 51,000 cases since its inception. While the DNA of Brianna's killer was unfortunately not detected as Nevada's samples were processed in recent months, it is quite possible that the DNA of Brianna's killer is backlogged in another state. Also worth noting is the fact that Nevada law enforcement was able to link 30 unsolved cases to known offenders as a result of eliminating our state's DNA backlog. Assuming a similar success rate nationwide, hundreds—if not thousands—of criminals could be put behind bars if law enforcement could process all DNA samples on hand. Thousands of victims and families whose cases are currently unsolved could find closure.

Ensuring that all crime-related DNA samples are entered in the nationwide database makes every community in every district safer. Supporting the Debbie Smith DNA Backlog Grant Program tells law enforcement that Congress supports their crimefighting efforts with the best technology available, and shows the American people our commitment to taking violent criminals off our streets. I strongly encourage my colleagues to support the Debbie Smith Reauthorization Act as well as efforts to provide full funding for this vital program.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 5057, the ''Debbie Smith Reauthorization Act of 2008'' (reauthorizing Title II of P.L. 108–405). This Act authorizes funding to eliminate the large backlogs of DNA crime scene samples awaiting testing in State forensic labs. I am in support of this bill.

In recent years, law enforcement agencies have realized the critical value that DNA evidence has in quickly solving cases. Often, a DNA sample result can scientifically link a perpetrator to a crime or prove a defendant's innocence with virtual certainty. Many of the Nation's Federal and State criminal forensics laboratories currently are overwhelmed with innumerable samples awaiting DNA analysis.

Named for Debbie Smith, who was kidnapped in her Virginia home and raped in nearby woods by a stranger, the Debbie Smith DNA Backlog Grant Program authorized grant money to states to collect samples from crime scenes and convicted persons, conduct DNA analyses, and enter these results into a comprehensive national database. Debbie Smith's attacker remained unidentified for over six years, until a DNA sample collected from a convicted person serving time in a Virginia State prison revealed his involvement in her rape. Although eventually identified, the six years between crime and identification allowed Ms. Smith's attacker to engage in more criminal activity.

Re-authorization of the Debbie Smith DNA Backlog Grant Program will help law enforcement throughout the Nation. It will facilitate the development of a comprehensive national data base against which samples from current crime scenes can be compared. It will allow laboratories to reduce the currently unacceptable delays in processing DNA samples. Finally, it will provide law enforcement and prosecutors strong tools to quickly identify and prosecute criminals, minimizing the costs of investigation and prosecution, the possibility of prosecuting the wrong person and the possibility of future heinous crimes.

Recognizing that the backlog of biological evidence that had to be entered in State databases was preventing law enforcement officials from solving many of the Nation's most heinous crimes, like the tragedy that befell Debbie Smith, Congress passed the DNA ''Analysis Backlog Elimination Act of 2000'' (P.L. 106–546). The bill authorized the Attorney General to make grants to eligible States to collect DNA samples from convicted individuals and crime scenes for inclusion in the federal DNA database, Combined DNA Index System (CODIS), and to increase the capacity of State crime laboratories. The Act required the Bureau of Prisons and the military to collect DNA samples from convicted individuals and forward these samples for analysis, and required the FBI to expand its CODIS database to include the analyses of these DNA samples.

The Act also amended the criminal code to require all defendants on probation or supervised release to cooperate with the collection of a DNA sample. The Act expressed the sense of Congress that State grants should be conditioned upon the State's agreement to ensure post-conviction DNA testing in appropriate cases; and that Congress should work with the States to improve the quality of legal representation in capital cases. Finally, the Act authorized an unspecified amount of appropriations to the Attorney General to carry out the Act.

In 2004, DNA backlog elimination was incorporated into the Justice for All Act of 2004'', P.L. 108–405 and was renamed the Debbie Smith DNA Backlog Grant Program, which became Title II of P.L. 108–405. While the Act authorized $151 million for each fiscal year 2005–2009, Congress did not appropriate any money until FY 2008, at which time it appropriated $147.4 million.

The Debbie Smith DNA Backlog Grant Program expires at the end of FY 2009. H.R. 5057, the ''Debbie Smith Reauthorization Act,'' which has strong bipartisan support, would renew the law and authorize $151 million for each fiscal year 2009–2014. H.R. 5057 specifies that not less than 40 percent of the total amount awarded in grants must be used for DNA analyses of samples from crime scenes, rape kits and other sexual assault evidence, and in cases that do not have an identified suspect.

AMENDMENT

While I support this legislation, I successfully offered an amendment at subcommittee markup. My amendment would require the Attorney General to evaluate the integrity and security of DNA collection and storage practices and procedures at a sample of crime laboratories throughout the country to determine the extent to which DNA samples are tampered with or are otherwise contaminated in such laboratories. The sample should be a representative sample and should include at least one lab from each State. My amendment would require the Attorney General to conduct this evaluation annually and the Attorney General should be required to submit the evaluation to Congress. This amendment is necessary.

A district attorney in Harris County, Texas used evidence to wrongfully convict persons based upon faulty evidence. An investigation into the Houston Police Department's crime lab revealed that bad management, undertrained staff, false documentation, and inaccurate work cast doubt on thousands of DNA-based convictions. Investigators raised serious questions about the reliability of evidence in hundreds of cases they investigated and asked for further independent scrutiny and new testing to determine the extent to which individuals were wrongly convicted with faulty evidence.

My amendment ensures that Congress will exercise some oversight of the program. It will ensure the integrity and security of the DNA collection and storage and procedures. It is my hope that my amendment will minimize wrongful convictions and will make the DNA storage and collection process more reliable.

SCHIFF AMENDMENT

I note that one of my colleagues on the Subcommittee offered an amendment, Mr. SCHIFF. I do not agree with this amendment. The amendment would require that DNA be collected from all arrestees. This amendment has serious civil liberties concerns.

Mr. SCHIFF. Mr. Speaker, in the absence of any further speakers, 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. SCHIFF) that the House suspend the rules and pass the bill, H.R. 5057, 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 reauthorize the Debbie Smith DNA Backlog Grant Program, and for other purposes.''.

A motion to reconsider was laid on the table.

CRIMINAL HISTORY BACKGROUND CHECKS PILOT EXTENSION ACT OF 2008

Mr. SCHIFF. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 3218) to extend the pilot program for volunteer groups to obtain criminal history background checks.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 3218

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 ''Criminal History Background Checks Pilot Extension Act of 2008''.

SEC. 2. EXTENSION OF PILOT PROGRAM.

Section 108(a)(3)(A) of the PROTECT Act (42 U.S.C. 5119a note) is amended by striking ''a 60-month'' and inserting ''a 66-month''.

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

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, the Criminal History Background Checks Pilots Extension Act of 2008 will allow a simple 6-month extension to the National Child Safety Pilot Program passed as a part of the PROTECT Act of 2003.

I am proud to sponsor the House version of this bill. The Senate has already taken up the legislation by unanimous consent, so if the House votes to pass this bill, as I hope it will, it will go to the President to be signed into law.

We're fortunate to have millions of Americans who generously give their time and energy to volunteer and mentor children. In 1986, as a then young lawyer, I volunteered as a Big Brother for a 7-year-old in the Greater Los Angeles area. That relationship has been one of the most rewarding and enduring that I've ever had. It also taught me firsthand the trust that we place in the adult in a mentoring situation. It's important that we protect children by taking reasonable and practical steps to help guard against the chance that a convicted child abuser or sex offender might conceal his or her past and place our children at risk.

Since 2003, and earlier, States have been authorized to access national fingerprint-based background checks through the FBI on behalf of youth-serving organizations. Unfortunately, as of today, only one-third of States have the infrastructure in place for a youth-serving organization to get a background check from the FBI in an affordable and timely manner.

In passing the PROTECT Act, Congress acted in response to the need to protect children from predators who could gain access to children under the guise of volunteering. Mentoring groups, large and small, want access to the information they need to protect children, and the pilot has been extremely successful in providing that access through a fee-supported system at no cost to taxpayers.

The pilot demonstrated that there was a clear need for this program to protect children. Six percent of checks conducted came back with serious criminal records, in many cases records that would have not turned up through a search of a State database or through a name-based commercial search. We have cases from around the Nation in which applicants for volunteering positions with children were sex offenders, repeat felons, and child abusers.

The National Center for Missing and Exploited Children reviewed files in which an applicant had a criminal record in four States, including a conviction for murder, which they didn't reveal to the organization. Losing access to these checks would be disastrous for hundreds of small, community-based mentoring organizations.

Due to the success of the program, we have extended the pilot twice before. It is now set to expire July 31 unless we extend it again. This bill would provide a 6-month extension to give us all time to work on an appropriate permanent bill that protects our children, while also protecting the privacy of potential volunteers.

I am proud to sponsor, along with my colleague, Mr. ROGERS of Michigan, the Child Protection Improvements Act, a bill which would do just that. We will continue to work with stakeholders and the Judiciary Committee to put in place a permanent system of protection.

The pilot program has demonstrated that youth-serving organizations correctly want to watch out for children and want access to affordable, accurate and prompt background checks to help them do so. We need to keep the pilot program in place while we develop the permanent bill.

I urge my colleagues to support this important legislation.

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

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

Mr. Speaker, I rise in support of S. 3218, the Criminal History Background Checks Pilot Extension Act of 2008, which extends the Child Safety Pilot Program for volunteer organizations for an additional 6 months.

Originally created in 2003 under the PROTECT Act, the Child Safety Pilot Program has proven to be an effective resource for groups such as the Boys and Girls Clubs of America, the National Mentoring Partnership, and the National Council of Youth Sports.

Through the pilot program, any nonprofit organization that provides youth-focused care, as defined in the National Child Protection Act of 1993, may request criminal history background checks from the FBI on applicants for volunteer or employee positions that entail working with children.

Currently, over 10,000 background checks have been administered through the Child Safety Pilot Program. Of those checks, 7.5 percent of all workers screened had an arrest or conviction on their record. Crimes uncovered included rape, child sexual abuse, murder, and domestic battery. Over 25 percent of applicants with a criminal record committed crimes in States other than where they were applying to work. If it weren't for the Child Safety Pilot Program, employers may not have known that the applicants had criminal records.

Volunteer organizations across the country are working hard to provide safe learning and growing environments for our children. That means hiring professional and responsible employees. S. 3218 extends a program that has successfully helped these groups do just that.

I urge my colleagues to join in supporting this important legislation.

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

Mr. SCHIFF. Mr. Speaker, I join with my colleague in urging passage of this legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of S. 3218, the ''Criminal History Background Checks Pilot Extension Act of 2008''. First, I would like to thank my distinguished colleague, ADAM SCHIFF of California, for introducing this much-needed piece of legislation. This bill will amend the ''PROTECT Act of 2003'' by extending for six months the currently expiring Child Safety Pilot Program. This program will allow certain volunteer organizations to obtain national and state criminal history background checks on their volunteers. I strongly encourage my colleagues to support this act.

The ''Criminal History Background Checks Pilot Extension Act of 2008'' is critical because it will ensure that our Nation's children remain safe from predators and sex-offenders. By allowing volunteer organizations working with children the option of State and Federal background checks, we protect our children from our greatest fear: that the very organizations that set out to help our children, inadvertently harm them.

The ''PROTECT Act of 2003'' was aimed at defending children from the horrors of exploitation, abuse, and abduction. Yet, if we fail to act now, the act's 60–month ''Child Safety Pilot Program'' will expire. We cannot afford to leave volunteer groups without this critical tool, and in the process leave countless children at risk.

Upon enactment, the ''Criminal History Background Checks Pilot Extension Act of 2008'' will extend by 6 months the ''Child Safety Pilot Program'', and will allow certain volunteer organizations to continue utilizing the national and state criminal history background checks. With passage of this act, we take one step forward to a day when all the children of our Nation are safe from the harms and horrors of abuse.

Currently in the US, there are over 100,000 cases of child abuse, abduction, or exploitation, each year. It is imperative that we do not allow this number to escalate out of carelessness. Why should we allow an extra Amber Alert to occur when it would be so easy to prevent?

The Amber Alert Network which was first implemented in the State of Texas is an important element in attaining a truly secure environment. This system is part of an additional level of protection. Yet, programs like Amber Alert lose their significance when they are not accompanied by meaningful precautions. The background checks that the "Criminal History Background Checks Pilot Extension Act of 2008" makes possible, allow us to stop Amber Alerts before they happen.

I have always seen the safety of children as an issue of tremendous importance. Whether it is through this bill, protecting children from sex-offenders, or in recent legislation such as H.R. 3397, safeguarding children against lead-poisoning, or in other acts improving school safety, I believe that the well-being of our children must be one of our foremost concerns.

I urge my colleagues to support this act to protect the children of Texas' 18th and the children of our Nation.

Mr. SCHIFF. 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. SCHIFF) that the House suspend the rules and pass the Senate bill, S. 3218.

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.

A CHILD IS MISSING ALERT AND RECOVERY CENTER ACT

Mr. SCHIFF. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5464) to direct the Attorney General to make an annual grant to the A Child Is Missing Alert and Recovery Center to assist law enforcement agencies in the rapid recovery of missing children, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5464

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 "A Child Is Missing Alert and Recovery Center Act".

SEC. 2. DIRECTING THE ATTORNEY GENERAL TO MAKE ANNUAL GRANTS TO A CHILD IS MISSING ALERT AND RECOVERY CENTER TO ASSIST LAW ENFORCEMENT AGENCIES IN RECOVERING MISSING CHILDREN.

(a) IN GENERAL.—The Attorney General, acting through the Administrator of the Office of Juvenile Justice and Delinquency Prevention, shall annually make a grant to the A Child Is Missing Alert and Recovery Center.

(b) SPECIFIED USE OF FUNDS FOR RECOVERY ACTIVITIES, REGIONAL CENTERS, EDUCATION, AND INFORMATION SHARING.—A Child Is Missing Alert and Recovery Center shall use the funds made available under this Act—

(1) to operate and expand the A Child Is Missing Alert and Recovery Center to provide services to Federal, State, and local law enforcement agencies to promote the quick recovery of a missing child in response to a request from such agencies for assistance by utilizing rapid alert telephone calls, text messaging, and satellite mapping technology;

(2) to maintain and expand technologies and techniques to ensure the highest level of performance of such services;

(3) to establish and maintain regional centers to provide both centralized and on-site training and to distribute information to Federal, State, and local law enforcement agency officials about how to best utilize the services provided by the A Child Is Missing Alert and Recovery Center;

(4) to share appropriate information with the National Center for Missing and Exploited Children, the AMBER Alert Coordinator, and appropriate Federal, State, and local law enforcement agencies; and

(5) to assist the National Center for Missing and Exploited Children, the AMBER Alert Coordinator, and appropriate Federal, State, and local law enforcement agencies with education programs.

SEC. 3. DEFINITION OF MISSING CHILD.

For purposes of this Act, the term "missing child" means an individual whose whereabouts are unknown to a Federal, State, or local law enforcement agency.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

For grants under section 2, there are authorized to be appropriated to the Attorney General $5,000,000 for each fiscal year from fiscal year 2009 through fiscal year 2014.

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

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, H.R. 5464, the "A Child is Missing Alert and Recovery Center Act," helps address the terrifying experience of when a family member or friend goes missing.

Under current law, there are programs such as Amber Alert to help missing children who are abducted or become victims of foul play. But these programs do not extend to situations where a child or elderly person becomes missing in other more innocent ways. H.R. 5464 fills this gap and authorizes money for annual grants to the A Child is Missing Alert and Recovery Center. This national nonprofit program provides assistance to local law enforcement throughout the country in all situations of missing persons, not only those involved in criminal activity.

The center helps when a small child fails to come home from school or a grandmother suffering from Alzheimer's disease walks out of her home in the middle of the night. When the terrifying event of a missing person is reported to the police, the responding police officer can call the center, which operates 365 days a year, 24 hours a day. Based on information from the call, the center quickly prepares a recorded message that includes a description of the missing person, along with a location where the person was last seen. Within minutes, the center sends this recording to thousands of phones within a radius of the last known location. This activity can save not only precious lives, but also critically needed enforcement resources that would otherwise be spent in extended searches for missing persons.

The bill before us today will make a significant contribution to the protection of children and vulnerable adults throughout the United States. I want to thank the sponsor of this bill, Ron Klein of Florida, for his leadership on this very important issue. I urge my colleagues to support the legislation.

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

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

Mr. Speaker, I rise in strong support of H.R. 5464, a bill that would authorize the A Child is Missing Program for the next 5 years.

I would like to thank the distinguished gentleman from Florida (Mr. KLEIN) for his work on this important bill.

The A Child is Missing Program is an unsung tool that our law enforcement and communities have been using since 1997 to locate missing children and also elderly that are missing due to Alzheimer's or other difficulties.

I would also like to recognize the founder of this program that was founded back in January 1997. I had the opportunity to meet with her in Cincinnati, the Greater Cincinnati area, Norwood, in particular, Sherry Friedlander, who is in the gallery today. And if she could stand, I would like to acknowledge her.

Statistics released by the Center for Missing and Exploited Children reveal that more than 2,000 children go missing each day in this country. Let me repeat that, 2,000 children go missing every day in this country.

□ 1700

We know that the first couple of hours a child is missing are critical to the successful recovery of that child. While the AMBER Alert is a critical tool, it takes hours to initiate. The A Child is Missing program fills that void, alerting and mobilizing the community almost immediately. The A Child is Missing program has been credited with over 300 safe-assisted recoveries and is supported by law enforcement organizations all over the country. In my own district, the First District of Ohio, local law enforcement agencies have directly benefited from

the program. In fact, just this past May, we highlighted the program's success in the city of Norwood, as I mentioned before, Norwood, Ohio.

H.R. 5464 will ensure that the program has the resources it needs over the next 5 years to continue serving communities like Norwood, Ohio, and communities all over the country. I urge my colleagues to support this critical program by passing H.R. 5464.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to refrain from references to occupants of the gallery.

Mr. SCHIFF. Mr. Speaker, it gives me great pleasure to yield 5 minutes to the gentleman from Florida (Mr. KLEIN).

Mr. KLEIN of Florida. Mr. Speaker, I rise today as the lead sponsor of H.R. 5464 to urge my colleagues to vote in support of the A Child is Missing Alert and Recovery Center Act. And before I begin, I would like to thank the gentleman from California (Mr. SCHIFF) and the gentleman from Ohio, as he supported the bill in committee as well; as well as Mr. CONYERS of Michigan, the Chair of our Judiciary Committee; and the Chair of the Crime Subcommittee, Mr. SCOTT of Virginia, for their extraordinary leadership and support in moving this bill out of their committees and on to the floor. And also I would like to acknowledge and thank the ranking members, Mr. SMITH and Mr. GOHMERT. Mr. GOHMERT was especially supportive during the hearing on the legislation in the Crime Subcommittee, and I would personally like to thank him for his remarks and support.

Mr. Speaker, H.R. 5464 would expand the widely praised A Child is Missing nonprofit organization into a national program with regional centers under the Department of Justice. The authorized funds would allow for the purchase of future technologies and techniques, centralized and on-site training, and for the distribution of information to Federal, State, and local law enforcement agency officials on the best ways to utilize the round-the-clock services provided by the A Child is Missing Alert and Recovery Center.

Currently, A Child is Missing is the only program of its kind that assists in all missing cases involving abduction, children who are lost, wander, or run away; and adults with special needs such as the elderly who suffer with Alzheimer's, which is a concern in my district in south Florida.

When a person is reported missing to the police, A Child is Missing utilizes the latest technology to place 1,000 emergency telephone calls every 60 seconds to residents and businesses in the area where the person was last seen. It works in concert with the existing AMBER Alert system and all other child safety programs and has the support of law enforcement agencies all across our country.

A Child is Missing also fills a critical gap in time in the most dangerous cases. Although the AMBER Alert has been an extremely successful program, there is still a crucial void of 3 to 5 hours in many cases from when a child is first reported missing and when an AMBER Alert shows up on our highways or is announced, which is only activated when cases of criminal abduction have been issued. This critical period of time can be the difference between whether a child lives or dies. Recently, a Washington State Attorney General's office study showed that among cases involving children abducted and murdered, 74 percent were slain in the first 3 hours. This only highlights the importance of this time element. Adding to this problem is the resource and manpower limitations facing many local law enforcement agencies. Roughly half of these officers in the United States have 25 or fewer officers, and an average 12-hour search for a missing child can cost up to $400,000.

A Child is Missing helps to fill this critical gap in time as well as complement the AMBER Alert during the ongoing search. We know this for a fact because we have heard it from countless law enforcement officers from all over the United States.

So the issue isn't whether A Child is Missing works or not. The real issue is that not enough local communities have access to the program. The founder and president of A Child is Missing, Sherry Friedlander from my home community of Ft. Lauderdale, has done an exceptional job in creating and spreading this program not only in our community but throughout all 50 States. But if we are going to bring the program to every community in all these States, then we will need to leverage the resources of the Federal Government, and that's exactly what this legislation does.

H.R. 5464 has broad bipartisan support in Congress. We have cosponsors from all across the country including Ohio, Kentucky, Texas, Indiana, and New York. In the Senate companion legislation was introduced by Senator MENENDEZ and is cosponsored by Senator HATCH, the distinguished former chairman of the Senate Judiciary Committee. We have such support because A Child is Missing provides a service that transcends politics. Our children are not Democrats or Republicans. They are our children, and they are all of our responsibility, and their protection requires us to work together to do what's best for their continued safety.

That's why, Mr. Speaker, I urge my colleagues today to support H.R. 5464.

Ms. JACKSON-LEE of Texas. Mr. Speaker, for your leadership in bringing this very important bill to the floor. I support this bill and urge my colleagues to do the same. This bill is good and it is necessary.

The bill is sponsored by Mr. KLEIN and has bi-partisan support. It has 21 cosponsors, including the following Judiciary members: Chairman CONYERS, Chairman SCOTT, Mr. CHABOT, Mr. NADLER, Mr. WEXLER, Mr. COHEN, Mr. JOHNSON, Ms. SUTTON, and Ms. WASSERMAN SCHULTZ.

A child goes missing every 40 seconds. The successful recovery of missing children often requires a quick response. In 1997, Sherry Friedlander, the founder of A Child is Missing (ACIM), saw the need for a rapid-response program to persons who go missing, especially in situations that do not involve abductions. In response to this need, she established ACIM, a national non-profit organization that offers free assistance to law enforcement 365 days of the year, 24 hours per day. The program is not limited to children, but extends to elderly persons (suffering from senility or Alzheimer's), mentally challenged or disabled individuals and college students.

When law enforcement receives a call regarding a missing person, the first-responder can immediately call ACIM for help. The officer provides critical information to ACIM, such as the person's age and description and the last time/place seen. ACIM uses that information to record a message that, within minutes, is sent via phone to 1000s of locations within a radius of the last sighting of the person. Through their computer mapping system, ACIM also can identify "hot spots," such as water or wooded areas.

ACIM complements the Amber Alert program by providing different services. While Amber Alert focuses on children who are abducted, ACIM covers all "persons" who go missing, including situations where criminal intent may not be at issue. Amber Alert uses television and highway signs to broadcast information about the abducted child and the related vehicle, while ACIM uses a rapid response telephone alert system and covers cases where there is no vehicle involved. The ACIM notification system often can respond more quickly than the Amber Alert program.

ACIM would use the requested money to operate and expand the existing ACIM office in Florida, to develop Regional Centers for on-site training and communication with local law enforcement, to maintain and expand their computer and phone technologies, and to assist the National Center for Missing and Exploited Children, the AMBER Alert Coordinator, and appropriate law enforcement agencies with training.

H.R. 5464 authorizes $5 million annual grants for 2009 through 2014 to A Child is Missing Alert and Recovery Center (ACIM) to assist law enforcement in the rapid recovery of missing children and other individuals.

I look forward to hearing from our witnesses and look forward to their testimony. I hope that we can ensure the health and safety of the young and the elderly—two vulnerable populations—whose rights I have long championed.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. SCHIFF) that the House suspend the rules and pass the bill, H.R. 5464.

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.

EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM REAUTHORIZATION

Mr. SCHIFF. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 231) to authorize the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through 2012.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 231

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

SECTION 1. AUTHORIZATION OF GRANTS.

Section 508 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3758) is amended by striking ''for fiscal year 2006'' through the period and inserting ''for each of the fiscal years 2006 through 2012.''.

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

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

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

The Byrne Memorial Justice Assistance Grant, or Byrne/JAG Program, is named after Edward Byrne, a New York City police officer killed by a violent drug gang 20 years ago.

The Byrne/JAG Program is the only source of Federal funding for multi-jurisdictional efforts to prevent and fight crime. The funding is used by States and local governments to support a broad range of activities to prevent and control crime and to improve the criminal justice system.

Specific uses include law enforcement, prosecution, and court programs; crime prevention and education programs; community-based programs; drug treatment, planning, and evaluation efforts; and crime victim and witness programs.

Simply put, this program enables States to employ all aspects of fighting crime, rather than simply using the so-called ''get tough'' approach limited to making more arrests and making sentences longer.

Nationwide, the program has resulted in major innovations in crime control, including drug courts, gang prevention strategies, and prisoner reentry programs, all of which provide proven and highly effective crime prevention.

In turn, these innovations demonstrate that the best crime policy incorporates programs that help at-risk youth avoid criminal behavior and that prepare prisoners for reentry into society so they have meaningful and productive alternatives to crime when they return home.

S. 231 would simply reauthorize the Byrne/JAG Program at its current funding level, which is $1.095 billion, through 2012. The House passed substantially identical legislation by voice vote last month. Passing the Senate version will enable us to send this important bill to the President.

I urge my colleagues to support this measure.

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

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

I rise in support of S. 231, a bill to reauthorize the Edward Byrne Memorial Justice Assistance Grant Program through fiscal year 2012.

This bill continues to fund the Department of Justice Byrne/JAG Grant Program at the fiscal year 2006 level. The House passed companion legislation, H.R. 3546, just a few weeks ago.

The Byrne/JAG Program provides assistance to State and local law enforcement officials. These grants support a wide range of law enforcement activities to prevent and control crime and improve the criminal justice system. Byrne/JAG grants may be used to help pay for personnel, overtime, or equipment. Funds are also used for statewide initiatives, technical assistance, and training.

In June the FBI released its 2007 Unified Crime Report detailing the statistics for violent crime nationwide. The rate for violent crimes, including robbery, sexual assault, and murder, decreased nationally. However, the report also showed that the rate of violent crime increased in some communities across the country.

Our Nation's law enforcement officials are dedicated to preventing crime and keeping our communities safe, and their efforts should be applauded. Congress plays an important role in supporting State and local law enforcement officials by continuing to reauthorize programs like this at appropriate levels.

I urge my colleagues to support this bill.

Mr. LOEBSACK. Mr. Speaker, I rise today in strong support of reauthorization of the Edward Byrne Memorial Justice Assistance Grant program. As a cosponsor of the House version of this bill, I am pleased that this legislation will reauthorize a program that is vital not only to my District, but to Iowa, and States across the country.

Byrne JAG is one of our country's most effective law enforcement tools. It is the only source of federal funding for multi-jurisdictional efforts to prevent, fight, and prosecute drug-related and violent crime. The program funds drug treatment; keeps our communities safe by increasing the number of officers on the street; and gives local law enforcement officers the tools they need to shut down the production and distribution of illegal drugs.

With the help of Byrne JAG funding, State and local law enforcement officers across the country have made tremendous strides in combating illegal drugs. A recent study found that Byrne JAG funded programs have led to 220,000 arrests, the seizure of 54,000 weapons; the destruction of 5.5 million grams of methamphetamine, and the elimination of almost 9,000 methamphetamine labs.

In Iowa, reported methamphetamine labs have dropped 90 percent since their peak in 2004. Meanwhile, meth treatment admissions have increased and Iowa now has the third highest rate of meth treatment in the country. Child abuse due to meth labs is in decline, and three recent Iowa Youth Surveys have shown steady decline in substance use among 6th, 8th, and 11th grade students.

What these statistics make clear is that Byrne JAG is proven, effective, and critical to public safety. This reauthorization lays the groundwork for robust funding for Byrne JAG through 2012, and I urge my colleagues to not only support adoption of the bill but to also support full funding for the program in this and coming years.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of S. 231 to reauthorize the Edward Byrne Memorial Justice Assistance Grant, Byrne–JAG, Program at fiscal year 2006 levels through 2012. The Byrne–JAG monies are supposed to be used to make America a safer place. I support the reauthorization, and I would urge my colleagues to do likewise.

WHY BYRNE–JAG IS NECESSARY

Byrne–JAG allows States and local governments to support a broad range of activities to prevent and control crime and to improve the criminal justice system, which States and local governments have come to rely on to ensure public safety. They support: law enforcement, prosecution and court programs, prevention and education, corrections and community programs, drug treatment, planning, evaluation, technology improvement programs, and crime victim and witness programs, other than compensation. In short, they are an indispensable resource that States use to combat crime.

RECENT CUTS IN BYRNE JAG FUNDING

Unfortunately, in fiscal year 2008 the Byrne–JAG program was cut by two-thirds. Although Congress authorized over $1 billion, only $520 million were appropriated for fiscal year 2007. The appropriation was then drastically reduced to $170.4 million in fiscal year 2008, and the President has proposed further cuts for the fiscal year 2009 budget.

PAST PROBLEMS WITH BYRNE JAG

The trend to reduce the grant funding may result, in part, from instances where Byrne–JAG funding has been abused. For example, in 1999 Byrne–JAG funding was used in the infamous Tulia outrage in which a rogue police narcotics officer in Texas set up dozens of people, most of them African-American, in false cocaine trafficking charges. In other instances, jurisdictions used the funding to fund task forces focused solely on ineffective, low-level drug arrests, which has put the task force concept-and the diminished standards of drug enforcement that it has come to represent—in the national spotlight.

The most well-known Byrne-funded scandal occurred in Tulia, Texas where dozens of African-American residents, representing 16 percent of the town's black population, were arrested, prosecuted and sentenced to decades in prison, even though the only evidence against them was the uncorroborated testimony of one white undercover officer with a history of lying and racism. The undercover officer worked alone, and had no audiotapes, video surveillance, or eyewitnesses to collaborate his allegations. Suspicions eventually arose after two of the accused defendants were able to produce firm evidence showing they were out-of-State or at work at the time of the alleged drug buys. Texas Governor Rick Perry eventually pardoned the Tulia defendants, after four years of imprisonment, but these kinds of scandals continue to plague the Byrne grant program.

These scandals are not the result of a few "bad apples" in law enforcement; they are the result of a fundamentally flawed bureaucracy that is prone to corruption by its very structure. Byrne-funded regional anti-drug task forces are Federally funded, State managed, and locally staffed, which means they do not really have to answer to anyone. In fact, their ability to perpetuate themselves through asset forfeiture and Federal funding makes them unaccountable to local taxpayers and governing bodies.

The scandals are more widespread than just a few instances. A 2002 report by the ACLU of Texas identified 17 scandals involving Byrne-funded anti-drug task forces in Texas, including cases of falsifying government records, witness tampering, fabricating evidence, stealing drugs from evidence lockers, selling drugs to children, large-scale racial profiling, sexual harassment, and other abuses of official capacity.

Texas is not the only State that has suffered from Byrne-funded law enforcement scandals. Scandals in other States have included the misuse of millions of dollars in Federal grant money in Kentucky and Massachusetts, false convictions based upon police perjury in Missouri, and making deals with drug offenders to drop or lower their charges in exchange for money or vehicles in Alabama, Arkansas, Massachusetts, New York, Ohio, and Wisconsin. A 2001 study by the Government Accountability Office found that the Federal Government fails to adequately monitor the grant program and hold grantees accountable.

AMENDMENT CONSIDERED BUT NOT OFFERED

Because of these abuses, I would have offered an amendment when this bill was considered at the Full Judiciary Committee markup. My amendment would have addressed the responsible use of Byrne–JAG monies. Specifically, my amendment would have required that a State that receives Byrne–JAG money should collect data for the most recent year for which such funds were allocated to such State, with respect to:

(1) The racial distribution of criminal charges made during that year;

(2) the nature of the criminal law specified in the charges made; and

(3) the city of law enforcement jurisdiction in which the charges were made.

My amendment would have required a condition of receiving funds that the State should submit to the Attorney General the data collected by not later than one year after the date the State received funds. Lastly, the report should be posted on the Bureau of Justice Statistics website and submitted to the Attorney General.

My amendment is good because arrests will be transparent and the light of day and public airing of any problems will be the greatest disinfectant. My amendment is an attempt to make law enforcement more responsible, more accountable, and more just in their dealings with persons of all races and backgrounds. My amendment is but a small price to pay to rid the Nation of scandals and disasters that occurred in Tulia, Texas and elsewhere.

My amendment, which I would have offered, would provide oversight and accountability. It is not burdensome. It will not prevent the States from collecting and funding programs under the Byrne Grant program. My amendment does, however, shed light on any maladies that might exist in the system. Once we see the problems, we can fix them. My amendment is responsible and aims to make the Byrne-Grant program a better program by ensuring that the funding is used appropriately and is used with oversight.

NO MORE TULIAS

While I support the Byrne–JAG reauthorization, I would also urge my colleagues to also support my bill, H.R. 253, No More Tulias: Drug Law Enforcement Evidentiary Standards Improvement Act of 2007. This bill also enhances accountability with respect to the use of Byrne–JAG monies.

First, it prohibits a State from receiving for a fiscal year any drug control and system improvement (Byrne) grant funds, or any other amount from any other law enforcement assistance program of the Department of Justice, unless the State does not fund any anti-drug task forces for that fiscal year or the State has in effect laws that ensure that: (1) a person is not convicted of a drug offense unless the facts that a drug offense was committed and that the person committed that offense are supported by evidence other than the eyewitness testimony of a law enforcement officer or individuals acting on an officer's behalf; and (2) an officer does not participate in a antidrug task force unless that officer's honesty and integrity is evaluated and found to be at an appropriately high level.

Second, H.R. 253, No More Tulias, requires that states receiving Federal funds under the No More Tulias Act to collect data on the racial distribution of drug charges, the nature of the criminal law specified in the charges, and the jurisdictions in which such charges are made. I urge my colleagues to support my No More Tulias Act so that we can quickly bring the bill to markup.

I also urge my colleagues to support Byrne–JAG.

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

Mr. SCHIFF. Mr. Speaker, I join my colleague in urging passage of the legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. SCHIFF) that the House suspend the rules and pass the Senate bill, S. 231.

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 12 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1831

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PATRICK J. MURPHY of Pennsylvania) at 6 o'clock and 31 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 415, TAUNTON RIVER WILD AND SCENIC DESIGNATION

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 110–758) on the resolution (H. Res. 1339) providing for consideration of the bill (H.R. 415) to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System, 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. 1067, by the yeas and nays;

H. Res. 1080, by the yeas and nays;

H. Con. Res. 297, 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.

RECOGNIZING THE 50TH ANNIVERSARY OF THE CROSSING OF THE NORTH POLE BY THE USS "NAUTILUS"

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1067, 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 Connecticut (Mr. COURTNEY) that the House suspend the

rules and agree to the resolution, H. Res. 1067.

The vote was taken by electronic device, and there were—yeas 375, nays 0, not voting 59, as follows:

[Roll No. 486]

YEAS—375

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Arcuri
Baca
Bachus
Baird
Baldwin
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bono Mack
Boozman
Boren
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Green, Gene
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
Latta
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mitchell
Mollohan
Moore (WI)
Moran (KS)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Nadler
Napolitano
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Regula
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
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tierney
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Westmoreland
Wexler
Whitfield (KY)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—59

Andrews
Bachmann
Barrow
Bonner
Boswell
Braley (IA)
Broun (GA)
Brown, Corrine
Costa
Costello
Cramer
Cubin
Davis (CA)
Davis, Tom
Doolittle
Ellison
Fossella
Franks (AZ)
Granger
Graves
Green, Al
Grijalva
Gutierrez
Hulshof
Jefferson
Johnson (IL)
Jones (OH)
Kilpatrick
Kind
LaTourette
Lewis (GA)
Lipinski
Maloney (NY)
Miller, George
Moore (KS)
Moran (VA)
Murtha
Neal (MA)
Pearce
Platts
Pryce (OH)
Radanovich
Rohrabacher
Rush
Saxton
Scott (VA)
Shays
Sires
Tancredo
Taylor
Tiberi
Towns
Udall (CO)
Udall (NM)
Wasserman Schultz
Welch (VT)
Weller
Wilson (NM)
Woolsey

□ 1859

Mr. GARRETT of New Jersey changed his vote from ''nay'' to ''yea.''

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.

HONORING THE SERVICE AND SACRIFICE OF THE 101ST AIRBORNE DIVISION

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1080, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Connecticut (Mr. COURTNEY) that the House suspend the rules and agree to the resolution, H. Res. 1080, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 378, nays 0, not voting 56, as follows:

[Roll No. 487]

YEAS—378

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Arcuri
Baca
Bachus
Baird
Baldwin
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bono Mack
Boozman
Boren
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Green, Gene
Grijalva
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
Latta
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Nadler
Napolitano
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering

Pitts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Regula
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
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tierney
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Westmoreland
Wexler
Whitfield (KY)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—56

Andrews
Bachmann
Barrow
Bonner
Boswell
Braley (IA)
Broun (GA)
Brown, Corrine
Costa
Costello
Cramer
Cubin
Davis (CA)
Davis, Tom
Doolittle
Ellison
Fossella
Granger
Graves
Green, Al
Gutierrez
Hirono
Hulshof
Jefferson
Johnson (IL)
Jones (OH)
Kilpatrick
Kind
LaTourette
Lewis (GA)
Lipinski
Maloney (NY)
Miller, George
Moran (VA)
Murtha
Neal (MA)
Pearce
Platts
Pryce (OH)
Radanovich
Rohrabacher
Rush
Saxton
Scott (VA)
Shays
Sires
Speier
Tancredo
Taylor
Tiberi
Towns
Udall (CO)
Udall (NM)
Wasserman Schultz
Weller
Wilson (NM)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1906

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. HIRONO. Mr. Speaker, on rollcall No. 487, had I been present, I would have voted "yea."

RECOGNIZING THE 60TH ANNIVERSARY OF THE INTEGRATION OF THE ARMED FORCES

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 297, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Connecticut (Mr. COURTNEY) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 297, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 378, nays 0, not voting 56, as follows:

[Roll No. 488]

YEAS—378

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Arcuri
Baca
Bachus
Baird
Baldwin
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bono Mack
Boozman
Boren
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Green, Gene
Grijalva
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
Latta
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Nadler
Napolitano
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Regula
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
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tierney
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Westmoreland
Wexler
Whitfield (KY)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—56

Andrews
Bachmann
Barrow
Bonner
Boswell
Braley (IA)
Broun (GA)
Brown, Corrine
Carter
Costa
Costello
Cramer
Cubin
Davis (CA)
Davis, Tom
Doolittle
Ellison
Fossella
Granger
Graves
Green, Al
Gutierrez
Hulshof
Jefferson
Johnson (IL)
Jones (OH)
Kilpatrick
Kind
LaTourette
Lewis (GA)
Lipinski
Maloney (NY)
Manzullo
Miller, George
Moran (VA)
Murtha
Neal (MA)
Pearce
Platts
Pryce (OH)
Radanovich
Rohrabacher
Rush
Saxton
Scott (VA)
Shays
Sires
Tancredo
Taylor
Tiberi
Towns
Udall (CO)
Udall (NM)
Wasserman Schultz
Weller
Wilson (NM)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1914

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

The result of the vote was announced as above recorded.

The title was amended so as to read: ''Concurrent resolution recognizing the 60th anniversary of the beginning of the integration of the Armed Forces''.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, due to personal reasons, I was unable to attend several votes today. Had I been present, I would have voted "yea" on H. Res. 1067—Recognizing the 50th anniversary of the crossing of the North Pole by the USS *Nautilus*, SSN 571, and its significance in the history of both our Nation and the world; "yea" on H. Res 1080—

Honoring the extraordinary service and exceptional sacrifice of the 101st Airborne Division (Air Assault), known as the Screaming Eagles; and "yea" on H. Con. Res. 297—Recognizing the 60th anniversary of the integration of the United States Armed Forces.

PERSONAL EXPLANATION

Mr. SHAYS. Mr. Speaker, on July 14, 2008, I missed 3 recorded votes.

I take my voting responsibility very seriously. Had I been present, I would have voted "yea" on recorded vote No. 486, "yea" on recorded vote 487, and "yea" on recorded vote 488.

PERSONAL EXPLANATION

Mrs. JONES of Ohio. Mr. Speaker, on Monday, July 14, 2008, I missed recorded votes. Had I been present, the RECORD would reflect the following votes:

1) H. Res. 1067—Recognizing the 50th anniversary of the crossing of the North Pole by the USS *Nautilus* (SSN 571) and its significance in the history of both our Nation and the world, "yes."

2) H. Res. 1080—Honoring the extraordinary service and exceptional sacrifice of the 101st Airborne Division (Air Assault), known as the Screaming Eagles, "yes."

3) H. Con Res. 297—Recognizing the 60th anniversary of the integration of the United States Armed Forces, "yes."

DEMOCRAT MAJORITY IS HOLDING AMERICA HOSTAGE

(Ms. GINNY BROWN-WAITE of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, in the 1970s our Nation was held hostage by OPEC starting an oil embargo that drove up gasoline prices and damaged the American economy. Today it's not OPEC holding us hostage but rather the Democratic majority that refuses to expand domestic energy production.

My constituents are hurting, $4.10 a gallon of gasoline for regular, smaller boxes of cereal, diesel prices are through the roof hurting those truckers and higher prices for air conditioning bills. All of these increased costs shrink the wallets of working Americans and hurt even more the seniors on fixed incomes.

When will this majority wake up and realize that 73 percent of America approves of drilling? When will the majority admit that their energy policy will do nothing at all to lower prices at the pump?

Mr. Speaker, ideas to raise the gas tax 50 cents when we are in the midst of a national gasoline crisis are a bad joke pushed on the American public. We need to support our constituents and support drilling.

HONORING THURGOOD MARSHALL ON THE 100TH ANNIVERSARY OF HIS BIRTH

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today, as I indicated earlier in the afternoon, H. Con. Res. 381 was being debated and that is the honoring and recognizing the dedication and achievements of Thurgood Marshall on the 100th anniversary of his birth. Let me thank Congressman PAYNE for his legislative initiative, the House Judiciary Committee Chairman JOHN CONYERS and Ranking Member Mr. LAMAR SMITH.

I stand here today as a living example of the legacy and the leadership of Justice Thurgood Marshall. Who would have thought as he broke the color line in Brown versus Topeka Board of Education that he would have opened the doors of opportunity for those from the East to the West and from the North to the South?

Most people don't know that America during the 1950s and earlier than that continued to be a segregated America. It did not matter where you lived. Thurgood Marshall had the courage to take this case to the United States Supreme Court. And the Warren court had the courage and rightness of mind to be able to establish an equal education for all.

I applaud Thurgood Marshall who was appointed to the Court of Appeals by President John F. Kennedy and ultimately the first African American to sit on the United States Supreme Court. He was one who understood justice. He was one who recognized the equality of all people. He was one who recognized that America is better when it reflects and appreciates its diversity.

Thank you, Justice Marshall, for the freedom and the opportunity you have given even to me.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. COHEN). 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.

FACES OF THE FALLEN MEMORIAL

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. Mr. Speaker, last week, I received a notice from the Chief Administrative Officer and the Architect of the Capitol directing me to remove a memorial located outside of my office that honors fallen Marines from Camp Lejeune, North Carolina. The notice stated that the Faces of the Fallen memorial does not comply with the new hallway policy of the House.

However, memorials to honor the lives of those killed in Iraq and Afghanistan are respectfully displayed and should not fall under the Hallway Policy's jurisdiction.

In 2004, Congressman RAHM EMANUEL and I introduced legislation calling for an exhibit in the Capitol Rotunda to honor U.S. servicemembers who have died in Iraq and Afghanistan. Our legislation was never considered. Instead, House Speaker Dennis Hastert directed the construction of a memorial listing names of the fallen in the foyer of the Rayburn House Office Building.

Because we believed more should be done to honor the lives of our fallen servicemembers, I, along with other Members of Congress, began to display more proper memorials outside our individual offices.

Hundreds of visitors from my district and others have stopped to view the faces of fallen Marines from Camp Lejeune displayed outside my door. It is seeing the faces of these Marines, the fathers, the mothers, the sisters, the brothers, the sons and the daughters that deeply impact these visitors.

Since the media has reported the attempt to remove the Faces of the Fallen memorial displayed outside my office, I have heard from constituents and people across the country who believe these memorials should remain on display.

An article published yesterday in the Jacksonville Daily News distributed in the area surrounding Camp Lejeune quoted two women who understand what it means to lose a loved one who has served our Nation.

Mr. Speaker, I would like to submit the article for the RECORD.

The article quotes Deborah May, a woman whose husband was killed in Iraq in 2003. She told the Jacksonville Daily News that she has walked through the hallways of the House office buildings and she supports the memorials on display. And I quote Mrs. May: "When I go, I take my small children with me. The very least they could do is put a picture there to show my children that my husband is remembered and that this is what our government is about and our country and the freedoms we have."

The article also quotes Vivianne Wersel, the president of the Surviving Spouses Support Group at Camp Lejeune, who said that the memorial is as much as an icon as the American flag. And I quote her: "These servicemembers have given their lives for a conflict and something they believed in. I think that it is a reminder for those that are visiting Congress and that is what America is all about. They can walk the halls of Congress because of these young men that have given them the freedom to speak and the freedom to live."

Last week, I wrote a letter to Speaker NANCY PELOSI to explain the history behind these memorials and to ask her support in preserving their display. I know she understands the importance of honoring the servicemembers who have sacrificed for our Nation. And I thank her for honoring my request that the House observe a moment of silence each month to remember those killed

or wounded in Iraq and Afghanistan. I hope that Speaker PELOSI will agree with many of us in Congress and people across this Nation that these memorials should remain on display.

And before closing, Mr. Speaker, I want to show a picture of a child whose father died in Iraq for this country. This is a picture of Tyler Jordan whose father, Phillip Jordan, was a gunnery sergeant with the United States Marine Corps. And this young man is receiving the flag on his father's grave on his coffin. Four years ago, I had this picture sent to me so I could blow it up. And I want to say this to Tyler Jordan: Your daddy, Phillip Jordan, is on this poster. He was killed along with others in the year 2003.

A name means a lot to those who are not here any longer. But nothing means more than for a child to come to Washington and to see his father's face outside a congressional office.

So again I have great respect for Speaker PELOSI. And I hope she will agree with us that these posters should remain outside the Members of Congress' office.

And with that, Mr. Speaker, I ask God to please bless our men and women in uniform and to please bless the families of our men and women in uniform. And I ask God to please bless America and help us to see the way to always remember those who died for this country and not forget them.

God bless America.

[From the Jacksonville Daily News, July 13, 2008]

JONES STANDS GROUND ON LEJEUNE MEMORIAL IN HALL OUTSIDE OFFICE

(By Molly Dewitt)

A memorial honoring Camp Lejeune's fallen service members may have to come down.

A ''Hallway Policy'' approved by Nancy Pelosi, house speaker and chair of the House Office Building Commission, limits the display and placement of items in hallways of the House of Representatives office buildings. That includes a display erected by Representative Walter B. Jones (R–NC) outside his office.

Jones's Faces of the Fallen memorial consists of several easels displaying 3-by-1 posters bearing the names and faces of Marines from Camp Lejeune who died while serving in Operation Iraqi Freedom and Operation Enduring Freedom.

The policy specifically prohibits easels from being placed in a hallway.

''We're not talking about posters. We're not talking about things in the hall,'' Jones said. ''We're talking about men and women that died for this country.

The hallway policy, instituted on April 17, was ''developed to improve House compliance with the requirements of the Americans with Disabilities Act and the Occupational Safety and Health Act as applied to Congress by the Congressional Accountability Act, and the Life Safety Code,'' according to the policy.

''This is just typical bureaucratic malarkey,'' Jones said.

No one has ever complained about loss of hallway accessibility due to the memorial, Jones said.

''I've never had anybody come in and tell me that they had trouble getting through the hall,'' he said.

''I've seen people with wheelchairs, I've seen a large number of people walk by and it's never impeded anyone from getting through the hall.''

Deborah May, whose husband Staff Sgt. Donald C. May Jr. was killed March 25, 2003 during Operation Iraqi Freedom, said she's walked the hallways in the House of Representatives office buildings.

''You could have a wheelchair race down those halls, because they're very wide,'' she said.

She wants the memorial display to remain.

''When I go, I take my small children with me. The very least they could do is put a picture there to show my children that my husband is remembered and that this is what our government is about and our country and the freedoms we have.'' May said, tearing up.

The memorial has been displayed outside of Jones' various office locations for the past five years and several years ago an initial attempt to remove them was made, he said.

''Those that write the rules just don't have the respect for those who have given their life for their country,'' Jones said.

''As far as I'm concerned this is disrespectful to those who have given their lives in Afghanistan and Iraq.''

Jones believes Pelosi will make an exception for the memorial.

''When we're having men and women dying every day and every week in Afghanistan and in Iraq—my God, the least that we can do is have people walk by and see the face of one that never came back home,'' Jones said. ''I think Ms. Pelosi will understand.''

Jones sent a letter to Pelosi on Wednesday regarding the matter.

It has been suggested to Jones that a listing of the names of the fallen be placed in an entrance foyer, but he believes that to be insufficient, he said in the letter to Pelosi.

Jones said, regardless of her decision, he plans to stand his ground in the situation.

''We're not going to let this be an issue, were going to do what's right,'' Jones said. ''I told them they'll have to remove me with the posters.''

Vivianne Wersel, the president of the Surviving Spouses Support Group at Camp Lejeune, said the memorial is as much an icon as the American flag.

''These service members have given their lives for a conflict and something that they believe in,'' she said. ''I think that it is a reminder for those that are visiting Congress and that is what America is all about. Whether my husband's picture is in it or not, it plays a role to remind those that walk the hall of Congress. They can walk the halls of Congress because of these young men that have given them the freedom to speak and the freedom to live.''

□ 1930

HONORING THE MEMORY OF WARREN G. DAVIS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. SCOTT) is recognized for 5 minutes.

Mr. SCOTT of Georgia. Mr. Speaker, I rise on this occasion to first of all say how much I appreciate this opportunity to address my colleagues and the Nation and to talk for just a few moments on a good and decent person, a great American. His name is Warren G. Davis.

Warren G. Davis passed away a few days ago. He was more than just an ordinary person. God blesses us with many blessings. But there is no greater blessing that he blesses you with than that to have a friend, a friend for life. And that is what Warren G. Davis meant to me and our friendship.

Warren G. Davis comes out of Texas. He was born out of Refugio, Texas, near Victoria and near Corpus Christi, a man of God from the very beginning. Warren Davis was a loving husband to his wife of over 38 years, Linda. He was a loving father to his two sons, Brad and Warren Junior. He was a loving brother to Fred Davis and his cousin Harold Martin. And of course his mother, his father and his entire beloved family mourns this hour.

But let me just say, Mr. Speaker, that not only his family mourns, his immediate family, for this young man touched many lives. In his community of South Lake, Texas, he played such an important role as a community leader, for Warren not only gave to his family, but he gave to his extended family and his entire community. He served on the school board of South Lake from 1993 to 1996. He was a member of the Red Creek Community Association. As a matter of fact, he served as its president. He was also a member of the very elite community group called the Dragons Council. It was no ordinary group, for this is an elite fan-based booster group for the young people in that community and supported the South Lake teams.

To show you a measure of his commitment, over the many years Warren G. Davis never missed a single game. He gave so much of his life to this community.

Warren Davis and I go back from the very beginning of our college careers. He has been a friend for over 45 years to me, Mr. Speaker, for in 1963 we both went to Florida A&M University where this young man was also my college roommate for 4 years. We pledged fraternity together, the Alpha Phi Alpha Fraternity; oh, did he love Alpha Phi Alpha, and we pledged the Beta Nu Chapter. We affectionately referred to ourselves as the 12 disciples. But Warren Davis was the enforcer of our group. He was the glue that kept us together. He learned very early to work with different people. He not only was there as a fraternity person, but also worked early in the student movement when we had the task of integrating many of the public facilities in Tallahassee, Florida, as we matriculated through Florida A&M University.

When he left Florida A&M, he started a very distinguished career in the computer field as one of the foremost African-American executives with the IBM corporation, working as an executive in the management and the market and the accounting areas, and paving the way for other African Americans to be able to follow in his footsteps.

Mr. Speaker, this is a great American and one who was humble and humbled himself before God and understood not only who he was but whose he was.

And so I just want to rise this afternoon to say these few words about my

great friend, my good friend, Warren Davis. Let me just say in conclusion, Mr. Speaker, that Warren Davis fought the good fight. Warren Davis finished his course, and Warren Davis kept the faith. And henceforth there is put up for him a crown of righteousness which the Lord, that righteous judge, has made available to Warren G. Davis, and so many people both near and far all across the breadth and the scope of America collectively say we thank God for sending Warren G. Davis our way.

HONORING DR. MICHAEL DEBAKEY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. BURGESS) is recognized for 5 minutes.

Mr. BURGESS. Mr. Speaker, I rise tonight to honor Dr. Michael DeBakey, the father of modern cardiovascular surgery, and for me a personal hero. Dr. DeBakey passed away Friday night in Houston at the age of 99. Michael DeBakey, a giant among men and a giant in medicine. His death is a tremendous loss to the fields of medicine, science, and technology. It is a great loss for humanity at-large.

Mr. Speaker, there are certain privileges that come with being a servant here in the people's House. For me, one of those privileges was meeting Dr. DeBakey. After working months to secure the Congressional Gold Medal for the great doctor, I had the chance to sit down with him here in Washington in April right after it was awarded to him. For 30 minutes, we were able to discuss his personal and professional experiences over his 60 years in medicine. It was a once-in-a-lifetime opportunity for which I am eternally grateful.

He talked about how Congress had been responsible for the advancement of medical science in this country, how Congress had led the way with funding for the National Institutes of Health. He talked about his experiences going over and treating Boris Yeltsin in the Soviet Union when he was suffering from heart disease, and Dr. DeBakey found just on the basis purely on physical examine that the individual was quite anemic as well, which rendered his outlook for cardiovascular surgery much worse. They treated the anemia, and the rest, as they say, is history.

As a fellow physician, Dr. DeBakey's work on medical advancements is legendary. His dedication to healing those around him came not only from his talents as a physician, but his ongoing commitment to the larger medical community.

His motto, as we heard others mention today, was always ''strive for nothing less than excellence.''

I would be remiss if I did not mention the education and the entrepreneurial spirit that made him worthy of one of the Nation's highest honors, the Congressional Gold Medal. Let me share some of his accomplishments.

While in medical school, Dr. DeBakey developed the roller pump which later became the major component in the heart-lung machine that is used in open heart surgery routinely today. It was truly a visionary change.

His service and subsequent work in the Surgeon General's office during World War II led to the development of the Mobile Army Surgical Hospital, the so-called MASH unit. Without Dr. DeBakey, we wouldn't have those forward surgical teams that go into combat areas and provide vital care to our soldiers in that golden hour after injury.

This medical trailblazer also helped establish the specialized medical and surgical center system for treating military personnel returning home from war which we know as the Veterans Administration Medical Center.

But it was at the Methodist Hospital in Houston where Dr. DeBakey performed many of his groundbreaking surgeries, including the first removal of a carotid artery blockage. He also performed the first coronary artery bypass graft, and some of the first heart transplants in this country as well.

He served as adviser to every President of the United States for the last 50 years. Think of that, every President for the last 50 years depended on Dr. Michael DeBakey for medical advice. Additionally, he has given advice to heads of state throughout the world.

During his professional surgical career, he performed more than 60,000 cardiovascular procedures, and trained thousands of surgeons who practice around the world today. Today, his name is affixed to any number of organizations, centers of learning, and projects devoted to medical education and health education for the general public. This includes the National Library of Medicine, which is now the world's largest and most prestigious repository of medical archives. The collections there house resources that actually I look at several times a week as I prepare for committee hearings.

Dr. DeBakey's contributions to medicine, his breakthrough surgeries, and his innovative devices have completely transformed our view of the human body and our view of longevity on this planet. The United States, and indeed the world, were fortunate to have this medical pioneer for as long as we did.

Mr. Speaker, it is with great sorrow that I come to the floor tonight, but it is also with great honor that I once again share Dr. DeBakey with this august body. Time Magazine honored him as the Man of the Year several years ago. Indeed he was, a man for the ages and the Man of the Year.

U.S. TROOP DEPLOYMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, just 10 days ago we celebrated the 4th of July because on that day in 1776, we first declared our Nation's independence and sovereignty.

The American people have cherished and fought for that sovereignty for 232 years, so it is only right that we respect the sovereignty of other nations.

Last week, Iraq's Prime Minister al-Maliki said that the withdrawal of American troops out of Iraq or a timetable for withdrawal should be part of the current status-of-forces negotiations between his government and the United States. He insisted that the basis for any agreement will be respect for the full sovereignty of Iraq.

Mr. Speaker, this House should affirm Iraq's right to full sovereignty. In fact, my colleague, Representative LEE of California, and I have sent a letter to every Member of the House inviting all Members to cosign a letter to Prime Minister al-Maliki supporting his government's sovereign rights. The letter reads in part as follows: ''We, the undersigned, Members of the United States House of Representatives, write to acknowledge and support the sovereign right of the government of Iraq to insist that any security agreement between the United States and Iraq include a timetable for the complete redeployment of U.S. Armed Forces and military contractors out of Iraq.

The letter goes on to say, Mr. Speaker, ''As elected members of the legislative branch of the world's longest continuing democracy, we recognize that it is the national legislature that is responsible for expressing and exercising the sovereign rights and powers that the people have entrusted in their government.

''It is for the free people of Iraq, acting through their elected representatives in the Iraq parliament, to decide for themselves the terms and conditions under which they will agree to the continuing presence of the U.S. Armed Forces and military contractors in their country. And it is for the Congress of the United States to approve the terms and conditions of any security agreement that commits the United States to the defense of Iraq.''

Mr. Speaker, Prime Minister al-Maliki's statement for support for withdrawal timetable could very well be the light at the end of the tunnel that the American people have long been waiting for. Ending the occupation of Iraq, which was never an imminent security threat to the United States in the first place, would allow us to refocus on Afghanistan where the real threat lies. It would end the U.S. military occupation in the Middle East that has done so much to strengthen Iran's hand in the region. And it would allow us to redirect tens of billions of dollars back home for desperately needed investments in our economy, our health care, energy independence, education, child care and so much more.

The President has often said that as Iraqis stand up, we will stand down. Prime Minister al-Maliki's statement shows that the Iraqis believe they are ready to stand up. Now the ball is in our court. It is time for the President

to prove he meant what he said because if the administration doesn't work with the prime minister in a serious way to withdrawal our troops and military contractors, it will prove what so many of us have feared all along, that the administration has no intention of leaving Iraq ever.

Representative LEE and I urge all Members of the House to sign this important letter to Prime Minister al-Maliki. This is a critical moment and a crucial opportunity to end the long, bloody, disastrous occupation of Iraq. We must seize it.

PRACTICAL ENERGY SOLUTIONS NEEDED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. GINGREY) is recognized for 5 minutes.

Mr. GINGREY. Mr. Speaker, for literally months now, House Republicans have come to the floor in a concerted effort to convince Democratic leadership to bring legislation to the floor that would allow us to drill here and drill now so we can all pay less at the pump.

But even as we offered practical energy solutions and a willingness to work with the majority, Speaker PELOSI has continually blocked such legislation from coming for a vote here in the House, and we are not the only ones who have noticed it.

Mr. Speaker, here is a headline from today's Roll Call newspaper. Here is what it says: ''Pelosi maneuvers to block drilling votes. Speaker Nancy Pelosi appears intent on preventing votes on opening more areas to offshore drilling, despite the stirrings of a revolt by rank-and-file Democrats after months of concerted efforts by House Republicans.'' This was in Roll Call today, Monday, July 14, 2008.

As this article notes, we are starting to hear some rumblings from Members on the Democratic side of the aisle who are ready to put partisan politics aside and work with Republicans on compromise legislation that will start to decrease our pain at the pump. Increasing numbers of rank-and-file Democrats seem to have grown tired of their leadership's failure to allow votes on legislation that will break our dependence on foreign oil.

Mr. Speaker, I want to show a couple of posters here and some quotes. The first quote, ''Americans need Congress to look at real solutions in addressing our energy needs, especially when we have $4 a gallon gasoline. We need answers and not just slogans. We need to do it all. We have Senators going to Saudi Arabia begging them to increase their production, but we won't increase ours in some of the most, potential, productive areas?'' That was a quote from a floor remark made June 26, 2008, by Mr. GENE GREEN of Texas.

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Here is another one. Another quote, ''Then we better get started, because the longer we delay, the more we're jeopardizing the American economy.'' That quote came from Representative NEIL ABERCROMBIE, the gentleman from Hawaii, on Fox News on July 7 of this year, a member, NEIL ABERCROMBIE, of the Natural Resources Committee.

Many Members on both sides of the aisle understand that there is not one single solution to our current energy crisis, and that we must work in a bipartisan way to develop a comprehensive plan to alleviate the pain that American families face every time they fill their gas pumps.

I want to commend the leadership of Representative JOHN PETERSON of Pennsylvania, and, as I said, Representative NEIL ABERCROMBIE of Hawaii. They are now heading up a working group to form legislation that incorporates long-term energy solutions while also providing short-term relief for Americans who are now, today, paying $4.11 a gallon of gas.

This bipartisan approach is what we need to find a solution. House Republicans stand ready to find a middle way that not only guarantees an increase in domestic production, but it also addresses concerns about excessive speculation.

While House Republicans are prepared for a comprehensive approach that looks not only at supply but also market factors, Speaker PELOSI must be willing to, at the very least, allow an up or down vote on increasing domestic supply. She must recognize that the American people don't want any option left off the table.

As further indication that we need to increase the domestic supply of oil, President Bush today lifted the 18 year-old executive order that prohibited responsible energy exploration along our Nation's Outer Continental Shelf. Let me show my colleagues that poster. Here is the quote, ''In another push to deal with soaring gas prices, President Bush on Monday will lift an executive ban on offshore drilling that has stood since his father was president. But the move, by itself, will do nothing unless Congress acts as well.'' This was from the Associated Press today.

This decision leaves Congress as the last remaining hurdle to domestically producing billions of barrels of oil and trillions of cubic feet of natural gas for the American people. Allowing our Nation to explore the energy resources available off of our coast would be a great first step toward declaring America's energy independence.

We need to have a comprehensive approach, and I hope Members on both sides of the aisle recognize that, and we need action now.

Unfortunately, sound energy policy is being held hostage by Speaker NANCY PELOSI because she believes that it is more important to pander to out-of-control environmentalists than to enact a "common-sense plan" to lower gas prices—as she promised to the American people over 2 years ago.

Mr. Speaker, as American families and small businesses face record prices at the pump, they are counting on their leaders in Congress to work together on reforms to help reduce fuel costs. I call on Speaker PELOSI and the Democratic Leadership to listen to House Republicans, a growing coalition of House Democrats and most importantly the American people—allow a vote on legislation that will reduce our dependence on foreign oil.

AMERICA NEEDS TO KNOW

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, last week's rattling of Fannie Mae and Freddie Mac and the failure of IndyMac Bank are the latest wreckage of our held-hostage economy enlarged to a trillion-dollar hole. When we think about what is happening, the seeds of the ruin were sown in the 1990s, and those who planted the seeds got rich while pushing America financially to the precipice.

The repeal of the Glass-Steagall Act by Congress in 1999 contributed to our financial system's vulnerability. For the first time in a half a century, the firewall between banking and commerce was breached. I voted against abandoning Glass-Steagall, but the act passed overwhelmingly in this chamber by a vote of 362–57 and over in the other body, 90–8.

As a result, the American taxpayers are now being asked to bail out Wall Street. The biggest high-risk investment banks and some uninsured government instrumentalities are going right to the American people, where they said they would never go. As these risky practices were standardized, the question is, what happened to the regulatory bodies charged with maintaining the safety and soundness of our financial system? Why didn't Fannie Mae and Freddie Mac exert due diligence and oversight? Where was Treasury's Office of Thrift Supervision?

What happened to HUD's appraisal and underwriting standards, when in 1993 and mortgage letter 93–2, and then in 1994, in HUD's mortgage letter 94–54, HUD gave authority to lenders like Countrywide to approve their own loans and select their own appraisers. Assuming many of these loans were moved to market through Freddie Mac and Fannie Mae, why did their regulatory standards fall short? Who served on their boards of directors and voted for these high-risk practices? How much were those boards and executives compensated during those years when these risky practices proliferated?

Evidence is beginning to surface that many of those board members personally benefited from their own decisions. Well, through which domestic and international institutions were the original mortgage securitizations first moved? Which persons and which firms did it, and which regulatory agencies sanctioned the process?

Why did Treasury's Office of Thrift Supervision fail to bat an eye when Superior Bank, one of the first institutions to embark on subprime lending, was earning 7½ times the industry's average return on assets? Where was its Chicago Office of Thrift Supervision? When FDIC finally caught up and charged Superior in 2001, it was fined $450 million, the largest fine in U.S. history much.

But why haven't other hot-dog banks been brought to justice? This subprime crises happened because people at the highest levels wilted, they placed America in bondage for another generation. The gaming of our financial markets is not a new phenomenon, but each crisis seems to get bigger, and the big fish, the kingfish, aren't brought to justice.

All the men and women who served on the boards of Freddie Mac and Fannie Mae during the 1990s and voted for these high-risk practices should be investigated. They made millions off their stock options and industry connections. Are they to remain anonymous to the American people who are being asked to pick up their horse dung after the parade has gone through town? Who were they, and how did their votes, as board members, contribute to this unfolding American tragedy?

I am going to place in the RECORD tonight the list of all the board members at Freddie Mac from the early nineties until the early 2000s and will be placing the same names in the RECORD for Fannie Mae in future days.

Let me just say that the trillion-dollars debt that is being proposed to be financed through the sale of U.S. bonds, let me remind the American people, our coffers are empty as a country. Our country will borrow more money from foreign interests to close this gap, and our children will owe principal and interest to the bondholders, just as they paid nearly a quarter trillion dollars on the savings and loan crises from the 1980s.

Let me remind you the meaning of the word ''bondage,'' a state of being bound, captive, a serve, subjugated to a controlling person or force, subservient, dependent, a bond slave, a lackey.

What is happening to our country is truly very, very dangerous. This never should have happened, and every single person responsible at the highest levels in this government, who did not regulate, who did not have oversight, who did not properly manage their regulatory systems in order to guard against this kind of risk-prone behavior, should be investigated, and the American people should know whose bill they are paying for. What a tremendous tragedy for our country.

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MESSAGE FROM THE AMERICAN PEOPLE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Mrs. MYRICK) is recognized for 5 minutes.

Mrs. MYRICK. Mr. Speaker, I bring a message from the American people. They don't like us. They viewed Congress as a body that's comprised of individuals that they elect and expect to reason together in the best interests of America and Americans. They don't see that happening. They insist they have had it with the politics itself and party.

Americans are hurting because of fuel costs which are pushing up all other costs, including food. Winter is approaching, and the pain will grow much worse.

This crisis is seriously threatening our national security. We are sending more money to foreign nations than ever before, many of whom don't like us, to put it mildly. We, in government, refused to get our financial House in order. We are forcing our Nation to depend on foreign oil.

Oh, and in an aside, emptying our Strategic Petroleum Reserve is not a solution. What if we are attacked, disaster? That's why reserves are called strategic. Politicians since, and including Jimmy Carter, have promised energy solutions.

Well, where are they? Under Carter we imported about 24 percent of our oil, and now we import about 70 percent. The American people are tired of hollow promises. They are demanding action now, now, not after the election, now. They demand plans for eliminating our dependence on oil, beginning with foreign oil, plans to use our own resource from offshore drilling to sugar cane conversion, all the while putting advanced batteries, hybrids, plug-in hybrids, wind, solar, hydrogen, nuclear and any other realistic alternative on a critical fast track.

Of course, we must do everything we can to protect our environment if for no other reason than we all must breathe clean air, consume safe food and water, and, of course, protect God's creatures.

The people know it's their government, and they intend to take charge. Simply put, they are mad. Those before us, as well as many selfless heroes today, have and are now paying grievously. For this great opportunity that we call home, this America, the American people worked very hard to keep our Nation strong and productive. They do their jobs. The very least we can do as U.S. Congress is do our job.

OPTIMISM

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. SOLIS) is recognized for 5 minutes.

Ms. SOLIS. Mr. Speaker, today on a lighter note, I would like to talk about optimism and the wherewithal that our country has, especially among our young people. I want to talk about a subject that doesn't really get a lot of attention in this whole debate about energy and oil and the fact that we are now faced with skyrocketing prices at the gas pump.

I want to talk about investing in our future. I want to talk about young people not only from my district but across the country, and I want to talk about what we call green jobs, green-collar jobs. Some people might think that's a misnomer, you know, but we have actually changed. Blue-collar jobs have, as you know, been outsourced to other countries.

What we are attempting to do in the Congress and something that President Bush signed into law just last December was an act that was part of the energy bill, the energy package, that said we are going to make a difference in this country by investing in America's future. We will provide 10 million jobs in green technology if our government steps up to the plate.

Now we are asking for that appropriation for $125 million to help create, and, I think, minimally, 10 million jobs, that will be reaped across this country that will secure our energy security here at home. It will also send a steep message to many nonbelievers across the country that we mean business, that we are actually going to keep these jobs here, that these jobs won't be outsourced, that they won't be going to China and India and Indonesia and even to Mexico, because we are going to make an investment here.

It's, very simply, trying to set a precedent here to provide opportunities for people to get retrained or to get into new technology, into are renewable energy, into biofuels, and into creating solar panels. Those manufacturing jobs that we knew as blue-collar workers that my father as a teamster and other people in my district represented, could be retooled to help provide and incentivize our economy by keeping those jobs here at home.

No more of this minimum-wage jobs, but providing good, sustainable, liveable-wage jobs for working men and women and people that could rely on this to raise a family, not in the state that we are in right now, where you have a single head of household, a woman, in many cases, that's working three jobs just to make that rent, just to make that electricity bill, just to get that extra gallon of gas to get to her job. Those are things that we know are resonating right now with our constituents, and they demand a change.

It isn't just enough to say that we are going to lower the energy costs, they have to have a good-paying job to provide for all those commodities, luxuries that they need to keep their family going.

□ 2000

And one best way of doing it is by jump-starting the economy and by supporting the Green Jobs Act, something that the Senate and also the House passed again that was signed into law in December. We need $125 million to help jump-start that program.

I want to illustrate something here, a picture of some youngsters who were actually installing on a roof, who had just completed a project in Oakland, California, who were trained in a program, who went through an apprenticeship program that was done in a private and public partnership. It was to help install solar panels and to retrofit them in some of our oldest buildings in very dilapidated parts of our country.

What an incentive that would be to help to jump-start our communities and to revitalize those communities that have been left behind by the manufacturing jobs that went to other countries but also to incentivize those places that have high unemployment like in Oakland, like in East Los Angeles, like in the Bronx, like in Little Havana in Florida. These places need relief, and the government has an obligation to help provide an incentive, working closely, hand in hand, with private industry.

The reason I say that is that I know it works, and it's working right now in an obscure place in my district in East Los Angeles. The LA Unified School District, which doesn't always get honors for many things that they do, has invested in a program out of the East LA Skills Center to help retrain individuals. The majority of those who are participating right now happen to be middle-aged people who are saying, ''I need to get retrained into a better paying job, a job that's going to help me in the rest of my life and in my retirement.'' They're taking that challenge; they're going through training, and they're being offered jobs.

One of the dilemmas that we're facing right now is that we don't have an adequate workforce available to fill all of these potential jobs. I say: Why? Why should we go outside and bring people in when we need to make those investments here in the United States and in Los Angeles?

So, Mr. Speaker, I would just like to say and would like to urge my colleagues to support the Green Jobs Act and to provide that infusion of $125 million that will act as a stimulus package for our economy.

NEW TRENDS IN THE GROWING AFGHAN DRUG ECONOMY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. KIRK) is recognized for 5 minutes.

Mr. KIRK. Mr. Speaker, with the increasing number of cross-border attacks in Afghanistan that are coming from the Waziristan region of Pakistan, it is more important than ever to develop a complete picture of where al Qaeda and the Taliban terrorists are hiding and especially of how they are funded.

Last month, the Defense Department finally recognized what many of us in the Congress have been saying for years. The report states: ''Narcotics-related activities are fueling the insurgency in Afghanistan and, if left unchecked, threaten the long-term stability of the country and the surrounding region.'' It continues: ''The emerging nexus between narcotics traffickers and the insurgency is clear. Narcotics traffickers provide revenue and arms to the Taliban while the Taliban provides protection to growers and traffickers and keep the government from interfering with their activities.'' In short, the Taliban has become a fully functioning, South Asian narco-terrorist organization, protecting the source of 92 percent of the world's opium.

Production is so high now that the price is dropping after years of record crops. Never one to ignore market forces, Afghan drug kingpins are now expanding into new illicit markets, and they have become the major supplier of the global cannabis and hashish markets.

Now, Morocco used to be the traditional main source for hashish in the world, but that is rapidly changing. Morocco has been marginalized in favor of Afghanistan. According to the United Nations Office on Drugs and Crime, Morocco used to be the source of 31 percent of the world's hashish, but by 2006, the number dwindled to just 18 percent.

In contrast, the U.N. now reports that cannabis cultivation in Afghanistan has more than doubled since 2004. In 2004, 30,000 hectares were under cultivation. In 2007, that number had risen to 70,000, much of which is protected and nurtured by the Taliban as their new source of income.

U.N. figures also show that cannabis cultivation is surging in Taliban strongholds, including in the Kandahar, Uruzgan, Paktika, Zabol, and Helmand Provinces. If the Great Plains are the breadbasket of America, then these Afghan Provinces make up the production heartland of the international narcotics trade.

The U.N. report also notes that, in these southern provinces, all of the farmers growing poppy and now cannabis pay taxes of, roughly, 10 percent of revenues to antigovernment elements, including to the Taliban and to al Qaeda. Taliban presence is highest in the provinces with the greatest drug production, and violence follows wherever the Taliban is present.

In the heroin heartland of the Helmand Province, the bloodshed is dramatically higher than in all other Afghan provinces. Militants launch an attack every 32 hours in Helmand, compared to just one attack every 3 or 4 days in the rest of the country or just one attack a week in Kabul.

The shift demonstrates that it's time for the United States and for our NATO allies to take a stronger stand against the narcotics trade of Afghanistan. Even the Defense Department now acknowledges a clear link between drug trafficking and terrorist financing, a concept that used to be very controversial in Afghanistan, but that is now clear.

Of course, in Colombia, we learned that drugs and terrorism must be fought simultaneously. In Afghanistan and Pakistan, we must take the lessons learned in Colombia to understand that counterterrorism programs will not work unless there is also an effective counternarcotics program to eliminate the Taliban's source of money.

Mr. Speaker, while partisan feelings in the House surround the mission in Iraq, the challenges of the Afghan mission are overshadowed. The Afghan war is sometimes described as the ''good war'' or as the ''bipartisan war'' or as the ''war that our allies support.'' It is certainly true that our forces in Afghanistan enjoy stronger support from the American people and from our allies overseas. While we have a NATO command in Afghanistan, our strong allied support for this mission should not blind us to the growing problems and dangers emerging for our troops.

The reality is this: Heroin has financed the resurgence of al Qaeda and the Taliban, and they have now found a new source of money—hashish and cannabis—which provide, in our estimate, hundreds of millions of dollars to finance terror. The lessons of FARC's decline in Colombia are clear: To wipe out terror, you have to attack its income. In both Colombia and Afghanistan, that income comes from narcotics.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mr. SKELTON) is recognized for 5 minutes.

(Mr. SKELTON 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 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 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 California (Mr. CALVERT) is recognized for 5 minutes.

(Mr. CALVERT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

(Mr. MCHENRY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FLAKE) is recognized for 5 minutes.

(Mr. FLAKE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. GARRETT) is recognized for 5 minutes.

(Mr. GARRETT of New Jersey addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ENERGY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Texas (Mr. BARTON) is recognized for 60 minutes as the designee of the minority leader.

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

We are going to do something a little bit differently this evening on the House floor. We have a 1-hour Special Order of the minority and a 1-hour Special Order of the majority. The minority leader and the Speaker have agreed to combine those two Special Orders so that both sides can participate in the debate about energy policy. I will be leading the minority side, and the gentleman from Pennsylvania (Mr.

ALTMIRE) is going to be leading the majority side.

In the first hour, it is my understanding that I will control time for both sides, and in the second hour, the gentleman from Pennsylvania will control the time for both sides. We are going to try to operate in such a fashion of cooperation which, I think, will be refreshing in this Chamber so that both sides end up, at the end of the 2-hour period, with equal amounts of time.

In Special Orders, you don't yield for specific amounts of time, so what we're going to attempt to do, between looking at the two clocks that are publicly visible and between the staff members who have clocks, is to make sure that we balance the time out.

So, before we get started in the actual substantive debate, I'd be happy to yield to my good friend from Pennsylvania for whatever introductory remarks he wishes to make about the procedure.

Mr. ALTMIRE. I thank the gentleman from Texas.

It is my understanding that this format has not been attempted since the 1990s, under Speaker Gingrich. So this is a recent historical event that we're engaged in here, and I really to do appreciate the gentleman and the ability to work with him, and I appreciate the gentleman from Georgia and others for talking about energy prices and gas prices. That is what we're going to do over the course of the next 2 hours.

Again, just to lay the ground rules, because it is a Special Order, all time in the first hour will flow through the gentleman from Texas. All time in the second hour will flow through our side, but we want this to be an engaging discussion where we yield back and forth and ask questions and inquire of each other.

We're going to keep this above board. This is not a game of gotcha. This is to have a legitimate, honest discussion about energy prices, about the drilling issue, about the speculation issue, and about the Strategic Petroleum Reserve.

On our side, we're going to be joined by Members who have engaged on this issue, such as Chairman RAHALL of the Natural Resources Committee. Chairman RAHALL is going to talk about the 68 million acres of land that are available, an issue that we know about, and that will come up. BART STUPAK of Michigan, Congressman STUPAK, is going to talk about the speculation issue along with Congressman MURPHY from Connecticut. We're going to have Congressman HALL from New York, who is going to talk about the Strategic Petroleum Reserve. Others are welcome, who may be watching this as we speak, to join us throughout the evening.

Those are generally the issues that we're going to talk about, so I really do appreciate the gentleman from Texas for yielding the time. We're going to keep this on a balanced level over the next 2 hours, generally an hour on our side and an hour on the Republican side. I look forward to the discussion.

So, at this time, I will yield back to the gentleman from Texas.

Mr. BARTON of Texas. I thank my friend from Pennsylvania.

I am going to yield myself such time as I may consume.

Well, Mr. Speaker, we have before us, as we have this debate on the floor of the House of Representatives, a very serious situation. We have energy prices worldwide, certainly, but in the United States of America, specifically, we have energy prices that have gone up quite a bit in the last several years.

If you will look here, you will see that, in February of 2007, as to the price of unleaded gasoline at the pump, the national average was $2.30 a gallon. By the end of June of this year, it was at $4.07. The numbers that were given to me this afternoon when I got off the airplane show that, today, it closed at $4.11 a gallon for gasoline, which is a record. For diesel, it's about $4.82 a gallon.

If you will look at natural gas prices, which are used both in industry and to heat our homes in the winter and to cook our food year round, in February of last year, for 1,000 cubic feet of natural gas, it was $6.60. By June, it was up to, which was the average nationally, $10.21. We expect that, by this fall, the average national price is going to be $12 for 1,000 cubic feet.

Now, if we sit here in the United States and do nothing, these prices are going to stay where they are and are going to go higher. The good news is that we have more domestic energy resources in this country than in any other country in the world.

To just give a comparison, on this chart here, the purple and the green and the blue are the amount of oil imports on an average basis per day that we're importing from three of our largest sources of imports. You can see that, from Nigeria, we're getting approximately 1 million barrels a day, from Venezuela, about 1,250,000 barrels a day and, from Saudi Arabia, about 1,500,000 barrels a day of oil.

The orange bar, or the red bar, to the right shows the estimates from the Minerals Management Service, the most recent estimates of the amount of domestic energy supply that could be produced at today's prices and with today's technology. If we were to produce in the Outer Continental Shelf, in the areas that are currently off limits but that we think could be produced in terms of a drilling program, that, by itself, equals the amount of imports from Saudi Arabia.

□ 2015

If we add the Alaska National Wildlife Reserve, which we're going to talk about in some detail, that will be another approximately 750,000 to 1 million barrels a day.

And then one of the big ones that we really haven't done too much about is our shale oil reserves. We have 2 trillion barrels of shale oil in this country, and if we were to produce that, we think within the next 5 to 10 years we could have almost 2 million, maybe 3 million barrels of production just from that. Then if you add the tar sands, you add coal-to-liquids—which there's a lot of bipartisan support on the floor on both sides of the aisle—our heavy oil reserves, and then our $C0_2$ recovery with $C0_2$ injection into depleted oil fields, if you add all of those up, that's 10 million barrels a day equivalent of production that we could have in the United States of America.

Unfortunately, for most of these on the red bar, our friends on the majority side, on the Democratic side, certainly the leadership—I'm not saying that everybody on their side—but the Democratic leadership are not only opposed, but some would say adamantly opposed. And that's what this debate is going to be about this evening.

So with that as the opening statement, I would be happy to yield to the distinguished chairman of the Natural Resources Committee, the Honorable NICK RAHALL of the great State of West Virginia.

Mr. RAHALL. Thank you, Mr. BARTON. I appreciate your yielding, and I certainly want to commend you and JASON ALTMIRE, the gentleman from Pennsylvania, for putting together this rather unique 2-hour debate, civilized debate, I might add, on our energy situation. It comes at a very appropriate time.

As we all know, President Bush just today by executive order lifted the moratorium that was put into place by his father some 18 years ago, I guess. That moratorium being on drilling in the Outer Continental Shelf and in ANWR. And by a stroke of the pen, the President has lifted that moratorium, and I assume now that those lands are open for leasing; and I think that's a very important point to stress that they are not under lease at this time but are open for leasing.

And as the gentleman from Texas, I'm sure, is aware, having a lease in hand is not quite the same as starting the process to obtain a lease. The latter being a rather lengthy process that can take quite a few number of years.

I would think at this time an appropriate quote would be that quote from the Energy Information Administration. When commenting on the efforts to lift the moratorium on OCS and ANWR, it stated that lifting the current moratorium, ''would not have a significant impact on domestic crude oil and natural gas production or prices before 2030.''

That's the year 2030, 22 years from now.

This is the Energy Information Administration, a part of Secretary Bodman's Department of Energy.

And I think it's also worthy of note that 79 percent of the oil and 82 percent of the natural gas in Federal waters off America's coasts are already available

for leasing. That is today, now; not 22 years from now.

So I think that old saying that a bird in the hand is better than two in the bush, well, an oil lease in hand is certainly—a lease, the actual lease in hand is certainly more preferable in terms of gaining production today in the near future; that is today, gaining production today, and bringing meaningful relief at the pump today, not 22 years from now, but today, would leave one to believe that opening these some 68 million acres of Federal onshore and OCS lands that are already under lease that can go—the companies can go out and drill on today—today, not 22 years from now, but today—would, I think, be preferable. And I'm not saying not including what the President has done today, that's fine. He has done what he did.

But also I don't see—and I'm asking the gentleman from Texas this question since it is his time—what is wrong with requiring the oil companies to use this acreage, 68 million, that are already under lease to go out and make some, at least a due diligent effort towards developing those leases?

Now, I recognize that's like a housing development. You're not going to find something on every acre that's under lease. You already know there's nothing under a few of those acres because when you build a housing development, you don't build a house on every inch of that entire development. So there are some acres where there's obviously not going to be anything there and not worth exploring.

But of that 68 million, there's only about 10 million now that is actively under production. And if you extrapolate out the same Energy Administration Department figures I just quoted, if you extrapolate out what is being produced from that 10 million acres, then you come up with roughly about a 14-year supply of natural gas by extrapolating out those figures.

So why can we not give some push to the industry to go out and make an effort to find out if there's anything in these 68 million acres or not? They will say, I'm sure there's not. But how do they know that there's not? How do we know what exists in the OCS that is now open by today's action of the President in lifting the moratorium? How do we know—I mean, the word ''potential'' is always used. The potential for this large find or this potential. But I just don't—I'm asking that question

Mr. BARTON of Texas. If the gentleman would yield?

Mr. RAHALL. I believe it's your time.

Mr. BARTON of Texas. But this is a debate, and then I will yield to my good friend from Georgia.

First of all, I think those on the minority side would love to work with the distinguished chairman of the Natural Resources Committee if he wished to bring a bipartisan bill to the floor on permitting reform on the 68 million acres that are currently available for leasing.

I think the gentleman knows that in the Energy Policy Act that passed in 2005, we put some permit reform measures in place on a pilot program basis. And in this Congress, there have been efforts made in H.R. 6 and then also some of the appropriation riders to put some roadblocks in some of those permitting process reforms. So if that's something that we could work together with, I would be happy to do that.

The second answer I would give on the acreage that is currently under lease is some of those areas, while they are leased, they don't appear to have significant mineral production even at today's prices. And as they asked the bank robber Clyde Barrow why he robbed banks, he anecdotally is supposed to have answered, ''That's where the money is.''

Well, some of the areas that are currently not under lease is where we think the significant amounts of oil and gas are. But on the current acreage, I think we would be very willing to do an inventory bill, if the gentleman wished to work on an inventory bill. We could certainly do an expedited permit and reform bill if the gentleman and his leadership wished to do that. So there could be some agreement there.

Mr. RAHALL. Well, this gentleman is certainly no stranger to efforts to reform Federal onshore oil and gas leasing program. I've been involved in that for 20 years, I guess, through first my subcommittee chairman on what was then called the Interior Committee, I guess, and now certainly as chairman of the full Committee on Natural Resources. I'm not even adverse to reforming that process to make it more expeditious.

But I still haven't heard, and I'm still unclear, as to the fact that leasing is the more difficult portion of going out and drilling on these lands. Is that not accurate? Obtaining a lease, it seems to me, is a much more difficult—and you know, even before the land is available for leasing, for example, the land manager has to develop a plan to determine whether or not an area is appropriate for oil and gas drilling. Then once the Interior Department has made the land available to leasing, then the oil and gas companies need to secure the permits and do some preliminary exploration.

Mr. BARTON of Texas. But somewhere in there there's an option where you actually bid.

Mr. RAHALL. That was the next step I was getting to. They have to collect, analyze the data. Then the government has to put together an auction for the competitive bidding process and then award the leases.

Mr. BARTON of Texas. And then you have a specified amount of time in which to make improvements on the lease and determine whether it's commercial.

Mr. RAHALL. Okay. Now, the 68 million already has gone through that process. The 68 million acres we keep referring to as use-it-or-lose-it, that has already gone through that process we both have described.

Mr. BARTON of Texas. My understanding is it's in—various acreages are in various stages of that process. I think that's a true statement. I don't think it's all completed the entire process.

Mr. RAHALL. In any case, years ahead of the lands made available today by lifting the moratorium.

Mr. BARTON of Texas. In some cases, that's a true statement. In some cases, it's not. There are areas that have been put under moratorium recently by acts of Congress that were closed to commercial production, especially in the eastern gulf of Mexico and the OCS.

Mr. RAHALL. But were they under lease?

Mr. BARTON of Texas. They were, is my understanding. And we then put them under moratorium.

Mr. RAHALL. Okay. I'm not clear on that whether they were.

Mr. BARTON of Texas. It's something we can certainly work together on.

Mr. RAHALL. Sure. Sure.

Anyway, the point I was trying to make is that it could take years and years to obtain a lease, which these lands opened up today are just starting on that process. The 68 million under our use-it-or-lose-it legislation has already gone through that process.

Mr. BARTON of Texas. Certainly the area that's never been leased is further behind that that has been in some stages of leasing. I will concede that point.

Mr. RAHALL. And in our use-it-or-lose-it legislation, we're simply saying current leases are generally 10 years. They vary somewhat depending on depth of water or where they're located. But generally, 10 years is the current leasing term. And if a company is holding that lease for 10 years and not producing on it or not even making an effort, showing some type of good faith, due diligent effort, as I'm sure the gentleman knows our Federal coal is required to do, other minerals on Federal lands that's owned by the taxpayers are required to do, we say in our use-it-or-lose-it, if that due diligent effort is not made, then you lose the lease and it's open again to competitive bidding. Another company can come in and make their bid for it.

Mr. BARTON of Texas. Again, we're very willing to work on some reforms to the current lands that are leased to expedite the permitting process and the leasing process, and hopefully those on your side would be willing to work with us to make available more lands that haven't yet been leased.

Mr. RAHALL. I think the major point I want to make is in our use-it-or-lose-it legislation, it's not an anti-drilling piece of legislation. It's a probe drilling.

Mr. BARTON of Texas. I'm not aware that we've ever said it was anti-drilling. What we've said is we want to do

more than that. But we certainly support the first steps at some pro-leasing program on the majority side. We think that's a step in the right direction.

Mr. RAHALL. I thank the gentleman.

Mr. BARTON of Texas. Let me yield to my good friend from Georgia (Mr. WESTMORELAND) who is responsible for, or at least partly responsible for the fact that we're actually having the debate. It was his idea, and he was able to convince Speaker PELOSI and minority leader BOEHNER to engage in this.

I will yield him such time as he may consume.

□ 2030

Mr. WESTMORELAND. I want to thank Mr. BARTON from Texas for doing that, and I will have to give Mr. ALTMIRE the credit for persuading Speaker PELOSI for allowing us to do that, and I want to thank the gentleman for his willingness that we can do this and have a good discussion.

And while we're doing this, I would like to ask Mr. RAHALL one question: Can you identify any lands which are leased and are not being developed and currently who is not developing lands that they had leased?

Mr. RAHALL. We have that on a map on where these lands are located. I'm not sure I have it here or not. But it has been made a part of the packet of information that our Committee on Natural Resources did send to all Members at one point, and now as far as naming a specific company, I can get that information. I don't have it readily on me, but it's a matter of the public record because, as the gentleman from Texas has already said, when they go through the competitive bidding process to obtain the leases on the 68 million, of course, that's public knowledge, and these are public lands.

Mr. WESTMORELAND. I guess I may not have posed my question just exactly right, but my question would be to you, this is a 10-year process. This is a 10-year process, and I'm assuming that each acre of land that has been leased, by whoever leased it, is in some part of this process of obtaining production or getting permits in order to produce. And my question is, do you know of any of the 68 million acres that are not in some process?

Mr. RAHALL. If they are, I cannot name a company that's not in any process at this point, but if they are in the process, that's due diligence.

Mr. WESTMORELAND. Okay.

Mr. RAHALL. Oh, I'm sorry. Here, leased land not producing is the red.

Mr. WESTMORELAND. I understand that they are not producing, but is there any——

Mr. RAHALL. Oh, you're saying they're moving toward production?

Mr. WESTMORELAND. Yes.

Mr. RAHALL. If they are moving toward production, that's due diligence; they maintain their lease.

Mr. WESTMORELAND. So I guess my question to the gentleman is that this 68 million that we keep hearing use-it-or-lose-it is actually in some stage, and I have a chart here that shows the different processes.

Mr. BARTON of Texas. A very complicated chart.

Mr. WESTMORELAND. A very complicated chart, and I'm not going to attempt to explain it all, but I will say that the purple is the pre-leasing process. Your orange is the leasing process. The blue is the notice of staking process, and then the green is the application for permit to drill. And if you will notice these little red blotches on here, these are points of entry for people who want to start litigation during this process.

In 1992, the Democratic majority extended the leasing process from, I believe it was either 3 or 5 years to 10 years. And so I think a Democrat majority realized that this was a very burdensome process and could not be done in the time period that these oil companies have been given and extended it to 10 years.

So, you know, I just think that when we talk about 68 million acres, out of the 2.5 billion acres that are available that we could be drilling in, that it's not fair to say that, you know, use-it-or-lose-it, when the people that have leased it are somewhere on this chart trying to make this land that they have leased be productive for U.S. oil production.

Mr. RAHALL. Well, I would respond to the gentleman that, again, as I've said, if they are moving toward production, that's due diligence.

Mr. WESTMORELAND. I understand.

Mr. RAHALL. And our legislation would not take that lease away from them, and you're right about the 10 years.

Mr. WESTMORELAND. But I do think if you do say the 68 million acres out there, that they need to either use it or lose it, and the reality is that they're trying to use it. They're just in some part of this process, and you know, even if it's the Corps of Engineers, I know there're several sites where the Corps is actually being sued, and these companies have to wait on the Corps to work through their lawsuit before they can get back into the permitting process. And then there's other stumbling blocks that they have to go through.

But I just find it interesting that the Democrat majority in 1992 was the one that extended this to 10 years because they understand that the trouble and the amount of paperwork and filings and permitting process that you have to go through, and then the same party would come back and say, well, there's 68 million acres out there that they're not using and so, therefore, they need to lose it when they are actually within the law, within that 10-year period, and as far as I know, each and every one of them that have obtained the lease are in some part of this process.

Mr. RAHALL. Would the gentleman from Georgia not agree, however, that while all of that is I'm sure accurate, that is still on these 68 million acres of land, and that's still I'm not going to say light years but many, many years ahead of where we are on the lands made available today by lifting the moratorium?

Mr. WESTMORELAND. I disagree with that because I feel that what the American people want us to do is to increase our oil production. I think that they want to see something like the gentleman from Texas talked about in 2005, that this government could come together and we could streamline. I mean, we've got enough smart people in our government that could streamline this process some to bring it about, and I know that the gentleman's in favor of that, and I look forward to working with you and Mr. BARTON to be able to streamline this so we can get production on the ground quicker.

Now, let me say that, you know, being from an agriculture State in Georgia, there's certain areas of the State that we grow apples. There's certain areas of the State that we grow cotton. There's areas of this country that produce more corn than other areas, and you wouldn't plant corn, let's say, in the north Georgia mountains because you wouldn't get near as good a yield as you would maybe in Nebraska or somewhere else.

At the same time, out of 2.5 billion acres of land, and knowing the area that's in the ANWR, and knowing the 2 trillion barrels of shale that are out West that we know are there, why wouldn't we open those up and give companies an opportunity to go out there? And it would not take 22 years to increase our oil production in some of these areas, and later on, we'll be showing a map of how much quicker I think we could get this oil into our refineries, which brings up another point, and then I will sit down because the gentleman from Texas has been so kind to yield.

But the other thing we need to talk about tonight I think is the increased refinery capability and the fact that, in our country, we've not built a refinery in 30 years. And we are right now importing almost 7 billion barrels of refined gas into this country and about the same amount of refined diesel. So, with that, I will sit down.

Mr. STUPAK. Would the gentleman from Texas yield on that point?

Mr. BARTON of Texas. I would be happy to yield to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. I thank the gentleman.

I just want to make a couple of points. Mr. WESTMORELAND seems to indicate that if we would just increase drilling somehow, we would increase supply and everything would be wonderful. But as chairman of Oversight and Investigations, we saw articles earlier this year which indicated that refineries were cutting back on their production.

So myself and Mr. SHIMKUS from Illinois, the ranking member, we wrote to

the Energy Information Agency and asked them: What is our gas supply? Take a look at the first 3 months of 2008, compare it to previous years. Is it a supply-and-demand problem?

Now, it's not a Democratic issue or Republican issue. The Energy Information Agency puts forth these facts, and here's what they said.

Gasoline inventory actually peaked on March 7, 2008, of 22 million barrels more than March of 2007. Gasoline imports were higher than they've been in the last 5 years when we looked back. Gasoline demand in the U.S. is actually down eight-tenths of 1 percent. So you have more than adequate supply, the most we've ever had in this Nation's history, at 22 million barrels in March of 2007, more than what we're using, but yet the price has still skyrocketed.

Now, I think all of us, Democrats, Republicans, we're all willing to put more supply forward, trying to increase production, and in the 2005 Energy Policy Act, that Mr. BARTON led that Energy Policy Act, I was a conferee on, we streamlined a way for refineries to produce more if they wanted to.

But you see from the Energy Information Agency, the first 3 months of this year, there's more than adequate supply. When it comes to diesel, we actually exported 335,000 barrels out of this country to Western Europe and Latin America.

Mr. WESTMORELAND. You do realize that we changed the EPA or the clean air requirements for diesel. This diesel that we are exporting to Central American countries, our government will not let us burn in this country.

Mr. STUPAK. I think the gentleman misunderstood. The diesel is produced here in this country. We could have used it here in this country because home heating oil took off. Home heating oil took off for the east coast. We could have used it, but to keep that price, to artificially inflate the price of home heating oil, we exported 335,000 barrels: 93,000 to Western Europe and 182,000 barrels per day to Latin America.

So, I mean, we refined it, we produced it, we had it all right here. But what did we say? We can get a bigger buck overseas than to provide a service to the American people. That's what happened, according to the Energy Information Agency, not me, Energy Information Agency.

Mr. WESTMORELAND. Well, we need to get with those folks and see if we both can't get the same answer because the answer we're getting is these refineries are only set up to refine this diesel to a certain point, and because of the new standards implemented on diesel fuel for this country, that these fuels were exported to countries that can use that.

Mr. STUPAK. Let me keep saying, could you articulate these new diesel standards which made diesel not usable in this country? What are those new diesel standards?

Mr. WESTMORELAND. Well, there are new standards, of course.

Mr. BARTON of Texas. Low sulfur content. The sulfur content of diesel.

Mr. STUPAK. And when did those standards come in?

Mr. BARTON of Texas. They've been in place, and this is a guess, but about 18 months, 2 years. Don't hold me to that specifically.

Mr. STUPAK. So, well, when the Republican Party was in control then, in other words? There's nothing I can think of we did recently, and as the former chairman of the Energy and Commerce Committee knows, Mr. BARTON and I have done a lot of work on this issue in the last 3 years. That's why I was surprised when you're saying new diesel standards. I wasn't aware of any so it must have been something that came back a couple of years ago when you-all were in charge.

Mr. BARTON of Texas. I think they're being phased in, but they were put into place several years ago. Again, I'm not an expert on when they kicked in, but it's a very low sulfur diesel content. Now we have the cleanest diesel standards in the world.

Mr. STUPAK. I know Western Europe is very concerned about their diesel standards. In fact, they have the clean diesel, as we like to call it, here in Europe and that's why they rely more on diesel than gasoline. So when we export 92,000 barrels a day to Western Europe, obviously that diesel is meeting their standards, which are probably higher than ours. I'm making that assumption.

Mr. BARTON of Texas. Their standards allow more sulfur content than our standards do.

Mr. STUPAK. Very good. But the point being, on supply and demand, at least when we look back at least the first 3 months of this year, according to the Energy Information Agency, we had more than enough gasoline, we had more than enough diesel, and it was just that we had to get that price up so we exported it.

Mr. BARTON of Texas. You said that our inventory of finished gasoline peaked at 22 million barrels; is that correct?

Mr. STUPAK. More than the previous year, more than March 2007, that's correct.

Mr. BARTON of Texas. Again, I could be corrected, and if we were all on the Internet, somebody could blog in and tell us because there's somebody out there that knows exactly, but we use approximately 12 million barrels of oil equivalent today for transportation purposes, which would include gasoline and diesel and I think aviation fuel. So 22 million barrels is not quite 2 days' supply.

□ 2045

Mr. STUPAK. Sure.

Mr. BARTON of Texas. And that sounds like a huge number.

Mr. STUPAK. And when you take a look at it, what we expect our refineries to do is refine enough for each day as we go along. And they did, and we had more than the previous 5 years ever. So if this supply crisis, as you seem to indicate there was, 5 years ago we should have seen it—4 years, 3 years, 2 years, 1 year. This is the most we've ever had, and they're claiming there's a supply problem?

Mr. BARTON of Texas. Well, if the gentleman would yield.

Mr. STUPAK. Sure.

Mr. BARTON of Texas. The gentleman has kind of outlined the problem, but I don't think he has really quite explained it.

As he pointed out, demand for gasoline in the United States is going down—you said eight-tenths of 1 percent, I accept that as a number. In terms of barrels a day, it's about a half a million barrels a day it's gone down.

Mr. STUPAK. Sure.

Mr. BARTON of Texas. The price of raw material product has gone up, as you well know, because of all of the hearings you've done on the Oversight Subcommittee that you chair so well.

Mr. STUPAK. Sure.

Mr. BARTON of Texas. So what you've done is put our refineries in a squeeze. The price they can get in the market is going down because demand is going down, and yet the price they have to pay for the raw material is going up. So that has really squeezed their margin. And because we've developed this almost-just-in-time refinery system in the United States—again, using your numbers, even though it's at a 5-year high, and I accept that as a good number—it's really only a two or three day supply.

Mr. STUPAK. Sure. And I thank the gentleman for his comments because he's absolutely right. The refineries are getting squeezed. In fact, some of the smaller refineries are actually refining diesel and gasoline at a loss because the base price of crude has skyrocketed. And as the gentleman is well aware because he has attended the hearings we've held jointly when you were Chair, and now as I'm the Chair of O&I, it's the excessive speculation. I know that's the second half of our comments here tonight, so I look forward—but the gentleman is right. And that's why so many of the refineries and the Members who represent the oil patch parts of our Nation have supported my legislation, the PUMP Act, Prevent the Unfair Manipulation of Prices, that take out the excess speculation which is causing the base product, crude oil, to just skyrocket.

So I thank the gentleman for his comments. He's right. I would agree with him. And later on we'll get to talk about speculation, and I look forward to the comments.

Mr. WESTMORELAND. Would the gentleman from Texas just yield for one minute?

Mr. BARTON of Texas. Sure. And then I want to yield to Dr. GINGREY of Georgia, but we'll yield to Mr. WESTMORELAND.

Mr. WESTMORELAND. I just want to point out to my friend that this cause is not, you know, the spike that we usually see is not some type of temporary disruption, but it's a demand from all over the world, not just this country, our demand has gone down some. It's not just this country. But if you look at China and Asia and India, their demand for this oil is going up every day. And if you look at where the world's supply of these imports that come into this country, if you look at Nigeria, Venezuela, Saudi Arabia, and then if you look at our ability and all the different types of untapped domestic resources that we have, we could get over and help ourselves by producing this.

And so, just like you said, it's not just the supply and demand, it's the fact that we have to import all of this when we have these untapped domestic resources at our hand right here for us to use. And I think that's the reason 73 percent of the American people are saying, hey, look, use some of this stuff.

And with that, I yield back.

Mr. BARTON of Texas. I yield to Dr. GINGREY—or I would be happy to yield to Mr. STUPAK for a brief comment if he wanted to make a comment.

Mr. STUPAK. I don't disagree with Mr. WESTMORELAND, what he had to say there. The only thing I would say is that's why we are saying we've got 68 million acres, let's drill or not.

You know, I come from northern Michigan; we have no oil, we have a lot of trees. And when you get a contract to cut timber on the Federal forest, you get your current year plus 5, if not, you lose that right. Because in order to grow our trees and have a prosperous forest, you've got to prune it out and we have to cut. Same thing with oil. If we want to access U.S. oil, why are they sitting on these leases when the leases have been approved for drilling and all the environmental standards have been met? And if supply is the problem, as you claim—and I'll grant you, that's part of it—then let's do it. No more excuses, let's drill.

You've got 22.8 million acres in Alaska that can be drilled on right now, but instead we seem to be focused on ANWR. I'm not even talking about ANWR, I'm talking about the Alaska Petroleum Reserve area, the Strategic Petroleum Reserve area, National Petroleum Reserve area. In Alaska, 22.8 million acres we could actually drill on right now today, permits are approved, everything is ready to go. Do it. Use it or lose it.

Mr. BARTON of Texas. With that, I would like to yield to the gentleman from Georgia, Dr. GINGREY.

Mr. GINGREY. I thank my colleague for yielding.

I just want to refer back to the statement the gentleman from Michigan just made in regard to the 22 million acres in Alaska that you could now drill on, yet our Democratic colleagues, our friends, are denying the opportunity to drill on 2,000 acres—not 22 million—2,000 acres in the Arctic National Wildlife Reserve, and to obtain an equal amount, an equal amount of petroleum from that area without harming the environment. It makes no sense to destroy 22 million acres for the same amount of oil that you could get out of 2,000. But that's another subject, and I look forward as well to later in the hour, when the gentleman is going to talk about hedging and speculation and, in his opinion, what effect that has on the price of petroleum that we're paying.

The gentleman from West Virginia, the distinguished chairman of the Natural Resources Committee, was talking earlier in his opening comments about the fact that drilling on the Outer Continental Shelf, which we had been prohibited from doing—thank God the President lifted that Presidential moratorium, and now the only thing that is holding us back from going after those 20 billion barrels of petroleum and trillions of cubic feet of natural gas is inaction on the part of this Congress.

Now, earlier the discussion was about this use it or lose it. The gentleman from West Virginia talked about that a lot and said, well, you know, you've got these 68 million acres leased from the Bureau of Land Management—by the way, that's out of 750 million acres under the jurisdiction of the Bureau of Land Management. These oil companies, my colleagues, they pay for those leases, they're not free. And so they're kind of betting on the come, they're hoping that their geologists will then tell them that, yes, indeed, there is a certain amount of oil in that area of land that they have leased. And if it's true, then they're going to go after it. If there is no oil there or if there is an insufficient amount of oil there and it's not going to be productive to spend that kind of money for a little amount of oil, then maybe they will sit on those leases. And I would think that they would probably gladly yield it back to the Federal Government—especially if they got a refund on their money, they probably wouldn't.

But these same people that realize that right off the Outer Continental Shelf, whether it's the eastern seaboard or the Atlantic or the Pacific or the eastern part of the Gulf of Mexico where there are trillions of cubic feet of natural gas and billions of barrels of petroleum, that's the leases that they want, that's the leases that they need. And it just is beyond my comprehension to understand why the leader of this House, Speaker PELOSI, would say that is a nonstarter.

Now, we could stand here on the Republican side of the aisle and say to the gentleman from Michigan and others who are concerned about noncommercial speculators and what effect that might have on the price of a barrel of petroleum, we could say, well, you know, for us that's a nonstarter; or you're interfering with the free market. Are you going to do the same thing with pork bellies and wheat and corn and all these other things that are traded on the commodities market and regulated by NYMEX? Are you going to force them offshore by overregulating and interfering with the natural flow of market? So, you know, we have concerns about that.

But I don't think that our side of the aisle has said, my colleagues, that that's a nonstarter, that we won't even discuss that. And yet your leadership, Ms. PELOSI, the majority leader of the Senate, Mr. REID, has said drilling on the Outer Continental Shelf, where we know there are trillions of cubic feet of natural gas and billions of barrels of oil, is a nonstarter. I think that's just totally wrong, that the American people don't want that. They want bipartisanship like we're having here tonight in this discussion, this colloquy between the two sides. And I think we can and should get together.

Mr. RAHALL. Would the gentleman yield?

Mr. GINGREY. I would be glad to yield to the distinguished gentleman.

Mr. RAHALL. I appreciate the gentleman from Georgia yielding.

You've mentioned ANWR and how much is available from that pristine environmental area. And again, I'm going to quote from that infamous Energy Information Administration of which I've quoted earlier.

First, this is a quote from President Bush June 9 of this year, ''I've proposed to Congress that they open up ANWR, open up the Continental Shelf and give this country a chance to help us through this difficult period by finding more supplies of crude oil which will take the pressure off the price of gasoline. That was the President's statement on June 9. And his own Energy Information Administration predicts that the savings from drilling in ANWR would equal 1.8 cents per gallon in the year 2025. And that, coupled with what I said earlier—I think you were here—about the fact that these areas that the President has lifted the moratorium on today would not produce any major savings or even produce any oil until 22 years from now, it is not going to give us the relief we need.

And let's not kid ourselves. I think we all know in this body, both sides of this debate—or all sides of this debate I should say—that what we do in this body is not going to bring down the price tomorrow, next month, perhaps not next year. It takes not just increasing the supply side like you want to do, like we want to do in our ''use it or lose it'' legislation—that's a prodrilling piece of legislation—but it has to be followed with follow-up efforts in developing all, renewable and alternative, fuels, which includes coal to liquid——

Mr. GINGREY. Well, reclaiming my time from the chairman—and I don't disagree with his last statement, it will certainly require a comprehensive approach; there is no doubt about that.

But the gentleman from West Virginia has said repeatedly tonight that opening up these reserves, whether it's the Arctic National Wildlife Reserve, where we estimate that 1.5 million barrels a day increased production, increased domestic production—I mentioned the numbers for the Outer Continental Shelf in regard to natural gas and petroleum, and your response, your statement earlier was that, well, if you did that tomorrow, if you started that tomorrow, it would be 2030—I think you used that date—before any production of oil would be seen, and therefore, that's not going to solve the problem. Yet your colleague from Michigan is going to tell us in a little while how important it is to rein in these noncommercial speculators because just the anticipation causes the price of oil to go up or down.

And what I want to say to my colleagues is that it might take 5 years, 10 years, possibly 15 years, depending on where you're going after the source. Certainly, mining shale out in the west, where we could get 1.5 trillion barrels of petroleum, may take a while. But just the fact that we're doing these things in a comprehensive way and we're increasing the domestic supply, I will almost guarantee you that overnight the price of a barrel of crude would drop by 20 percent.

Mr. RAHALL. Would the gentleman yield on that point?

Mr. GINGREY. I would be glad to yield.

Mr. BARTON of Texas. It's really time to let the Democrats have some time. I think it's the gentleman from New York's turn.

Mr. RAHALL. Just very quickly I would say to the gentleman from Georgia about causing the speculation to end and go the other way, all these efforts would help, I don't deny that, but I think the most immediate efforts, what the gentleman from New York is going to get into now, Mr. HALL, and that is releasing from the SPR. We have it, let's use it. This is an emergency. And I think that is going to show the speculators we're serious and that's going to stop the speculation.

Mr. BARTON of Texas. I yield to the gentleman from Michigan briefly and then the gentleman from New York.

Mr. STUPAK. Very briefly, I would just ask, whether it's ANWR or the National Petroleum Reserve in Alaska, would the other side, would the minority side agree and put into the legislation that all oil or gas discovered there or produced there would come strictly to the United States? Because what we see in ANWR and Prudhoe Bay, that oil goes around Laotian islands, it goes to Japan and China because it's actually closer and they get a higher price.

So will you say that the oil in Alaska will come for U.S. citizens to be used for American energy?

□ 2100

Mr. BARTON of Texas. Reclaiming my time, if the gentleman from Michigan can get our distinguished Speaker to put an ANWR bill on the floor and let everybody have a free vote, I think I can guarantee you that we are willing to restrict that oil and gas to be used in the Continental United States or at least Canada and the United States and Mexico, at least in the North American Continent. If you can get us to get a vote on the drilling, I would bet we can get a restriction that meets your requirement.

Mr. RAHALL. I'd vote for that.

Mr. BARTON of Texas. We will be happy to take that deal.

And now, Mr. Speaker, I want to yield to the distinguished gentleman from New York (Mr. HALL).

Mr. HALL of New York. I thank the gentleman for yielding.

Just briefly, I trust that you would offer a motion to recommit to do just that.

Mr. BARTON of Texas. Let's get to that point, and we'll work. We'll talk.

Mr. HALL of New York. But I would just point out, going back a little bit, this map that I was holding up for Chairman RAHALL, the more interesting thing about this map, and I hope it shows up on the cameras, is that the purple sections here are all Federal land that may be leased and has not been offered to lease. Now, I suggest that the Department of Interior ought to take that—that's most of these areas. The red is the part that is actually producing. The yellow or orange is the part that has been leased but is not yet producing. But the purple, most of this lower 48 or western half of the lower 48 on this map, land available currently for leasing that has not been leased; so I would just urge that it be leased. No Democrats that I know are opposed to leasing, counter to whatever may have been implied out there.

I just want to mention that the one thing we can do that will have an immediate impact, and we're talking 5, 10, 15 years, maybe 20 years out before ANWR or OCS has an impact, depending on whom you listen to, but the one tool we have, that the President has, which was used by the first President Bush in 1991 and again by President Clinton in 2000, is the SPR, releasing oil from the SPR to increase supply. In 1991 it resulted in a price drop of $8 per barrel, and in the year 2000, it brought down the price of oil by nearly 20 percent in a week. So I'm not saying it's the answer. I'm saying that it's a temporary thing and it's a tool that was given to the President by the Congress to deal with crises, which I believe were in one now, as our people are telling us.

All of us at home are hearing the same thing, I think, be it from parents driving their kids to school, commuters going to work, school systems that are barely able to afford to keep their school buses running, whatever it is, we need to provide immediate interim and long-term solutions. And one immediate thing that I think we should consider is releasing some amount of oil from the SPR.

Mr. BARTON of Texas. Mr. Speaker, I would like to yield to the distinguished doctor from Georgia, Dr. TOM PRICE.

Mr. PRICE of Georgia. I thank the gentleman for yielding.

And I want to thank all of my colleagues for working together to bring this evening to reality because I think it's what the American people want, and that is a discussion about what's going on.

Mr. Speaker, we have talked about the need for increasing supply, and I appreciate my friend from New York's saying that the SPR ought to be released because what that argument signifies is an appreciation that supply is important. And supply is important. And that's what the American people understand and appreciate. They know that when there's an increase in supply that there's a decrease in price.

We have talked about how much of the Outer Continental Shelf has been utilized, and different maps and different charts do different things and demonstrate different things. This is a pie chart that demonstrates that the dark purple area is the portion of the Outer Continental Shelf that is able to be leased. And 97 percent is not, 97 percent is not right now.

And that's what the American people see. They see that we have got all sorts of wonderful resources that we ought to be utilizing, American energy for Americans, that we're not. The same can be said for on-land areas that ought to be leased or could be available for leasing. Onshore, the dark purple, 6 percent is that area that is able to be leased right now for oil and gas development, and 94 percent is not. And I think that it's imperative that we concentrate on that area that could be utilized by Americans. Americans are frustrated because they understand and appreciate that we're not using the resources that we have.

My friend from Michigan talks about the fact that we have got more than enough supply. I would suggest to my friend that Americans don't believe we ought to be gaining 70 percent of our supply from foreign sources. I would suggest to my friend that Americans want to utilize American resources for Americans and that that's the kind of work that they would appreciate our doing together on this floor, as we're discussing tonight.

So I hope that as we move forward this evening and talk about these issues that we identify that available energy, the resources that we have that are available to Americans. We don't have to worry about Hugo Chavez. We don't have to worry about folks in the Middle East. We don't have to be held prisoner of folks that, frankly, don't like us very much. We can utilize American resources for Americans. And I hope that as we move forward in this discussion over the next couple of weeks that we'll concentrate on that and have that as the hallmark for our solutions.

And I thank my friend for yielding.

Mr. BARTON of Texas. I think my friends on the majority need more time. I would be happy to yield to my friend from Pennsylvania.

Mr. ALTMIRE. I thank the gentleman from Texas.

We're about to enter the transition, and I would just like to enter into a colloquy with the gentleman to clarify what subject matter those who are here—I see some new faces. Mr. BURTON from Indiana has come. We have Mr. MURPHY from Connecticut, who is going to speak next for us. Are we going to continue talking about the drilling issue and continue along this vein?

Mr. BARTON of Texas. I didn't know that we had a specific agenda, but certainly——

Mr. ALTMIRE. I just want to make sure the Members that are here get to talk about what they're here to talk about.

Mr. BARTON of Texas. It's going to be energy focused. You're about to control the time; so you will be able to set that agenda. But we're willing to talk about anything.

Mr. ALTMIRE. It's our intention to continue this discussion. If we're able to transition, we certainly want to get into the speculation issue with Mr. STUPAK and Mr. MURPHY. And then Mr. HALL, I know, wants to talk about the Strategic Petroleum Reserve.

Mr. BARTON of Texas. We are willing to talk about all those subjects.

Mr. ALTMIRE. For the next hour, that's generally what we have in mind.

Mr. WESTMORELAND. If I could use these last few minutes to kind of straighten out a few points, at least my opinion.

Mr. RAHALL mentioned that the ''use it or lose it'' legislation was pro-drilling. And I had the chart up, and I thought we were in complete agreement that the 68 million acres that are leased are in some process of permitting. So that is not a pro-drilling bill. If it was a pro-drilling bill, then what we have done would have been to reduce the regulations to allow this to speed up.

And let me say this. We have not exported any Alaskan oil in 8 years. And what this brings to highlight, and I hope the gentlemen from Michigan and Pennsylvania will take note of this and the fact that we have had so many conflicting facts here. This is a good reason that we need to have committee hearings, subcommittee hearings, committee hearings, and open debate on this floor. The energy bills that we have passed so far have come under suspension. So there have not been any committee hearings on it.

Speaker PELOSI said, ''We are trying to get the job done around here.'' This is her defending the use of suspensions. ''And we work very hard to build consensus, and when we get it, we like to just move forward with it, as we did on the Medicare bill,'' which was a suspension bill we don't even need to talk about. But this is not about a tool; it's about the legislative process and how we get a job done.

We have seen tonight and, Mr. Speaker, I think the American people have seen tonight that there are so many conflicting reports that we need to have committee hearings. We need to go through regular process so we can debate these bills on the floor.

The last comment I will make, in 1995 President Clinton vetoed drilling in ANWR. By today's projections from Energy, they said that we would be getting 1 million barrels of oil a day today. That was 13 years ago. We would be getting 1 million barrels of oil. And quoting Senator SCHUMER, from the other side of the aisle, he said an additional 1 million barrels of oil a day produced in this country would lower gas 50 cents a gallon.

So the gentleman from Texas sees these things, that we need to go through regular order and let your Committee on Resources have some input.

ENERGY

The SPEAKER pro tempore (Mr. YARMUTH). Under the Speaker's announced policy of January 18, 2007, the gentleman from Pennsylvania (Mr. ALTMIRE) is recognized for 60 minutes as the designee of the majority leader.

Mr. ALTMIRE. I would ask the gentleman from Georgia (Mr. PRICE), is it your intention to continue the discussion that we are in right now, or are you waiting on a different subject?

Mr. PRICE of Georgia. No, I am pleased to continue the discussion on energy and whatever aspect of it you would like to discuss.

Mr. ALTMIRE. So, Mr. Speaker, here for the next hour, this is where we would like to lead this: We will continue talking about the domestic production issue; then we will transition into the issue of speculation in the market.

But at this point I will yield to my friend from Connecticut for continuing this discussion, and then we are going to start the transition. So for those of you on that side of the aisle who want to wrap up that discussion, please feel free to talk as long as you want about that. But it's our intention to then move into the market speculation issue.

Mr. Speaker, I yield to the gentleman from Connecticut.

Mr. MURPHY of Connecticut. I thank my friend from Pennsylvania and our colleagues from the Republican side for getting together and engaging in what has probably been one of the more productive dialogues that we have had in at least my short time here in this House.

I guess I wanted to offer just a few brief comments as a means to pivot to this next conversation because I think that you see Democrats, the majority party, focusing so much of our time on the issue that Mr. HALL will talk about, which is taking oil currently sitting right now available in the Strategic Petroleum Reserve and putting it immediately in supply on the market. I think you see us talking about what Mr. STUPAK will talk about, which is going after the very place in which the price of oil is actually set. As much as we talk about the oil companies and retailers, what it really comes down to is the price of a barrel of oil is set on a minute-by-minute, hourly basis on the commodities markets, the regulated/unregulated markets. I think you see us talking about those areas more than we talk about the subject that, quite honestly, occupies most of the time of our friends on the other side of the aisle because we see that as the means to immediate relief. I mean there is absolutely a conversation that should have occurred a long time ago and needs to occur right now to take this crisis that families are feeling and turn it into a long-term strategy both on the demand and supply side, changing the amount of supply and the very nature of the supply, changing the amount of the demand and the nature of the demand, to try to make sure that we don't get into this mess 5 years from now, 10 years from now.

But what we hear I know is what you hear. I mean this energy crunch doesn't discriminate based on the party you're registered with. Whether you're a Republican or a Democrat, you're paying the same prices in the Fifth District of Connecticut and Texas and in Georgia and all across the rest of this country. People are saying to us get us relief today.

So my estimation of why we have a disagreement at the very least on where the issue of drilling should fall on the priority list is because we just haven't seen the evidence yet that shows that this idea that drilling that will reach peak capacity in 20 years and may not start for another 6 or 10 years is going to actually lead to lower prices tomorrow or next week or the next month.

Now, Mr. RAHALL is right. We don't have all these tools at our disposal. We want prices to come down $2 by sunrise tomorrow. It's not going to happen, and we don't have the ability in this Congress to make all of those big, broad, short-term changes. But what we are looking at is evidence that does not suggest that increased potential future supply is going to lead to lower prices today. I mean just look at what has happened over the last 6 years alone. We have seen a 361 percent increase in drilling permits. Now, there is no correspondence between that 361 percent increase in drilling permits and the price of oil.

Take a very specific example that we all read about just within the last 12 months and look and see how the futures markets responded to it. In November of last year, news came of potentially one of the most important oil field discoveries in the last decade, the Tupi field off the coast of Brazil. We

don't know how much is there, but the estimates already are you potentially have 8 billion to 10 billion barrels. You would expect, by the logic that we hear here, that that immediate notice of more supply around the corner with a government—there's no permit contesting here. There's no political problem that we may have in other countries. The Government of Brazil's ready to go. So we have got 8 to 10 billion barrels, and what do we see happen in world markets? Within 14 days the price doesn't go down, it goes up.

□ 2115

Within 6 months, a $13 increase in the price of a barrel of oil and in 9 months as we stand here today a $55 increase, the biggest oil field discovery that many of us have seen in the time that we've been in government service and the theory that that should lead immediately to the market's responding with oil prices decreasing doesn't happen. And so I think that is just a means of explaining why the oxygen on this side of the aisle gets spent on issues that Mr. HALL will talk about and Mr. STUPAK will talk about, the SPR and the commodities trading reform efforts. Because we see that as the most effective means toward immediate price relief.

And I think if we had evidence that the markets have responded in a different way in the recent future that potential future demand with increased oil permits leading to lower prices or new discoveries leading to lower prices maybe there might be a different discussion here. But the fact is that we haven't seen that kind of response. So I just offer that as a means to pivot on to some of the conversations that we will have on our side of the aisle. Because I think that is part of the explanation as to why you say see a difference in focus.

And I would be happy to yield.

Mr. BARTON of Texas. Would you like a response to some of that?

Mr. ALTMIRE. I yield to the gentleman from Texas.

Mr. BARTON of Texas. I want to make a couple of responses. First, we will talk about the Strategic Petroleum Reserve.

Under the current law, the Strategic Petroleum Reserve cannot be used to manipulate or impact prices. It is specifically in the law. It would take an act of Congress to change that. Under current law, the President has to find a, has to issue a finding, a national emergency on supply that affects the economy of the United States. I think as has been pointed out by Mr. WESTMORELAND, that would certainly be a hearing that would be worthy in the Oversight subcommittee of the Energy and Commerce Committee, perhaps in the Natural Resources Committee that Chairman RAHALL chairs. But under current law, we would not be allowed to release oil purely to help alleviate the pricing situation.

On the issue of this big oil field, I wasn't listening closely, but is the gentleman referring to the big oil find off the coast of Brazil?

Mr. MURPHY of Connecticut. That is correct.

Mr. BARTON of Texas. There are several things about that. We're not sure that we have the technology right now to develop that field. We certainly don't have the infrastructure in place to produce it or to transport it compared to up in Alaska where ANWR is within 200 miles of the trans-Alaska oil pipeline that is currently over at half capacity and where, as Chairman RAHALL pointed out, we certainly would have to go through the permitting process if we were to decide you could drill in ANWR.

But I have talked to some of the majors in this country. And they believe if we really adopted an expedited process for the permitting process, they could have production of about 300 barrels a day within 3 to 4 years, and they think they could ramp it up to about 1 million barrels a day or more within say 5 to 8 years.

So it's good news if Brazil has done what it has done. But because of where that find is and how deep the water is and some of the technological issues, it's not quite an apples-to-apples comparison.

Mr. GINGREY. I want to ask my colleagues if they would yield on another point the gentleman from Connecticut made, and that is, again, in regard to the Strategic Petroleum Reserve. Now it's my understanding that in that reserve we currently have about 750 million barrels. Is that what my colleagues agree on? And what would you suggest should be the release? How much of that 750 million barrels would you suggest? And as my colleague from Texas points out, we would have to change the law. That would be something that we could enact by legislation here in Congress. How much of that oil would you release?

Mr. HALL of New York. Well I think that is a subject for some discussion. And perhaps somewhere between 30 and 50 million barrels would be a good starting point.

But the most interesting thing about it is that it's one of the few investments the American taxpayers made that has more than doubled in value. In other words, it was bought at less than $50. Most of the oil there was bought at less than $50 a barrel and then would be sold for whatever it's going for, $130 or $140, the current value. So there's a big mark-up. And there is an opportunity not only to provide supply, to loosen up the supply-and-demand equation, but also to use the proceeds from that for some important things such as compensating those who are hurt the most. In the northeast with home heating oil this coming winter, there are many people very afraid about paying $6 for home heating oil, truckers who are paying exorbitant amounts for diesel, or people on low incomes who can't deal with this, or for that matter investing in some alternatives to provide some competition for oil, which, by the way, I think we should get to. Because what we're really faced with here is we're talking about drilling and drilling and where we're going to drill and what kind of oil and how much sulfur, and is the diesel going here or is the diesel going there?

But we're still talking about being at the mercy of oil. And I think ultimately this conversation has to come around to breaking the monopoly, the energy monopoly, that oil has in this country.

Mr. GINGREY. If the gentleman from Pennsylvania would continue to yield to me to ask a question of the gentleman from New York. The gentleman from New York said, well, he wasn't sure, but maybe anywhere from 30 to 50 million barrels would be released from the SPR, Strategic Petroleum Reserve.

The purpose of that reserve is if the countries that hate us, and certainly many in the Middle East and Venezuela do, if they cut off the supply of oil to us tomorrow, we're talking about about 12 million barrels a day, about 12 million barrels a day that we would not have of the 22 million that we need. So releasing 30 to 50 million barrels of oil from the SPR would do nothing. And the purpose of the SPR, of course, is if we do get cut off completely from 12 million barrels of oil a day, we literally have about 60 days to utilize the SPR, and then that is all gone. And it's during that period of time, of course, that we would need to negotiate with these countries and bring whatever power to bear that we need, hopefully diplomatic, to free the flow of that oil back up. So that is why we say on this side of the aisle we can ill afford to release any of the SPR because of price manipulations in the market.

Mr. BARTON of Texas. If it's allowed, could I give a factual presentation of the Strategic Petroleum Reserve?

We have a little over 700 million barrels in the reserve. I think the average acquisition price is less than $30 a barrel. They have the capacity to produce up to 6 million barrels a day at maximum production from the reserve. That then leaves at least 2 weeks to gear up to do that. World markets today are about 85 million barrels of supply and about 84 million barrels per day of demand. To really impact the price by releasing oil from the Strategic Oil Reserve, most experts think you would have to release at least 2 million barrels per day. And at that rate, you could release it for a year approximately, and then you wouldn't have any oil.

So again, it is worthy of a hearing. But I would be very careful about changing the law to allow the SPR to be used for price alleviation. It was a bipartisan agreement in the 1970s. It requires a Presidential directive of a national emergency because of supply interruption that is of severe harm to the American economy. That is the standard for release from the SPR today.

So to have a real price impact, given that the world market in oil is fungible, you would probably have to release about 2 million barrels a day. And if you did that for the entire amount of oil, you would have not quite a year's supply.

Mr. HALL of New York. If the gentleman would yield back.

I would just comment that it's likely should the countries that don't like us and would theoretically cut us off in a crisis would look elsewhere to sell their oil, and the oil would probably go on the world market to other countries, to China, to Asia and so on and would provide slack in the system overall worldwide which would enable us to buy similar quantities of oil from other sources. This is all speculation on our part.

But I would just say that it's not by any means certain that a cut-off of oil from a certain country to us would mean that we would not be able to get the same amount of oil elsewhere.

Let me also say, because there was a comment made before, just continuing on a couple of quick points, there was a comment made before, many comments about how the American people are hurting, and one comment about how the oil companies are being squeezed. I just wanted to show the profits of the oil companies since 2001 climbing from $30 billion profit to $123.3 billion profit in 2007. And this is just from 2007 to 2008.

Here is an increase for another record year of oil company profits in the first quarter of 2008, $36.9 billion. So the curve continues to go up even as the gentleman from Pennsylvania said I believe it was, or the gentleman from Connecticut, we've had in the last 6 years I think a 361 percent increase in the number of leases granted and 668 million acres, which is either in some part of the permitting process or has not yet been drilled on, but is available for drilling in the lower 48 and adjacent offshore leases. No matter what we do, the oil companies continue to make record profit among record profit.

So against that backdrop, I think it's really important to consider such things as the geothermal system. I was personally in the trench next to a house that was being built, fastening these loops of hose, of plastic piping, that is going to carry a glycol water mixture 6 feet underground and enable a 3,500 square foot house in Cold Spring, New York, to be heated and cooled for the cost of one 75-watt light bulb. There are four buyers so far that have come to this development and have been offered a house. I think the base price of the house is $350,000. In that part of New York, it's expensive. And that is what they're offering these homes at. Or they can pay the extra $15,000 up front for geothermal heating and cooling. And all four of the buyers have come in with today's price of energy and said, we will take the geothermal.

And the estimates of the company doing the work is that it will pay off in 3 years. If it's a full-time resident, it will pay off in 3 years. If it's a part-time weekend or summer home, it may take 7 years. But these are the kinds of things that are here today. And it's not rocket science. It's plumbing. And it's common sense.

And we need to do this because we're at the moment an oil-based economy, especially for aircraft. There is no getting around liquid fuels. You cannot fly a hybrid plane any time soon. But there are many other places that we can find other fuels and other sources of power, not only for transportation but for heating and cooling our homes and our businesses and free up the oil for the purposes that we really need it for.

I yield back to the gentleman.

Mr. ALTMIRE. I see several of my friends from the other side who would like to speak.

I will yield first to Mr. BURTON.

Mr. BURTON of Indiana. I won't speak very long. I appreciate the gentleman yielding. I really appreciate the information that my Democrat colleagues have been bringing out night after night on alternative sources of energy. I just learned a little bit more about geothermal energy than I did, and I would like to have that right next to my house.

But the problem, as I see it right now, is how do we deal with bringing the price of gasoline down, and what do we do in the case of a national emergency?

The former chairman of the Energy Committee, Mr. BARTON, was talking about what would happen if there was an emergency and how we would utilize this Strategic Oil Reserve. My concern is what would happen if a major supplier of the United States and the rest of the world could not supply that oil? Right now, and I spoke about this the other night, there is a lot of unrest in the Middle East. There is concern about Iran developing a nuclear weapon. And they have been working on a program for some time. Israel just flew a mission the other day about 2 weeks ago where they had over 100 planes fly the length down the Mediterranean that it would be to fly from Israel to Tehran. And so there is the possibility that none of us want to see occur where there could be a major confrontation over there.

If you sink two or three ships in the Persian Gulf in the Straits of Hormuz, you're going to have a terrible problem in getting maybe 20 percent of the world's oil supply to market. And we get a lot of our oil from there.

And so I think we ought to look at the long-term problems that we face in this country while we're converting to other forms of energy, which I agree with you we should be doing. But oil is going to be with us for a while. And we're going to need that energy, as you said, for aircraft, transportation, for trucks and other things as we make this transition. And during that period of time, we need to be thinking about what we are going to do to protect this country strategically in the event of a conflict during this transition period.

And that is why I think that this bipartisan group that started meeting tonight is talking about trying to get everybody together to come up with a comprehensive plan to deal with the energy problem and the gas prices, that we look at that. We look at the problems that occur not only today but what might occur a month from now, 2 months from now, 1 year from now, or 3 or 4 years from now.

□ 2130

And during this period of transition when we want to move to cleaner-burning fuels, we need to have the energy here in America. I appreciate everything that you are bringing up, but I also am concerned about the security of this Nation. And right now we are so dependent on foreign oil, if we have a problem in certain parts of the world, we will have an even higher price for a gallon of gasoline. That is why I believe we should expand our drilling opportunities out on the Outer Continental Shelf and ANWR.

I appreciate this discussion tonight. I think we should be doing this on a regular basis.

Mr. ALTMIRE. I thank the gentleman, and I know Mr. WESTMORELAND and Mr. PRICE want to speak on this issue. I yield to Mr. WESTMORELAND.

Mr. WESTMORELAND. I just wanted to ask the gentleman from New York one question. When he was talking about the profits for these oil companies, are they making 50 percent profit or are they making 30 percent profit or are they making 25 percent profit? What percentage of their sales is that profit? I am just curious to understand.

Mr. HALL of New York. I just know they have made the biggest profits in the history of any corporation in the history of the world, and that the CEO got a pension of $400 million. There are certain things that to the American people look excessive. I can't tell you whether they are. All I can say is what it looks like, and I can say that my sympathy for the oil companies is not at a very high level. Hence, my likelihood to pursue use it or lose it. If you are sitting on 68 million acres, some of which may be in the process of being developed, but my understanding is that all or most of it has passed the permitting stage and is ready for the drill bit to go in the ground, and the drill bit is not going in the ground because they are waiting for the drill rigs, they don't have enough offshore exploration ships. They have enough money to buy the company that makes the drill rigs. Most of these oil companies have more money than most countries have. When you are floating that kind of money, I think there may be another incentive at work which is where is the oil worth more? Is the oil worth more left in the ground or pumped and sold into dollars because the dollar is going down. You can't invest it in real estate right now because

that is going down. If you put it in the stock market, you are taking your chances. A financial analyst inside one of these oil companies may look at the choices and say, let's leave it in the ground. Let's acquire more and more leases and pump it in 5 years when it is worth more. I want to be sure that is not the incentive that is driving this.

Mr. WESTMORELAND. I don't think anybody has any sympathy for oil companies, and I'm not trying to say that they do. I'm trying to ask, do you know if they are making 50 percent profit, 30 percent profit, 20 percent profit, 10 percent profit? What percent profit are they making that relates to these high numbers? Is there a percentage of profit on there that they are making? And what percent of profit is too much?

Mr. HALL of New York. Well, that is a very good question, and a philosophical one, I might add.

I would say your colleague, the gentleman from Oregon (Mr. WALDEN) who sits on the Energy Independence and Global Warming Select Subcommittee, asked the five CEOs of the biggest companies when they came in, and I am paraphrasing Mr. WALDEN, he said, I am a small businessman, I am a capitalist, I believe in making a profit, but at what point when you have made bigger profits than you have ever imagined, breaking your own record for 3 years in a row, is there some point where you would think about lowering your price to your customers? Is there ever a point where you feel that way?

Mr. WESTMORELAND. If the gentleman would yield, and I don't know if you have a list or what, but it is a simple question. Do you know what percent of profit the chart represents?

Mr. HALL of New York. No. What this chart shows is all profit. I don't know what percentage that is, how much deeper the iceberg goes below the starting point, but these columns stand for profit.

And I think when national interests conflict with corporate interests, that is when government needs to step in. The question is, are we at that point?

Mr. ALTMIRE. I yield to the gentleman from Georgia.

Mr. PRICE of Georgia. I thank the gentleman for yielding.

Far be it for me to defend oil companies, but my understanding is that the profits in oil companies has been about 8 percent for the past couple of years. I don't know what it ought to be, but I know how you figure that out in our society, and that is you allow markets to work. I also know there are some significant increases, there are some major companies that are making 15 and 20 percent margins.

And the gentleman is right, it is a philosophical question, when should the government step in. I think the points that have been made are very good points to talk about the strategic petroleum reserve and to talk about alternative fuel and conservation and geothermal and the like.

My point would be that we on this side believe we ought to have a comprehensive solution, that it ought to include all of these things, and all of these things means utilizing more of the supply that we have, American supply, whether it is offshore, whether it is deep-sea exploration, or whether it is on-shore exploration. Or oil shale.

We haven't talked about oil shale at all, and I think it is a bit of a transition into the speculation discussion because oil shale has been taken off the table earlier by the new majority. And oil shale is, as many of my friends know, estimated to have 2 trillion barrels of oil. That's a hard number to get your arms around. But when you look at in perspective, 1 trillion barrels of oil is what the entire human population has used since we began using fossil fuels. And we, America, have 2 trillion, estimated to be 2 trillion barrels of oil in terms of reserves.

I do know when you take that kind of supply off the table, the speculators, those who look at how much reserve, how much supply is out there in the world, when we as the government take that off the table, that immediately jacks up the price because that is not even there. That is not even there to be talked about or utilized.

So I look forward to the comments of my friend from Michigan about the issue of speculation because I think that we would again give the message that we are interested in talking about all of these things and having a comprehensive solution.

I would hope that our friends on the other side of the aisle are also interested in a comprehensive solution and not a targeted solution that picks winners and losers and picks friends and punishes enemies from a governmental standpoint.

Mr. ALTMIRE. I yield to the gentleman from Georgia.

Mr. GINGREY. I think the gentleman from New York had to step off the floor, but his chart is still up there and it says ''oil companies reap record profits during the Bush administration.'' Now, my colleague from Georgia (Mr. PRICE) pointed out it is about 8 percent per year. Many of our parents and grandparents have stock in oil companies, and they are glad that the companies are doing well.

But I wanted to point out during the Clinton years, during the dot-com years when profits were double digit year after year after year, I never heard my colleagues call for windfall profits against these dot-com companies, mostly out in California and Silicon Valley, and then the bubble burst and the market corrected itself. And it will do the same thing in regard to this. Oil companies will not continue to make record profits forever. I want my colleagues to put that in perspective.

Mr. ALTMIRE. I yield to Mr. MURPHY.

Mr. MURPHY of Connecticut. I wasn't here during that time, but I do clearly think that people can understand the difference. One of the reasons we are talking about the urgency, as Mr. STUPAK will about affecting the commodities market, when you are talking about a speculative bubble on a commodity like oil, which is dependent on whether people can heat their homes in winter and stay alive and get to work on a daily basis, that the urgency about bringing down that speculative bubble is imperative on this body.

So I think the reason you hear so much commotion about bursting this bubble, and I wasn't here during the height of the housing and the height of the dot-com bubble, but the reason we are talking about the urgency of pressing government action to bring down the price to something that resembles the laws of supply and demand is because of the life-altering nature of the product that we are talking about.

Mr. ALTMIRE. We have approximately half an hour remaining in the debate.

At this time I yield to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. Before I get into speculation, because we want to address speculation, but because my friends on your side keep saying it is only an 8-percent increase in oil company profits. I agree, it might be 8 percent from 2006 to 2007, but when you make $118 billion, the most ever of any corporation, to top it the next year is pretty darn hard.

But 8 percent on $118 billion is $123 billion, where 5 years ago they were at $30 billion. They doubled it in 2003 and went to $60 billion. That is a 50 percent increase. Then you go to $82 billion, and I am no math major, but that is about a 25 percent increase. And then from $82 billion to $109 billion, that is a 20 percent or 21 percent increase. And then $118 billion, I guess they had a bad year, they only made $8 billion more than the previous record year. That might be 8 percent.

But look at these numbers, they are staggering. They are absolutely staggering. That is why we think on this side of the aisle you have to have a short-term policy and a long-term policy, and how to lower those excess profits from the $118 billion, or the $36 billion we have seen already in the first quarter of 2008, there is just no way to justify the doubling of prices based on supply and demand. Oil company profits are excessive, and we think speculation is part of the reason.

Mr. PRICE of Georgia. If the gentleman would yield, I agree those are big numbers. What those numbers don't tell us is what kind of money they used to invest and what those margins were. And I don't know the answer to that.

Mr. STUPAK. Cut the investment malarkey argument. This is profits. This is after you deduct your investments. I don't care if it is on geothermal or wind or solar, after you do all of these and pay your executive a

$400 million pension, they still make $123 billion. I'm sorry, but I just can't find any sympathy in my heart with those numbers.

Mr. PRICE of Georgia. If there were an investment of $120 billion, and I don't know what it was, then the margin would be a percentage and that is what you determine what the actual profits are.

Mr. STUPAK. Of all of the corporations in the history of the world, these are the biggest after all of their investments.

Mr. PRICE of Georgia. In absolute numbers, you are absolutely correct. I have no doubt about it.

Mr. STUPAK. What I'm saying is why don't you invest more. What I'm saying in my role as chairman of the Oversight Investigations Subcommittee, and for 3 years holding hearings in this area, let's end the excessive speculation in the market that runs up the basic price of crude that results in these record profits because corporations, not only do they have a responsibility to their shareholders, they also have a responsibility to this country to be a corporate citizen.

Mr. PRICE of Georgia. And I agree.

Mr. STUPAK. Because high energy costs kill our economy. Every aspect of our economy is being strangled while they make record profits and pay obscene pensions to their CEOs.

So I believe one of the ways we can in the short term bring down these prices is take out the excessive speculation.

If you take a look at it, the Government Accountability Office released its report on the ability of the Commodities Futures Trading Commission to properly monitor the energy markets, to monitor what they are making here. What they said, the GAO said they found that the volume of trading in energy commodities has skyrocketed, exploded, especially after 2002 when we enacted the Enron loophole.

The GAO also found that while trading has doubled since 2002, notice that's when the profits start doubling, in 2002, the number of staff to actually monitor what is going on in the markets has declined.

If you take a look at this chart here, if you will, this is the evolution of speculation, trading on west Texas intermediate crude, average open interest on NYMEX long and short positions.

Between September 2003 and May 2008, traders holding crude oil contracts jumped from 714 to more than 3 million contracts. That is a 425 percent increase in trading oil futures.

□ 2145

Since 2003, the commodity index speculation has increased 1900 percent. It used to be a $13 billion market, now, today, it's a $260 billion market. By Lehman Brothers estimate, that 1,900 percent increase in commodity index speculation has inflated the price of crude oil by $37. Other experts say it could be even more.

So on June 23, as chairman of Oversight Investigations of the Energy and Commerce Committee, I held my sixth hearing on gas prices over the past 2 years, Fadel Gheit, the managing director and senior oil analyst at Oppenheimer & Company testified, and I quote, he said ''I firmly believe that the current record oil price in excess of $135 per barrel is inflated. I believe, based on supply and demand fundamentals, crude oil should not be above $60 a barrel.

We are at over $136 per barrel today. It should be no more than 60, says Mr. Gheit. In 2002, here is what is happening. Over here on the yellow side, these are the commercial hedgers. These are the airline industries, these are trucking companies, these are the Big Oil users. They want to hedge.

The blue area, pink area or blue area here, purple area, that's the nonhedgers. They have no interest in hedging; they are just in to play the market. Sixty-three percent in 2000 were legitimate hedgers, 22—about 37 percent—were not. Come fast track April 2008, the legitimate hedgers are down to 30 percent, the swap dealers and the noncommercials, if you will, are 70 percent of the market.

So what's happened? By April 2008 the physical hedgers only controlled 29 percent of the market, those who really do need the supply. What we now know is that approximately 71 percent of the market is taken over by swap dealers and speculators, a considerable majority who have no physical interest in the market. Over the past 8 years, there has been a dramatic shift of physical hedgers continuing to represent a smaller and smaller portion of the market.

NYMEX, we have talked about the that tonight, New York Mercantile Exchange, has granted 117 hedging exemptions since 2006 for the West Texas intermediate crude oil contracts, many of which are for swap dealers without any physical hedging position. This excessive speculation is a significant factor in the price Americans are paying for gasoline, diesel and home heating oil. Even the executives of major oil companies recognize this.

At a May 21, 2008, Senate judiciary hearing, Shell Oil President John Hofmeister agreed that the price of crude oil has been inflated, saying that the proper range for oil prices should be somewhere between $35 and $65 a barrel.

In May of 2008, the IMF, the International Monetary Fund, compared the price of crude oil over the past 30 years, crude oil for the past 30 years, to the price of gold. Gold prices are not dependent upon supply and demand and have been viewed as a highly speculative commodity. The IMF's analysis shows us that crude oil prices track increases in gold prices. The big spike right here, that's the oil embargo.

Look what happened as soon as you had the oil embargo in the late 1970s there, mid 1970s there, gold shot way up. Look at the track, look at the last 5 years of gold how they go hand in hand one over the other. What this really means is that oil has been transformed from an energy source into a financial asset like gold, where much of the buying and selling is driven by speculators instead of producers and consumers. Oil has morphed, has morphed from a commodity into a financial asset traded for its speculative value instead of its energy value.

Even the Saudi oil minister has argued that high oil prices are due to excessive speculation in the market. Former Secretary of Labor Robert Reich noted on National Public Radio a few weeks ago, the problem is government's failure to curb excessive speculation.

Now, the Commodities Future Trading Commission has the authority to set position limits and to take other action necessary to curb excessive speculation. Unfortunately, they have not done it. There are significant loopholes that exempt trading from these protections against excessive speculation. You have the Enron loophole, you have the Foreign Boards of Trade, no action letters, issued by the Commodities Future Trading Commission.

You have the swaps loophole, you have the bona fide hedging exemption. While the recently passed farm bill that both Democrats and Republicans voted for and overrode President Bush's veto addressed the Enron loophole for electronic trading, only for natural gas, a significant portion of the energy continues to be exempt from any commodities future trade action to curb excessive speculation.

As I said earlier, for 3 years I have looked at excessive speculation in the energy markets. In my latest bill to prevent the unfair manipulation of prices, the PUMP Act, H.R. 6330, would end or take away all these exemptions, to ensure that excessive speculation is not driving these markets beyond the fundamentals of supply and demand.

We would crack down. The PUMP Act is the most comprehensive energy bill, and we would crack down on energy speculation through a bilateral trade, we would address that. We would take the Foreign Boards of Trade, and we would clarify the CFTC's jurisdiction over these Foreign Boards of Trade. The PUMP Act would give the CFTC the authority over the exchanges, if they are using computers here in the United States, or they are trading energy commodities that provide for delivery point in the United States.

The swaps loophole that we talked about over here, that would be closed, you see, 32 percent right now, right now our swap dealers would close that loophole because there is no requirement for position limits. These swaps have grown exponentially, driving up the price of crude. By limiting this exemption, swaps would be subject to position limits to prevent excessive legislation.

Bona fide hedging exemption, those who really need to have supply of oil, we would make sure that they are, we would limit businesses to hedge their legitimate anticipated business needs.

I have trouble with the Harvard University needing a legitimate hedging exemption, which they certainly enjoy right now. What does Harvard University need to hedge on oil? The PUMP Act would also clarify that legitimate anticipated business needs does not mean energy speculators. Strong aggregate position, you have the NYMEX, you have the Intercontinental Exchange and now you have the Dubai exchange coming on. If you are going to have a limit, position, limit the position, it should apply to all three of the, the aggregate of all three, not just one or two.

So if you see, if we would close these loopholes and set strong aggregate position limits, the Commodities Future Trading Commission would be better able to monitor trades to prevent market manipulation and help eliminate unreasonable inflation of energy prices caused by excessive speculation to help out the American people.

If you don't believe excessive speculation is causing a problem, look at today's business news, especially in the New York Times, they are talking about home heating oil. And at our June 23 hearing that we held, Oversight Investigation, we had the home heating oil companies there. On that day home heating oil was $3.98 a gallon.

Three days later, 3 days later I introduced the PUMP Act in the Senate with Senator CANTWELL. Home heating oil then jumped to $4.60 a gallon. If you want to lock in, or if you want to hedge, you want to hedge your home heating costs for this winter, it's $5.60 a gallon, a 20 percent increase in about 4 or 5 days. That's excessive speculation gone wild.

Our PUMP Act has 60 cosponsors, bipartisan piece of legislation, endorsed by agriculture, airline, labor, industry groups, trucking industry. So I urge my colleagues in this House, and I have enjoyed this discussion here tonight, to take seriously a look at excessive speculation.

When they testified on June 23 in our committee, I know Mr. BARTON was there and some others in this room tonight, Mr. Masters, Professor Greenberger, Fadel Gheit and others all indicated that if we would pass the PUMP Act the way it is right now, the most comprehensive legislation on excessive speculation, we could lower the cost of oil, of a barrel of oil coming into this country, by 50 percent, they said, within the next 30 days.

I believe it might be 30 to 50 percent, but the point being, in the short-term, as we started this discussion, we could do something right now. I would take the excess of speculation, all markets, all commodities, be liquidated, although they will need some speculation.

But when the physical hedgers are 2–1 being outbid by the swap dealers and the noncommercial people, the floor traders that manage money, the nonreportables, then we have a market that has been turned upside down, and we have turned supply and demand into really a financial asset and not really looking at the needs of the American people, or the U.S. economy.

Mr. ALTMIRE. I thank the gentleman. With approximately 15 minutes remaining, my friends on the other side, to achieve balance, have about 10 of that remaining 15 minutes.

I would yield at this point to the gentleman from Texas.

Mr. BARTON of Texas. I thought we had about 12 minutes, 12 minutes, so it's about 12–3.

Mr. ALTMIRE. Okay, 12 minutes to the remaining 15. I yield to the gentleman from Texas.

Mr. BARTON of Texas. Let me make a couple of comments about what my good friend Mr. STUPAK just said.

First, in terms of speculation, I think that most Republicans would agree that there is some speculation in the market. I certainly believe there is. I held hearings when I was full committee chairman in the last Congress and you, Mr. STUPAK, have done an excellent job in that hearing that he referred to, I think, on June 23.

Some of the things that are in his PUMP bill and some things that are in the bill that I have introduced and Chairman DINGELL has introduced, we are going to have a markup in the Energy and Commerce Committee on a bipartisan basis sometime next week and hopefully come to a bipartisan agreement about what to do on speculation, putting some position limits, bringing the foreign exchanges under rules that the U.S. exchanges have to go by, creating a two-tiered system where physical traders play by a different set of rules in terms of margin requirement than people that don't take physical possession or provide for physical delivery. There are a number of issues we have agreement on, and we will be working together.

I might also point out that the gentleman's chart that shows the tracking of oil and gold, that is a, to me, a disconcerting chart, because what it shows to me—and I am not an economist—but we have taken oil from a commercial commodity that had value because of the end use that it could be put to, to a commodity that now has become a value of storage like gold. I mean, there is not a big commercial demand for gold in terms of jewelry and dental work.

Gold is basically—has historically been a hedge against inflation, and what the world financial community has decided with oil, because of the tightness of the market, since it is almost a necessity in the modern age, it, too, has now become a store of value, and it has a value applied to it above and beyond the commercial value of being used.

If we really want to do something to dampen speculation, and, again, we are going to work with Mr. STUPAK on a speculation bill, we have got to fundamentally change the supply and demand tightness. Right now, world available supply is about 85 million barrels a day. World demand is about 84 million barrels a day. That supply number, that 85 million barrel a day number hasn't changed significantly in the last 3 years, because most of our major oil fields are growing older, the war in Iraq.

I could say corruption in some of the national oil companies, I won't name names, but even with these high prices, we haven't seen that supply and demand tightness go away. We have got to get either the demand down or the supply up, and, so, some of the things that the Republicans are talking about to increase domestic supply would help on the speculation side.

My final comment, before I yield back to the majority side for some time, is that in terms of the oil company profits, apparently the gentleman from New York, who is no longer on the floor, has made a big deal about how high these profits are.

Well, let me make a couple of comments. If you can't make money at $130 a barrel, you don't deserve to be in business. I mean, we would expect profits to be up when the price is up where it is. Believe it or not, there are some of these nationalized oil companies whose profits have not gone up.

Now, one can speculate as to why that is, but in the United States we have a transparent market-based system and our oil companies are not price setters, they are price takers. If the world market is $130 a barrel or $140 a barrel, our national—our private oil companies take that price. Now, the question is, how do we want them to use those profits?

Let's unlock these reserves, these domestic resources, 85 percent of the OCS has been off limits? We can't drill in Alaska where we think there is a 10 billion barrel oil field in ANWR? Let's allow our private companies to invest those profits in American-made energy.

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Increase that supply demand balance so that, as the supply goes up, the price goes down.

Now, having said that, I agree with Chairman STUPAK in that we need to do something on speculation. I don't agree with everything in his pump bill, but I do agree with probably 75 percent of it.

In the committee markup of the Energy and Commerce Committee that Chairman DINGELL has announced to me—and I, hopefully, will publicly announce it soon if he has not already—you will see bipartisan agreement. We have to live within the market structure of the United States and the regulatory structure through the Commodity Futures Trading Commission and through the Securities & Exchange Commission. Certainly, we can do some things to do something on speculation, but if we don't change the fundamental

tightness in the supply and demand situation, all of the speculation bills in the world are not going to make that much difference.

With that, I yield back to the gentleman from Pennsylvania.

Mr. ALTMIRE. I appreciate the gentleman from Texas.

On the point that the gentleman just made, I would yield to the gentleman from Connecticut (Mr. MURPHY) and then to the gentleman from Michigan (Mr. STUPAK).

Mr. MURPHY of Connecticut. Thank you, Mr. ALTMIRE.

The point is that I think we would all have a slight degree more comfort with these numbers if we had confidence that those companies were investing back into capital, into exploration, into drilling a commensurate amount in comparison to what they're making in pure profit. I don't have the figures in front of me. I would be happy to see something that displays this to the contrary, but what I have seen is that you have not seen a corresponding increase in capital reinvestment—Mr. STUPAK may know this and may want to comment on this as well—as you have seen in returns back to shareholders.

Now, everybody wants shareholders to do well here. We want there to be enough excess profit to make some of the people who have invested in these companies do all right, but I'd like to also see some evidence, as you have suggested, Mr. BARTON, that there's a willingness to take a piece of that money and to put it into more drilling and into more exploration and into more supply.

I'd be happy to yield to Mr. STUPAK.

Mr. STUPAK. Thank you.

On that point, there is some skepticism on the majority side that somehow we're going to drill our way out of this or that somehow we'll just increase supplies, because if you take a look at it right now, according to government statistics, 82 percent of the Outer Continental Shelf is available for drilling for gas. Seventy-nine percent of the Outer Continental Shelf is available for oil exploration and is leased. The last time was in 2006. We went along with it. We voted to extend in 2006, not even 2 years ago, more of the Outer Continental Shelf for oil and gas exploration.

What happened between 2006 and 2008? Profits kept going up. Costs kept going up. We didn't see a tangible result.

So, when you have 82 percent of the Outer Continental Shelf already available for leasing for natural gas and when you have 79 percent of the Outer Continental Shelf available for oil already available for leasing and as we had just relaxed the standards in 2006 and you do it 2 years later to get the last—what?—18 percent, 21 percent, how is that going to change the costs we're paying at the pump? How is that going to come down? We don't see the investment of these record profits into getting that oil up.

In fact, we're saying use it or lose it. You have record profits. You have more of the Outer Continental Shelf than ever in the Nation's history available for exploration, and you're not doing it. So use it or lose it. So that's why we look at speculation as, maybe, one way to bring it down.

I thank Mr. BARTON for his willingness to work with us on speculation legislation. At my June 23rd hearing on excessive speculation in the market, he was actively engaged in that, and he asked a number of good questions. I agree that we might not agree on 100 percent of the PUMP Act, but I think there is enough common ground there, and I've enjoyed the discussions we've had in recent weeks on the PUMP Act. Hopefully, we can do something. I've really enjoyed the discussion here tonight.

I thank Mr. ALTMIRE and others for having this discussion because I think it has been a good discussion. We've had some disagreements, yes, but I think it's all fair in what we're trying to do and in how we view things, and we are looking at the short term, what we need in the short term and in the long term, and I think there is more agreement than disagreement between the two sides.

Mr. ALTMIRE. I thank the gentleman.

With approximately 6 minutes left, to achieve balance, the Republicans can control the rest of the time. We will certainly answer any questions, but I will say to the gentleman from Georgia: Have at it. The time is yours or it is that of the gentleman from Texas.

Mr. BARTON of Texas. We have 6 minutes. We're going to speak for about 5 minutes, and then we'll give you a minute to close. I think there ought to be balance in terms of closing. We don't have to be exactly right in terms of time.

Before I yield to Mr. WESTMORELAND, let me say that we've got a factual disagreement about the Outer Continental Shelf as to what is available. This chart that's down by Mr. WESTMORELAND shows that 85 percent of the Outer Continental Shelf is off limits. The entire coast of the Pacific is off limits. I believe the entire Atlantic coast is off limits. The western Gulf of Mexico, where we've been drilling for 60 years, is accessible, and I think some of the eastern Gulf may be accessible. So we have a factual discrepancy that should be resolvable before we do this again because it looks to me like most of the OCS, with the exception of the western Gulf of Mexico, is simply not available because of a congressional moratorium. Now, if we can agree on a bipartisan basis to change that, then we're going to create some areas for our oil companies to invest their funds domestically.

With that, I would like to yield to Mr. WESTMORELAND, who is one of the godfathers of this experiment this evening.

Mr. WESTMORELAND. Well, I certainly want to thank the gentleman from Texas for his participation and for his willingness to come here tonight and to lead it with the expertise that he has had as former chairman of Energy and Commerce and that he has now as the ranking member.

I also want to thank Mr. ALTMIRE for his willingness to participate, and I would like to thank the gentleman from Michigan.

While we don't necessarily agree on a lot of the facts, I think it has been a good example of why we need to have committee hearings. I was glad to hear that the gentleman from Michigan's bill is going to actually have a markup in the Energy and Commerce Committee, so I think that's a positive step in that we're finally, hopefully, having the majority ask for the minority's input.

It does concern me a little bit as to what Speaker PELOSI said today in her quote, that she is going to continue to do these things under suspension. Mr. Speaker, I believe that that is out of fear that we will come back with a motion to recommit.

Let me say this: While we're talking about gas today, we cannot regulate ourselves out of this crisis. While we came down today to discuss, I thought, some U.S. oil production and drilling, it's good that we got into some of the other things that the majority is saying are causing these gas prices to go so high, but even from listening to them about this not affecting it immediately, we need to look to the future for our children and for our grandchildren. So I hope we'll continue this discussion.

Again, I want to thank all of the parties who participated.

Mr. ALTMIRE, I will yield back to you.

I think the gentleman from Texas (Mr. BURGESS) would like to say something.

Mr. BARTON of Texas. Yes. We'll let Mr. ALTMIRE have about 1 minute, and we'll let Dr. BURGESS have the last minute.

Mr. ALTMIRE. I would yield to Dr. BURGESS at this point.

Mr. BURGESS. I thank the gentleman for yielding.

It has been a fascinating discussion tonight.

Of course, as the gentleman from Michigan knows, I was in the hearing as well on June 23rd. It was a long hearing, but it was a good hearing, and we heard from a number of witnesses.

When you listened to the discussion of the witnesses, especially on the concept of the non physical hedger, I think one of the most striking things to me was that there was a component, just the sheer volume of dollars, that was going into that, and that clearly had an effect, so there may be a very immediate return that can be had. There was a disagreement as to how quickly that could come about, but the pressure could be put on the price of oil to come down.

What was not lost on me, though, was the concept that these very tight supply and demand markets are around the world, and I think, man, those first four witnesses that presented to us that day said that by the year 2015, world demand would vastly outstrip supply. The message I took from that is we'd best be looking at the next level of supply because we had about a 7-year window in which to achieve that, so you had to be sure that some of these other methods that we've heard today would be several years down the road before we would actually get the supply from those areas, but we need to start today to be able to get that supply.

The other thing that was just absolutely amazing was the number of dollars going into those markets and where the actual rate of rise really began to increase. It was in about December of 2006 or in January of 2007.

I think my time has expired. I yield back to the gentleman from Pennsylvania.

Mr. ALTMIRE. I thank the gentleman.

I thank the gentleman from Georgia (Mr. WESTMORELAND). I especially thank the gentleman from Texas (Mr. BARTON) for these 2 hours.

This, I think, was very productive, very eventful. We had a good debate. Hopefully, this is not the last time that we will do this. I thank the Speaker for the time, for both this hour and for the previous hour.

At this point, I would yield back.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KIND (at the request of Mr. HOYER) for today on account of business in district.

Mr. ELLISON (at the request of Mr. HOYER) for today on account of official business.

Ms. KILPATRICK (at the request of Mr. HOYER) for today on account of personal reasons.

Mr. PEARCE (at the request of Mr. BOEHNER) for today and July 15 on account of business in New Mexico.

Mr. BONNER (at the request of Mr. BOEHNER) for today and July 15 on account of official 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 Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Mr. SKELTON, for 5 minutes, today.

Mr. SCOTT of Georgia, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. SOLIS, for 5 minutes, today.

(The following Members (at the request of Mr. BARTON of Texas) to revise and extend their remarks and include extraneous material:)

Mr. BURTON of Indiana, for 5 minutes, today, July 15, 16 and 17.

Mr. FLAKE, for 5 minutes, today, July 15 and 16.

Mr. GINGREY, for 5 minutes, today.

Mrs. MYRICK, for 5 minutes, today.

Mr. BURGESS, for 5 minutes, today and July 15.

Mr. CAMPBELL of California, for 5 minutes, July 15 and 16.

Mr. MORAN of Kansas, for 5 minutes, today, July 15 and 16.

Mr. KIRK, for 5 minutes, today.

Mr. GARRETT of New Jersey, for 5 minutes, today, July 15, 16 and 17.

Mr. WOLF, for 5 minutes, July 15.

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. 1046. An act to modify pay provisions relating to certain senior-level positions in the Federal Government, and for other purposes; to the Committee on Oversight and Government Reform.

SENATE ENROLLED BILL SIGNED

The Speaker announced her signature to an enrolled bill of the Senate of the following title:

S. 2967. An act to provide for certain Federal employee benefits to be continued for certain employees of the Senate Restaurants after operations of the Senate Restaurants are contracted to be performed by a private business concern, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on July 7, 2008 she presented to the President of the United States, for his approval, the following bills.

H.R. 430. To designate the United States bankruptcy courthouse located at 271 Cadman Plaza East in Brooklyn, New York, as the 'Conrad B. Duberstein United States Bankruptcy Courthouse'.

H.R. 634. To require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.

H.R. 781. To redesignate Lock and Dam No. 5 of the McClellan-Kerr Arkansas River Navigation System near Redfield, Arkansas, authorized by the Rivers and Harbors Act approved July 24, 1946, as the ''Colonel Charles D. Maynard Lock and Dam''.

H.R. 814. To require the Consumer Product Safety Commission to issue regulations mandating child-resistant closures on all portable gasoline containers.

H.R. 1019. To designate the United States customhouse building located at 31 Gonzalez Clemente Avenue in Mayaguez, Puerto Rico, as the ''Rafael Martinez Nadal United States Customhouse Building''.

H.R. 2728. To designate the station of the United States Border Patrol located at 25762 Madison Avenue in Murrieta, California, as the ''Theodore L. Newton, Jr. and George F. Azrak Border Patrol Station''.

H.R. 4140. To designate the Port Angeles Federal Building in Port Angeles, Washington, as the ''Richard B. Anderson Federal Building''.

H.R. 5778. To extend agricultural programs beyond March 15, 2008, to suspend permanent price support authorities beyond that date, and for other purposes.

H.R. 6040. To amend the Water Resources Development Act of 2007 to clarify the authority of the Secretary of the Army to provide reimbursement for travel expenses incurred by members of the Committee on Levee Safety.

ADJOURNMENT

Mr. ALTMIRE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 10 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, July 15, 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:

7485. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Asian Longhorned Beetle; Additions to Quarantined Areas in New York [Docket No. APHIS-2007-0104] received July 2, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7486. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Manufactured Home Installation Program [Docket No. FR-4812-F-03] (RIN: 2502-AH97) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7487. A letter from the Acting Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Commission Guidance and Amendment to the Rules Relating to Organization and Program Management Concerning Proposed Rule Changes Filed by Self-Regulatory Organizations [Release No. 34-58092] received July 7, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7488. A letter from the Asst. Gen. Counsel for Reg. Services, Department of Education, transmitting the Department's final rule — The Teacher Education Assistance for College and Higher Education (TEACH) Grant Program and Other Federal Student Aid Programs [Docket ID ED-2008-OPE-0001] (RIN: 1840-AC93) received June 31, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

7489. A letter from the Deputy Director for Operations, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits — received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

7490. A letter from the Deputy Director for Operations, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Bylaws of the Pension Benefit

Guaranty Corporation — received June 11, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

7491. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: Revision of Refrigerant Recovery Only Equipment Standards [EPA-HQ-OAR-2008-0231; FRL-8582-6] (RIN: 2060-AP18) received June 13, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7492. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Small Entity Compliance Guide to Renovate Right; EPA's Lead-Based Paint Renovation, Repair, and Painting Program; Notice of Availability [EPA-HQ-OPPT-2005-0049; FRL-8368-9] (RIN: 2070-AC83) received June 26, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7493. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Promotion of a More Efficient Capacity Release Market [Docket No. RM08-1-000; Order No. 712] received June 31, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7494. A letter from the Deputy Archivist of the United States, National Archives and Records Administration, transmitting the Administration's final rule — Use of Meeting Rooms and Public Space [Docket NARA-08-0002] (RIN: 3095-AB33) received June 31, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

7495. A letter from the Acting Chair, Federal Subsistence Board, Department of the Interior, transmitting the Department's final rule — Subsistence Management Regulations for Public Lands in Alaska-2008-09 and 2009-10 Subsistence Taking of Wildlife Regulations [FWS-R7-SM-2008-0020; 70101-1261-0000L6] (RIN: 1018-AV69) received July 7, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7496. A letter from the Chief, Branch of Listing (End. Species, WO), Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Critical Habitat Revised Designation for the Kootenai River Population of the White Sturgeon (Acipenser transmontanus) [[FWS-R1-ES-2008-0072] [92210-1117-0000-FY08-B4] (RIN: 1018-AU47) received July 7, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7497. A letter from the Acting Chair, Federal Subsistence Board, Department of the Interior, transmitting the Department's final rule — Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D-2008-09 Subsistence Taking of Fish and Shellfish Regulations [FWS-R7-SM-2008-0021; 70101-1335-0064L6] (RIN: 1018-AU71) received July 7, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7498. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Pennsylvania Regulatory Program [PA-151-FOR; Docket ID: OSM-2008-0013] received July 2, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7499. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Scup Fishery; Commercial Quota Harvested for 2008 Summer Period [Docket No. 071030625-7696-02] (RIN: 0648-XI40) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7500. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Crab Rationalization Program [Docket No. 080129098-8743-02] (RIN: 0648-AW45) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7501. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Economic Exclusive Zone Off Alaska; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No. 071106671-8010-02] (RIN: 0648-XI13) received June 11, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7502. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Yellowfin Sole by Vessels Participating in the Amendment 80 Limited Access Fishery in Bering Sea and Aleutian Islands Management Area [Docket No. 071106673-8011-02] (RIN: 0648-XI07) received June 11, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7503. A letter from the Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Recreational Management Measures for the Summer Flounder, Scup, and Black Sea bass fisheries; Fishing Year 2008 [Docket No. 070717341-8549-02] (RIN: 0648-AV41) received June 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7504. A letter from the Acting General Counsel, Department of Justice, transmitting the Department's final rule — Board of Immigration Appeals: Composition of Board and Temporary Board Members [EOIR Docket No. 158F; AG Order No. 2975-2008] (RIN: 1125-AA57) received June 26, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7505. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Swans Island, ME [Docket No. FAA-2008-0060; Airspace Docket No. 08-ANE-91] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7506. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Fort Kent, ME [Docket No. FAA-2008-0059; Airspace Docket No. 08-ANE-90] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7507. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Gettysburg, PA. [Docket No. FAA-2007-0309; Airspace Docket No. 07-AEA-20] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7508. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No. 30600; Amdt. No. 3262] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7509. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No. 30603 ; Amdt. No. 3265] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7510. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No. 30609; Amdt. No 3270] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7511. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No. 30602; Amdt. No 3264] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7512. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No. 30611; Amdt. No 3272] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7513. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No. 30612 ; Amdt. No. 3273] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7514. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No. 30610; Amdt. No 3271] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7515. A letter from the Senior Trial Attorney, Department of Transportation, transmitting the Department's final rule — Railroad Operating Rules: Program of Operational Tests and Inspections; Railroad Operating Practices: Handling Equipment, Switches and Fixed Derails [Docket No. FRA-2006-25267] (RIN: 2130-AB76) received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7516. A letter from the Chairman, Department of Transportation, transmitting the Department's final rule — DISCLOSURE OF RAIL INTERCHANGE COMMITMENTS [STB Ex Parte No. 575 (Sub-No. 1)] received June 11, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7517. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff

Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No. 30569; Amdt. No. 3235] received June 20, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7518. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Franklin, PA. [Docket No. FAA-2007-0279; Airspace Docket No. 070-AEA-19] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7519. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Swans Island, ME [Docket No. FAA-2008-0060; Airspace Docket No. 08-ANE-91] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7520. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Vinalhaven, ME. [Docket No. FAA-2008-0061; Airspace Docket No. 08-ANE-92] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7521. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Bridgton, ME. [Docket No. FAA-2008-0064; Airspace Docket No. 08-ANE-95] received July 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7522. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Pollutant Discharge Elimination System (NPDES) Water Transfers Rule [EPA-HQ-OW-2006-0141; FRL-8579-3] (RIN: 2040-AE86) received June 13, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7523. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — DOMINICAN REPUBLIC–CENTRAL AMERICA–UNITED STATES FREE TRADE AGREEMENT [USCBP-2008-0060 CBP Dec. 08-22] (RIN: 1505-AB84) received June 9, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7524. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — ARTICLES ASSEMBLED ABROAD: OPERATIONS INCIDENTAL TO THE ASSEMBLY PROCESS [CBP Dec. 08-21] (RIN: 1505-AB90) received June 9, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7525. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — 26 CFR 601.204: Changes in accounting periods and in methods of accounting. (Also, Part 1, 471, 472; 1.471-2, 1.471-8, 1.472-1) (Rev. Proc. 2008-43) received June 26, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7526. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Auction Rate Preferred Stock-Effect of Liquidity Facilities on Equity Character [Notice 2008-55] received June 26, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7527. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Alternative Simplified Credit under Section 41(c)(5) [TD 9401] (RIN: 1545-BH33) received June 24, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[The following action occurred on July 11, 2008]

Mr. GORDON of Tennessee: Committee on Science and Technology. H.R. 5618. A bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; with an amendment (Rept. 110–701 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

[Omitted from the Record of July 10, 2008]

Mr. THOMPSON of Mississippi: Committee on Homeland Security. H.R. 5170. A bill to amend the Homeland Security Act of 2002 to provide for a privacy official within each component of the Department of Homeland Security, and for other purposes; with an amendment (Rept. 110–755). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 3227. A bill to direct the Secretary of the Interior to continue stocking fish in certain lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area; with amendments (Rept. 110–756). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on the Judiciary. H.R. 5057. a bill to reauthorize the Debbie Smith DNA Backlog Grant Program; with amendments (Rept. 110–757). Referred to the Committee of the Whole House on the State of the Union.

Mr. MCGOVERN: Committee on Rules. House Resolution 1339. Resolution providing for consideration of the bill (H.R. 415) to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System (Rept. 110–758). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BERMAN (for himself and Ms. ZOE LOFGREN of California):

H.R. 6481. A bill to create a civil action to provide judicial remedies to carry out certain treaty obligations of the United States under the Vienna Convention on Consular Relations and the Optional Protocol to the Vienna Convention on Consular Relations; to the Committee on the Judiciary.

By Mr. ACKERMAN (for himself and Mr. CASTLE):

H.R. 6482. A bill to direct the Securities and Exchange Commission to establish both a process by which asset-backed instruments can be deemed eligible for NRSRO ratings and an initial list of such eligible asset-backed instruments; to the Committee on Financial Services.

By Mr. BLUMENAUER (for himself and Mr. MATHESON):

H.R. 6483. A bill to provide for duty free treatment of certain recreational performance outerwear, and for other purposes; to the Committee on Ways and Means, 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. CAPUANO:

H.R. 6484. A bill to provide for a study of measures to achieve energy independence for the United States without adversely affecting the environment; 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 Ms. CASTOR:

H.R. 6485. A bill to amend title II of the Social Security Act to provide that disability determinations under such title on the basis of hearings by the Commissioner of Social Security are made on a timely basis and to require the Commissioner to establish a program for monitoring each year the number of disability determinations which are in reconsideration; to the Committee on Ways and Means.

By Mr. ENGEL (for himself, Mrs. SCHMIDT, and Mr. TERRY):

H.R. 6486. A bill to prohibit the manufacture, marketing, sale, or shipment in interstate commerce of products designed to assist in defrauding a drug test; to the Committee on Energy and Commerce.

By Ms. GIFFORDS:

H.R. 6487. A bill to amend the Internal Revenue Code of 1986 to provide for a temporary reduction in the tax imposed on diesel fuel; to the Committee on Ways and Means.

By Ms. HOOLEY (for herself and Mr. BLUMENAUER):

H.R. 6488. A bill to direct the Consumer Product Safety Commission to promulgate a final consumer product safety rule banning novelty lighters; to the Committee on Energy and Commerce.

By Ms. HOOLEY:

H.R. 6489. A bill to designate the facility of the United States Postal Service located at 501 4th Street in Lake Oswego, Oregon, as the ''Judie Hammerstad Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. KUHL of New York:

H.R. 6490. A bill to amend the Elementary and Secondary Education Act of 1965 to promote the safe use of the Internet by students, and for other purposes; to the Committee on Education and Labor.

By Mr. SOUDER:

H. Res. 1340. A resolution recognizing the 358th Fighter Group for its outstanding service and bravery during World War II and commending its successor, the 122nd Fighter Wing, for continuing its legacy of excellence in service; to the Committee on Armed Services.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 160: Mr. GARY G. MILLER of California, Mr. BRADY of Pennsylvania, and Mr. KILDEE.

H.R. 303: Mrs. MILLER of Michigan and Mr. GOHMERT.

H.R. 471: Mr. SHAYS.

H.R. 690: Mr. MARIO DIAZ-BALART of Florida and Mrs. MILLER of Michigan.

H.R. 699: Mr. COBLE and Mr. ADERHOLT.

H.R. 772: Mr. LATHAM, Mr. FRANK of Massachusetts, and Mr. CUMMINGS.

H.R. 777: Ms. CASTOR.

H.R. 981: Ms. KAPTUR.

H.R. 996: Mr. MCDERMOTT, Ms. TSONGAS, Mr. HOLT, and Mr. FARR.

H.R. 997: Mr. BROWN of South Carolina, Mr. PORTER, and Mr. KINGSTON.

H.R. 1050: Mr. BRADY of Pennsylvania.

H.R. 1073: Mr. CARNEY.

H.R. 1108: Mr. MCCAUL of Texas.

H.R. 1157: Mr. WILSON of Ohio.
H.R. 1176: Mr. ROTHMAN.
H.R. 1428: Mr. MICHAUD.
H.R. 1436: Mr. GOHMERT.
H.R. 1524: Mr. CAZAYOUX.
H.R. 1527: Mr. BRADY of Texas, Mrs. BOYDA of Kansas, Mr. WALDEN of Oregon, and Mr. RODRIGUEZ.
H.R. 1589: Mr. DELAHUNT and Mrs. MILLER of Michigan.
H.R. 1621: Mr. LIPINSKI.
H.R. 1746: Mr. LYNCH.
H.R. 1755: Mr. FILNER and Mr. DOGGETT.
H.R. 1770: Ms. SUTTON.
H.R. 1827: Mr. KUHL of New York.
H.R. 2020: Mr. GRIJALVA.
H.R. 2092: Mr. LANGEVIN, Mr. JEFFERSON, and Mr. LAMPSON.
H.R. 2116: Mrs. MILLER of Michigan, Mr. CARNEY, and Mr. CUELLAR.
H.R. 2169: Mr. MEEK of Florida.
H.R. 2205: Mr. BILBRAY.
H.R. 2208: Mr. MCCOTTER, Mrs. BLACKBURN, Mr. DEAL of Georgia, Mr. WILSON of Ohio, Mr. WILSON of South Carolina, Ms. FALLIN, and Mr. PORTER.
H.R. 2289: Mr. LANGEVIN and Mr. CAPUANO.
H.R. 2325: Mr. CARNEY.
H.R. 2472: Mr. SPACE.
H.R. 2495: Mr. SHADEGG.
H.R. 2677: Mrs. BOYDA of Kansas.
H.R. 2958: Ms. FALLIN.
H.R. 3202: Mr. SIRES and Mr. ACKERMAN.
H.R. 3212: Mr. SESTAK and Mr. OBERSTAR.
H.R. 3257: Ms. GIFFORDS.
H.R. 3289: Mr. BRADY of Pennsylvania.
H.R. 3366: Mr. FARR.
H.R. 3407: Mr. JACKSON of Illinois.
H.R. 3485: Ms. WASSERMAN SCHULTZ.
H.R. 3634: Mr. SESTAK.
H.R. 3679: Mrs. EMERSON.
H.R. 3689: Mrs. GILLIBRAND and Mr. BISHOP of Georgia.
H.R. 3820: Ms. GINNY BROWN-WAITE of Florida.
H.R. 4021: Mr. GRIJALVA.
H.R. 4544: Mr. LATTA, Mr. YOUNG of Florida, Mr. GERLACH, Ms. ROYBAL-ALLARD, Mrs. GILLIBRAND, Mr. SHAYS, Ms. JACKSON-LEE of Texas, and Mr. MCINTYRE.
H.R. 4651: Mr. HINOJOSA.
H.R. 4930: Mr. GOHMERT and Mr. MICHAUD.
H.R. 5161: Mrs. TAUSCHER.
H.R. 5235: Mr. TURNER, Mrs. CAPITO, Mr. JOHNSON of Illinois, and Mr. RUPPERSBERGER.
H.R. 5265: Mr. CARDOZA, Mr. WAMP, and Mr. ADERHOLT.
H.R. 5425: Mr. GERLACH.
H.R. 5446: Mr. DOGGETT.
H.R. 5488: Mr. BRADY of Pennsylvania.
H.R. 5635: Mr. BRADY of Pennsylvania.
H.R. 5652: Mr. SOUDER.
H.R. 5684: Mr. GOODE.
H.R. 5709: Ms. DEGETTE.
H.R. 5734: Mr. KENNEDY and Mr. RAHALL.
H.R. 5752: Mr. GOODE.
H.R. 5762: Mr. GRIJALVA.
H.R. 5782: Mr. MCHENRY.
H.R. 5785: Mr. BRADY of Pennsylvania.
H.R. 5797: Mr. PAUL.
H.R. 5798: Mr. BRADY of Pennsylvania.
H.R. 5812: Mrs. MYRICK and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 5833: Ms. JACKSON-LEE of Texas, Mr. COURTNEY, and Ms. SCHAKOWSKY.
H.R. 5836: Mr. BLUNT.
H.R. 5892: Ms. MCCOLLUM of Minnesota.
H.R. 5898: Mr. COHEN.
H.R. 5901: Mr. BRADY of Pennsylvania.
H.R. 5914: Mr. BOSWELL.
H.R. 5950: Mr. MEEK of Florida and Mr. SESTAK.
H.R. 5954: Mr. MITCHELL and Mr. MCNERNEY.
H.R. 5965: Mr. BRADY of Pennsylvania.
H.R. 6029: Mr. GEORGE MILLER of California.
H.R. 6045: Mr. CUMMINGS, Mr. FORBES, and Mr. COHEN.
H.R. 6076: Mr. BRALEY of Iowa.
H.R. 6078: Mr. FALEOMAVAEGA and Mr. BRADY of Pennsylvania.
H.R. 6107: Ms. ROS-LEHTINEN and Mr. BUCHANAN.
H.R. 6108: Mrs. MILLER of Michigan.
H.R. 6122: Mr. ROGERS of Michigan, Mr. KUHL of New York, Mr. ETHERIDGE, and Mr. SALAZAR.
H.R. 6140: Mr. COHEN.
H.R. 6143: Mr. TIERNEY and Mr. WU.
H.R. 6163: Mr. WITTMAN of Virginia.
H.R. 6210: Mr. PITTS, Mr. WILSON of Ohio, Mr. MAHONEY of Florida, and Mr. COHEN.
H.R. 6217: Mrs. EMERSON and Mr. TOWNS.
H.R. 6228: Ms. SCHAKOWSKY and Mr. BRADY of Pennsylvania.
H.R. 6239: Mr. ROSS and Mr. THORNBERRY.
H.R. 6248: Mr. DAVIS of Illinois.
H.R. 6258: Mr. ROGERS of Kentucky, Mr. BRADY of Pennsylvania, Mr. BERRY, Mr. BARROW, and Mr. SOUDER.
H.R. 6282: Mrs. GILLIBRAND and Mr. GRIJALVA.
H.R. 6288: Mr. PAUL and Mr. BURTON of Indiana.
H.R. 6292: Mrs. EMERSON and Mr. PLATTS.
H.R. 6293: Mr. JONES of North Carolina, Mr. ROGERS of Alabama, Mrs. EMERSON, Mr. BISHOP of Utah, and Mr. HERGER.
H.R. 6298: Ms. SCHAKOWSKY and Mr. HOLT.
H.R. 6310: Mrs. GILLIBRAND.
H.R. 6339: Mr. CAPUANO.
H.R. 6365: Ms. ROYBAL-ALLARD.
H.R. 6368: Ms. GRANGER.
H.R. 6371: Mr. BRALEY of Iowa and Mr. HILL.
H.R. 6387: Mr. SMITH of Washington.
H.R. 6391: Mr. SHAYS.
H.R. 6393: Ms. HARMAN.
H.R. 6399: Mr. DOGGETT.
H.R. 6403: Mr. GRIJALVA.
H.R. 6407: Mr. GRIJALVA, Ms. DEGETTE, Mr. FARR, and Mr. WELCH of Vermont.
H.R. 6411: Ms. SCHAKOWSKY and Mr. KLEIN of Florida.
H.R. 6418: Mr. SOUDER.
H.R. 6439: Mr. GRIJALVA and Mr. HINCHEY.
H.R. 6445: Mr. SALAZAR.
H.R. 6446: Mr. DOYLE.
H.R. 6452: Mr. LEWIS of Georgia.
H.R. 6465: Mr. MITCHELL.
H.R. 6473: Mr. HALL of New York.
H.R. 6476: Ms. BEAN and Mr. FOSTER.
H.J. Res. 12: Mr. DONNELLY.
H.J. Res. 39: Mr. GERLACH and Mrs. BIGGERT.
H.J. Res. 84: Ms. GIFFORDS, Mr. BURTON of Indiana, Mrs. LOWEY, and Mr. MCCOTTER.
H.J. Res. 93: Mr. SIRES.
H. Con. Res. 70: Mr. PLATTS and Mr. SOUDER.
H. Con. Res. 214: Mr. HINCHEY and Mr. MCNULTY.
H. Con. Res. 223: Mr. ADERHOLT.
H. Con. Res. 296: Mr. GENE GREEN of Texas and Mrs. EMERSON.
H. Con. Res. 360: Ms. MATSUI, Mr. FILNE, Mr. SKELTON, and Mr. LINCOLN DAVIS of Tennessee.
H. Con. Res. 361: Ms. FOXX.
H. Con. Res. 369: Mr. BRADY of Pennsylvania.
H. Con. Res. 371: Ms. BORDALLO.
H. Con. Res. 376: Mr. HONDA, Mr. SHULER, Mr. BACA, Mr. BRADY of Pennsylvania, Mr. HALL of Texas, Mr. COURTNEY, Mr. LANGEVIN, Mr. ALLEN, Mr. MICHAUD, Mr. HODES, Mr. CUMMINGS, Mr. MURPHY of Connecticut, Mr. BOSWELL, Ms. CORRINE BROWN of Florida, Ms. FALLIN, Ms. HIRONO, Mr. JACKSON of Illinois, and Ms. MCCOLLUM of Minnesota.
H. Con. Res. 378: Mr. BRADY of Pennsylvania and Ms. BALDWIN.
H. Con. Res. 380: Mr. PAYNE.
H. Con. Res. 381: Mr. BRADY of Pennsylvania.
H. Con. Res. 385: Mr. ACKERMAN and Ms. BERKLEY.
H. Con. Res. 386: Mr. ALEXANDER.
H. Con. Res. 388: Ms. FALLIN.
H. Res. 671: Mr. LOBIONDO, Mr. GERLACH, Mr. FERGUSON, Mr. BAIRD, Mr. FOSSELLA, Mr. SNYDER, Mr. SPRATT, and Mr. ALTMIRE.
H. Res. 758: Mr. WILSON of South Carolina and Mr. SHAYS.
H. Res. 883: Mr. MCGOVERN and Ms. SCHAKOWSKY.
H. Res. 1008: Mr. SMITH of New Jersey and Mr. WU.
H. Res. 1019: Mr. FILNER.
H. Res. 1078: Mr. STARK and Ms. SCHAKOWSKY.
H. Res. 1177: Mr. HOLT.
H. Res. 1179: Mr. WAMP.
H. Res. 1200: Mr. SOUDER, Mr. FILNER, Ms. SCHAKOWSKY, Mr. KENNEDY, Mr. JEFFERSON, MR. JOHNSON of Georgia, Ms. MCCOLLUM of Minnesota, Mr. DELAHUNT, Ms. CASTOR, Mr. ARCURI, Mr. HASTINGS of Florida, Mr. WALZ of Minnesota, Mr. COURTNEY, Ms. HIRONO, Mr. SNYDER, Mrs. TAUSCHER, Mr. LOEBSACK, Mr. SPRATT, and Ms. KAPTUR.
H. Res. 1227: Mr. JACKSON of Illinois, Mr. RUSH, and Mr. SIRES.
H. Res. 1245: Mr. BRADY of Pennsylvania.
H. Res. 1261: Mr. UDALL of Colorado, Mr. HALL of Texas, Ms. BALDWIN, Mr. SHADEGG, Mr. BURTON of Indiana, Mr. SMITH of Washington, Mr. FARR, Mr. Ellsworth, Mr. WATT, Mr. MCNERNEY, Mr. HINOJOSA, Mr. SALAZAR, Mr. LAMBORN, Mr. MITCHELL, Ms. JACKSON-LEE of Texas, Mr. MCGOVERN, Mrs. BOYDA of Kansas, Ms. SUTTON, Mr. GENE GREEN of Texas, Mr. CROWLEY, Mrs. MUSGRAVE, Mr. HARE, Mr. TANCREDO, Mr. PERLMUTTER, and Mr. MATHESON.
H. Res. 1266: Mr. ROHRABACHER and Mrs. MCCARTHY of New York.
H. Res. 1273: Mr. KAGEN.
H. Res. 1282: Mr. DUNCAN.
H. Res. 1287: Mrs. BOYDA of Kansas, Mr. POE, and Ms. KAPTUR.
H. Res. 1289: Mr. ELLISON.
H. Res. 1290: Mr. HASTINGS of Florida, Ms. DELAURO, Mr. CAPUANO, Mr. HINOJOSA, Mr. GRIJALVA, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. JACKSON of Illinois, Mr. WAXMAN, Ms. SUTTON, Mr. RUSH, Mr. LANGEVIN, Mr. MORAN of Virginia, Mr. PITTS, Mr. HONDA, Mr. DOYLE, Mr. MCGOVERN, Mr. WELCH of Vermont, Ms. TSONGAS, and Mr. MEEK of Florida.
H. Res. 1296: Mr. ISSA, Mr. WOLF, Mr. PETERSON of Minnesota, and Mrs. EMERSON.
H. Res. 1301: Mr. CONYERS and Ms. SCHAKOWSKY.
H. Res. 1306: Mr. JORDAN, Mr. CALVERT, Mr. SPACE, Mr. SULLIVAN, Mr. SENSENBRENNER, Mr. HERGER, Mr. POE, and Mr. TANNER.
H. Res. 1310: Ms. BORDALLO.
H. Res. 1311: Ms. SCHAKOWSKY, Mr. FORTUÑO, Mr. HALL of Texas, and Mrs. WILSON of New Mexico.
H. Res. 1316: Mr. WOLF, Ms. SCHAKOWSKY, Mr. THORNBERRY, Mr. COLE of Oklahoma, Mr. LOBIONDO, Mr. SHUSTER, and Mr. DAVIS of Kentucky.
H. Res. 1319: Mr. WOLF and Mr. HINCHEY.
H. Res. 1324: Mr. DAVIS of Illinois, Mr. SCOTT of Virginia, and Mr. BOSWELL.
H. Res. 1328: Mr. MCDERMOTT, Mr. GRIJALVA, Mr. WAXMAN, Mr. SPRATT, Mrs. DRAKE, Mr. HINCHEY, Mr. GONZALEZ, Mr. MCGOVERN, Ms. BORDALLO, Mr. ENGEL, Mr. BURTON of Indiana, Mr. PAUL, and Mr. FERGUSON.
H. Res. 1329: Mr. MORAN of Virginia, Mr. GRIJALVA, Mr. WELCH of Vermont, and Mr. CAPUANO.
H. Res. 1330: Mr. PRICE of Georgia, Mr. HERGER, and Mr. HASTINGS of Washington.
H. Res. 1337: Mr. JACKSON of Illinois, Ms. MCCOLLUM of Minnesota, and Mr. MARKEY.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative SILVESTRE REYES, or a designee, to H.R. 5959, the Intelligence authorization for Fiscal year 2009, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits, as defined in clause 9(d), 9(e), or 9(f) of rule XXI.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, SECOND SESSION

Vol. 154 WASHINGTON, MONDAY, JULY 14, 2008 No. 115

Senate

The Senate met at 2 p.m. and was called to order by the Honorable JIM WEBB, a Senator from the Commonwealth of Virginia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Most holy and gracious God, who turns the shadow of night into morning, satisfy our hearts with Your mercy that we may rejoice and be glad all the day. Abide with the Members of this body, permitting the light of Your countenance to calm every troubled thought, and to guide their feet in the way of peace. Perfect Your strength in their weakness and help them to serve You and country to the glory of Your Name. Lord, in a world so uncertain about many things, make our Senators sure of no light but Yours and no refuge but You. Give them courage to seek the truth and wisdom to humbly follow where it leads. We pray in the Redeemer's Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JIM WEBB 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 assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 14, 2008.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JIM WEBB, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. WEBB thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, we are going to have an hour of morning business as soon as Senator MCCONNELL and I finish our opening remarks, if any.

Following morning business, the Senate will proceed to the consideration of S. 2731, the global AIDS legislation. As I announced on Friday, there will be no rollcall votes today. Senators should be permitted to vote on amendments tomorrow morning before the recess for the caucus luncheons; if not on amendments, there will be things to vote on.

This week, in addition to considering the global AIDS bill, the Senate may turn to the consideration of LIHEAP, gas prices/market manipulation, Medicare veto override, if, in fact, the President does override that veto on Medicare. We have to wait until the House acts first on that.

MEASURE PLACED ON THE CALENDAR—S. 3257

Mr. REID. Mr. President, I understand that S. 3257 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the title of the bill for the second time.

The assistant legislative clerk read as follows:

A bill (S. 3257) to extend immigration programs, to promote legal immigration, and for other purposes.

Mr. REID. I object to any further proceedings with respect to the bill.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

Mr. REID. I will come later today and give a full statement on some of the things we will try to do this week. I have other matters now, and I am unable to take care of it. But it should be a very productive week. We had a very good week last week. I would hope we can move through these amendments. We have a finite number of them. I hope people will offer their amendments and use whatever time they feel is appropriate.

I hope we can finish this bill as quickly as possible. It is an important piece of legislation. The President, Senator BIDEN, and Senator LUGAR have been waiting to move this legislation for many months. Hopefully, we can do that this week.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business for up to 1 hour, with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk the call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that morning business be extended until 4 p.m. today under the same conditions as under the previous order.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that following my remarks, the Senator from North Dakota, Mr. DORGAN, be recognized.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TAKING SENATE ACTION

Mr. REID. Mr. President, on this day, in 1965, former Governor and Democratic Presidential nominee Adlai Stevenson died. Governor Stevenson was the last Presidential nominee from the State of Illinois until this year. We have every hope and confidence that Senator OBAMA will be the next President of the United States.

Governor Stevenson once said:

> Public confidence in the integrity of the government is indispensable to faith in democracy; and when we lose faith in the system, we have lost faith in everything we fight . . . for.

With our economy slumping deeper into recession, our financial institutions facing ever-greater challenges, and two wars overseas with little progress or end in sight, the American people are rightly frustrated with their Government. But the progress we made in Congress last week should give the American people a renewed faith that when Republicans abandon their favored path of obstruction to embrace compromise and common ground, we can make progress.

We passed a housing bill that will help 8,500 American families who lose their homes to foreclosure every day and help eliminate the irresponsible practices that created the housing crisis to prevent it from happening again. Sadly, it took us about 130,000 foreclosures to finally get this bill passed. The obstructionism of the Republicans led to 130,000 other homes being foreclosed upon.

With Senator KENNEDY leading the way, we passed the Medicare doctors fix by a veto-proof majority that included all Democrats and 18 Republicans.

We completed work on the Foreign Intelligence Surveillance Act, a bill I opposed but the majority of Senators supported.

After weeks of delay, Republicans surprised us by allowing us to proceed to PEPFAR, a bill to increase our investment in the fight against HIV/AIDS in Africa. I appreciate very much the decision by the Republican leaders to abandon their stalling of PEPFAR, which had been going on for months. This legislation is supported by President Bush and virtually every Senator. Just a handful of Republicans have blocked its passage. We should have passed PEPFAR by unanimous consent weeks ago, but now we have a chance to move forward on this legislation.

For the small handful of Republicans who still object to PEPFAR, rest assured that we have done everything reasonable to assuage your concerns. The current version of the bill took many of those concerns into account, and we will allow up to 10 additional amendments. We make a lot out of the 10 amendments, but prior to that agreement being made Friday night, Senators BIDEN and LUGAR changed the bill many times, trying to pacify those who objected to the bill. I am confident that with this agreement in place, we can have a productive debate and send this legislation to the President so that we can reestablish our commitment to the world that America will join and lead this global fight.

The housing stimulus legislation we passed last week is now back in the House of Representatives. The White House plans to send us legislation to include in that bill that will support the success of Fannie Mae and Freddie Mac so that American families will continue to have access to home financing. We certainly wish the President had become engaged in working with us to address this growing crisis long ago, but we are eager to receive and review this legislation. Once we receive the President's proposal, we are determined to review it and act as quickly as possible. Just before coming in here, I spoke with Secretary Paulson. He explained, in some detail, the importance of moving this legislation very quickly.

We are committed to passing legislation that will guarantee a steady flow of funds into the market if conditions require it so that home ownership continues to be accessible to American families. But we have to work to ensure that American taxpayers are not unfairly burdened if Government action becomes necessary.

We also await President Bush's action on the Medicare doctors fix. When a veto-proof majority of 69 Senators joined with 355 Members of the House of Representatives to pass this legislation, we sent a clear and unmistakable message to the President: Sign this bill. Every day that goes by, the integrity of Medicare and TRICARE is threatened. Every day the President delays, senior citizens, the disabled, and our veterans are put at risk.

There is a reason that all major organizations representing doctors and patients are desperate for this legislation to pass. Already, two States—Alabama and South Carolina—have told Medicare patients that they must resubmit their eligibility for assistance programs. The President vetoing this is going to slow things down even more, and other States will be forced to do this. If the President signs this legislation into law today, as he has the power to do, any further chaos or interruption of care can be avoided.

If the President chooses to veto our bill, I am confident we will have the votes to override it. We have checked with all 9 of the Republicans who voted to allow us to get the 69 that—in effect, voted the first time this way. We checked with the 9 Republicans who voted earlier, and we have heard from 1 additional Republican who said he will vote to override the veto.

I don't know why the President is doing this. All he is doing is creating chaos with senior citizens, with patients who are veterans or on Active Duty, and the disabled. That is a bad choice for the President to make—to protect HMOs and insurance companies. But the longer we go without this bill as law, the longer millions of Americans, including many of our country's most vulnerable, are faced with uncertainty and risk that their health and well-being will be jeopardized.

Finally, we will continue to address the energy crisis this week. This past Thursday, I had a long and productive meeting with former Senator Jim Sasser, who was the moderator, and experts from the oil industry, the airlines, and the financial sector of this country. The group agreed that tapping into the Strategic Petroleum Reserve, as President Bush's father did, would help lower oil prices. The group also agreed that Congress should enact tough legislation to curb energy speculation, with speculators driving up oil prices for their own gain while the American people are left paying the bill. Is that the only problem? Of course not. But is it a problem? Yes.

We continue to work toward bipartisan legislation on speculation.

Will stemming speculation solve the energy crisis? Not totally, but it will lower prices in the near term and bring stability to the market. That is why legislation on speculation is the first part of our plan. I would hope the Republicans would join with us. Part of their plan that is pending—has been rule XIV'd and is here at the desk—has a provision that deals with speculation. I hope they would allow us to move forward on a bipartisan speculation bill and pass it. Then we can move to other issues relating to energy. But we can't have a free-for-all with everyone having their own pet way of solving the energy crisis.

I would hope that we could move toward a bipartisan bill on speculation. As I said, speculation is only the first part of our plan.

For months we have urged Republicans to join us in passing tax extenders that will cut taxes to give American companies reliable incentives for investing in alternative energy sources. The tax extenders bill would speed our move away from oil and toward a cleaner, more efficient energy future using wind, solar, geothermal, and other renewables. It would create hundreds of thousands of good, high-paying, permanent American jobs.

Just as Democrats are keeping an open mind about the need for increased domestic production by insisting that oil companies start drilling on the 68 million acres of American land they lease but are not using, we hope Republicans will join us in finally passing the tax extenders bill. We must stem energy speculation. We must responsibly tap into emergency domestic oil reserves. We must increase domestic production, and we must give American companies tax cuts to develop clean, alternative, renewable energy right here at home.

With less market manipulation, more domestic supply, and incentives to move away from oil toward renewable energy, we can overcome this crisis and set our country on the path toward a cleaner, safer, more affordable energy future. That is the Democratic plan. We hope Senate Republicans will work with us to pass it into law.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DORGAN. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ENERGY CHALLENGES

Mr. DORGAN. Mr. President, my colleague, the Senator from Nevada, just described a series of challenges we face. I don't know that I have seen a more daunting time in this country in some long while than the time before us. The issues today of the credit crisis—the subprime loan scandal, bank failures, the threat of bank failures—these are serious issues. I am convinced the quick action by the Federal Reserve Board and the Secretary of the Treasury this weekend was necessary. But on top of that, there is a fiscal policy that is way off track. We are engaged in a war in which none of the cost of the war is paid for. We have a President who insists the entire cost of the war be added to the debt, and an attempt by Congress to change that would result in a Presidential veto. It is a fiscal policy that is way out of balance.

The President requests a budget to the Congress of roughly $420 billion in yearly deficits, but that, of course, is not the deficit. The deficit is how much we have to borrow. This President's fiscal policy is off track by the tune of $600 billion to $700 billion a year because that is, in fact, what has to be borrowed. He doesn't include in his budget request the cost of the Iraq war, which is very expensive.

We have the subprime loan scandal, the problems in the credit market, the fiscal policy that is off track, a trade policy that means we are running a deficit of over $2 billion a day every single day by importing more than we are able to export. Then, add to those issues what is happening to energy, particularly the price of oil running up like a Roman candle, $140 to $145 a barrel, and suggestions by some big investment banking firms that it may reach $200 a barrel. What does all of this mean? What do we do about it?

I have mentioned before a trip late one evening over the Pacific Ocean in what was the previous Air Force One, that big, old airplane. I believe it now sits at the Reagan Library in California, a 707. It was the Air Force One that brought John F. Kennedy's body back to Andrews Air Force Base in 1963. It was the Air Force One used by Presidents up until George Bush, the senior, and then it was replaced.

One of the last flights of that airplane was one I was on to Asia, to China, Japan, and Vietnam. A number of my colleagues were on that flight—the majority leader, Senator Daschle. My colleague from Ohio, John Glenn, was also on the flight. It was late at night flying over the Pacific that I had a chance, for the first time, to ask Senator Glenn a lot of questions about the time he rode around this planet in a little space capsule called Friendship 7 by himself orbiting the Earth. I was a very young person at the time of the flight, but I remember vividly the reports on the radio and television about John Glenn lifting off as the first American to orbit the Earth and how excited I was. So that evening, as a U.S. Senator, with my colleague, John Glenn, sitting there, I began peppering him with questions about that spaceflight.

One of the questions I asked was, I had remembered that the city of Perth, Australia, decided to welcome this astronaut flying alone by, when he came to the dark side of the Earth, turning on all the lights. Every light in Perth was on that night. They lit up this city called Perth, Australia, and I asked John Glenn that evening: Did you see the lights of Perth as you reached the dark side of the Earth up there in space alone? Did you see that shining light of Perth?

He said: I did.

The only evidence of human life that existed on the planet below were the lights shining up, a product of energy. It was perhaps not a surprise to him to understand that product of energy affects our lives every day in every way. Energy is critical to our lives. We get up in the morning, virtually every one of us who is within listening distance, and we flick a switch. That means a light goes on, the product of energy. It means perhaps you brush your teeth with an electric toothbrush, and thus battery energy. It means you shave with an electric razor, perhaps, and use electric energy. You heat up some coffee, electric energy. You take a shower and a hot water heater that runs on either gas or electric energy produces hot water. Then you get in the car to go to work, and you put a key in the ignition and turn it. You use energy, in most cases from gasoline.

Energy affects almost everything we do, and we don't give it a second thought until one day when the lights go out and electricity is gone for 4 days and an entire neighborhood is up in arms. How on Earth can we live without electricity? Or until at some point when gasoline is not available and, therefore, your car is of little value. It happens from time to time.

Now what has happened to our country and to the world with respect to energy policy is, we have a big appetite for energy. We are seeing the price of oil, which is a very important part of our energy appetite, go up, up, up, like a Roman candle, $140 to $145 a barrel, and gasoline prices follow suit. A whole lot of folks at this point aren't able to afford to fill the tank with gas. A whole lot of trucking companies can't afford to buy the gas or diesel for their saddle tanks on those big trucks. A lot of airlines can't afford to put jet fuel in the wings these days. So we have a good many airlines going into bankruptcy, and more out of business.

The question is, Why is the price of oil where it is? What has happened? Let me describe a couple things that have happened that lead me to believe we have to take action now, and very aggressive action as well. In the last 12 to 14 months, the price of oil has doubled. Has anything happened in the last year with respect to supply and demand that would justify the price of oil doubling? I can't think of anything, except perhaps there is less demand for gasoline at the moment. Our country is driving less. We have driven something close to 5 or 6 billion fewer miles in this 6-month period than the previous 6-month period. So demand for gasoline is actually down. One would think if that is the case, prices should abate or come down. But they didn't. They went straight up.

Here is what is happening: Explosive growth of speculation in the oil futures market. Speculators in the year 2000 were 37 percent of that market. In 2008, 71 percent of the people in this market are speculators. That is, they are not interested in owning oil. They are interested in contracts for oil with which they can buy and sell and trade and make a profit.

Will Rogers described it decades ago: People buying things they will never get from people who never had it, making money on both sides of the trade. So what about speculators? Are they causing price increases?

Let me share some comments from some people who might know. The senior vice president of ExxonMobil, in April of this year:

The price of oil should be about $50 or $55 per barrel.

Another comment:

Experts, including the former head of ExxonMobil, say financial speculation in the energy markets has grown so much over the last 30 years that it now adds up to 30 percent or more to the price of a barrel of oil.

Energy Secretary Bodman takes a different view. He says:

There's no evidence we can find that speculators are driving futures prices [for oil].

Let me give you a couple different views. The CEO of Marathon Oil:

$100 oil isn't justified by the physical demand in the marketplace.

This is from Clarence Cazelot, CEO of Marathon Oil.

From a chart I have used previously, Mr. Fadel Gheit, who was for 30 or 35 years the top analyst for Oppenheimer & Co., he said:

There's no shortage of oil. I'm convinced that oil prices should not be a dime above $55 barrel. I call it the world's largest gambling hall. It's open 24/7. Unfortunately, it is totally unregulated. This is like a highway with no cops and no speed limit, and everybody is going 120 miles an hour.

I want to go back to the Energy Secretary's notion that there is really no speculative role. Here is the Washington Post, July 7, a week or so ago:

The wave of investment dollars has flooded commodity markets in recent years and critics say contributed to the runup in prices.

Here is the point:

Investors, including pension funds and Wall Street speculators, have sharply increased their commodity allocations since 2003, from $13 billion to $260 billion. This has made financial actors an even larger force on these markets than farmers, airlines, trucking firms, and companies that buy and sell the physical goods to run their businesses.

For decades, trading commodity contracts were considered taboo by most pension funds because the market is so volatile and risky.

That has all changed. Now we have the California pension fund, CalPERS, and other pension programs that are shoving money into the commodities futures. It doesn't mean they want to own oil. They want to speculate.

Walter Lukken is the Acting Chairman of the Commodity Futures Trading Commission. This is the Commission that is supposed to be the referee, the Federal regulator wearing a striped shirt and blowing a whistle when they call the fouls. Markets work, in most cases, but when markets don't work, you have to have a referee. Walter Lukken, the referee for us, says the price of oil is going up because demand is outstripping supply, strong fundamentals are at play. Apparently, he misses the fact from 2003 until now, $13 billion to $260 billion, that is an additional $247 billion have gone into this market driving up the price of oil, having almost nothing at all to do with supply and demand.

There is a need, it seems to me, for the Congress to address this issue of excess speculation. Those that need a commodities market are the airlines, trucking companies, farmers, and others so they can hedge risks. There is a legitimate function of hedging risks, and that is what the market was created for. A consumer and producer hedges risk with respect to a physical product, a perfectly legitimate function. But the fact is, those interests that are most concerned about the Congress taking action to address a market that is broken are those who need the markets to hedge risks—airlines, trucking companies, farmers and others—because they know this market is broken. They know this is a market that is supposed to work for them to hedge risk, but now it is completely broken, taken over by speculators.

There is a columnist in the Washington Post this morning who does his usual—he does about two pages of research and then he skips the next five pages, so he never quite gets to the truth. He says this speculation stuff, that is made up. He doesn't use the word ''populace.'' He says they are a bunch of ne'er-do-wells who don't have the foggiest idea what they are talking about. It is not a surprise to me that there are those who believe the current system is working. It certainly works for some, doesn't it?

The OPEC countries must love walking to the bank with our money and making a deposit in their account. The oil companies must love making deposits of our money into their accounts. I understand why some of the investment banks and other market players who are engaged in neck-deep speculation and have been making a lot of money love the status quo. They love what has happened here. It doesn't bother them a bit where the price of oil is, as long as they make money over all this speculation.

What I think we should do is pass legislation similar to that which I have introduced. It is called the End Oil Speculation Act. End oil speculation—how do you do that? You do it through a couple of approaches. No. 1, you take the oil futures market and you require the referee, the Commodity Futures Trading Commission (CFTC), to distinguish between legitimate hedging—that is, those who want to, between a consumer and a producer, hedge their risk with a physical product. You must distinguish between those interests and all other interests who are just in this market to speculate.

With respect to those who are in this market just for pure speculation, establish significant position limits. We can wring the speculation out of this system and should. I am talking about the excess speculation. This oil commodity futures market was created in 1936, and when President Roosevelt signed the bill, he warned about excess speculation. In fact, the bill itself had a provision dealing with excess speculation. Now we find ourselves, all these decades later, with a dramatic amount of speculation that is wrecking this market. Should we do something? The answer is we must. We don't have a choice. Of course, we should.

My hope is—as the majority leader indicated, we are going to be able to address this issue later this week. My hope is we will be able to take legislation to the floor of the Senate, and if a regulator cannot regulate effectively—and this CFTC apparently cannot—and the head of the regulators has already made a judgment, a judgment he has stated four or five times since January: This market is working fine. This is not about speculation. This is about the fundamentals of supply and demand. What, me worry? Things are fine. Don't worry. Then, at the end of last month, the Chairman apparently had some sort of epiphany, a dream and woke up the next day and said: We have actually been investigating this for 7 months.

One of those statements is not true: Supply and demand at work; don't worry, be happy; or we have been worried for 7 months. It is not clear what position represents the position of the Chairman of the CFTC, but they are positions at dramatic odds with one another.

Let me say in addition, we hope this week we can address some legislation that will bring down the price of gasoline and put downward pressure on oil prices. Even doing that doesn't address, in the long term, what we need to address. All of us understand that. But it does address, in the short term, what we have to do to put some downward pressure on these prices.

I don't think there is any question that the price of oil and gas and the runup is hurting the economy of this country, hurting key industries in this country, certainly hurting American families, and we can do something about it, I believe, in the short term.

In the longer term, some of our colleagues will say: We have to drill. I support that. I don't support drilling everywhere. But it is interesting, the minority party put together a proposal that talks about drilling. But they forgot to include all this area off the coast of Florida. Isn't it interesting, I know why they didn't include it. Because one of their caucus does not want to drill off the coast of Florida, does not want to drill in these eastern waters off the Gulf of Mexico. They also know President Bush does not want to allow U.S. companies to drill off the coast of Cuba, so these were included in their proposals. They are all big drilling advocates, except they don't want to drill where most of the oil exists.

This is a chart of the technically recoverable oil. Let me show where it is. This is the Outer Continental Shelf of the Pacific, this is Alaska, this is the Outer Continental Shelf of the Atlantic, and this is the Gulf of Mexico. We

can see where the bulk of the technically recoverable oil is. I was one of four Senators—Senators BINGAMAN, DOMENICI, and then-Senator Talent—who offered the legislation to open lease 181. Lease 181, which is now 8.3 million acres in the gulf, was opened in 2006. That is an additional 8.3 million additional acres opened for oil and gas leasing.

I have also introduced legislation that opens all this additional area in the eastern Gulf of Mexico and off Cuban waters. So do I support drilling? I do. It is just that the minority side does not support it quite as much as they pretend to support it.

Let me describe this chart. These are the waters off Cuba open for leasing. There is half a million barrels of oil a day that could come into production, and our U.S. companies cannot go in there to compete against other nations to drill for it. Spain is there. Canada is there. India is there. China is there. They all have a desire to drill in that water. We cannot go there because our companies are told by President Bush: No, we have an embargo against Cuba; you can't go after this 500,000 barrels of oil a day in these waters because of our embargo against Cuba. That is absurd, absolutely absurd.

I have said often on the floor of the Senate, we stick little straws in this planet as we circle the Sun and we suck out about 86 million barrels of oil a day. We use one-fourth right here on this little place on the planet called the United States. We have a prodigious appetite for oil. That reflects in many ways the economy we built. We have built a wonderful economy. This is a great place to live. There is no place like it on Earth. But divine providence did some strange things. Most of the oil is under the sands halfway around the world in the Persian Gulf, and most of the demand is in the United States. There is more and more demand ahead of us with respect to China and India. We understand that. We knew that 12 to 14 months ago. So that is not what is causing the runup in prices today.

But we all know, if we look ahead, we need to leapfrog to other technologies, even as we search for additional oil. We will drill for more oil in the right places. Obviously, the chart I showed for the Gulf of Mexico has far more than my friends in the minority would aspire to achieve in other regions.

In addition to drilling in an appropriate way, we need much more conservation. Conservation is the easiest and by far the least expensive way to produce energy because we are such unbelievable wasters of energy. So conservation is, first and foremost, the best place to get additional energy.

Second is efficiency. It doesn't matter what you use—a hot water heater, a furnace, an air-conditioner—it doesn't matter what you use. The dramatic increase in efficiency of every appliance everybody uses, including these light bulbs, can substantially reduce our need for energy. The incandescent light bulb is on its way out. It will not be too many years when we will not find one in this country because we can light America's houses and commercial facilities with about 80 percent savings of what we have been using in the past.

Finally, and most importantly, in my judgment, as we look forward some years, we have to, as a country, decide to get dramatically involved in renewable energy. We are not nearly there yet. We have some movement toward renewable, but we are not doing what we should do. The debate in the Congress has been about whether we should increase the production tax credits, tax incentives by 1 year. That is pathetic. We ought to say we are going to do this for a decade. America, you can count on where we are headed.

In the next decade, we are going to build substantial capability for wind, solar, biomass, and more. We ought to say here is where America is headed for 10 years. We are nibbling around the edges talking about a 1-year extension of this and that. It is not that we have not tried.

We had a longer extension on the floor of the Senate, but regrettably, the minority side largely blocked it. In fact, they have blocked these extensions three times. Our hope is that we as a country will be able to say our policy is conservation, efficiency, yes, drilling in the right places, but our policy is especially to move forward with substantial and dramatic amounts of new renewable energy.

I know the American people look at the Congress from time to time and wonder if anything can get done. There certainly is an urgency with respect to the policies I described—the fiscal policy that is way off track, a trade policy that is producing $800 billion a year in trade deficits, a policy that has allowed the subprime loan scam to exist and develop right under the nose of regulators who apparently were dead from the neck up. All these things are urgent needs for this country to address. But none is more urgent at the moment than trying to find a way to put some downward pressure on gas and oil prices that have risen out of sight, in my judgment, disconnected to the supply-and-demand fundamentals of where a market ought to be.

Every American is affected by this runup in prices, and our country is being irreparably damaged by what it costs for us to send all this massive money every single day overseas in search of oil that is produced outside our country's borders.

We need a short-term urgent plan and a long-term thoughtful plan to find our way through this situation and put America on a better course for energy.

I yield the floor and 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. BROWN. 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.

DHL SELLOUT

Mr. BROWN. Mr. President, this summer is turning out to be one of great anxiety and uncertainty for literally thousands of families in southwest Ohio. At this moment, the economic future of more than 8,000 people—8,000 workers and their families—in the Wilmington and surrounding communities hangs in the balance.

DHL, the cargo carrier service, has threatened to shut down its Wilmington hub, a decision that, if successful, threatens both families and surrounding communities. In May, DHL's parent company, the German company Deutsche Post World Net, announced a proposed deal with UPS that would close the Ohio operation.

In 2004, the State of Ohio and the city of Wilmington, a community of 13,000 people, and surrounding counties—Highland County, Greene County, Clark County, and the area around it—proudly laid out the welcome mat for DHL, providing more than $400 million in incentives only 4 years ago. It was, we thought then, the beginning of a long friendship.

The Wilmington Air Park is the largest employer in a six-county area of Ohio. Literally, in each of the six counties in the region, DHL is the single largest employer. Air Park employees were drawn from 45 counties, more than half of Ohio's 88 counties.

Tomorrow, Americans from across the country will gather around their television sets to enjoy baseball's All Star game in Yankee Stadium. The first pitch will be thrown by Cleveland's All Star pitcher Cliff Lee. During this midsummer classic, fans may notice emblazoned on the walls of Yankee Stadium and on game memorabilia the DHL logo, because DHL is the official carrier of major league baseball. More than 8,000 Ohio workers and their families have helped make DHL a major league player in the North American express delivery business. Their families in the community have supported DHL, worked for DHL, helped build DHL, and State and local governments pitched in, as I said, with $400 million to build this company and help it thrive in southwest Ohio.

Thankfully, the agreement with UPS and the agreement to shut down is not yet final, and so we fight. This morning, earlier today, Mayor David Raizk, Clinton County Commissioner Randy Riley, and I joined hundreds of DHL, ABX, and Air Star workers to fight for these jobs and this community. Together, I delivered to DHL's headquarters in Wilmington—at their headquarters just outside Wilmington, on the outskirts of Wilmington—I delivered more than 9,000 signatures on petitions to DHL headquarters, petitions

that were denied by DHL management 2 weeks ago when employees and community members tried to deliver them.

DHL needs to hear from these families and they need to understand that good corporate citizenship means more than baseball advertisements and company sponsorships. DHL workers and their families rightfully feel betrayed by the callous decision made by Deutsche Post.

This kind of betrayal does not just eliminate jobs. The community loses revenue, public schools take a hit, the police force, fire department—all take major hits. It is estimated that 10 percent of the Wilmington City school budget is derived from DHL's operations in Wilmington. Hospitals suffer. Clinton Memorial Hospital is a not-for-profit, and people connected with DHL account for a huge percent of their overall operations. They get $7 million in revenue just from DHL, ABX, and ASTAR, and their overall budget is $100 million. They don't know how they will be able to continue operations if DHL closes its operations in Wilmington.

There are some 15,000 children of those DHL workers at the Wilmington airpark—DHL, ASTAR, and ABX—who will lose their jobs.

Today I stood with the real All Stars, a couple of hundred workers and their families from southwest Ohio at DHL and at their union hall right across the street. In the last few months they have been sending me their stories. I would like to share some of them.

Tara Pratz of Lebanon, a community a few miles from there in Warren County, told me she and her husband relocated to Ohio because they trusted DHL and the promises made to her and workers like her. Reading from her note, she said:

> Deustch-Post is nothing more than a corporate terrorist destroying the very lives that built the company.

Kelly Morse of Blanchester also wrote me about moving to Ohio because of the loyalty she felt for DHL. She wrote:

> At first we did not want to move, but as a loyal employee I wanted to live close to my employer. DHL needs to be held accountable for the commitments they made to the people, workers, and community of southwest Ohio.

New Vienna resident Beth Carpenter wrote:

> My husband is one of the many employees being laid off . . . with the economy the way it is, it is hard enough trying to keep food on the table, let alone to try to do it without a job.

Sherry Barrett, also of New Vienna, wrote, simply:

> We are all extremely terrified of what our future holds. . . .We need all of you in our government to fight hard for us and Ohio.

Again, it doesn't need to be this way. DHL has been a good corporate citizen. It can remain a good friend to the people of Ohio. Workers and family members and the community are ready to do whatever it takes—whatever it takes. This morning in Wilmington it was clear that this community sticks together when times are tough.

I yield the floor and 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. FEINGOLD. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. (Mr. CARDIN). Without objection, it is so ordered.

HIV/AIDS, TB, AND MALARIA REAUTHORIZATION

Mr. FEINGOLD. Mr. President, I rise today to express my strong support for the Tom Lantos and Henry J. Hyde HIV/AIDS, TB, and Malaria Reauthorization Act. Although we have made significant headway over the last 5 years, the HIV/AIDS pandemic remains one of the world's worst public health crises, with millions of people infected around the globe and millions more who have already perished. As chairman of the Senate Foreign Relations subcommittee on Africa, and because of the disease's disproportionate impact on sub-Saharan Africa, I would like to focus my remarks today on that region to illustrate just how critical—and urgent—it is that we pass this bill.

Despite some progress, AIDS remains a severe public health concern in Africa. Indeed, HIV continues to spread, with many countries on the continent experiencing unprecedented drops in population, economic decline, decimation of militaries, and the creation of an entire generation of orphans who know no other life but that of the streets. These societal disruptions have profound consequences for the continent's future and security; already, they are impeding development in the part of the world least able to contain the epidemic or treat its victims.

In December 2007, the Joint United Nations Program on HIV/AIDS—UNAIDS—reported that worldwide, approximately 35 million people live with HIV/AIDS. Similar organizations report that at the current rate, by 2015 more than 62 million people could become newly infected. Currently, over two-thirds of HIV cases are in Africa, which means there are somewhere between 20 million and 24 million adults and children in that continent who are HIV-positive. And these are just the cases we know of—these are just the reported and documented cases. As a point of comparison, the region with the next highest infection rate is Southeast Asia—with some 4 million individuals living with HIV.

Since 2003 there has been a significant bipartisan effort to address this crisis with the creation of the President's Emergency Plan for AIDS—or PEPFAR as it is more commonly known. PEPFAR authorized some $19 billion over 5 years for HIV/AIDS, tuberculosis and malaria and yet in 2007 alone, 2.5 million people around the globe were infected with HIV—or the equivalent of some 6,800 per day, 4,600 of whom live in Africa. And while 4,600 Africans are being infected every day, some 6,000 Africans are dying from AIDS-related illness—many without ever realizing they were HIV-positive or, if they did know, without ever having access to any treatment for their illness. In other words, despite a ground-breaking initiative to raise the profile of the disease, to work with local communities and national health systems, and to coordinate among the international community, Africa's future remains in peril.

HIV/AIDS is spreading in African countries that are already hard hit by a range of other problems including rampant poverty, political instability and a lack of basic services and education. The result is decreased state capacity and an undermining of the development of civil society. HIV does not discriminate, and it is hitting members of Africa's political leadership, its college-trained professionals, and its skilled labor forces. And as it takes its toll on these groups, it is having a devastating effect on entire generations. I saw this firsthand just under a decade ago when I traveled to Zimbabwe, and I have seen it since in other trips to Africa.

At that time, reports were noting that life expectancy had dropped from 65 to 39 because of the epidemic. As I walked past the parliament building in Harare, I asked how old one had to be to become a legislator. The answer? Forty. And now, even as it copes with a new, devastating political and humanitarian crisis, Zimbabwe is experiencing even lower life expectancy rates—37 for men and just 34 for women—even lower than the minimum age to be elected a member of Parliament in that country.

Despite the critical assistance of the United States, the cold hard facts—the numbers of those infected and dying—show that even more help is needed from the international community. Last August, on a trip to Uganda, I met with a number of health experts—from government health workers to civil society representatives—to discuss how the United States can build on the good work that began with PEFPAR, and provide a more vigorous response to the disease.

We discussed what had worked and what had not, and they told me very clearly that in order to put a dent in the devastating impact of this pandemic, we need to focus not only on treatment but equally, if not more, on prevention. They shared examples of why, in order to help those most vulnerable, HIV/AIDS efforts need to include programs that address gender inequity, family planning, food and nutrition, and social stigma. And they were unequivocally clear that we need to work closely with national governments and local communities to help

build strong, sustainable health infrastructures that can provide assistance to their own citizens.

I mention Uganda because it has been a rare example of success on the continent. The government's early recognition of the crisis and its initial comprehensive policies—including a well-organized public education campaign—are credited with helping to bring adult HIV prevalence down from around 15 percent in the early 1990s to just over 5 percent in 2001. Unfortunately by 2006, scientists were suggesting that Uganda's HIV prevalence rates were once again rising. Indeed, I heard that same concern from most, if not all, of the people I met there, as well as from the President of Uganda himself.

The underlying message was that focusing on treatment is not enough. In the case of Uganda, given the rising infection rates—as with many other parts of the world—the emphasis on treatment fails to address the factors driving the epidemic. Don't get me wrong—Ugandans are grateful for U.S. HIV/AIDS funding—but they made it clear that future support would be more effective if it were more comprehensive, and corresponded more closely to national needs, conditions, and initiatives.

It has become a common refrain that we cannot treat our way out of this global pandemic and I continue to believe that is the case. As long as infection rates are rising, treatment and care costs will increase, as will the disease's burden on key vulnerable populations as well as their families, communities, and countries.

Scientific evidence supports the anecdotal evidence I heard from many in Uganda. It confirms there is much to be gained by integrating the treatment and care of other diseases—particularly tuberculosis but also more common, preventable ailments—with HIV programs and expanded informational awareness campaigns that encourage health knowledge and capacities. Part of the challenge of addressing HIV/AIDS is that the disease does not sit easily within any particular policy area and although there are important domestic components related to health and human services, these are also clearly questions of foreign policy and international assistance. All of these need to be integrated into a harmonious whole.

And that is why today I encourage my colleagues to support The Tom Lantos and Henry J. Hyde HIV/AIDS, TB, and Malaria Reauthorization Act and to reject any amendments that would undermine this bipartisan legislation. This bill is not perfect but, if passed, it will put global AIDS programs on the road to greater sustainability and will significantly increase our commitment to reversing the crisis.

We all know there can be no quick fix or shortcut to success, but we have before us now legislation that maintains and expands the United States' response to the HIV/AIDS pandemic. Passing this bill will ensure the continuation of U.S. leadership to prevent, contain, and combat HIV/AIDS, tuberculosis, and malaria in a way that advances a broader range of global health and development objectives. To do anything less would not only be bad policy, it would be short-sighted and counterproductive.

The PRESIDING OFFICER. The majority leader is recognized.

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the morning hour be extended to 4:30, with all other conditions of the previous order remaining in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Virginia is recognized.

FANNIE MAE AND FREDDIE MAC

Mr. WEBB. Mr. President, we are going to be talking this week quite a bit about the situation with Freddie Mac and Fannie Mae. We had news this weekend that the Federal Reserve and Treasury are intending to intervene to shore up Freddie Mac and Fannie Mae.

This situation underscores the depth and the persistence of our Nation's housing crisis. Last week, I joined a bipartisan majority of Senators in voting to approve a housing bill that is intended to strengthen oversight in Fannie Mae and Freddie Mac, to allow the FHA to guarantee up to $300 billion in new loans for at-risk subprime borrowers. But I think it would be useful at this time to review a few recent data points in other areas because they should cause all of us some concern about where we are heading and the decisions we are making as fiduciaries of the public trust.

In March of this year, Bear Stearns, the Nation's fifth largest investment banking firm, was battered by what its officials termed a sudden liquidity crisis regarding or related to its large exposure to devalued mortgage-backed securities.

At that time, Bear Stearns, JPMorgan, and the Federal Reserve reached a negotiated deal. JPMorgan purchased 95 million newly issued shares of Bear's common stock, and the Fed, which in reality means the people who pay the taxes in our country, became responsible for up to $29 billion in losses if the collateral provided by Bear Stearns for the loan proves to be worth less than their original claims. That is $29 billion guaranteed by American taxpayers in the private market.

This decision was unprecedented. Never before had the Fed bailed out a financial entity that was not a commercial bank. The Fed's unprecedented role has generated a widespread debate on the implications of these types of interventions. Many have had concerns that the Government's action tells the market that the Fed is willing to help a large and failing financial enterprise, which, in many people's view, sets a bad precedent in terms of corporate responsibility.

And by way of information, Bear Stearns' CEO earned $38.4 million in 2006. They did not file a proxy statement in 2008; his compensation was not available for 2007. But I will say that again. In 2006, previous to this crisis, the CEO made $38.4 million.

Last week, IndyMac Bank of Pasadena, CA was closed by the Federal Office of Thrift Supervision, and the FDIC, the Federal Deposit Insurance Corporation, was named conservator and therefore took over this bank's operations. According to the FDIC, the bank's board of directors was dissolved, the CEO was fired, and upper management may remain, although this has not yet been determined. But the new CEO in this situation is now an FDIC employee and is therefore compensated per a Government payscale. As conservators, the FDIC will operate the bank to maximize the value of the institution for further sale and to maintain banking services.

So when we look at the situation we are now facing with Fannie Mae and Freddie Mac, I think it is important to lay down three guiding principles. The first is, we do need to ensure that the measures we are taking protect these Americans who remain at risk of foreclosure. We have to take some proper action now so that this crisis does not grow deeper. But we also need to be very sensitive to the thousands of workers, many of whom live in this area, who have built careers at Fannie Mae and Freddie Mac. Many of those workers have their retirement savings tied up in the plummeting stock of these formerly robust companies. But as we focus rightly on those two concerns, on the homeowners and on the workers, we also need to be equally clear that any solution to this crisis has to be fair to the American taxpayers who ultimately are going to foot the bill. When times go bad like this, quite often the people who are paying the taxes are people who do not even own stock, or maybe it is somebody who makes $40,000 a year driving a truck who now is being asked to put money up to preserve an entity where, again, we see executive compensation and stock values over the years have increased.

Paul Krugman wrote a piece in the New York Times today addressing elements of this issue. I want to read a portion of it.

> The case against Fannie and Freddie begins with their peculiar status: although they're private companies with stockholders and profits, they're ''government-sponsored enterprises'' established by Federal law, which means that they receive special privileges. The most important of these privileges is implicit: it's the belief of investors that if Fannie and Freddie are threatened with failure, the Federal Government will come to their rescue.

This implicit guarantee means that profits are privatized but losses are socialized. If Fannie and Freddie do well, their stockholders [and the corporate executives] reap the benefits, but if things go badly, Washington picks up the tab. Heads they win, tails we lose. Such one-way bets can encourage the taking of bad risks, because the down side is someone else's problem.

Mr. President, I ask unanimous consent to have the entire New York Times article printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, July 14, 2008]

FANNIE, FREDDIE AND YOU

(By Paul Krugman)

And now we've reached the next stage of our seemingly never-ending financial crisis. This time Fannie Mae and Freddie Mac are in the headlines, with dire warnings of imminent collapse. How worried should we be?

Well, I'm going to take a contrarian position: the storm over these particular lenders is overblown. Fannie and Freddie probably will need a government rescue. But since it's already clear that that rescue will take place, their problems won't take down the economy.

Furthermore, while Fannie and Freddie are problematic institutions, they aren't responsible for the mess we're in.

Here's the background: Fannie Mae—the Federal National Mortgage Association—was created in the 1930s to facilitate homeownership by buying mortgages from banks, freeing up cash that could be used to make new loans. Fannie and Freddie Mac, which does pretty much the same thing, now finance most of the home loans being made in America.

The case against Fannie and Freddie begins with their peculiar status: although they're private companies with stockholders and profits, they're ''government-sponsored enterprises'' established by federal law, which means that they receive special privileges.

The most important of these privileges is implicit: it's the belief of investors that if Fannie and Freddie are threatened with failure, the federal government will come to their rescue.

This implicit guarantee means that profits are privatized but losses are socialized. If Fannie and Freddie do well, their stockholders reap the benefits, but if things go badly, Washington picks up the tab. Heads they win, tails we lose.

Such one-way bets can encourage the taking of bad risks, because the downside is someone else's problem. The classic example of how this can happen is the savings-and-loan crisis of the 1980s: S.&L. owners offered high interest rates to attract lots of federally insured deposits, then essentially gambled with the money. When many of their bets went bad, the feds ended up holding the bag. The eventual cleanup cost taxpayers more than $100 billion.

But here's the thing: Fannie and Freddie had nothing to do with the explosion of high-risk lending a few years ago, an explosion that dwarfed the S.&L. fiasco. In fact, Fannie and Freddie, after growing rapidly in the 1990s, largely faded from the scene during the height of the housing bubble.

Partly that's because regulators, responding to accounting scandals at the companies, placed temporary restraints on both Fannie and Freddie that curtailed their lending just as housing prices were really taking off. Also, they didn't do any subprime lending, because they can't: the definition of a subprime loan is precisely a loan that doesn't meet the requirement, imposed by law, that Fannie and Freddie buy only mortgages issued to borrowers who made substantial down payments and carefully documented their income.

So whatever bad incentives the implicit federal guarantee creates have been offset by the fact that Fannie and Freddie were and are tightly regulated with regard to the risks they can take. You could say that the Fannie-Freddie experience shows that regulation works.

In that case, however, how did they end up in trouble?

Part of the answer is the sheer scale of the housing bubble, and the size of the price declines taking place now that the bubble has burst. In Los Angeles, Miami and other places, anyone who borrowed to buy a house at the peak of the market probably has negative equity at this point, even if he or she originally put 20 percent down. The result is a rising rate of delinquency even on loans that meet Fannie-Freddie guidelines.

Also, Fannie and Freddie, while tightly regulated in terms of their lending, haven't been required to put up enough capital—that is, money raised by selling stock rather than borrowing. This means that even a small decline in the value of their assets can leave them underwater, owing more than they own.

And yes, there is a real political scandal here: there have been repeated warnings that Fannie's and Freddie's thin capitalization posed risks to taxpayers, but the companies' management bought off the political process, systematically hiring influential figures from both parties. While they were ugly, however, Fannie's and Freddie's political machinations didn't play a significant role in causing our current problems.

Still, isn't it shocking that taxpayers may end up having to rescue these institutions? Not really. We're going through a major financial crisis—and such crises almost always end with some kind of taxpayer bailout for the banking system.

And let's be clear: Fannie and Freddie can't be allowed to fail. With the collapse of subprime lending, they're now more central than ever to the housing market, and the economy as a whole.

Mr. WEBB. Looking at or thinking about Mr. Krugman's piece, we should also recall that the chief executives of those two companies last year earned multimillion-dollar compensation packages. We respect the guidance and the leadership that allows corporate CEOs to make these kinds of compensation, but at the same time, we should not be asking the taxpayers of this country, many of whom do not even own stocks, if we are buttressing the activities of these companies, to continue to assist financially this type of corporate compensation.

We have seen one example with the recent IndyMac Bank failure where the FDIC came in and the acting CEO gets a regular Federal salary. I urge all of my colleagues to think about this this week, that, as Mr. Krugman says, ''the profits are privatized,'' meaning the small group of people who own stocks take advantage when things go well, and sometimes we talk about economic Darwinism and how the fact that they make that sort of compensation relates to their talent, ''but losses are socialized'' meaning that everyone in the country ends up having to pay when things go wrong in order to protect the system from falling apart.

Well, the bottom line of that is, if our taxpayers are going to be required to chip in to solve the problem, they should not be alone. The executives who are involved in the operations of these institutions should also be willing to do the same.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The majority leader is recognized.

CONCLUSION OF MORNING BUSINESS

Mr. REID. Mr. President, I have talked to the distinguished ranking member of the Foreign Relations Committee and explained to him where we are. I am very happy we have an agreement to move forward on PEPFAR. That agreement is that we have 10 amendments. They are amendments we worked on hard. We did it all day Thursday and Thursday night, and then Friday, of course, perfecting the agreement, and we now have consent to move to the bill.

Here is the problem that faces the majority: By our moving to PEPFAR, it opens a spot where somebody can move to proceed to something else, anything that is on the calendar. Anyone can come in and move to that piece of legislation, and file a cloture motion with it, which would force us to be on that matter. I cannot allow that to happen.

I say this with the deepest respect for all my Republican colleagues, but we have had a little bit of mischievous legislation being thrown about here, and so if I move to something else to fill that spot to keep someone else from moving to something else, we on this side would be very happy to leave that dormant, do nothing with it, and move forward and complete PEPFAR. There would be no harm to anyone in doing this. But it would seem to me there would be a lot of harm if—I will not mention any names—the two or three likely suspects walked over here and moved to proceed to something else. I think it would create a lot of problems.

This PEPFAR legislation dealing with global AIDS is extremely important. The President wants it. I do not know of a single Democrat who does not want it. I think most Republicans—I think the vast majority of Republicans—want this. So I would hope we are not going to get off track because of some folks over here who have tended to make me kind of look for a sucker punch to be thrown at any time. I think we would all be ill-advised to not finish PEPFAR at this time.

Mr. President, I would ask that morning business be closed. That being

the case, I think the order is now in effect that once it is closed, we would be on PEPFAR.

Is that right; I ask the Chair?

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. Mr. President, I would ask that morning business be closed.

The PRESIDING OFFICER. Morning business is closed.

TOM LANTOS AND HENRY J. HYDE UNITED STATES GLOBAL LEADERSHIP AGAINST HIV/AIDS, TUBERCULOSIS, AND MALARIA REAUTHORIZATION ACT OF 2008

The PRESIDING OFFICER. Under the previous order, the motion to proceed to S. 2731 is agreed to, and the Senate will proceed to the consideration of the measure, which the clerk will report by title.

The assistant legislative clerk read as follows:

A bill (S. 2731) to authorize appropriations for fiscal years 2009 through 2013 to provide assistance to foreign countries to combat HIV/AIDS, tuberculosis, and malaria, and for other purposes.

Thereupon, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Definitions.
Sec. 4. Purpose.
Sec. 5. Authority to consolidate and combine reports.

TITLE I—POLICY PLANNING AND COORDINATION

Sec. 101. Development of an updated, comprehensive, 5-year, global strategy.
Sec. 102. Interagency working group.
Sec. 103. Sense of Congress.

TITLE II—SUPPORT FOR MULTILATERAL FUNDS, PROGRAMS, AND PUBLIC-PRIVATE PARTNERSHIPS

Sec. 201. Voluntary contributions to international vaccine funds.
Sec. 202. Participation in the Global Fund to Fight AIDS, Tuberculosis and Malaria.
Sec. 203. Research on methods for women to prevent transmission of HIV and other diseases.
Sec. 204. Combating HIV/AIDS, tuberculosis, and malaria by strengthening health policies and health systems of partner countries.
Sec. 205. Facilitating effective operations of the Centers for Disease Control.
Sec. 206. Facilitating vaccine development.

TITLE III—BILATERAL EFFORTS

Subtitle A—General Assistance and Programs

Sec. 301. Assistance to combat HIV/AIDS.
Sec. 302. Assistance to combat tuberculosis.
Sec. 303. Assistance to combat malaria.
Sec. 304. Malaria Response Coordinator.
Sec. 305. Amendment to Immigration and Nationality Act.
Sec. 306. Clerical amendment.
Sec. 307. Requirements.
Sec. 308. Annual report on prevention of mother-to-child transmission of HIV.
Sec. 309. Prevention of mother-to-child transmission expert panel.

TITLE IV—FUNDING ALLOCATIONS

Sec. 401. Authorization of appropriations.
Sec. 402. Sense of Congress.
Sec. 403. Allocation of funds.

SEC. 2. FINDINGS.

Section 2 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7601) is amended by adding at the end the following:

''(29) On May 27, 2003, the President signed this Act into law, launching the largest international public health program of its kind ever created.

''(30) Between 2003 and 2008, the United States, through the President's Emergency Plan for AIDS Relief (PEPFAR) and in conjunction with other bilateral programs and the multilateral Global Fund has helped to—

''(A) provide antiretroviral therapy for over 1,900,000 people;

''(B) ensure that over 150,000 infants, most of whom would have likely been infected with HIV during pregnancy or childbirth, were not infected; and

''(C) provide palliative care and HIV prevention assistance to millions of other people.

''(31) While United States leadership in the battles against HIV/AIDS, tuberculosis, and malaria has had an enormous impact, these diseases continue to take a terrible toll on the human race.

''(32) According to the 2007 AIDS Epidemic Update of the Joint United Nations Programme on HIV/AIDS (UNAIDS)—

''(A) an estimated 2,100,000 people died of AIDS-related causes in 2007; and

''(B) an estimated 2,500,000 people were newly infected with HIV during that year.

''(33) According to the World Health Organization, malaria kills more than 1,000,000 people per year, 70 percent of whom are children under 5 years of age.

''(34) According to the World Health Organization, ⅓ of the world's population is infected with the tuberculosis bacterium, and tuberculosis is 1 of the greatest infectious causes of death of adults worldwide, killing 1,600,000 people per year.

''(35) Efforts to promote abstinence, fidelity, the correct and consistent use of condoms, the delay of sexual debut, and the reduction of concurrent sexual partners represent important elements of strategies to prevent the transmission of HIV/AIDS.

''(36) According to UNAIDS—

''(A) women and girls make up nearly 60 percent of persons in sub-Saharan Africa who are HIV positive;

''(B) women and girls are more biologically, economically, and socially vulnerable to HIV infection; and

''(C) gender issues are critical components in the effort to prevent HIV/AIDS and to care for those affected by the disease.

''(37) Children who have lost a parent to HIV/AIDS, who are otherwise directly affected by the disease, or who live in areas of high HIV prevalence may be vulnerable to the disease or its socioeconomic effects.

''(38) Lack of health capacity, including insufficient personnel and inadequate infrastructure, in sub-Saharan Africa and other regions of the world is a critical barrier that limits the effectiveness of efforts to combat HIV/AIDS, tuberculosis, and malaria, and to achieve other global health goals.

''(39) On March 30, 2007, the Institute of Medicine of the National Academies released a report entitled 'PEPFAR Implementation: Progress and Promise', which found that budget allocations setting percentage levels for spending on prevention, care, and treatment and for certain subsets of activities within the prevention category—

''(A) have 'adversely affected implementation of the U.S. Global AIDS Initiative';

''(B) have inhibited comprehensive, integrated, evidence based approaches;

''(C) 'have been counterproductive';

''(D) 'may have been helpful initially in ensuring a balance of attention to activities within the 4 categories of prevention, treatment, care, and orphans and vulnerable children';

''(E) 'have also limited PEPFAR's ability to tailor its activities in each country to the local epidemic and to coordinate with the level of activities in the countries' national plans'; and

''(F) should be removed by Congress and replaced with more appropriate mechanisms that—

''(i) 'ensure accountability for results from Country Teams to the U.S. Global AIDS Coordinator and to Congress'; and

''(ii) 'ensure that spending is directly linked to and commensurate with necessary efforts to achieve both country and overall performance targets for prevention, treatment, care, and orphans and vulnerable children'.

''(40) The United States Government has endorsed the principles of harmonization in coordinating efforts to combat HIV/AIDS commonly referred to as the 'Three Ones', which includes—

''(A) 1 agreed HIV/AIDS action framework that provides the basis for coordination of the work of all partners;

''(B) 1 national HIV/AIDS coordinating authority, with a broadbased multisectoral mandate; and

''(C) 1 agreed HIV/AIDS country-level monitoring and evaluating system.

''(41) In the Abuja Declaration on HIV/AIDS, Tuberculosis and Other Related Infectious Diseases, of April 26–27, 2001 (referred to in this Act as the 'Abuja Declaration'), the Heads of State and Government of the Organization of African Unity (OAU)—

''(A) declared that they would 'place the fight against HIV/AIDS at the forefront and as the highest priority issue in our respective national development plans';

''(B) committed 'TO TAKE PERSONAL RESPONSIBILITY AND PROVIDE LEADERSHIP for the activities of the National AIDS Commissions/Councils';

''(C) resolved 'to lead from the front the battle against HIV/AIDS, Tuberculosis and Other Related Infectious Diseases by personally ensuring that such bodies were properly convened in mobilizing our societies as a whole and providing focus for unified national policymaking and programme implementation, ensuring coordination of all sectors at all levels with a gender perspective and respect for human rights, particularly to ensure equal rights for people living with HIV/AIDS'; and

''(D) pledged 'to set a target of allocating at least 15% of our annual budget to the improvement of the health sector'.''.

SEC. 3. DEFINITIONS.

Section 3 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7602) is amended—

(1) in paragraph (2), by striking ''Committee on International Relations'' and inserting ''Committee on Foreign Affairs of the House of Representatives, the Committee on Appropriations of the Senate, and the Committee on Appropriations'';

(2) by redesignating paragraph (6) as paragraph (12);

(3) by redesignating paragraphs (3) through (5), as paragraphs (4) through (6), respectively;

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

''(3) GLOBAL AIDS COORDINATOR.—The term 'Global AIDS Coordinator' means the Coordinator of United States Government Activities to Combat HIV/AIDS Globally.'';

(5) by inserting after paragraph (6), as redesignated, the following:

''(7) IMPACT EVALUATION RESEARCH.—The term 'impact evaluation research' means the application of research methods and statistical analysis to measure the extent to which change in a population-based outcome can be attributed to program intervention instead of other environmental factors.

''(8) OPERATIONS RESEARCH.—The term 'operations research' means the application of social science research methods and statistical analysis to judge, compare, and improve policies and program outcomes, from the earliest stages of defining and designing programs through their development and implementation, with the objective of the rapid dissemination of conclusions and concrete impact on programming.

''(9) PARAPROFESSIONAL.—The term 'paraprofessional' means an individual who is trained and employed as a health agent for the provision of basic assistance in the identification, prevention, or treatment of illness or disability.

''(10) PARTNER GOVERNMENT.—The term 'partner government' means a government with which the United States is working to provide assistance to combat HIV/AIDS, tuberculosis, or malaria on behalf of people living within the jurisdiction of such government.

''(11) PROGRAM MONITORING.—The term 'program monitoring' means the collection, analysis, and use of routine program data to determine—

''(A) how well a program is carried out; and

''(B) how much the program costs.''; and

(6) by inserting after paragraph (12), as redesignated, the following:

''(13) STRUCTURAL HIV PREVENTION.—The term 'structural HIV prevention' means activities or programs designed to—

''(A) address environmental factors that could create conditions conducive to the spread of HIV; and

''(B) determine the best ways to remedy such factors by enhancing life skills and promoting changes in laws, policies, and social norms.''.

SEC. 4. PURPOSE.

Section 4 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7603) is amended to read as follows:

''SEC. 4. PURPOSE.

''The purpose of this Act is to strengthen and enhance United States leadership and the effectiveness of the United States response to the HIV/AIDS, tuberculosis, and malaria pandemics and other related and preventable infectious diseases as part of the overall United States health and development agenda by—

''(1) establishing comprehensive, coordinated, and integrated 5-year, global strategies to combat HIV/AIDS, tuberculosis, and malaria by—

''(A) building on progress and successes to date;

''(B) improving harmonization of United States efforts with national strategies of partner governments and other public and private entities; and

''(C) emphasizing capacity building initiatives in order to promote a transition toward greater sustainability through the support of country-driven efforts;

''(2) providing increased resources for bilateral and multilateral efforts to fight HIV/AIDS, tuberculosis, and malaria as integrated components of United States development assistance;

''(3) intensifying efforts to—

''(A) prevent HIV infection;

''(B) ensure the continued support for, and expanded access to, treatment and care programs;

''(C) enhance the effectiveness of prevention, treatment, and care programs; and

''(D) address the particular vulnerabilities of girls and women;

''(4) encouraging the expansion of private sector efforts and expanding public-private sector partnerships to combat HIV/AIDS, tuberculosis, and malaria;

''(5) reinforcing efforts to—

''(A) develop safe and effective vaccines, microbicides, and other prevention and treatment technologies; and

''(B) improve diagnostics capabilities for HIV/AIDS, tuberculosis, and malaria; and

''(6) helping partner countries to—

''(A) strengthen health systems;

''(B) improve human health capacity; and

''(C) address infrastructural weaknesses.''.

SEC. 5. AUTHORITY TO CONSOLIDATE AND COMBINE REPORTS.

Section 5 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7604) is amended by inserting '', with the exception of the 5-year strategy'' before the period at the end.

TITLE I—POLICY PLANNING AND COORDINATION

SEC. 101. DEVELOPMENT OF AN UPDATED, COMPREHENSIVE, 5-YEAR, GLOBAL STRATEGY.

(a) STRATEGY.—Section 101(a) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7611(a)) is amended to read as follows:

''(a) STRATEGY.—The President shall establish a comprehensive, integrated, 5-year strategy to expand and improve efforts to combat global HIV/AIDS. This strategy shall—

''(1) further strengthen the capability of the United States to be an effective leader of the international campaign against this disease and strengthen the capacities of nations experiencing HIV/AIDS epidemics to combat this disease;

''(2) maintain sufficient flexibility and remain responsive to—

''(A) changes in the epidemic;

''(B) challenges facing partner countries in developing and implementing an effective national response; and

''(C) evidence-based improvements and innovations in the prevention, care, and treatment of HIV/AIDS;

''(3) situate United States efforts to combat HIV/AIDS, tuberculosis, and malaria within the broader United States global health and development agenda, establishing a roadmap to link investments in specific disease programs to the broader goals of strengthening health systems and infrastructure and to integrate and coordinate HIV/AIDS, tuberculosis, or malaria programs with other health or development programs, as appropriate;

''(4) provide a plan to—

''(A) prevent 12,000,000 new HIV infections worldwide;

''(B) support treatment of at least 3,000,000 individuals with HIV/AIDS and support additional treatment through coordinated multilateral efforts;

''(C) support care for 12,000,000 individuals with HIV/AIDS, including 5,000,000 orphans and vulnerable children affected by HIV/AIDS, with an emphasis on promoting a comprehensive, coordinated system of services to be integrated throughout the continuum of care;

''(D) help partner countries in the effort to achieve goals of 80 percent access to counseling, testing, and treatment to prevent the transmission of HIV from mother to child, emphasizing a continuum of care model;

''(E) help partner countries to provide care and treatment services to children with HIV in proportion to their percentage within the HIV-infected population in each country;

''(F) promote preservice training for health professionals designed to strengthen the capacity of institutions to develop and implement policies for training health workers to combat HIV/AIDS, tuberculosis, and malaria;

''(G) equip teachers with skills needed for HIV/AIDS prevention, treatment, and care;

''(H) provide and share best practices for combating HIV/AIDS with health professionals; and

''(I) help partner countries to train and support retention of health care professionals and paraprofessionals, with the target of training and retaining at least 140,000 new health care professionals and paraprofessionals and to strengthen capacities in developing countries, especially in sub-Saharan Africa, to deliver primary health care with the objective of helping countries achieve staffing levels of at least 2.3 doctors, nurses, and midwives per 1,000 population, as called for by the World Health Organization;

''(5) include multisectoral approaches and specific strategies to treat individuals infected with HIV/AIDS and to prevent the further transmission of HIV infections, with a particular focus on the needs of families with children (including the prevention of mother-to-child transmission), women, young people, orphans, and vulnerable children;

''(6) establish a timetable with annual global treatment targets;

''(7) expand the integration of timely and relevant research within the prevention, care, and treatment of HIV/AIDS;

''(8) include a plan for program monitoring, operations research, and impact evaluation and for the dissemination of a best practices report to highlight findings;

''(9) provide for consultation with local leaders and officials to develop prevention strategies and programs that are tailored to the unique needs of each country and community and targeted particularly toward those most at risk of acquiring HIV infection;

''(10) make the reduction of HIV/AIDS behavioral risks a priority of all prevention efforts by—

''(A) promoting abstinence from sexual activity and encouraging monogamy and faithfulness;

''(B) encouraging the correct and consistent use of male and female condoms and increasing the availability of, and access to, these commodities;

''(C) promoting the delay of sexual debut and the reduction of multiple concurrent sexual partners;

''(D) promoting education for discordant couples (where an individual is infected with HIV and the other individual is uninfected or whose status is unknown) about safer sex practices;

''(E) promoting voluntary counseling and testing, addiction therapy, and other prevention and treatment tools for illicit injection drug users and other substance abusers;

''(F) educating men and boys about the risks of procuring sex commercially and about the need to end violent behavior toward women and girls;

''(G) supporting comprehensive programs to promote alternative livelihoods, safety, and social reintegration strategies for commercial sex workers and their families;

''(H) promoting cooperation with law enforcement to prosecute offenders of trafficking, rape, and sexual assault crimes with the goal of eliminating such crimes; and

''(I) working to eliminate rape, gender-based violence, sexual assault, and the sexual exploitation of women and children;

''(11) include programs to reduce the transmission of HIV through structural prevention efforts, particularly addressing the heightened vulnerabilities of women and girls to HIV in many countries; and

''(12) support other important means of preventing or reducing the transmission of HIV, including—

''(A) medical male circumcision;

''(B) the maintenance of a safe blood supply; and

''(C) other mechanisms to reduce the transmission of HIV;

''(13) increase support for prevention of mother-to-child transmission;

''(14) build capacity within the public health sector of developing countries by improving

health systems and public health infrastructure and developing indicators to measure changes in broader public health sector capabilities;

''(15) increase the coordination of HIV/AIDS programs with development programs;

''(16) provide a framework for expanding or developing existing or new country or regional programs, including—

''(A) drafting compacts or other agreements, as appropriate;

''(B) establishing criteria and objectives for such compacts and agreements; and

''(C) promoting sustainability;

''(17) provide a plan for national and regional priorities for resource distribution and a global investment plan by region;

''(18) provide a plan to address the immediate and ongoing needs of women and girls, which—

''(A) addresses the vulnerabilities that contribute to their elevated risk of infection;

''(B) includes specific goals and targets to address these factors;

''(C) provides clear guidance to field missions to integrate gender across prevention, care, and treatment programs;

''(D) sets forth gender-specific indicators to monitor progress on outcomes and impacts of gender programs;

''(E) supports efforts in countries in which women or orphans lack inheritance rights and other fundamental protections to promote the passage, implementation, and enforcement of such laws;

''(F) supports life skills training and other structural prevention activities, especially among women and girls, with the goal of reducing vulnerabilities to HIV/AIDS;

''(G) addresses and prevents gender-based violence; and

''(H) addresses the posttraumatic and psychosocial consequences and provides postexposure prophylaxis protecting against HIV infection to victims of gender-based violence and rape;

''(19) provide a plan to address the vulnerabilities and needs of orphans and children who are vulnerable to, or affected by, HIV/AIDS;

''(20) provide a framework to work with international actors and partner countries toward universal access to HIV/AIDS prevention, treatment, and care programs, recognizing that prevention is of particular importance in terms of sequencing;

''(21) enhance the coordination of United States bilateral efforts to combat global HIV/AIDS with other major public and private entities;

''(22) enhance the attention given to the national strategic HIV/AIDS plans of countries receiving United States assistance by—

''(A) reviewing the planning and programmatic decisions associated with that assistance; and

''(B) helping to strengthen such national strategies, if necessary;

''(23) support activities described in the Global Plan to Stop TB, including—

''(A) expanding and enhancing the coverage of the Directly Observed Treatment Short-course (DOTS) in order to treat individuals infected with tuberculosis and HIV, including multi-drug resistant or extensively drug resistant tuberculosis; and

''(B) improving coordination and integration of HIV/AIDS and tuberculosis programming;

''(24) ensure coordination between the Global AIDS Coordinator and the Malaria Coordinator and address issues of comorbidity between HIV/AIDS and malaria; and

''(25) include a longer term estimate of the projected resource needs, progress toward greater sustainability and country ownership of HIV/AIDS programs, and the anticipated role of the United States in the global effort to combat HIV/AIDS during the 10-year period beginning on October 1, 2013.''.

(b) REPORT.—Section 101(b) of such Act (22 U.S.C. 7611(b)) is amended to read as follows:

''(b) REPORT.—

''(1) IN GENERAL.—Not later than October 1, 2009, the President shall submit a report to the appropriate congressional committees that sets forth the strategy described in subsection (a).

''(2) CONTENTS.—The report required under paragraph (1) shall include a discussion of the following elements:

''(A) The purpose, scope, methodology, and general and specific objectives of the strategy.

''(B) The problems, risks, and threats to the successful pursuit of the strategy.

''(C) The desired goals, objectives, activities, and outcome-related performance measures of the strategy.

''(D) A description of future costs and resources needed to carry out the strategy.

''(E) A delineation of United States Government roles, responsibility, and coordination mechanisms of the strategy.

''(F) A description of the strategy—

''(i) to promote harmonization of United States assistance with that of other international, national, and private actors as elucidated in the 'Three Ones'; and

''(ii) to address existing challenges in harmonization and alignment.

''(G) A description of the manner in which the strategy will—

''(i) further the development and implementation of the national multisectoral strategic HIV/AIDS frameworks of partner governments; and

''(ii) enhance the centrality, effectiveness, and sustainability of those national plans.

''(H) A description of how the strategy will seek to achieve the specific targets described in subsection (a) and other targets, as appropriate.

''(I) A description of, and rationale for, the timetable for annual global treatment targets.

''(J) A description of how operations research is addressed in the strategy and how such research can most effectively be integrated into care, treatment, and prevention activities in order to—

''(i) improve program quality and efficiency;

''(ii) ascertain cost effectiveness;

''(iii) ensure transparency and accountability;

''(iv) assess population-based impact;

''(v) disseminate findings and best practices; and

''(vi) optimize delivery of services.

''(K) An analysis of United States-assisted strategies to prevent the transmission of HIV/AIDS, including methodologies to promote abstinence, monogamy, faithfulness, the correct and consistent use of male and female condoms, reductions in concurrent sexual partners, and delay of sexual debut, and of intended monitoring and evaluation approaches to measure the effectiveness of prevention programs and ensure that they are targeted to appropriate audiences.

''(L) Within the analysis required under subparagraph (J), an examination of additional planned means of preventing the transmission of HIV including medical male circumcision, maintenance of a safe blood supply, and other tools.

''(M) A description of the specific targets, goals, and strategies developed to address the needs and vulnerabilities of women and girls to HIV/AIDS, including—

''(i) structural prevention activities;

''(ii) activities directed toward men and boys;

''(iii) activities to enhance educational, microfinance, and livelihood opportunities for women and girls;

''(iv) activities to promote and protect the legal empowerment of women, girls, and orphans and vulnerable children;

''(v) programs targeted toward gender-based violence and sexual coercion;

''(vi) strategies to meet the particular needs of adolescents;

''(vii) assistance for victims of rape, sexual abuse, assault, exploitation, and trafficking; and

''(viii) programs to prevent alcohol abuse.

''(N) A description of strategies—

''(i) to address the needs of orphans and vulnerable children, including an analysis of—

''(I) factors contributing to children's vulnerability to HIV/AIDS; and

''(II) vulnerabilities caused by the impact of HIV/AIDS on children and their families; and

''(ii) in areas of higher HIV/AIDS prevalence, to promote a community-based approach to vulnerability, maximizing community input into determining which children participate.

''(O) A description of capacity-building efforts undertaken by countries themselves, including adherents of the Abuja Declaration and an assessment of the impact of International Monetary Fund macroeconomic and fiscal policies on national and donor investments in health.

''(P) A description of the strategy to—

''(i) strengthen capacity building within the public health sector;

''(ii) improve health care in those countries;

''(iii) help countries to develop and implement national health workforce strategies;

''(iv) strive to achieve goals in training, retaining, and effectively deploying health staff;

''(v) promote ethical recruiting practices for health care workers; and

''(vi) increase the sustainability of health programs.

''(Q) A description of the criteria for selection, objectives, methodology, and structure of compacts or other framework agreements with countries or regional organizations, including—

''(i) the role of civil society;

''(ii) the degree of transparency;

''(iii) benchmarks for success of such compacts or agreements; and

''(iv) the relationship between such compacts or agreements and the national HIV/AIDS and public health strategies and commitments of partner countries.

''(R) A strategy to better coordinate HIV/AIDS assistance with nutrition and food assistance programs.

''(S) A description of transnational or regional initiatives to combat regionalized epidemics in highly affected areas such as the Caribbean.

''(T) A description of planned resource distribution and global investment by region.

''(U) A description of coordination efforts in order to better implement the Stop TB Strategy and to address the problem of coinfection of HIV/AIDS and tuberculosis and of projected challenges or barriers to successful implementation.

''(V) A description of coordination efforts to address malaria and comorbidity with malaria and HIV/AIDS.''.

(c) STUDY.—Section 101(c) of such Act (22 U.S.C. 7611(c)) is amended to read as follows:

''(c) STUDY OF PROGRESS TOWARD ACHIEVEMENT OF POLICY OBJECTIVES.—

''(1) DESIGN AND BUDGET PLAN FOR DATA EVALUATION.—The Global AIDS Coordinator shall enter into a contract with the Institute of Medicine of the National Academies that provides that not later than 18 months after the date of the enactment of the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008, the Institute, in consultation with the Global AIDS Coordinator and other relevant parties representing the public and private sector, shall provide the Global AIDS Coordinator with a design plan and budget for the evaluation and collection of baseline and subsequent data to address the elements set forth in paragraph (2)(B). The Global AIDS Coordinator shall submit the budget and design plan to the appropriate congressional committees.

''(2) STUDY.—

''(A) IN GENERAL.—Not later than 4 years after the date of the enactment of the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008, the Institute of Medicine of the National Academies shall publish a study that includes—

''(i) an assessment of the performance of United States-assisted global HIV/AIDS programs; and

''(ii) an evaluation of the impact on health of prevention, treatment, and care efforts that are supported by United States funding, including multilateral and bilateral programs involving joint operations.

''(B) CONTENT.—The study conducted under this paragraph shall include—

''(i) an assessment of progress toward prevention, treatment, and care targets;

''(ii) an assessment of the effects on health systems, including on the financing and management of health systems and the quality of service delivery and staffing;

''(iii) an assessment of efforts to address gender-specific aspects of HIV/AIDS, including gender related constraints to accessing services and addressing underlying social and economic vulnerabilities of women and men;

''(iv) an evaluation of the impact of treatment and care programs on 5-year survival rates, drug adherence, and the emergence of drug resistance;

''(v) an evaluation of the impact of prevention programs on HIV incidence in relevant population groups;

''(vi) an evaluation of the impact on child health and welfare of interventions authorized under this Act on behalf of orphans and vulnerable children;

''(vii) an evaluation of the impact of programs and activities authorized in this Act on child mortality; and

''(viii) recommendations for improving the programs referred to in subparagraph (A)(i).

''(C) METHODOLOGIES.—Assessments and impact evaluations conducted under the study shall utilize sound statistical methods and techniques for the behavioral sciences, including random assignment methodologies as feasible. Qualitative data on process variables should be used for assessments and impact evaluations, wherever possible.

''(3) CONTRACT AUTHORITY.—The Institute of Medicine may enter into contracts or cooperative agreements or award grants to conduct the study under paragraph (2).

''(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out the study under this subsection.''.

(d) REPORT.—Section 101 of such Act, as amended by this section, is further amended by adding at the end the following:

''(d) COMPTROLLER GENERAL REPORT.—

''(1) REPORT REQUIRED.—Not later than 3 years after the date of the enactment of the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008, the Comptroller General of the United States shall submit a report on the global HIV/AIDS programs of the United States to the appropriate congressional committees.

''(2) CONTENTS.—The report required under paragraph (1) shall include—

''(A) a description and assessment of the monitoring and evaluation practices and policies in place for these programs;

''(B) an assessment of coordination within Federal agencies involved in these programs, examining both internal coordination within these programs and integration with the larger global health and development agenda of the United States;

''(C) an assessment of procurement policies and practices within these programs;

''(D) an assessment of harmonization with national government HIV/AIDS and public health strategies as well as other international efforts;

''(E) an assessment of the impact of global HIV/AIDS funding and programs on other United States global health programming; and

''(F) recommendations for improving the global HIV/AIDS programs of the United States.

''(e) BEST PRACTICES REPORT.—

''(1) IN GENERAL.—Not later than 1 year after the date of the enactment of the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008, and annually thereafter, the Global AIDS Coordinator shall publish a best practices report that highlights the programs receiving financial assistance from the United States that have the potential for replication or adaption, particularly at a low cost, across global AIDS programs, including those that focus on both generalized and localized epidemics.

''(2) DISSEMINATION OF FINDINGS.—

''(A) PUBLICATION ON INTERNET WEBSITE.—The Global AIDS Coordinator shall disseminate the full findings of the annual best practices report on the Internet website of the Office of the Global AIDS Coordinator.

''(B) DISSEMINATION GUIDANCE.—The Global AIDS Coordinator shall develop guidance to ensure timely submission and dissemination of significant information regarding best practices with respect to global AIDS programs.

''(f) INSPECTORS GENERAL.—

''(1) OVERSIGHT PLAN.—

''(A) DEVELOPMENT.—The Inspectors General of the Department of State and Broadcasting Board of Governors, the Department of Health and Human Services, and the United States Agency for International Development shall jointly develop 5 coordinated annual plans for oversight activity in each of the fiscal years 2009 through 2013, with regard to the programs authorized under this Act and sections 104A, 104B, and 104C of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b–2, 2151b–3, and 2151b–4).

''(B) CONTENTS.—The plans developed under subparagraph (A) shall include a schedule for financial audits, inspections, and performance reviews, as appropriate.

''(C) DEADLINE.—

''(i) INITIAL PLAN.—The first plan developed under subparagraph (A) shall be completed not later than the later of—

''(I) September 1, 2008; or

''(II) 60 days after the date of the enactment of the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008.

''(ii) SUBSEQUENT PLANS.—Each of the last four plans developed under subparagraph (A) shall be completed not later than 30 days before each of the fiscal years 2010 through 2013, respectively.

''(2) COORDINATION.—In order to avoid duplication and maximize efficiency, the Inspectors General described in paragraph (1) shall coordinate their activities with—

''(A) the Government Accountability Office; and

''(B) the Inspectors General of the Department of Commerce, the Department of Defense, the Department of Labor, and the Peace Corps, as appropriate, pursuant to the 2004 Memorandum of Agreement Coordinating Audit Coverage of Programs and Activities Implementing the President's Emergency Plan for AIDS Relief, or any successor agreement.

''(3) FUNDING.—The Global AIDS Coordinator and the Coordinator of the United States Government Activities to Combat Malaria Globally shall make available necessary funds not exceeding $10,000,000 during the 5-year period beginning on October 1, 2008 to the Inspectors General described in paragraph (1) for the audits, inspections, and reviews described in that paragraph.''.

SEC. 102. INTERAGENCY WORKING GROUP.

Section 1(f)(2) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(f)(2)) is amended—

(1) in subparagraph (A), by inserting '', partner country finance, health, and other relevant ministries,'' after ''community based organizations)'' each place it appears;

(2) in subparagraph (B)(ii)—

(A) by striking subclauses (IV) and (V);

(B) by inserting after subclause (III) the following:

''(IV) Establishing an interagency working group on HIV/AIDS headed by the Global AIDS Coordinator and comprised of representatives from the United States Agency for International Development and the Department of Health and Human Services, for the purposes of coordination of activities relating to HIV/AIDS, including—

''(aa) meeting regularly to review progress in partner countries toward HIV/AIDS prevention, treatment, and care objectives;

''(bb) participating in the process of identifying countries to consider for increased assistance based on the epidemiology of HIV/AIDS in those countries, including clear evidence of a public health threat, as well as government commitment to address the HIV/AIDS problem, relative need, and coordination and joint planning with other significant actors;

''(cc) assisting the Coordinator in the evaluation, execution, and oversight of country operational plans;

''(dd) reviewing policies that may be obstacles to reaching targets set forth for HIV/AIDS prevention, treatment, and care; and

''(ee) consulting with representatives from additional relevant agencies, including the National Institutes of Health, the Health Resources and Services Administration, the Department of Labor, the Department of Agriculture, the Millennium Challenge Corporation, the Peace Corps, and the Department of Defense.

''(V) Coordinating overall United States HIV/AIDS policy and programs, including ensuring the coordination of relevant executive branch agency activities in the field, with efforts led by partner countries, and with the assistance provided by other relevant bilateral and multilateral aid agencies and other donor institutions to promote harmonization with other programs aimed at preventing and treating HIV/AIDS and other health challenges, improving primary health, addressing food security, promoting education and development, and strengthening health care systems.'';

(C) by redesignating subclauses (VII) and VIII) as subclauses (IX) and (XII), respectively;

(D) by inserting after subclause (VI) the following:

''(VII) Holding annual consultations with nongovernmental organizations in partner countries that provide services to improve health, and advocating on behalf of the individuals with HIV/AIDS and those at particular risk of contracting HIV/AIDS, including organizations with members who are living with HIV/AIDS.

''(VIII) Ensuring, through interagency and international coordination, that HIV/AIDS programs of the United States are coordinated with, and complementary to, the delivery of related global health, food security, development, and education.'';

(E) in subclause (IX), as redesignated by subparagraph (C)—

(i) by inserting ''Vietnam,'' after ''Uganda,'';

(ii) by inserting after ''of 2003'' the following: ''and other countries in which the United States is implementing HIV/AIDS programs as part of its foreign assistance program''; and

(iii) by adding at the end the following: ''In designating additional countries under this subparagraph, the President shall give priority to those countries in which there is a high prevalence or significantly rising incidence of HIV/AIDS, countries with large populations and inadequate health infrastructure, countries in which a concentrated HIV/AIDS epidemic could become generalized to the entire population of the country, and in countries whose governments demonstrate a commitment to combating HIV/AIDS.'';

(F) by inserting after subclause (IX), as redesignated by subparagraph (C), the following:

''(X) Working with partner countries in which the HIV/AIDS epidemic is prevalent among injection drug users to establish, as a national priority, national HIV/AIDS prevention programs, including education and services demonstrated to be effective in reducing the transmission of HIV infection among injection drug users without increasing illicit drug use.

''(XI) Working with partner countries in which the HIV/AIDS epidemic is prevalent among individuals involved in commercial sex acts to establish, as a national priority, national prevention programs, including education, voluntary testing, and counseling, and referral systems that link HIV/AIDS programs with programs to eradicate trafficking in persons and support alternatives to prostitution.'';

(G) in subclause (XII), as redesignated by subparagraph (C), by striking ''funds section'' and inserting ''funds appropriated for HIV/ AIDS assistance pursuant to the authorization of appropriations under section 401 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7671)''; and

(H) by adding at the end the following:

''(XIII) Publicizing updated drug pricing data to inform the purchasing decisions of pharmaceutical procurement partners.''.

SEC. 103. SENSE OF CONGRESS.

Section 102 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7612) is amended by adding at the end the following:

''(d) SENSE OF CONGRESS.—It is the sense of Congress that—

''(1) full-time country level coordinators, preferably with management experience, should head each HIV/AIDS country team for United States missions overseeing significant HIV/AIDS programs;

''(2) foreign service nationals provide critically important services in the design and implementation of United States country-level HIV/AIDS programs and their skills and experience as public health professionals should be recognized within hiring and compensation practices; and

''(3) staffing levels for United States country-level HIV/AIDS teams should be adequately maintained to fulfill oversight and other obligations of the positions.''.

TITLE II—SUPPORT FOR MULTILATERAL FUNDS, PROGRAMS, AND PUBLIC-PRIVATE PARTNERSHIPS

SEC. 201. VOLUNTARY CONTRIBUTIONS TO INTERNATIONAL VACCINE FUNDS.

Section 302 of the Foreign Assistance Act of 1961 (22 U.S.C. 2222) is amended—

(1) by inserting after subsection (c) the following:

''(d) TUBERCULOSIS VACCINE DEVELOPMENT PROGRAMS.—In addition to amounts otherwise available under this section, there are authorized to be appropriated to the President such sums as may be necessary for each of the fiscal years 2009 through 2013, which shall be used for United States contributions to tuberculosis vaccine development programs, which may include the Aeras Global TB Vaccine Foundation.'';

(2) in subsection (k), by striking ''fiscal years 2004 through 2008'' and inserting ''fiscal years 2009 through 2013'';

(3) in subsection (l), by striking ''fiscal years 2004 through 2008'' and inserting ''fiscal years 2009 through 2013''; and

(4) in subsection (m), by striking ''fiscal years 2004 through 2008'' and inserting ''fiscal years 2009 through 2013''.

SEC. 202. PARTICIPATION IN THE GLOBAL FUND TO FIGHT AIDS, TUBERCULOSIS AND MALARIA.

(a) FINDINGS; SENSE OF CONGRESS.—Section 202(a) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7622(a)) is amended to read as follows:

''(a) FINDINGS; SENSE OF CONGRESS.—

''(1) FINDINGS.—Congress makes the following findings:

''(A) The establishment of the Global Fund in January 2002 is consistent with the general principles for an international AIDS trust fund first outlined by Congress in the Global AIDS and Tuberculosis Relief Act of 2000 (Public Law 106–264).

''(B) The Global Fund is an innovative financing mechanism which—

''(i) has made progress in many areas in combating HIV/AIDS, tuberculosis, and malaria; and

''(ii) represents the multilateral component of this Act, extending United States efforts to more than 130 countries around the world.

''(C) The Global Fund and United States bilateral assistance programs—

''(i) are demonstrating increasingly effective coordination, with each possessing certain comparative advantages in the fight against HIV/AIDS, tuberculosis, and malaria; and

''(ii) often work most effectively in concert with each other.

''(D) The United States Government—

''(i) is the largest supporter of the Global Fund in terms of resources and technical support;

''(ii) made the founding contribution to the Global Fund; and

''(iii) is fully committed to the success of the Global Fund as a multilateral public-private partnership.

''(2) SENSE OF CONGRESS.—It is the sense of Congress that—

''(A) transparency and accountability are crucial to the long-term success and viability of the Global Fund;

''(B) the Global Fund has made significant progress toward addressing concerns raised by the Government Accountability Office by—

''(i) improving risk assessment and risk management capabilities;

''(ii) providing clearer guidance for and oversight of Local Fund Agents; and

''(iii) strengthening the Office of the Inspector General for the Global Fund;

''(C) the provision of sufficient resources and authority to the Office of the Inspector General for the Global Fund to ensure that office has the staff and independence necessary to carry out its mandate will be a measure of the commitment of the Global Fund to transparency and accountability;

''(D) regular, publicly published financial, programmatic, and reporting audits of the Fund, its grantees, and Local Fund Agents are also important benchmarks of transparency;

''(E) the Global Fund should establish and maintain a system to track—

''(i) the amount of funds disbursed to each subrecipient on the grant's fiscal cycle; and

''(ii) the distribution of resources, by grant and principal recipient, for prevention, care, treatment, drug and commodity purchases, and other purposes;

''(F) relevant national authorities in recipient countries should exempt from duties and taxes all products financed by Global Fund grants and procured by any principal recipient or subrecipient for the purpose of carrying out such grants;

''(G) the Global Fund, UNAIDS, and the Global AIDS Coordinator should work together to standardize program indicators wherever possible; and

''(H) for purposes of evaluating total amounts of funds contributed to the Global Fund under subsection (d)(4)(A)(i), the timetable for evaluations of contributions from sources other than the United States should take into account the fiscal calendars of other major contributors.''.

(b) UNITED STATES FINANCIAL PARTICIPATION.—Section 202(d) of such Act (22 U.S.C. 7622(d)) is amended—

(1) in paragraph (1)—

(A) by striking ''$1,000,000,000 for the period of fiscal year 2004 beginning on January 1, 2004'' and inserting ''$2,000,000,000 for fiscal year 2009,''; and

(B) by striking ''the fiscal years 2005–2008'' and inserting ''each of the fiscal years 2010 through 2013'';

(2) in paragraph (4)—

(A) in subparagraph (A)—

(i) in clause (i), by striking ''fiscal years 2004 through 2008'' and inserting ''fiscal years 2009 through 2013'';

(ii) in clause (ii), by striking ''during any of the fiscal years 2004 through 2008'' and inserting ''during any of the fiscal years 2009 through 2013''; and

(iii) in clause (vi)—

(I) by striking ''for the purposes'' and inserting ''For the purposes'';

(II) by striking ''fiscal years 2004 through 2008'' and inserting ''fiscal years 2009 through 2013''; and

(III) by striking ''prior to fiscal year 2004'' and inserting ''before fiscal year 2009'';

(B) in subparagraph (B)(iv), by striking ''fiscal years 2004 through 2008'' and inserting ''fiscal years 2009 through 2013''; and

(C) in subparagraph (C)(ii), by striking ''Committee on International Relations'' and inserting ''Committee on Foreign Affairs''; and

(3) by adding at the end the following:

''(5) WITHHOLDING FUNDS.—Notwithstanding any other provision of this Act, 20 percent of the amounts appropriated pursuant to this Act for a contribution to support the Global Fund for each of the fiscal years 2010 through 2013 shall be withheld from obligation to the Global Fund until the Secretary of State certifies to the appropriate congressional committees that the Global Fund—

''(A) has established an evaluation framework for the performance of Local Fund Agents (referred to in this paragraph as 'LFAs');

''(B) is undertaking a systematic assessment of the performance of LFAs;

''(C) is making available for public review, according to the Fund Board's policies and practices on disclosure of information, a regular collection and analysis of performance data of Fund grants, which shall cover principal recipients and subrecipients;

''(D) is maintaining an independent, well-staffed Office of the Inspector General that—

''(i) reports directly to the Board of the Global Fund; and

''(ii) is responsible for regular, publicly published audits of financial, programmatic, and reporting aspects of the Global Fund, its grantees, and LFAs;

''(E) has established, and is reporting publicly on, standard indicators for all program areas;

''(F) has established a methodology to track and is reporting on—

''(i) all subrecipients and the amount of funds disbursed to each subrecipient on the grant's fiscal cycle; and

''(ii) the distribution of resources, by grant and principal recipient, for prevention, care, treatment, drugs and commodities purchase, and other purposes;

''(G) has established a policy on tariffs imposed by national governments on all goods and services financed by the Global Fund;

''(H) through its Secretariat, has taken meaningful steps to prevent national authorities in recipient countries from imposing taxes or tariffs on goods or services provided by the Fund;

''(I) is maintaining its status as a financing institution focused on programs directly related to HIV/AIDS, malaria, and tuberculosis; and

''(J) is maintaining and making progress on—

''(i) sustaining its multisectoral approach, through country coordinating mechanisms; and

''(ii) the implementation of grants, as reflected in the proportion of resources allocated to different sectors, including governments, civil society, and faith- and community-based organizations.''.

SEC. 203. RESEARCH ON METHODS FOR WOMEN TO PREVENT TRANSMISSION OF HIV AND OTHER DISEASES.

(a) SENSE OF CONGRESS.—Congress recognizes the need and urgency to expand the range of

interventions for preventing the transmission of human immunodeficiency virus (HIV), including nonvaccine prevention methods that can be controlled by women.

(b) NIH OFFICE OF AIDS RESEARCH.—Subpart 1 of part D of title XXIII of the Public Health Service Act (42 U.S.C. 300cc–40 et seq.) is amended by inserting after section 2351 the following:

"SEC. 2351A. MICROBICIDE RESEARCH.

''(a) FEDERAL STRATEGIC PLAN.—

''(1) IN GENERAL.—The Director of the Office shall—

''(A) expedite the implementation of the Federal strategic plans for the conduct and support of research on, and development of, a microbicide for use in developing countries to prevent the transmission of the human immunodeficiency virus; and

''(B) annually review and, as appropriate, revise such plan to prioritize funding and activities relative to their scientific urgency and potential market readiness.

''(2) COORDINATION.—In implementing, reviewing, and prioritizing elements of the plan described in paragraph (1), the Director of the Office shall consult with—

''(A) representatives of other Federal agencies involved in microbicide research, including the Coordinator of United States Government Activities to Combat HIV/AIDS Globally, the Director of the Centers for Disease Control and Prevention, and the Administrator of the United States Agency for International Development;

''(B) the microbicide research and development community; and

''(C) health advocates.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2009 through 2013 to carry out this section.''.

(c) NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES.—Subpart 6 of part C of title IV of the Public Health Service Act (42 U.S.C. 285f et seq.) is amended by adding at the end the following:

"SEC. 447C. MICROBICIDE RESEARCH AND DEVELOPMENT.

''The Director of the Institute, acting through the head of the Division of AIDS, shall carry out research on, and development of, a microbicide for use in developing countries to prevent the transmission of the human immunodeficiency virus. The Director shall ensure that there are a sufficient number of employees and structure dedicated to carrying out such activities.''.

(d) CDC.—Part B of title III of the Public Health Service Act (42 U.S.C. 243 et seq.) is amended by inserting after section 317S the following:

"SEC. 317T. MICROBICIDE RESEARCH.

''(a) IN GENERAL.—The Director of the Centers for Disease Control and Prevention shall fully implement the Centers' microbicide agenda to support research and development of microbicides for use in developing countries to prevent the transmission of the human immunodeficiency virus.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for each of fiscal years 2009 through 2013 to carry out this section.''.

(e) UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—

(1) IN GENERAL.—The Administrator of the United States Agency for International Development, in coordination with the Coordinator of United States Government Activities to Combat HIV/AIDS Globally, shall develop and implement a program to facilitate availability and accessibility of microbicides that prevent the transmission of HIV if such microbicides are proven safe and effective.

(2) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated under section 401 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7671) for HIV/AIDS assistance, there are authorized to be appropriated to the President such sums as may be necessary for each of the fiscal years 2009 through 2013 to carry out this subsection.

SEC. 204. COMBATING HIV/AIDS, TUBERCULOSIS, AND MALARIA BY STRENGTHENING HEALTH POLICIES AND HEALTH SYSTEMS OF PARTNER COUNTRIES.

(a) IN GENERAL.—Title II of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7621) is amended by adding at the end the following:

"SEC. 204. COMBATING HIV/AIDS, TUBERCULOSIS, AND MALARIA BY STRENGTHENING HEALTH POLICIES AND HEALTH SYSTEMS OF PARTNER COUNTRIES.

''(a) STATEMENT OF POLICY.—It shall be the policy of the United States Government—

''(1) to invest appropriate resources authorized under this Act—

''(A) to carry out activities to strengthen HIV/AIDS, tuberculosis, and malaria health policies and health systems; and

''(B) to provide workforce training and capacity-building consistent with the goals and objectives of this Act; and

''(2) to support the development of a sound policy environment in partner countries to increase the ability of such countries—

''(A) to maximize utilization of health care resources from donor countries;

''(B) to increase national investments in health and education and maximize the effectiveness of such investments;

''(C) to improve national HIV/AIDS, tuberculosis, and malaria strategies;

''(D) to deliver evidence-based services in an effective and efficient manner; and

''(E) to reduce barriers that prevent recipients of services from achieving maximum benefit from such services.

''(b) ASSISTANCE TO IMPROVE PUBLIC FINANCE MANAGEMENT SYSTEMS.—

''(1) IN GENERAL.—Consistent with the authority under section 129 of the Foreign Assistance Act of 1961 (22 U.S.C. 2152), the Secretary of the Treasury, acting through the head of the Office of Technical Assistance, is authorized to provide assistance for advisors and partner country finance, health, and other relevant ministries to improve the effectiveness of public finance management systems in partner countries to enable such countries to receive funding to carry out programs to combat HIV/AIDS, tuberculosis, and malaria and to manage such programs.

''(2) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated under section 401 for HIV/AIDS assistance, there are authorized to be appropriated to the Secretary of the Treasury such sums as may be necessary for each of the fiscal years 2009 through 2013 to carry out this subsection.''.

(b) CLERICAL AMENDMENT.—The table of contents for the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7601 note) is amended by inserting after the item relating to section 203, as added by section 203 of this Act, the following:

''Sec. 204. Combating HIV/AIDS, tuberculosis, and malaria by strengthening health policies and health systems of partner countries.''.

SEC. 205. FACILITATING EFFECTIVE OPERATIONS OF THE CENTERS FOR DISEASE CONTROL.

Section 307 of the Public Health Service Act (42 U.S.C. 242l) is amended—

(1) by amending subsection (a) to read as follows:

''(a) The Secretary may participate with other countries in cooperative endeavors in—

''(1) biomedical research, health care technology, and the health services research and statistical analysis authorized under section 306 and title IX; and

''(2) biomedical research, health care services, health care research, or other related activities in furtherance of the activities, objectives or goals authorized under the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008.''; and

(2) in subsection (b)—

(A) in paragraph (7), by striking ''and'' after the semicolon at the end;

(B) by striking ''The Secretary may not, in the exercise of his authority under this section, provide financial assistance for the construction of any facility in any foreign country.''

(C) in paragraph (8), by striking ''for any purpose.'' and inserting ''for the purpose of any law administered by the Office of Personnel Management;''; and

(D) by adding at the end the following:

''(9) provide such funds by advance or reimbursement to the Secretary of State, as may be necessary, to pay the costs of acquisition, lease, construction, alteration, equipping, furnishing or management of facilities outside of the United States; and

''(10) in consultation with the Secretary of State, through grant or cooperative agreement, make funds available to public or nonprofit private institutions or agencies in foreign countries in which the Secretary is participating in activities described under subsection (a) to acquire, lease, construct, alter, or renovate facilities in those countries.''.

(3) in subsection (c)—

(A) by striking ''1990'' and inserting ''1980''; and

(B) by inserting or ''or section 903 of the Foreign Service Act of 1980 (22 U.S.C. 4083)'' after ''Code''.

SEC. 206. FACILITATING VACCINE DEVELOPMENT.

(a) TECHNICAL ASSISTANCE FOR DEVELOPING COUNTRIES.—The Administrator of the United States Agency for International Development, utilizing public-private partners, as appropriate, and working in coordination with other international development agencies, is authorized to strengthen the capacity of developing countries' governmental institutions to—

(1) collect evidence for informed decision-making and introduction of new vaccines, including potential HIV/AIDS, tuberculosis, and malaria vaccines, if such vaccines are determined to be safe and effective;

(2) review protocols for clinical trials and impact studies and improve the implementation of clinical trials; and

(3) ensure adequate supply chain and delivery systems.

(b) ADVANCED MARKET COMMITMENTS.—

(1) PURPOSE.—The purpose of this subsection is to improve global health by requiring the United States to participate in negotiations for advance market commitments for the development of future vaccines, including potential vaccines for HIV/AIDS, tuberculosis, and malaria.

(2) NEGOTIATION REQUIREMENT.—The Secretary of the Treasury shall enter into negotiations with the appropriate officials of the International Bank of Reconstruction and Development (World Bank) and the GAVI Alliance, the member nations of such entities, and other interested parties to establish advanced market commitments to purchase vaccines to combat HIV/AIDS, tuberculosis, malaria, and other related infectious diseases.

(3) REQUIREMENTS.—In negotiating the United States participation in programs for advanced market commitments, the Secretary of the Treasury shall take into account whether programs for advance market commitments include—

(A) legally binding contracts for product purchase that include a fair market price for up to a maximum number of treatments, creating a strong market incentive;

(B) clearly defined and transparent rules of program participation for qualified developers and suppliers of the product;

(C) clearly defined requirements for eligible vaccines to ensure that they are safe and effective and can be delivered in developing country contexts;

(D) dispute settlement mechanisms; and

(E) sufficient flexibility to enable the contracts to be adjusted in accord with new information related to projected market size and other factors while still maintaining the purchase commitment at a fair price.

(4) REPORT.—Not later than 1 year after the date of the enactment of this Act—

(A) the Secretary of the Treasury shall submit a report to the appropriate congressional committees on the status of the United States negotiations to participate in programs for the advanced market commitments under this subsection; and

(B) the President shall produce a comprehensive report, written by a study group of qualified professionals from relevant Federal agencies and initiatives, nongovernmental organizations, and industry representatives, that sets forth a coordinated strategy to accelerate development of vaccines for infectious diseases, such as HIV/AIDS, malaria, and tuberculosis, which includes—

(i) initiatives to create economic incentives for the research, development, and manufacturing of vaccines for HIV/AIDS, tuberculosis, malaria, and other infectious diseases;

(ii) an expansion of public-private partnerships and the leveraging of resources from other countries and the private sector; and

(iii) efforts to maximize United States capabilities to support clinical trials of vaccines in developing countries and to address the challenges of delivering vaccines in developing countries to minimize delays in access once vaccines are available.

TITLE III—BILATERAL EFFORTS

Subtitle A—General Assistance and Programs

SEC. 301. ASSISTANCE TO COMBAT HIV/AIDS.

(a) AMENDMENTS TO THE FOREIGN ASSISTANCE ACT OF 1961.—

(1) FINDING.—Section 104A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b–2(a)) is amended by inserting ''Central Asia, Eastern Europe, Latin America'' after ''Caribbean,''.

(2) POLICY.—Section 104A(b) of such Act is amended to read as follows:

''(b) POLICY.—

''(1) OBJECTIVES.—It is a major objective of the foreign assistance program of the United States to provide assistance for the prevention and treatment of HIV/AIDS and the care of those affected by the disease. It is the policy objective of the United States, by 2013, to—

''(A) assist partner countries to—

''(i) prevent 12,000,000 new HIV infections worldwide;

''(ii) support treatment of at least 3,000,000 individuals with HIV/AIDS;

''(iii) support additional treatment through coordinated multilateral efforts;

''(iv) support care for 12,000,000 individuals with HIV/AIDS, including 5,000,000 orphans and vulnerable children affected by HIV/AIDS, with an emphasis on promoting a comprehensive, coordinated system of services to be integrated throughout the continuum of care;

''(v) provide at least 80 percent of the target population with access to counseling, testing, and treatment to prevent the transmission of HIV from mother-to-child;

''(vi) provide care and treatment services to children with HIV in proportion to their percentage within the HIV-infected population of a given partner country; and

''(vii) train and support retention of health care professionals, paraprofessionals, and community health workers in HIV/AIDS prevention, treatment, and care, with the target of providing such training to at least 140,000 new health care professionals and paraprofessionals;

''(B) strengthen the capacity to deliver primary health care in developing countries, especially in sub-Saharan Africa; and

''(C) help countries achieve staffing levels of at least 2.3 doctors, nurses, and midwives per 1,000 population, as called for by the World Health Organization.

''(2) COORDINATED GLOBAL STRATEGY.—The United States and other countries with the sufficient capacity should provide assistance to countries in sub-Saharan Africa, the Caribbean, Central Asia, Eastern Europe, and Latin America, and other countries and regions confronting HIV/AIDS epidemics in a coordinated global strategy to help address generalized and concentrated epidemics through HIV/AIDS prevention, treatment, care, monitoring and evaluation, and related activities.

''(3) PRIORITIES.—The United States Government's response to the global HIV/AIDS pandemic and the Government's efforts to help countries assume leadership of sustainable campaigns to combat their local epidemics should place high priority on—

''(A) the prevention of the transmission of HIV; and

''(B) moving toward universal access to HIV/AIDS prevention counseling and services.''.

(b) AUTHORIZATION.—Section 104A(c) of such Act is amended—

(1) in paragraph (1), by striking ''and other countries and areas.'' and inserting ''Central Asia, Eastern Europe, Latin America, and other countries and areas, particularly with respect to refugee populations or those in postconflict settings in such countries and areas with significant or increasing HIV incidence rates.'';

(2) in paragraph (2), by striking ''and other countries and areas affected by the HIV/AIDS pandemic'' and inserting ''Central Asia, Eastern Europe, Latin America, and other countries and areas affected by the HIV/AIDS pandemic, particularly with respect to refugee populations or those in post-conflict settings in such countries and areas with significant or increasing HIV incidence rates.''; and

(3) in paragraph (3)—

(A) by striking ''foreign countries'' and inserting ''partner countries, other international actors,''; and

(B) by inserting ''within the framework of the principles of the Three Ones'' before the period at the end.

(c) ACTIVITIES SUPPORTED.—Section 104A(d) of such Act is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)—

(i) by inserting ''and multiple concurrent sexual partnering,'' after ''casual sexual partnering''; and

(ii) by striking ''condoms'' and inserting ''male and female condoms'';

(B) in subparagraph (B)—

(i) by striking ''programs that'' and inserting ''programs that are designed with local input and''; and

(ii) by striking ''those organizations'' and inserting ''those locally based organizations'';

(C) in subparagraph (D), by inserting ''and promoting the use of provider-initiated or 'opt-out' voluntary testing in accordance with World Health Organization guidelines'' before the semicolon at the end;

(D) by redesignating subparagraphs (F), (G), and (H) as subparagraphs (H), (I), and (J), respectively;

(E) by inserting after subparagraph (E) the following:

''(F) assistance to—

''(i) achieve the goal of reaching 80 percent of pregnant women for prevention and treatment of mother-to-child transmission of HIV in countries in which the United States is implementing HIV/AIDS programs by 2013; and

''(ii) promote infant feeding options and treatment protocols that meet the most recent criteria established by the World Health Organization;

''(G) medical male circumcision programs as part of national strategies to combat the transmission of HIV/AIDS;'';

(F) in subparagraph (I), as redesignated, by striking ''and'' at the end;

(G) in subparagraph (H), as redesignated—

(i) by striking the period at the end and inserting '', including education and services demonstrated to be effective in reducing the transmission of HIV infection without increasing illicit drug use; and''; and

(H) by adding at the end the following:

''(K) assistance for counseling, testing, treatment, care, and support programs, including—

''(i) counseling and other services for the prevention of reinfection of individuals with HIV/AIDS;

''(ii) counseling to prevent sexual transmission of HIV, including—

''(I) life skills development for practicing abstinence and faithfulness;

''(II) reducing the number of sexual partners;

''(III) delaying sexual debut; and

''(IV) ensuring correct and consistent use of condoms;

''(iii) assistance to engage underlying vulnerabilities to HIV/AIDS, especially those of women and girls, through structural prevention programs;

''(iv) assistance for appropriate HIV/AIDS education programs and training targeted to prevent the transmission of HIV among men who have sex with men;

''(v) assistance to provide male and female condoms;

''(vi) diagnosis and treatment of other sexually transmitted infections;

''(vii) strategies to address the stigma and discrimination that impede HIV/AIDS prevention efforts; and

''(viii) assistance to facilitate widespread access to microbicides for HIV prevention, if safe and effective products become available, including financial and technical support for culturally appropriate introductory programs, procurement, distribution, logistics management, program delivery, acceptability studies, provider training, demand generation, and postintroduction monitoring.''; and

(2) in paragraph (2)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C)—

(i) by inserting ''pain management,'' after ''opportunistic infections,''; and

(ii) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(D) as part of care and treatment of HIV/AIDS, assistance (including prophylaxis and treatment) for common HIV/AIDS-related opportunistic infections for free or at a rate at which it is easily affordable to the individuals and populations being served;

''(E) as part of care and treatment of HIV/AIDS, assistance or referral to available and adequately resourced service providers for nutritional support, including counseling and where necessary the provision of commodities, for persons meeting malnourishment criteria and their families;'';

(3) in paragraph (4)—

(A) in subparagraph (C), by striking ''and'' at the end;

(B) in subparagraph (D), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(E) carrying out and expanding program monitoring, impact evaluation research and analysis, and operations research and disseminating data and findings through mechanisms to be developed by the Coordinator of United States Government Activities to Combat HIV/AIDS Globally, in coordination with the Director of the Centers for Disease Control, in order to—

''(i) improve accountability, increase transparency, and ensure the delivery of evidence-based services through the collection, evaluation, and analysis of data regarding gender-responsive interventions, disaggregated by age and sex;

''(ii) identify and replicate effective models; and

''(iii) develop gender indicators to measure outcomes and the impacts of interventions; and

''(F) establishing appropriate systems to—

''(i) gather epidemiological and social science data on HIV; and

''(ii) evaluate the effectiveness of prevention efforts among men who have sex with men, with due consideration to stigma and risks associated with disclosure.'';

(4) in paragraph (5)—

(A) by redesignating subparagraph (C) as subparagraph (D); and

(B) by inserting after subparagraph (B) the following:

''(C) MECHANISM TO ENSURE COST-EFFECTIVE DRUG PURCHASING.—Subject to subparagraph (B), mechanisms to ensure that safe and effective pharmaceuticals, including antiretrovirals and medicines to treat opportunistic infections, are purchased at the lowest possible price at which such pharmaceuticals may be obtained in sufficient quantity on the world market.'';

(5) in paragraph (6)—

(A) by amending the paragraph heading to read as follows:

''(6) RELATED AND COORDINATED ACTIVITIES.—'';

(B) in subparagraph (B), by striking ''and'' at the end;

(C) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(D) coordinated or referred activities to—

''(i) enhance the clinical impact of HIV/AIDS care and treatment; and

''(ii) ameliorate the adverse social and economic costs often affecting AIDS-impacted families and communities through the direct provision, as necessary, or through the referral, if possible, of support services, including—

''(I) nutritional and food support;

''(II) nutritional counseling;

''(III) income-generating activities and livelihood initiatives;

''(IV) maternal and child health care;

''(V) primary health care;

''(VI) the diagnosis and treatment of other infectious or sexually transmitted diseases;

''(VII) substance abuse and treatment services; and

''(VIII) legal services;

''(E) coordinated or referred activities to link programs addressing HIV/AIDS with programs addressing gender-based violence in areas of significant HIV prevalence to assist countries in the development and enforcement of women's health, children's health, and HIV/AIDS laws and policies that—

''(i) prevent and respond to violence against women and girls;

''(ii) promote the integration of screening and assessment for gender-based violence into HIV/AIDS programming;

''(iii) promote appropriate HIV/AIDS counseling, testing, and treatment into gender-based violence programs; and

''(iv) assist governments to develop partnerships with civil society organizations to create networks for psychosocial, legal, economic, or other support services;

''(F) coordinated or referred activities to—

''(i) address the frequent coinfection of HIV and tuberculosis, in accordance with World Health Organization guidelines;

''(ii) promote provider-initiated or 'opt-out' HIV/AIDS counseling and testing and appropriate referral for treatment and care to individuals with tuberculosis or its symptoms, particularly in areas with significant HIV prevalence; and

''(iii) strengthen programs to ensure that individuals testing positive for HIV receive tuberculosis screening and appropriate screening and to improve laboratory capacities, infection control, and adherence; and

''(G) activities to—

''(i) improve the effectiveness of national responses to HIV/AIDS; and

''(ii) strengthen overall health systems in high-prevalence countries, including support for workforce training, retention, and effective deployment, capacity building, laboratory development, equipment maintenance and repair, and public health and related public financial management systems and operations.''; and

(6) by adding at the end the following:

''(8) COMPACTS AND FRAMEWORK AGREEMENTS.—The development of compacts or framework agreements, tailored to local circumstances, with national governments or regional partnerships in countries with significant HIV/AIDS burdens to promote host government commitment to deeper integration of HIV/AIDS services into health systems, contribute to health systems overall, and enhance sustainability.''.

(d) COMPACTS AND FRAMEWORK AGREEMENTS.—Section 104A of such Act is amended—

(1) by redesignating subsections (e) through (g) as subsections (f) through (h); and

(2) by inserting after subsection (d) the following:

''(e) COMPACTS AND FRAMEWORK AGREEMENTS.—

''(1) FINDINGS.—Congress makes the following findings:

''(A) The congressionally mandated Institute of Medicine report entitled 'PEPFAR Implementation: Progress and Promise' states: 'The next strategy [of the U.S. Global AIDS Initiative] should squarely address the needs and challenges involved in supporting sustainable country HIV/AIDS programs, thereby transitioning from a focus on emergency relief.'.

''(B) One mechanism to promote the transition from an emergency to a public health and development approach to HIV/AIDS is through compacts or framework agreements between the United States Government and each participating nation.

''(C) Key components of a transition toward a more sustainable approach toward fighting HIV/AIDS, tuberculosis, and malaria and thus priorities for such compacts include—

''(i) building capacity to expand the size of the trained health care workforce in partner countries and improve its retention, safety, deployment, and utilization of skills and to improve public health infrastructure and systems;

''(ii) partner governments increasing their national investments in health and education systems, as called for in the Abuja Declaration;

''(iii) increasing the focus of United States government efforts to address the factors that put women and girls at greater risk of HIV/AIDS and to strengthen the legal, economic, educational, and social status of women, girls, orphans, and vulnerable children and encouraging partner governments to do the same;

''(iv) building on the New Partners Initiative and other efforts currently underway to strengthen the capacities of community- and faith-based organizations and civil society in partner countries to contribute to country efforts to prevent or manage the effects of HIV/AIDS, tuberculosis, and malaria epidemics and to improve health care delivery;

''(v) improving the coordination of efforts to combat HIV/AIDS, tuberculosis, and malaria with broader national health and development strategies;

''(vi) promoting HIV/AIDS-related laws, regulations, and policies that support voluntary diagnostic counseling and rapid testing, pediatric diagnosis, rapid, tariff-free regulatory procedures for drugs and commodities, and full inclusion of people living with HIV/AIDS in a multisectoral national response.

''(vii) sharing and implementing findings based on program evaluations and operations research; and

''(viii) reducing the disease burden of HIV/AIDS, tuberculosis, and malaria through improved prevention efforts.

''(D) Such compacts should also take into account the overall national health and development and national HIV/AIDS and public health strategies of each country and should contain provisions including—

''(i) the specific objectives that the country and the United States expect to achieve during the term of a compact;

''(ii) the respective responsibilities of the country and the United States in the achievement of such objectives;

''(iii) regular benchmarks to measure, where appropriate, progress toward achieving such objectives;

''(iv) an identification of the intended beneficiaries, disaggregated by gender and age, and including information on orphans and vulnerable children, to the maximum extent practicable;

''(v) the methods by which the compact is intended to address the factors that put women and girls at greater risk of HIV/AIDS and to strengthen the legal, economic, educational, and social status of women, girls, orphans, and vulnerable children;

''(vi) the methods by which the compact will strengthen the health care capacity, including the training, retention, deployment, and utilization of health care workers, improve supply chain management, and improve the health systems and infrastructure of the partner country, including the ability of compact participants to maintain and operate equipment transferred or purchased as part of the compact;

''(vii) proposed mechanisms to provide oversight;

''(viii) the role of civil society in the development of a compact and the achievement of its objectives;

''(ix) a description of the current and potential participation of other donors in the achievement of such objectives, as appropriate; and

''(x) a plan to ensure appropriate fiscal accountability for the use of assistance.

''(2) LOCAL INPUT.—In entering into a compact authorized under subsection (d)(8), the Coordinator of United States Government Activities to Combat HIV/AIDS Globally shall seek to ensure that the government of a country—

''(A) takes into account the local perspectives of the rural and urban poor, including women, in each country; and

''(B) consults with private and voluntary organizations, including faith-based organizations, the business community, and other donors in the country.

''(3) CONGRESSIONAL AND PUBLIC NOTIFICATION AFTER ENTERING INTO A COMPACT.—Not later than 10 days after entering into a compact authorized under subsection (d)(8), the Global AIDS Coordinator shall—

''(A) submit a report containing a detailed summary of the compact and a copy of the text of the compact to—

''(i) the Committee on Foreign Relations of the Senate;

''(ii) the Committee on Appropriations of the Senate;

''(iii) the Committee on Foreign Affairs of the House of Representatives; and

''(iv) the Committee on Appropriations of the House of Representatives; and

''(B) publish such information in the Federal Register and on the Internet website of the Office of the Global AIDS Coordinator.''.

(e) ANNUAL REPORT.—Section 104A(f) of such Act, as redesignated, is amended—

(1) in paragraph (1), by striking ''Committee on International Relations'' and inserting ''Committee on Foreign Affairs''; and

(2) in paragraph (2)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) by striking subparagraph (C) and inserting the following:

''(C) a detailed breakdown of funding allocations, by program and by country, for prevention activities; and

''(D) a detailed assessment of the impact of programs established pursuant to such sections, including—

''(i)(I) the effectiveness of such programs in reducing—

''(aa) the transmission of HIV, particularly in women and girls;

''(bb) mother-to-child transmission of HIV, including through drug treatment and therapies, either directly or by referral; and

''(cc) mortality rates from HIV/AIDS;

''(II) the number of patients receiving treatment for AIDS in each country that receives assistance under this Act;

''(III) an assessment of progress towards the achievement of annual goals set forth in the timetable required under the 5-year strategy established under section 101 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 and, if annual goals are not being met, the reasons for such failure; and

''(IV) retention and attrition data for programs receiving United States assistance, including mortality and loss to follow-up rates, organized overall and by country;

''(ii) the progress made toward—

''(I) improving health care delivery systems (including the training of health care workers, including doctors, nurses, midwives, pharmacists, laboratory technicians, and compensated community health workers);

''(II) advancing safe working conditions for health care workers; and

''(III) improving infrastructure to promote progress toward universal access to HIV/AIDS prevention, treatment, and care by 2013;

''(iii) with respect to tuberculosis—

''(I) the increase in the number of people treated and the number of tuberculosis patients cured through each program, project, or activity receiving United States foreign assistance for tuberculosis control purposes through, or in coordination with, HIV/AIDS programs;

''(II) a description of drug resistance rates among persons treated;

''(III) the percentage of such United States foreign assistance provided for diagnosis and treatment of individuals with tuberculosis in countries with the highest burden of tuberculosis, as determined by the World Health Organization; and

''(IV) a detailed description of efforts to integrate HIV/AIDS and tuberculosis prevention, treatment, and care programs; and

''(iv) a description of coordination efforts with relevant executive branch agencies to link HIV/AIDS clinical and social services with non-HIV/AIDS services as part of the United States health and development agenda;

''(v) a detailed description of integrated HIV/AIDS and food and nutrition programs and services, including—

''(I) the amount spent on food and nutrition support;

''(II) the types of activities supported; and

''(III) an assessment of the effectiveness of interventions carried out to improve the health status of persons with HIV/AIDS receiving food or nutritional support;

''(vi) a description of efforts to improve harmonization, in terms of relevant executive branch agencies, coordination with other public and private entities, and coordination with partner countries' national strategic plans as called for in the 'Three Ones';

''(vii) a description of—

''(I) the efforts of partner countries that were signatories to the Abuja Declaration on HIV/AIDS, Tuberculosis and Other Related Infectious Diseases to adhere to the goals of such Declaration in terms of investments in public health, including HIV/AIDS; and

''(II) a description of the HIV/AIDS investments of partner countries that were not signatories to such Declaration;

''(viii) a detailed description of any compacts or framework agreements reached or negotiated between the United States and any partner countries, including a description of the elements of compacts described in subsection (e);

''(ix) a description of programs serving women and girls, including—

''(I) HIV/AIDS prevention programs that address the vulnerabilities of girls and women to HIV/AIDS;

''(II) information on the number of individuals served by programs aimed at reducing the vulnerabilities of women and girls to HIV/AIDS and data on the types, objectives, and duration of programs to address these issues;

''(III) information on programs to address the particular needs of adolescent girls and young women; and

''(IV) programs to prevent gender-based violence or to assist victims of gender based violence as part, of or in coordination with, HIV/AIDS programs;

''(x) a description of strategies, goals, programs, and interventions to—

''(I) address the needs and vulnerabilities of youth populations;

''(II) expand access among young men and women to evidence-based HIV/AIDS health care services and HIV prevention programs, including abstinence education programs; and

''(III) expand community-based services to meet the needs of orphans and of children and adolescents affected by or vulnerable to HIV/AIDS without increasing stigmatization;

''(xi) a description of—

''(I) the specific strategies funded to ensure the reduction of HIV infection among injection drug users;

''(II) the number of injection drug users, by country, reached by such strategies;

''(III) medication-assisted drug treatment for individuals with HIV or at risk of HIV; and

''(IV) HIV prevention programs demonstrated to be effective in reducing HIV transmission without increasing drug use;

''(xii) a detailed description of program monitoring, operations research, and impact evaluation research, including—

''(I) the amount of funding provided for each research type;

''(II) an analysis of cost-effectiveness models; and

''(III) conclusions regarding the efficiency, effectiveness, and quality of services as derived from previous or ongoing research and monitoring efforts; and

''(xiii) a description of staffing levels of United States government HIV/AIDS teams in countries with significant HIV/AIDS programs, including whether or not a full-time coordinator was on staff for the year.''.

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 301(b) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7631(b)) is amended—

(1) in paragraph (1), by striking ''fiscal years 2004 through 2008'' and inserting ''fiscal years 2009 through 2013''; and

(2) in paragraph (3), by striking ''fiscal years 2004 through 2008'' and inserting ''fiscal years 2009 through 2013''.

(g) RELATIONSHIP TO ASSISTANCE PROGRAMS TO ENHANCE NUTRITION.—Section 301(c) of such Act is amended to read as follows:

''(c) FOOD AND NUTRITIONAL SUPPORT.—

''(1) IN GENERAL.—As indicated in the report produced by the Institute of Medicine, entitled 'PEPFAR Implementation: Progress and Promise', inadequate caloric intake has been clearly identified as a principal reason for failure of clinical response to antiretroviral therapy. In recognition of the impact of malnutrition as a clinical health issue for many persons living with HIV/AIDS that is often associated with health and economic impacts on these individuals and their families, the Global AIDS Coordinator and the Administrator of the United States Agency for International Development shall—

''(A) follow World Health Organization guidelines for HIV/AIDS food and nutrition services;

''(B) integrate nutrition programs with HIV/AIDS activities through effective linkages among the health, agricultural, and livelihood sectors and establish additional services in circumstances in which referrals are inadequate or impossible;

''(C) provide, as a component of care and treatment programs for persons with HIV/AIDS, food and nutritional support to individuals infected with, and affected by, HIV/AIDS who meet established criteria for nutritional support (including clinically malnourished children and adults, and pregnant and lactating women in programs in need of supplemental support), including—

''(i) anthropometric and dietary assessment;

''(ii) counseling; and

''(iii) therapeutic and supplementary feeding;

''(D) provide food and nutritional support for children affected by HIV/AIDS and to communities and households caring for children affected by HIV/AIDS; and

''(E) in communities where HIV/AIDS and food insecurity are highly prevalent, support programs to address these often intersecting health problems through community-based assistance programs, with an emphasis on sustainable approaches.

''(2) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated under section 401, there are authorized to be appropriated to the President such sums as may be necessary for each of the fiscal years 2009 through 2013 to carry out this subsection.''.

(h) ELIGIBILITY FOR ASSISTANCE.—Section 301(d) of such Act is amended to read as follows:

''(d) ELIGIBILITY FOR ASSISTANCE.—An organization, including a faith-based organization, that is otherwise eligible to receive assistance under section 104A of the Foreign Assistance Act of 1961, under this Act, or under any amendment made by this Act or by the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008, to prevent, treat, or monitor HIV/AIDS—

''(1) shall not be required, as a condition of receiving such assistance—

''(A) to endorse or utilize a multisectoral or comprehensive approach to combating HIV/AIDS; or

''(B) to endorse, utilize, make a referral to, become integrated with, or otherwise participate in any program or activity to which the organization has a religious or moral objection; and

''(2) shall not be discriminated against in the solicitation or issuance of grants, contracts, or cooperative agreements under such provisions of law for refusing to meet any requirement described in paragraph (1).''.

SEC. 302. ASSISTANCE TO COMBAT TUBERCULOSIS.

(a) POLICY.—Section 104B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b–3(b)) is amended to read as follows:

''(b) POLICY.—It is a major objective of the foreign assistance program of the United States to control tuberculosis. In all countries in which the Government of the United States has established development programs, particularly in countries with the highest burden of tuberculosis and other countries with high rates of tuberculosis, the United States Government should prioritize the achievement of the following goals by not later than December 31, 2015:

''(1) Reduce by half the tuberculosis death and disease burden from the 1990 baseline.

''(2) Sustain or exceed the detection of at least 70 percent of sputum smear-positive cases of tuberculosis and the cure of at least 85 percent of those cases detected.''.

(b) PRIORITY TO STOP TB STRATEGY.—Section 104B(e) of such Act is amended to read as follows:

''(e) PRIORITY TO STOP TB STRATEGY.—In furnishing assistance under subsection (c), the President shall give priority to—

''(1) activities described in the Stop TB Strategy, including expansion and enhancement of

Directly Observed Treatment Short-course (DOTS) coverage, rapid testing, treatment for individuals infected with both tuberculosis and HIV, and treatment for individuals with multidrug resistant tuberculosis (MDR–TB), strengthening of health systems, use of the International Standards for Tuberculosis Care by all providers, empowering individuals with tuberculosis, and enabling and promoting research to develop new diagnostics, drugs, and vaccines, and program-based operational research relating to tuberculosis; and

''(2) funding for the Global Tuberculosis Drug Facility, the Stop Tuberculosis Partnership, and the Global Alliance for TB Drug Development.''.

(c) ASSISTANCE FOR THE WORLD HEALTH ORGANIZATION AND THE STOP TUBERCULOSIS PARTNERSHIP.—Section 104B of such Act is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following:

''(f) ASSISTANCE FOR THE WORLD HEALTH ORGANIZATION AND THE STOP TUBERCULOSIS PARTNERSHIP.—In carrying out this section, the President, acting through the Administrator of the United States Agency for International Development, is authorized to provide increased resources to the World Health Organization and the Stop Tuberculosis Partnership to improve the capacity of countries with high rates of tuberculosis and other affected countries to implement the Stop TB Strategy and specific strategies related to addressing multiple drug resistant tuberculosis (MDR–TB) and extensively drug resistant tuberculosis (XDR–TB).''.

(d) DEFINITIONS.—Section 104B(g) of such Act, as redesignated, is amended—

(1) in paragraph (1), by striking the period at the end and inserting the following: ''including—

''(A) low-cost and effective diagnosis, treatment, and monitoring of tuberculosis;

''(B) a reliable drug supply;

''(C) a management strategy for public health systems;

''(D) health system strengthening;

''(E) promotion of the use of the International Standards for Tuberculosis Care by all care providers;

''(F) bacteriology under an external quality assessment framework;

''(G) short-course chemotherapy; and

''(H) sound reporting and recording systems.''; and

(2) by redesignating paragraph (5) as paragraph (6); and

(3) by inserting after paragraph (4) the following:

''(5) STOP TB STRATEGY.—The term 'Stop TB Strategy' means the 6-point strategy to reduce tuberculosis developed by the World Health Organization, which is described in the Global Plan to Stop TB 2006–2015: Actions for Life, a comprehensive plan developed by the Stop TB Partnership that sets out the actions necessary to achieve the millennium development goal of cutting tuberculosis deaths and disease burden in half by 2015.''.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 302 (b) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7632(b)) is amended—

(1) in paragraph (1), by striking ''such sums as may be necessary for each of the fiscal years 2004 through 2008'' and inserting ''a total of $4,000,000,000 for the 5-year period beginning on October 1, 2008.''; and

(2) in paragraph (3), by striking ''fiscal years 2004 through 2008'' and inserting ''fiscal years 2009 through 2013.''.

SEC. 303. ASSISTANCE TO COMBAT MALARIA.

(a) AMENDMENT TO THE FOREIGN ASSISTANCE ACT OF 1961.—Section 104C(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151–4(b)) is amended by inserting ''treatment,'' after ''control,''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 303 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003, and Malaria Act of 2003 (22 U.S.C. 7633) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''such sums as may be necessary for fiscal years 2004 through 2008'' and inserting ''$5,000,000,000 during the 5-year period beginning on October 1, 2008''; and

(B) in paragraph (3), by striking ''fiscal years 2004 through 2008'' and inserting ''fiscal years 2009 through 2013''; and

(2) by adding at the end the following:

''(c) STATEMENT OF POLICY.—Providing assistance for the prevention, control, treatment, and the ultimate eradication of malaria is—

''(1) a major objective of the foreign assistance program of the United States; and

''(2) 1 component of a comprehensive United States global health strategy to reduce disease burdens and strengthen communities around the world.

''(d) DEVELOPMENT OF A COMPREHENSIVE 5-YEAR STRATEGY.—The President shall establish a comprehensive, 5-year strategy to combat global malaria that—

''(1) strengthens the capacity of the United States to be an effective leader of international efforts to reduce malaria burden;

''(2) maintains sufficient flexibility and remains responsive to the ever-changing nature of the global malaria challenge;

''(3) includes specific objectives and multisectoral approaches and strategies to reduce the prevalence, mortality, incidence, and spread of malaria;

''(4) describes how this strategy would contribute to the United States' overall global health and development goals;

''(5) clearly explains how outlined activities will interact with other United States Government global health activities, including the 5-year global AIDS strategy required under this Act;

''(6) expands public-private partnerships and leverage of resources;

''(7) coordinates among relevant Federal agencies to maximize human and financial resources and to reduce duplication among these agencies, foreign governments, and international organizations;

''(8) coordinates with other international entities, including the Global Fund;

''(9) maximizes United States capabilities in the areas of technical assistance and training and research, including vaccine research; and

''(10) establishes priorities and selection criteria for the distribution of resources based on factors such as—

''(A) the size and demographics of the population with malaria;

''(B) the needs of that population;

''(C) the country's existing infrastructure; and

''(D) the ability to closely coordinate United States Government efforts with national malaria control plans of partner countries.''.

SEC. 304. MALARIA RESPONSE COORDINATOR.

Section 304 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7634) is amended to read as follows:

''SEC. 304. MALARIA RESPONSE COORDINATOR.

''(a) IN GENERAL.—There is established within the United States Agency for International Development a Coordinator of United States Government Activities to Combat Malaria Globally (referred to in this section as the 'Malaria Coordinator'), who shall be appointed by the President.

''(b) AUTHORITIES.—The Malaria Coordinator, acting through nongovernmental organizations (including faith-based and community-based organizations), partner country finance, health, and other relevant ministries, and relevant executive branch agencies as may be necessary and appropriate to carry out this section, is authorized to—

''(1) operate internationally to carry out prevention, care, treatment, support, capacity development, and other activities to reduce the prevalence, mortality, and incidence of malaria;

''(2) provide grants to, and enter into contracts and cooperative agreements with, nongovernmental organizations (including faith-based organizations) to carry out this section; and

''(3) transfer and allocate executive branch agency funds that have been appropriated for the purposes described in paragraphs (1) and (2).

''(c) DUTIES.—

''(1) IN GENERAL.—The Malaria Coordinator has primary responsibility for the oversight and coordination of all resources and international activities of the United States Government relating to efforts to combat malaria.

''(2) SPECIFIC DUTIES.—The Malaria Coordinator shall—

''(A) facilitate program and policy coordination of antimalaria efforts among relevant executive branch agencies and nongovernmental organizations by auditing, monitoring, and evaluating such programs;

''(B) ensure that each relevant executive branch agency undertakes antimalarial programs primarily in those areas in which the agency has the greatest expertise, technical capability, and potential for success;

''(C) coordinate relevant executive branch agency activities in the field of malaria prevention and treatment;

''(D) coordinate planning, implementation, and evaluation with the Global AIDS Coordinator in countries in which both programs have a significant presence;

''(E) coordinate with national governments, international agencies, civil society, and the private sector; and

''(F) establish due diligence criteria for all recipients of funds appropriated by the Federal Government for malaria assistance.

''(d) ASSISTANCE FOR THE WORLD HEALTH ORGANIZATION.—In carrying out this section, the President may provide financial assistance to the Roll Back Malaria Partnership of the World Health Organization to improve the capacity of countries with high rates of malaria and other affected countries to implement comprehensive malaria control programs.

''(e) COORDINATION OF ASSISTANCE EFFORTS.—In carrying out this section and in accordance with section 104C of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b–4), the Malaria Coordinator shall coordinate the provision of assistance by working with—

''(1) relevant executive branch agencies, including—

''(A) the Department of State (including the Office of the Global AIDS Coordinator);

''(B) the Department of Health and Human Services;

''(C) the Department of Defense; and

''(D) the Office of the United States Trade Representative;

''(2) relevant multilateral institutions, including—

''(A) the World Health Organization;

''(B) the United Nations Children's Fund;

''(C) the United Nations Development Programme;

''(D) the Global Fund;

''(E) the World Bank; and

''(F) the Roll Back Malaria Partnership;

''(3) program delivery and efforts to lift barriers that would impede effective and comprehensive malaria control programs; and

''(4) partner or recipient country governments and national entities including universities and civil society organizations (including faith- and community-based organizations).

''(f) RESEARCH.—To carry out this section and in accordance with section 104C of the Foreign Assistance Act of 1961 (22 U.S.C. 1151d–4), the

Secretary of Health and Human Services, through the Centers for Disease Control and Prevention and the National Institutes of Health, shall conduct appropriate programmatically relevant clinical and operational research to identify and evaluate new diagnostics, treatment regimens, and interventions to prevent and control malaria.

''(g) MONITORING.—To ensure that adequate malaria controls are established and implemented, the Centers for Disease Control and Prevention shall carry out appropriate surveillance and evaluation activities to monitor global malaria trends and assess environmental and health impacts of malarial control efforts. Such activities shall complement the work of the World Health Organization, rather than duplicate such work.

''(h) ANNUAL REPORT.—

''(1) SUBMISSION.—Not later than 1 year after the date of the enactment of the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008, and annually thereafter, the President shall submit a report to the appropriate congressional committees that describes United States assistance for the prevention, treatment, control, and elimination of malaria.

''(2) CONTENTS.—The report required under paragraph (1) shall describe—

''(A) the countries and activities to which malaria resources have been allocated;

''(B) the number of people reached through malaria assistance programs, including data on children and pregnant women;

''(C) research efforts to develop new tools to combat malaria, including drugs and vaccines;

''(D) the collaboration and coordination of United States antimalarial efforts with the World Health Organization, the Global Fund, the World Bank, other donor governments, major private efforts, and relevant executive agencies;

''(E) the coordination of United States antimalarial efforts with the national malarial strategies of other donor or partner governments and major private initiatives;

''(F) the estimated impact of United States assistance on childhood mortality and morbidity from malaria;

''(G) the coordination of antimalarial efforts with broader health and development programs; and

''(H) the constraints on implementation of programs posed by health workforce shortages or capacities; and

''(I) the number of personnel trained as health workers and the training levels achieved.''.

SEC. 305. AMENDMENT TO IMMIGRATION AND NATIONALITY ACT.

Section 212(a)(1)(A)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(1)(A)(i)) is amended by striking '', which shall include infection with the etiologic agent for acquired immune deficiency syndrome,'' and inserting a semicolon.

SEC. 306. CLERICAL AMENDMENT.

Title III of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7631 et seq.) is amended by striking the heading for subtitle B and inserting the following:

''Subtitle B—Assistance for Women, Children, and Families''.

SEC. 307. REQUIREMENTS.

Section 312(b) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7652(b)) is amended by striking paragraphs (1), (2), and (3) and inserting the following:

''(1) establish a target for the prevention and treatment of mother-to-child transmission of HIV that, by 2013, will reach at least 80 percent of pregnant women in those countries most affected by HIV/AIDS in which the United States has HIV/AIDS programs;

''(2) establish a target that, by 2013, the proportion of children receiving care and treatment under this Act is proportionate to their numbers within the population of HIV infected individuals in each country;

''(3) integrate care and treatment with prevention of mother-to-child transmission of HIV programs to improve outcomes for HIV-affected women and families as soon as is feasible and support strategies that promote successful follow-up and continuity of care of mother and child;

''(4) expand programs designed to care for children orphaned by, affected by, or vulnerable to HIV/AIDS;

''(5) ensure that women in prevention of mother-to-child transmission of HIV programs are provided with, or referred to, appropriate maternal and child services; and

''(6) develop a timeline for expanding access to more effective regimes to prevent mother-to-child transmission of HIV, consistent with the national policies of countries in which programs are administered under this Act and the goal of achieving universal use of such regimes as soon as possible.''.

SEC. 308. ANNUAL REPORT ON PREVENTION OF MOTHER-TO-CHILD TRANSMISSION OF HIV.

Section 313(a) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7653(a)) is amended by striking ''5 years'' and inserting ''10 years''.

SEC. 309. PREVENTION OF MOTHER-TO-CHILD TRANSMISSION EXPERT PANEL.

Section 312 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7652) is amended by adding at the end the following:

''(c) PREVENTION OF MOTHER-TO-CHILD TRANSMISSION EXPERT PANEL.—

''(1) ESTABLISHMENT.—The Global AIDS Coordinator shall establish a panel of experts to be known as the Prevention of Mother-to-Child Transmission Panel (referred to in this subsection as the 'Panel') to—

''(A) provide an objective review of activities to prevent mother-to-child transmission of HIV; and

''(B) provide recommendations to the Global AIDS Coordinator and to the appropriate committees of Congress for scale-up of mother-to-child transmission prevention services under this Act in order to achieve the target established in subsection (b)(1).

''(2) MEMBERSHIP.—The Panel shall be convened and chaired by the Global AIDS Coordinator, who shall serve as a nonvoting member. The Panel shall consist of not more than 15 members (excluding the Global AIDS Coordinator), to be appointed by the Global AIDS Coordinator not later than 1 year after the date of the enactment of this Act, including—

''(A) 2 members from the Department of Health and Human Services with expertise relating to the prevention of mother-to-child transmission activities;

''(B) 2 members from the United States Agency for International Development with expertise relating to the prevention of mother-to-child transmission activities;

''(C) 2 representatives from among health ministers of national governments of foreign countries in which programs under this Act are administered;

''(D) 3 members representing organizations implementing prevention of mother-to-child transmission activities under this Act;

''(E) 2 health care researchers with expertise relating to global HIV/AIDS activities; and

''(F) representatives from among patient advocate groups, health care professionals, persons living with HIV/AIDS, and non-governmental organizations with expertise relating to the prevention of mother-to-child transmission activities, giving priority to individuals in foreign countries in which programs under this Act are administered.

''(3) DUTIES OF PANEL.—The Panel shall—

''(A) assess the effectiveness of current activities in reaching the target described in subsection (b)(1);

''(B) review scientific evidence related to the provision of mother-to-child transmission prevention services, including programmatic data and data from clinical trials;

''(C) review and assess ways in which the Office of the United States Global AIDS Coordinator collaborates with international and multilateral entities on efforts to prevent mother-to-child transmission of HIV in affected countries;

''(D) identify barriers and challenges to increasing access to mother-to-child transmission prevention services and evaluate potential mechanisms to alleviate those barriers and challenges;

''(E) identify the extent to which stigma has hindered pregnant women from obtaining HIV counseling and testing or returning for results, and provide recommendations to address such stigma and its effects;

''(F) identify opportunities to improve linkages between mother-to-child transmission prevention services and care and treatment programs; and

''(G) recommend specific activities to facilitate reaching the target described in subsection (b)(1).

''(4) REPORT.—

''(A) IN GENERAL.—Not later than 1 year after the date on which the Panel is first convened, the Panel shall submit a report containing a detailed statement of the recommendations, findings, and conclusions of the Panel to the appropriate congressional committees.

''(B) AVAILABILITY.—The report submitted under subparagraph (A) shall be made available to the public.

''(C) CONSIDERATION BY COORDINATOR.—The Coordinator shall—

''(i) consider any recommendations contained in the report submitted under subparagraph (A); and

''(ii) include in the annual report required under section 104A(f) of the Foreign Assistance Act of 1961 a description of the activities conducted in response to the recommendations made by the Panel and an explanation of any recommendations not implemented at the time of the report.

''(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Panel such sums as may be necessary for each of the fiscal years 2009 through 2011 to carry out this section.

''(6) TERMINATION.—The Panel shall terminate on the date that is 60 days after the date on which the Panel submits the report to the appropriate congressional committees under paragraph (4).''.

TITLE IV—FUNDING ALLOCATIONS

SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 401(a) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7671(a)) is amended by striking ''$3,000,000,000 for each of the fiscal years 2004 through 2008'' and inserting ''$50,000,000,000 for the 5-year period beginning on October 1, 2008''.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the appropriations authorized under section 401(a) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003, as amended by subsection (a), should be allocated among fiscal years 2009 through 2013 in a manner that allows for the appropriations to be gradually increased in a manner that is consistent with program requirements, absorptive capacity, and priorities set forth in such Act, as amended by this Act.

SEC. 402. SENSE OF CONGRESS.

Section 402(b) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7672(b)) is amended by striking ''an effective distribution of such

amounts would be'' and all that follows through ''10 percent of such amounts'' and inserting ''10 percent should be used''.

SEC. 403. ALLOCATION OF FUNDS.

Section 403 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7673) is amended—

(1) by amending subsection (a) to read as follows:

''(a) BALANCED FUNDING REQUIREMENT.—

''(1) IN GENERAL.—The Global AIDS Coordinator shall—

''(A) provide balanced funding for prevention activities for sexual transmission of HIV/AIDS; and

''(B) ensure that behavioral change programs, including abstinence, delay of sexual debut, monogamy, fidelity, and partner reduction, are implemented and funded in a meaningful and equitable way in the strategy for each host country based on objective epidemiological evidence as to the source of infections and in consultation with the government of each host county involved in HIV/AIDS prevention activities.

''(2) PREVENTION STRATEGY.—

''(A) ESTABLISHMENT.—In carrying out paragraph (1), the Global AIDS Coordinator shall establish a HIV sexual transmission prevention strategy governing the expenditure of funds authorized under this Act to prevent the sexual transmission of HIV in any host country with a generalized epidemic.

''(B) REPORT.—In each host country described in subparagraph (A), if the strategy established under subparagraph (A) provides less than 50 percent of the funds described in subparagraph (A) for behavioral change programs, including abstinence, delay of sexual debut, monogamy, fidelity, and partner reduction, the Global AIDS Coordinator shall, not later than 30 days after the issuance of this strategy, report to the appropriate congressional committees on the justification for this decision.

''(3) EXCLUSION.—Programs and activities that implement or purchase new prevention technologies or modalities, such as medical male circumcision, pre-exposure pharmaceutical prophylaxis to prevent transmission of HIV, or microbicides and programs and activities that provide counseling and testing for HIV or prevent mother-to-child prevention of HIV, shall not be included in determining compliance with paragraph (2).

''(4) REPORT.—Not later than 1 year after the date of the enactment of the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008, and annually thereafter as part of the annual report required under section 104A(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b–2(e)), the President shall—

''(A) submit a report on the implementation of paragraph (2) for the most recently concluded fiscal year to the appropriate congressional committees; and

''(B) make the report described in subparagraph (A) available to the public.''; and

(2) in subsection (b)—

(A) by striking ''fiscal years 2006 through 2008'' and inserting ''fiscal years 2009 through 2013''; and

(B) by striking ''vulnerable children affected by'' and inserting ''other children affected by, or vulnerable to,''.

UNANIMOUS-CONSENT REQUEST—S. 3186

Mr. REID. Mr. President, I now ask unanimous consent that upon disposition of S. 2731/H.R. 5501, the global AIDS legislation, the Senate then proceed to Calendar No. 835, S. 3186, which is a bill to provide for the Low-Income Home Energy Assistance Program.

The PRESIDING OFFICER. Is there objection?

Mr. LUGAR. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Mr. President, I have asked the leader for clarification of the situation. My understanding is that, as things stood, we would be automatically moving on to discussion of PEPFAR. I appreciate the anxiety of the leader with regard to the situation, but, at the same time, from our standpoint on this side of the aisle, I have been advised we would need to object to that simply because the agreement our Members feel they have realized would be that we would move to PEPFAR today and have the debates on PEPFAR, as opposed to additional material.

Mr. REID. Mr. President, I would say to my friend that is absolutely what we are going to do. The only way we would not do that is if you object to it. I have explained in more detail than probably everyone wants to hear, but we have a situation now, procedurally in the Senate, where there is a spot open. It has nothing to do with PEPFAR. It is separate and apart from PEPFAR. There is an empty spot there that anyone can walk in here—any Senator can walk in here—and move to anything we have on the calendar. By doing that, of course, they could also accompany that with a cloture motion, and that is what we would be on. That would take away from what the President wants and, I would say, 90 Senators want. So I am not trying to take advantage of anyone. No one loses anything, nothing, other than the ability to sucker punch the entire Senate.

So I would say to my friend, the distinguished Senator from Indiana, if we are on this matter here, I would be happy to—and no harm can be done. If people do not want us to move to that, I could not do it. I could not do it anyway. I would have to have 60 Senators to agree to that. This is simply an effort to allow us to complete PEPFAR—without using the term too many times; this is the third time I have used it—without the entire Senate being sucker punched.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that we now proceed to a period of morning business, that Senator LUGAR be recognized to speak for up to one-half hour, and that following his speech, I be recognized.

The PRESIDING OFFICER. Is there objection to the majority leader's previous request?

Mr. LUGAR. I object.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the majority leader's pending request?

Without objection, it is so ordered.

Mr. REID. Mr. President, I further ask unanimous consent that if and when we get on the PEPFAR legislation, the distinguished Senator from Indiana be recognized for an opening statement on the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Indiana is recognized.

PEPFAR

Mr. LUGAR. I thank the leader.

I rise today in support of S. 2731, the Tom Lantos and Henry J. Hyde United States Global Leadership Act Against HIV/AIDS, Tuberculosis, and Malaria. I thank Chairman JOE BIDEN for working with me and other Republicans to achieve a bipartisan approach for the reauthorization of our Nation's program to combat these diseases. I believe we will have an excellent bill before us that will preserve the best aspects of the President's Emergency Plan For AIDS Relief—PEPFAR—and expand the efforts of the United States to stem the tide of AIDS, tuberculosis, and malaria worldwide.

The HIV/AIDS pandemic, coupled with the impact of tuberculosis and malaria, is rending the socioeconomic fabric of communities, nations, and an entire continent. The U.S. National Intelligence Council and innumerable top officials, including President Bush, have stated the HIV/AIDS pandemic is a threat to national and international security.

Communities are being hobbled by the disability and the loss of consumers and workers at the peak of their productive, reproductive, and care-giving years. In the most heavily affected areas, communities are losing a whole generation of parents, teachers, laborers, health care workers, peacekeepers, and police.

United Nations projections indicate that by 2020, HIV/AIDS will have depressed GDP by more than 20 percent in the hardest hit countries. The World Bank recently warned that while the global economy is expected to more than double over the next 25 years, Africa is at risk of being left behind.

Many children who have lost parents to HIV/AIDS are left entirely on their own, leading to an epidemic of orphan-headed households. When they drop out of school to fend for themselves and their siblings, they lose the potential for economic empowerment that an education can provide. Alone and desperate, they sometimes resort to transactional sex or prostitution to survive and risk becoming infected with HIV themselves.

I believe that in addition to our own national security concerns, we have a humanitarian duty to take action. Five years ago, HIV was a death sentence

for most individuals in the developing world who contracted that disease. Now there is hope. We should never forget that behind each number is a person—a human being—a life the United States can touch or even save.

PEPFAR has provided treatment to an estimated 1.4 million men, women, and children infected with HIV/AIDS in Africa and elsewhere. Before the program began, only 50,000 people in all of sub-Saharan Africa were receiving lifesaving antiretroviral drugs. Today, three times that many are being treated in Kenya alone. PEPFAR also has focused on prevention programs, with the target of preventing 7 million new HIV infections. As Americans, we should take pride in our Nation's efforts to combat these diseases overseas.

We should understand that our investments in disease prevention programs have yielded enormous foreign policy benefits during the last 5 years. PEPFAR has helped to prevent instability and societal collapse in a number of at-risk countries; it has stimulated contributions from other wealthy nations to fight AIDS; it has facilitated deep partnerships with a generation of African leaders; and it has improved attitudes toward the United States and Africa and other regions of the world. In my judgment, the dollars spent on this program can be justified purely on the basis of the humanitarian results we have achieved, but the value of this investment clearly extends to our national security and to our national reputation.

I wish to emphasize three points that should guide our deliberations. First, it is important that Congress move now to reauthorize the program. The authorization expires in 2½ months. Partner governments and implementing organizations in the field have indicated that without certainty of reauthorization of this bill, they may delay expanding their programs to meet PEPFAR goals. Certainty of U.S. action is an important matter of perception, delivering something similar to consumer confidence to these nations. It may be intangible, but it will profoundly affect the behavior of individuals, groups, and governments engaged in the fight against HIV/AIDS. The continuity of our efforts to combat aids, malaria, and tuberculosis, and the impact of our resources on the commitments of the rest of the world will be maximized if we act now.

Underscoring this point, last fall the Ministers of Health of the 12 African focus countries receiving PEPFAR assistance wrote to us saying:

> Without an early and clear signal of the continuity of PEPFAR's support, we are concerned that partners might not move as quickly as possible to fill the resource gap that might be created. Therefore, services will not reach all who need them. . . . The momentum will be much greater in 2008 if we know what to expect after 2008.

Secondly, our bill expands the flexibility of current law so that U.S. efforts in each country can be tailored to its unique situation. I have consulted extensively with American officials who are implementing PEPFAR. Most believe that adding new restrictions to the law can limit the flexibility of those charged with implementation in 2009 and beyond. We don't know who that will be and, more importantly, we don't know what the challenges of 2013 will be, although we can probably say with confidence the landscape will be very different than it is today. As the Institute of Medicine said, the Global Leadership Act is a ''learning organization.'' We should pass a bill that allows PEPFAR to expand and evolve its program implementation, utilizing the experience it has gained in its initial years of operation.

I understand some Members identify concerns or areas that they believe deserve specific emphasis. As Senators study the record of PEPFAR to date, I believe they will find that the vast majority of the authorities needed for the next phase of our efforts already are in existing legislation. This flexibility is preserved in the House bill and in the bill before us today.

The one directive in the Leadership Act that I believe must be maintained holds that 10 percent of funding be devoted to programs for orphans and vulnerable children. There were few programs focused on the needs of these children before the Leadership Act, and we remain in the early stages of the effort to serve them. Before the advent of PEPFAR, neither the United States nor anyone else had much experience in programs that support children infected with or affected by HIV/AIDS. After several years of effort, we have made some progress, but our programs are not yet as firmly established as they can be.

The AIDS orphans crisis in sub-Saharan Africa has implications for political stability, development, and human welfare that extend far beyond that region. The American people strongly back this effort, and the maintenance of this directive will help to ensure that we remain attentive to those who need our support the most. The directive will also help ensure the success of the Assistance for Orphans and Other Vulnerable Children in Developing Countries Act of 2005, a bill I drafted and which was cosponsored by 11 Senators. That bill was signed into law on November 8, 2005.

The third point I would underscore is this is an authorization bill subject to the annual budget and appropriations process. It is meant to establish policy and the overall parameters of spending on the PEPFAR program. The $50 billion figure is based on what we believe can be spent efficiently and effectively in the years ahead. It presumes that funding will gradually increase over the coming 5-year period. Of the $50 billion authorized, $5 billion has been reserved for malaria and $4 billion has been reserved for tuberculosis.

I understand some Members would spend less than $50 billion, while others would choose to spend more.

But this is a reasonable target that has emerged from good-faith negotiations between Congress and the White House. I believe it will maximize the humanitarian and foreign policy benefits of the PEPFAR Program.

We have an opportunity this week to establish policy on a bipartisan basis that will be a triumph for the United States of America. We have the opportunity to save lives on a massive scale and preserve the fabric of numerous fragile societies. I ask my colleagues to continue to work together for this very important result.

I look forward to the passage of this important legislation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that I be allowed to speak for the remainder of the time on this side in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON of Florida. Mr. President, I thank the Senator from Indiana for his and Senator BIDEN's leadership in getting this legislation to the floor.

This Senator has just returned from Africa over the July 4th recess. Four countries in southeastern Africa—Kenya, Tanzania, Uganda, and Rwanda—is where PEPFAR has been concentrated. Out of the $3 billion that is being spent per year in Africa, for example, $500 million of that goes just to the country of Kenya.

As the distinguished Senator from Indiana has said, it is very true that the attitudes about the United States—as a result of us being out there with this very effective program that is turning people's lives around, which, in fact, is taking people who were nothing but skin and bones and now being able to live a somewhat normal life, it has increased the favorability toward the United States enormously all over the continent. It has had a tremendous effect. For example, in Kampala, Uganda, I visited a PEPFAR program. It was not only giving the antiviral drugs—and these were to a lot of the children of the refugees who live in this squalor you could not believe, but, in addition, if their bodies won't take the drugs because they are malnourished, there is a food program that goes along with it through USAID. The combination of the two—a year ago in Ethiopia, the same thing—by getting their little bodies up to where, nutritionally, they can accept the HIV antiviral drugs, it has had a tremendous effect.

On this particular PEPFAR Program, there was much more—a school for the children. The children wore uniforms. The children were learning science, math, English, and all the studies that will give them some opportunity for a fruitful and productive life. So now, as the leadership of our Senate Foreign

Relations Committee has come forth with an extension and expansion of this program, it is absolutely necessary that we pass it.

You cannot do any better than the good will—just think about the globe and about where America may not be held in the highest of esteem. But it is held in the highest esteem in Africa. It is in large part as a result—

Mr. REID. Mr. President, I ask my friend to yield for a unanimous consent request.

Mr. NELSON of Florida. I yield to the majority leader for that purpose.

Mr. REID. Mr. President, it is my understanding that we had a half hour under morning business. I told Senator NELSON he could use the remaining approximately 10 minutes of that time and I would be recognized thereafter. Is there any concern about that? Is that still in effect?

Mr. President, it is no big deal. It might make it easier for everybody. I will ask unanimous consent that I be recognized when Senator NELSON finishes his statement.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. NELSON of Florida. Mr. President, I say to the majority leader, I would have asked that, but this Senator thought that was locked in with the previous unanimous consent. I thank the majority leader for the opportunity.

Mr. President, the United States has benefited enormously because of the good will. That is one thing. But when you see these folks who have been bedeviled with this terrible, terrible infliction suddenly have a chance for a normal life as a result of these lifegiving drugs, when properly administered, along with the food programs as well, indeed it is one of the least things we can do.

Is it not in the capacity of the United States to help the rest of the world? Of course it is. Is it not within our ethos to want to help the rest of the world? It certainly is. Just as a byproduct of that, the people of Africa are recognizing the leadership that the United States has taken. They are appreciative.

I must say that there was a part of this African trip that was very disturbing to me, and that was the grave situation in Zimbabwe. That is as a result of the disastrous regime of Robert Mugabe.

Last Friday, a bunch of us Senators had joined Senators FEINGOLD and ISAKSON, who are leaders on the African Affairs Subcommittee of the Foreign Relations Committee, in introducing a resolution to rebuke Robert Mugabe and support U.S. efforts at the United Nations to impose tougher sanctions on the Mugabe regime. Although the U.S.-sponsored resolution failed to overcome the vetoes of China and Russia—listen to that: the vetoes of China and Russia—in the Security Council on Friday—we kind of get an indication of where their attitude is about a democratically elected government in Zimbabwe—it is critical for us to continue to work with the U.N. and our African Union partners to help bring about a political solution for the desperate people in Zimbabwe.

On this most recent trip, I didn't go to Zimbabwe. I wasn't welcome. It was a striking survey of the governments that I saw in those four countries, a new African leadership, strong economic growth, the rule of law, political stability—what a contrast with the old ways of dealing with people such as Mugabe, in a government that is marked with autocracy, corruption, and the rule of law through the barrel of a gun. Well, what is clearly in the interest of the people of Zimbabwe and the rest of the world is stability in Zimbabwe. And it is important that we continue to press forward.

In east Africa, the rule of law does have some new applications—for example, the Government of Kenya. There, the whole place was being torn apart because of a dispute in the December election. Finally, after much violence and with as many as 5,000 deaths—if you can believe it—because of the violence following the election, the business community, the government community, and the two opposition parties came together and said: We have to have a better way. They formed this unity government. Thus far, it has worked. Let's see how it continues.

But in the aftermath of September 11, we know all too well how instability and weak governance and corruption can sow the seeds of radicalization and terrorism. Now, however destitute and downtrodden the heroic people of Zimbabwe, however, those heroic people have risen up against Mugabe's machine at the ballot box on March 29 and they cast their votes overwhelmingly for Morgan Tsvangirai and his Movement for Democratic Change. That opposition party won 48 percent of the vote against 43 percent for Mugabe.

But then, of course, Mugabe initiated a reign of terror and intimidation in the lead-up to this farce of a runoff election. His state-sponsored violence against opposition members, against supporters, against civilians, in an attempt to consolidate his power, ultimately caused the opposition candidates to withdraw from the election. He had to take refuge in the Dutch Embassy. This recent runoff was declared neither credible nor fair by independent election monitors. Mugabe was the only candidate left. He was declared the winner.

Since the initial election back in March, the opposition party said that 86 of its supporters have been killed and 200,000 of its supporters forced from their homes by militias loyal to Mugabe's party.

If you will go back decades, Mugabe took over in a new country of Zimbabwe when he had thrown off the colonial rule under the old Rhodesia. Mugabe was looked upon as a freedom fighter and someone who was going to bring a fresh break, a fresh government that was going to be a democratic government. He has long been celebrated by his fellow African leaders for his role as a liberation leader for Zimbabwe. In recent years, Mugabe has too often been coddled as his failings have come to light. Two weeks ago, unfortunately, the African Union allowed him to take his seat as the head of state among the leaders in their annual meeting that was in Sharm el-Sheikh.

Those African Union leaders were split over how to deal with Mugabe, but they allowed him to be seated. Many leaders, including South African President Mbeki, who serves as the South African Development Community's designated mediator, have stood by as Mugabe has trampled human rights, as he has silenced the press, as he has undermined the rule of law, and he has run the once-thriving Zimbabwean economy into the ground.

South Africa worked behind the scenes to sink the U.S.-sponsored resolution on Zimbabwe at the U.N. last week. This is quite distressing, given that South Africa is where it is today because of the international sanctions to end apartheid.

So now because of these ruinous economic policies, Zimbabwe is the world's fastest shrinking economy. It has a negative GDP of minus 6 percent. It has skyrocketing inflation. Zimbabwe's central bank stopped posting inflation figures in January when inflation stood at, unbelievably, over 100,000 percent. A loaf of bread cost 30 billion Zimbabwean dollars—a loaf of bread.

The sinking economy and the government-orchestrated political intimidation and murder has caused a massive refugee flight into the neighboring countries. According to a recent report by Human Rights Watch, there is now estimated to be 1.5 million Zimbabweans who have fled across the border into South Africa.

The international community must honor the courage of the Zimbabwean people and help them take back their country from the brink of ruin.

Recent reports show that a Chinese ship loaded with more than 1 million pounds of arms bound for Zimbabwe was eventually turned away by the dock workers in Durban, South Africa, a reminder of the support Mugabe continues to receive from around the world.

The United States is going to have to continue to work in the U.N. and with the African Union to immediately call for Robert Mugabe to step down and to push for a number of practical solutions for the crisis in Zimbabwe.

First is an international arms embargo and stricter sanctions. Although our backed resolution in the United Nations last Friday failed, we must continue to work on an international framework to impose sanctions on international arms, travel, and an asset embargo. We have to get Mugabe

to understand that his totalitarian, dictatorial ways have to change.

Then we need to press for any new power sharing arrangement. Any new mediation must secure agreement with the opposition, with Tsvangirai in the lead, and provide support in setting up new institutions. We can assist the transitional government by helping to provide a framework for future elections and reforms.

We need to help them economically. The African Union, led by Zimbabwe's largest trading partners, including South Africa, Zambia, Congo, and Botswana, should put together a package of aid and reconstruction funding to help the ravaged people of Zimbabwe stand on their feet. The United States and Europe can play a leading role in backing that effort with the support that we are so generously quick to offer.

The situation in Zimbabwe is dire, and the United States must take the lead in rebuking Robert Mugabe in calling for a new dawn for Zimbabwe.

It is a time in which when you see the success, the beginnings of political stability, the beginnings of economic blossoming in countries such as Kenya and Tanzania and Uganda and Rwanda, we know the same thing can be done in a place such as Zimbabwe.

Just think, in those last two countries I mentioned, Uganda and Rwanda, look from where they have come. It was not too many years ago that there was a brutal dictator named Idi Amin. A lot of people have seen the movie ''The Last King of Scotland,'' which tells about the brutality of that regime. But as soon as Idi Amin was gone, the former President came in again and became almost as bad, Obote. It wasn't until another strong man, a general named Museveni, came on that he has brought stability for the last couple of decades.

Look at the country immediately to the south of Uganda. Look at Rwanda. Look at what has happened to Rwanda, a country, just 14 years ago, in 1994, because there was the hatred between the two tribes, the Hutus and the Tutsis—the Hutus were in charge of the government. They allowed the militias, the gangs, the thugs to reign and use as an excuse the downing of the President's airplane, and they unleashed a reign of terror that was nothing short of mass slaughter, genocide, of which, unbelievably, within 100 days, 1 million people were slaughtered and hacked to death by machetes. That was 14 years ago.

The general who took over and is now the President of Rwanda, the opposite tribe, a Tutsi, said: We are not going the same way. We are not going to take revenge.

You can imagine when his army came in and invaded the capital city of Rwanda and they saw bodies strewn all over the streets rotting, corpses that dogs were eating the flesh, and when his soldiers found out that their entire families had been wiped out, hacked to death with machetes, you can imagine the problem of discipline that general, now the new President of Rwanda, had in trying to exert discipline.

The President told me in our meeting that was a very difficult time because a soldier would go to his home and find his entire family slaughtered, and he felt that he would have to take the revenge into his own hands, despite the order that the general had given him. The general, the new President, then would have that soldier arrested, even though you can understand the feeling of outrage of seeing 50 members of his family slaughtered.

The President told me also the story about the notes that he would get from members of his army that said: Mr. President, it is not going to please you because you have given orders to the contrary, but I could not stand by and see these people who have slaughtered my family get away with it. And then that soldier would take the revenge and that soldier would then turn the gun on his own self and commit suicide.

But the general's orders took hold. He established a government. It was a government where they would go through under Rwandan law and try those people. They would try to bring about reconciliation. And 14 years later, after 1 million people were slaughtered in a 100-day period, Rwanda is on its way back with some stability, some economic promise, and some economic progress.

This is what can happen in Africa, and this is what needs to happen in Zimbabwe. Soon there are going to be elections in South Africa bringing in a new President. If present President Mbeki will not move, since they are the biggest influence on Zimbabwe because of their trade relationship, if he will not move, then there is another election in South Africa that will elect a new leader, and maybe that new leader will move to bring sanctions on Zimbabwe so that, once again, the promise of Africa will become realized, as so many countries in Africa today are realizing.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. STABENOW). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KYL. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WHITEHOUSE). Without objection, it is so ordered.

Mr. KYL. I ask I be allowed to speak in morning business for 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KYL. Mr. President, I want to speak about the bill which we had hoped to have taken up by now, the PEPFAR Reauthorization Act. Because of some procedural questions, we are not on the bill right now, but I thought I would utilize this time to make some remarks about the bill which I hope we will be able to begin dealing with in the not too distant future.

This bill is called PEPFAR, as I said, but that stands for the President's Emergency Plan for AIDS Relief. It is a program that President Bush brought to the Congress in 2003 and was enacted. It authorized $15 billion over a 5-year period for the purpose primarily of supporting the treatment of AIDS in Africa and elsewhere.

Between 2004 and 2008, according to the Bush administration, PEPFAR has supported a cure for about 10 million people infected by HIV/AIDS, including children orphaned by AIDS. It prevented 7 million new HIV infections. It supported efforts to provide support to another 2 million HIV-infected people.

As a result, I think when the President indicated in his State of the Union speech that he wanted to reauthorize the program, most of us in the Congress, in the House and in the Senate, were supportive of that. I supported the initial legislation and fully intended to support the reauthorization.

There is one little catch. When the President made his announcement, he offered to double the amount of the authorization from $15 billion to $30 billion. I swallowed rather hard because doubling the amount is a big change in the amount of money available, but I assumed I would be able to support the reauthorization of the bill. However, when the bill was written in the House of Representatives and then sent over to the Senate, two things happened. First, one of the things that made the legislation effective in the first place was that we had several conditions attached to it as to how the money would be spent. We were very careful to ensure that the money was spent appropriately. That is one of the reasons it has been effective.

And, secondly, when the bill was written in the House of Representatives, lo and behold, it was not doubled from $15 to $30 billion, it was more than tripled to $50 billion.

Now, there was not anything magical about $50 billion; it seemed like a nice, round, symbolic number. As a result, several of us at that point said: Wait a minute. That is a lot of money. In Washington when a program doubles, that is something. When it more than triples, it bears some looking into.

Because of many of the problems with the substance of the bill, as well as this tripling of the amount from $15 to $50 billion, several of us began to take a harder look at it. Then, as the gas crisis hit, the housing crisis hit, and we find that more and more Americans are feeling the real pinch of a downturn in our economy, the question began to solidify: Should America be committing to spend $50 billion on this program, which at $15 billion was quite successful, without at least considering whether we can reduce the amount and certainly taking a look at the substantive provisions of it to see if it can get back to the original purpose rather

than some of the expanded purposes under the House bill.

That is why several of us said, when the bill came through the Senate Foreign Relations Committee: We object to simply passing the bill out of the Senate without any opportunity to amend it, certainly without any opportunity to reduce the amount of it and without an opportunity to fix it. I know some of us were criticized. But I would hope that when we talk about some of the changes that have already been agreed to, those who were critical of us who said: No, we are not going to automatically pass it, would at least acknowledge there have been numerous improvements in the bill because of the negotiation process which ensued.

I wish to particularly thank Senators COBURN, BURR, and ENZI for working on several provisions of the bill and, frankly, restoring the original purpose of PEPFAR in the process. They did a good job. Let me note two or three of the areas with which I think they did a good job. One key to PEPFAR working in the first place was that at least 55 percent of the funding had to go directly to the treatment of AIDS patients. That was a good thing. Once the House said: No, we can spend this money on other things, too, you could see the same kind of problems with some other foreign aid bills, where money is going to governments or NGOs and you never see it again.

As a result, what Senators COBURN, BURR, and ENZI did was say: Look, we need to get back to the proposition that at least half the bilateral AIDS funding is spent on treatment, for treatment for HIV/AIDS. That, in fact, was agreed to. But I would note, again, that the original House and Senate bills proposed simply eliminating that treatment floor.

Another thing they negotiated was to strengthen the protection of funding for abstinence and fidelity programs, clarifying that 50 percent of any funding had to go to those kinds of programs. I would note, again, that the original House and Senate bills eliminated the requirement in the previous law that a third of the prevention funds would go to abstinence education.

Another thing that they did to make the bill better was to protect faith-based groups and others from discrimination in all funding. Again, the House and Senate bills had very weak conscience clauses, so-called conscience clause provisions. This was, again, an improvement of the bill which would not have occurred if we had simply agreed to the unanimous consent that we pass the bill that had been posed earlier and that some of us had objected to.

To some extent, it strengthens the Global Fund transparency and accountability. This is an area that needs additional strengthening. But there is a part of this bill that is not the bilateral U.S. money, it goes into this big Global Fund. And the Global Fund is not well monitored. It is very possible for our funding to be wasted as a part of that.

Again, there was nothing in the original House and Senate bills on this and they at least got some strengthening of the Global Fund transparency and accountability provisions.

Another provision was to protect AIDS patients from substandard medicine, which again was not in the original language. There were other things. My point is that when those of us objected originally to passing the bill as it came out of the House, we were criticized: Well, this is a perfect bill, we were told. It turns out it was not so perfect after all.

That is point No. 1. Point No. 2, there are some additional things which should be done to the substance of the bill. Point No. 3 deals with the amount of money that is being spent.

Here are some of the remaining areas that are problematic: The bill would not prohibit funding for countries such as China, Russia, and India, countries that are quite wealthy, that have their own nuclear weapons and space exploration programs. Russia is awash in petrodollars. China has hundreds of billions of dollars in its foreign currency reserve, has an exploding military budget, and so on. So, certainly, we ought to limit the funding of the bill to countries that actually need the money.

Secondly, it adds a variety of lower priority programs to spend the extra money above the $15 billion, including—well, I am not going to mention all of these, but educating males about the dangers of visiting prostitutes. That is a fine thing, but is that a priority that we need to spend this money on? Addressing the inheritance rights of women and orphans. There is money in here for legal aid and the like, legal aid services.

There is mission creep in the new legislation. It calls for PEPFAR dollars to support nutrition programs, drinking water and sanitation and income-generation activities and livelihood activities—legal services, as I said.

All of these might be fine, but this is not the PEPFAR program, this is foreign aid. There are not any kind of constraints on this mission creep that ought to be in existence if we are going to authorize this kind of money for it.

The bill diverts funding from AIDS treatment for other purposes. I mentioned legal services and substance abuse and so on. It doubles the funding for the U.N.-affiliated Global Fund, which disregards U.S. policies on positions such as abortion and needle exchange and has been linked to funding for corrupt and criminal regimes.

It strikes current law regarding the inadmissibility into the United States of HIV-positive aliens. It calls for a strategy and objective over the next 5 years with these funds to train and hire 140,000 new nurses and other health care professionals in these countries.

This at a time when the United States is drastically in need of health care professionals and nurses. We are wealthy and can afford to be a very generous country, but we also have needs in this country. I mentioned the water development projects and so on. I happen to be familiar, and Senator THUNE has offered an amendment on this, with the needs in the United States of America for water development in our Native American communities, on Indian reservations.

There is a study out right now that demonstrates the need that many, thousands of our Native Americans have to rely on water being hauled to their communities, which they then take to their individual hogans or residences. We need water development right here in the United States for American citizens, and I might add to whom we have a trust responsibility, at least as a priority before we send money abroad for folks who do not fall into that same category.

The final point I wished to make is that this legislation, at $50 billion of authorization, is more than we can afford. The Congressional Budget Office, in fact, says that if it is authorized at $50 billion, we cannot efficaciously spend more than about $34 billion. In other words, it is very hard to spend that much money, at least to do so without a lot of waste, fraud, and abuse.

As a result, even the Congressional Budget Office, the nonpartisan entity that we ask for advice on such things, said we could not spend more than $34 billion in that event. As I said, $50 billion is the amount of the authorization here.

To put it in perspective, what is $50 billion? What could we spend $50 billion on? We passed a new GI bill. It could pay for the GI bill twice. It could pay for the Apollo Program to land a man on the Moon twice. It could pay for about half the entire interstate defense highway system. It could pay the pensions of our military veterans for over a year. Now, $50 billion is a lot of money. As I said, I do not know of anybody who would not be willing, especially if we are able to clean up some of the other language in the bill, to authorize it at $15 billion, maybe to even double it to $30 billion, but $50 billion?

I note President Bush has, at least in more recent months, begun to focus on the wasteful Washington spending, the programs he believes spend too much money, and to put some fiscal discipline on the Congress. In fact, since the Democratic Party takeover of the Congress, the President has threatened to veto more than 25 authorization and appropriations bills. This amounts to about $188 billion in spending because of his view that this is excessive beyond what the American taxpayer can be burdened with.

I will note a couple of those. But it illustrates where the President has been willing to say: I am going to veto a bill. That is his ultimate authority here. In the case of the Labor-HHS 2008 Appropriations Act, the President

would have vetoed the bill by exceeding his request by $9 billion. Now, this is $35 billion more than the previous funding, $20 billion more than the President announced in his State of the Union speech that he would be willing to reauthorize the bill at.

He would have vetoed $2.3 billion beyond the budget in the Commerce State and Justice Appropriations Act in 2008; $2.2 billion in the Department of Homeland Security Appropriations Act.

Then, for some authorizations—because this is an authorization, not an appropriation—the Water Quality Financing Act, H.R. 720, which authorizes Federal spending for State clean water revolving funds, that bill would have been vetoed for providing $14 billion in excess above the current $5.6 billion authorization.

I know many of my colleagues have said a $50 billion authorization for PEPFAR is not a big deal because it is only an authorization, not an appropriation. But that certainly was not the position of the administration when it threatened to veto this bill that was over $14 billion more than what the President wanted, or H.R. 1495, the Water Resources Development Act, which authorized water infrastructure projects. That bill was vetoed for going about $7 billion over what the President had authorized or had budgeted.

So it is kind of difficult to understand how the administration or my colleagues can support more than tripling a foreign aid program by spending $50 billion on PEPFAR when the administration was so keen, and I believe correctly so, to finally put the stake down in the ground and say: I am going to veto legislation that is $2 billion or $3 billion or $7 billion over what it should be, including authorizations.

As I said before, we are very wealthy and therefore should be and can be a very generous country. But we also have to establish our priorities. Changing this legislation and tripling the money is not necessarily going to make it triply effective. In fact, if anything, as I said, I think it is going to make it less effective.

I make this point: We have now an American economy which is struggling and American families who are struggling with their budgets. They do not need additional liabilities, either in terms of taxes or more debt, which they and their children and grandchildren are going to have to pay. Someone has to pay for the $50 billion. I do not know where the money is going to come from. Are we going to take it from other spending? Not likely. Are we going to increase taxes to pay for it? Quite conceivably. Or are we going to add it to the deficit? That is the only other choice.

So $50 billion does not grow on trees. It is very easy to be generous with other people's money. But we are talking about the taxpayers' money. I think, when we are taking about taxpayer money, we need to be good stewards of it. More than tripling a program to get it up to $50 billion in foreign aid is more than I think most Americans—if you put the question to them and said: Is this what you want to do with $50 billion of your money, I would bet you the vast majority of Americans would say: Look, we are willing to be generous, provide something for that program but not $50 billion.

That brings me to my final point. In prioritizing, and that is what Congress needs to do, prioritizing what we spend our money on, we have to look at our domestic needs as well. I have supported some increases in funding for years on programs that I think are very important. The answer has always been: Well, there is not enough money. We would love to help you out, Senator KYL, but there is not enough money. OK. Now we have gone from $15 billion to $50 billion that we are ready to spend on PEPFAR.

So, clearly, the majority around here has decided, along with the administration, that we can afford to spend $50 billion on something. My approach would be to say: OK, if we have decided we can afford to spend $50 billion, why don't we only spend part of that on PEPFAR, and why don't we spend part of it on America for what we know are top priorities?

We have already decided we can afford to spend $50 billion. How about some priority for American spending as well? I can think of a lot of things that almost all of us would agree upon as good projects for spending some of this money.

I mentioned before the fact that the U.S. Government has a trust responsibility to Native Americans in this country. We have an obligation to help them pay for what is important to them. Health care. We passed an Indian health care bill. So I asked: Are there additional health care needs? Well, mostly they were taken care of thanks to Senators MURKOWSKI and DORGAN in the Indian health bill, which I was happy to support.

There are two other needs on Indian reservations that are drastic, emergencies, and an embarrassment in that we in the Congress are not able to meet these requirements for the Native American population. Yet we are willing to spend $50 billion on this foreign aid program. This trust responsibility includes public safety and drinking water. There are Federal Government reports that identify needs in both of these areas. As a result, Senator THUNE and I have an amendment which would designate $2 billion—$1 billion for public safety, $1 billion for drinking water—for Indians on reservations. Is that too much to ask, out of $50 billion, that we take $2 billion and authorize programs for public safety and water development on Indian reservations? To me, this would be a better prioritization of funding.

I mentioned reports. There is a 2004 report by the Department of Interior inspector general. Here is what it says in part: That some Indian detention facilities were egregiously unsafe, unsanitary, and a hazard to both inmates and staff. BIA's detention program is riddled with problems and is a national disgrace. A recent 2008 Department of Interior study, called the Shubnum report, confirms that tribal jails are still grossly inefficient and says:

> [O]nly half of the offenders are being incarcerated who should be incarcerated, the remaining are released through a variety of informal practices due to severe overcrowding in existing detention facilities.
>
> Life and safety of officers and inmates are at risk for lack of adequate Justice Facilities and programs in Indian Country.

It goes on to recommend that we construct or rehabilitate 263 detention facilities at a cost of about $8.4 billion over the next 10 years. So there is a need identified for American citizens.

What the Thune-Kyl amendment asks is that we take a billion out of PEPFAR and apply it to this $8.4 billion need. I have personally visited detention facilities in Arizona. I have witnessed firsthand their deplorable conditions. The Navajo Nation, to mention one, in New Mexico, Utah, and Arizona is about the size of the State of West Virginia. It has a population of more than 180,000 people. In fact, it is over 200,000, if you count all of them. Yet a number of its detention facilities have been closed for health and safety reasons. It has bed space—this place, the size of West Virginia—for 59 inmates. That is to serve a total of over 50,000 inmates booked in its facilities in 2007. I think everyone would agree this is a deplorable state of affairs. This represents only a fraction of its needs.

There is much more we can discuss. When people are released, it is impossible to protect the people of the community.

Let me briefly turn to water. The managers' amendment to S. 2731 includes assistance to foreign countries for safe drinking water and adequate sanitation. This is supposed to be an AIDS bill. Why are we providing drinking water facilities abroad? I concede that they are a good thing to do, and there is a need for them, but when there is a very big crisis in our country, primarily involving people to whom we have a trust responsibility, why aren't we prioritizing funding for those projects?

According to the Indian Health Service, safe and adequate water supplies and waste disposal facilities are lacking in approximately 11 percent of American Indian and Alaska Native homes compared to 1 percent for the U.S. general population. In some areas of Indian country the figure is as high as 35 percent. In Arizona, the Navajo Nation estimates that approximately 30 percent of the households on the reservation do not have direct access to a public water system and are forced to haul water long distances to provide drinking water. I have seen it. They

have water trucks, and they fill them at some central location. They come to another central location. People drive up in their pickup trucks and fill their gallon jugs and barrels, take them back to their hogans, and so on. That is in the United States today. If we have decided that we can afford to spend $50 billion on something, starting with a $15 billion AIDS program, then why not double that to $30 billion, as the President originally proposed, and spend some of the rest of the money on American requirements?

This lack of a reliable potable water supply in Indian country results in a high incidence of disease and infection as a result of waterborne contaminants. IHS estimates that for every dollar it spends on safe drinking water and sewage systems, it achieves a twentyfold return in terms of health benefits. The cost to provide American Indians and Alaska Natives with safe drinking water and adequate sewage is estimated to be over $2.3 billion. Delivering water to the people within the tribe would be several billion on top of that.

These are priorities in the United States. I wouldn't be raising it except for the fact that there seems to be an assumption that we can afford to spend $50 billion. My point is, if we can afford to spend $50 billion, let's at least take a little bit of that money and spend it on Americans.

In conclusion, I supported PEPFAR when it was authorized 5 years ago. Because of its success, I would vote to extend the original funding policy for another 5 years. I would even consider the doubling which the President had asked for in his State of the Union speech. For the United States to have the resources to continue funding U.S. Government responsibilities both to our citizens and to be generous with others around the globe, we need a strong economy that creates wealth. I can think of a lot of things we could do with part of this $50 billion to improve our economy so that we will be better able to help others in the future. I have discussed some of them. I will continue to work to improve this bill. It will take some time in this body, but I think it is worth moving forward.

I hope we will be able to move forward on the 10 amendments we have agreed to. I won't describe all of the amendments. They have been described. One of them I have mentioned Senator THUNE and I will offer. I hope we will have a process by which we consider these things; that my colleagues will be open to their adoption, and at the end of the day, when we do pass a PEPFAR bill, it will be a bill we can all be proud of that will meet the purposes of the original legislation, that will not waste American taxpayer dollars, and that will prioritize American needs as well as those with respect to foreign aid programs.

I yield the floor.

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. Mr. President, I would like to respond to the Senator from Arizona. I don't quarrel with his premise that we need to spend a lot more money when it comes to Native Americans. Senator BYRON DORGAN tried valiantly for months to bring Indian health care to the floor. He ran into a lot of obstacles. I think all of us believe when it comes to Native Americans, there is a lot more we need to do. But it strikes me as fundamentally unfair to argue that money should be taken from fighting a global epidemic of HIV/AIDS, the problem of tuberculosis and malaria, and divert that money and put it into help for Native Americans.

Has America reached that point? Is that what the choices have come to, that we cannot join the world in trying to stop this global AIDS epidemic to the extent we know is necessary?

If there is anyone who believes that the $50 billion over 5 years suggested in this bill is adequate to the challenge, they haven't sat down to take an honest look. This is indeed a global epidemic. There are parts of this bill that have been criticized by some. I would like to address one of them. It is the argument that somehow we have gone adrift. We are no longer talking about prevention and medication, but we are talking about unrelated elements. One criticism is that this bill addresses the global AIDS epidemic in terms of food and water. I can tell you point blank that the best medicine in the world is no help to a person who is suffering from malnutrition or a person whose water supply is contaminated, making them sick when they take the expensive drugs.

I have seen it in Africa, where people receiving the antiretroviral medications are wasting away because of malnutrition. We can't save their lives from starvation simply by stopping the onset of HIV infection. So we need, if we are going to do this honestly, to take a serious and comprehensive look at the challenge.

This is a rarity in a way, that the Members on the Democratic side and the overwhelming majority on the Republican side are of one mind. We support the President. The President was right when he initiated the PEPFAR Program to deal with global AIDS and the global fight to address those countries that are not part of PEPFAR. But we need to come together now and try to pass this bill for the President and, more importantly, for those who are the victims of this global epidemic.

I will be the first in line when Senator KYL offers his amendment to help those Native Americans who are being shortchanged and deprived because of our inadequate funding. But at the risk of being slightly political for a moment, were we not fighting a war in Iraq that costs $10 billion to $15 billion a month, there would be a lot more to spend in America. That war, which is now in its sixth year, with no end in sight, has drained our Treasury of over $700 billion that could have been spent for curing diseases, dealing with Native Americans in the United States, expanding education, expanding health care and clinics in our own country, more medical research. Instead, we have been shoveling this money as fast as we can out of our Treasury into Iraq and making it part of our permanent national deficit. That is the reality of what we face.

It is hard to imagine that Iraq, an oil-rich country, one of the richest in the world with oil, is still waiting on U.S. taxpayers to spend more money to help them out of the current problems they face. It is time for the Iraqis to step up and defend their own country, govern their own country, and spend their own money on their own problems.

After almost 6 years, it is overdue. If they do that, there would be a lot more money in the United States for our priorities. A strong America begins at home. It begins by bringing this war to an end, bringing our combat troops home.

When we have suggestions from the Iraqis that it is time for America to leave, I think we ought to take them. We ought to start bringing our brave men and women, who have risked their lives, home to the hero's welcome they deserve. Waiting for another 10, 20, 50, or 100 years, as some have suggested, is ludicrous. The United States cannot afford it, and it is no favor to Iraq to create that kind of long-term dependency.

I sincerely hope we can resolve this. I hope we can pass the President's bill. I support it. I hope there is adequate bipartisan support. Then when Senator KYL and others come forward and ask us to find money to help Native Americans, they can count on many of us on the Democratic side.

Mr. KYL. Will the assistant minority leader yield for one quick point?

Mr. DURBIN. Of course.

Mr. KYL. Having mentioned my name and alluded to the fact that we had a hard time getting the Indian health bill to the floor, I hope my colleague would acknowledge the fact that one of the people central in getting that bill to the floor and getting it passed was the Senator from Arizona. It was because of my strong commitment to get that done. I will work with anybody, not only to deal with the Indian health matter but also local law enforcement and the water development problems that we talked about with Native Americans. I know my colleague understands that is my position.

Mr. DURBIN. There is no question of the Senator's sincerity. Senator DORGAN tried to lead the fight on this side, and Senator KYL was a great help in that regard. Let the record be clear. If there is to be future help for Indian Health Services and other Native American needs, I am certain the Senator from Arizona will be part of that effort.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COBURN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. Mr. President, I ask unanimous consent that I be allowed to speak in morning business for approximately 10 to 12 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. Mr. President, I have supporting material related to PEPFAR that I will ask to be printed in the RECORD, which I will deliver to the desk.

PEPFAR's unique contribution has been treatment. By any measure, PEPFAR has been a success. We have helped almost 2 million people with AIDS live longer. We have prevented millions of new infections. We have cared for millions of people more. And we have prevented hundreds of thousands of babies—newborn children—who were born to infected moms from being infected with the HIV virus.

PEPFAR was different from all our previous efforts precisely because we treated it like a disease rather than a development problem. We ran it like a medical program and not a foreign aid poverty program. Rather than funding the usual beltway contractors who like to write reports, give advice, and convene meetings, we put pills in the hands of doctors, nurses, and a legion of community-based health care workers riding out to the bush on mopeds with medicine in their backpacks. We treated people with HIV like patients we can save instead of victims. And we told them the truth about where HIV comes from.

If you go to Nairobi or Soweto or Kampala and ask people what PEPFAR is about, they will tell you it is about treatment. Have we spent billions on prevention? Yes. But ask anyone in Africa what PEPFAR is, and they will say: It is about HIV and AIDS treatment. It was AIDS treatment that was the innovation of PEPFAR. We had been funding prevention messages long before we had PEPFAR, although certainly not to the extent as we did after PEPFAR started. But what was new, what was miraculous, what rocked Africa, was the medical treatment.

And it has worked. It was not easy. With a tiny staff, the AIDS coordinator achieved the impossible—what many had said could not be done—bringing high-tech medical innovation to the lowest tech settings on Earth. It is still just as hard today as it was then, especially as we start in new countries.

The path of least resistance is always the status quo: contractors and ''social marketing'' and reports and ''technical assistance'' and ''capacity building'' and meetings. Without statutory mandates, that path will always look more appealing to people who have been asked to do the impossible. That is why PEPFAR reauthorization could not retreat on its mandated treatment priority.

Take it out of the law, and despite all the rhetoric and good intentions, it will always be easier to fund something else. Maybe treatment would not have been eliminated, but it would have taken a back street, maybe by small cuts, by not building new clinics in the harder places, by letting the shortage of doctors become an excuse to not get creative. The commitment to treatment would have eroded over time, and before we knew it, PEPFAR would have become just another failing foreign aid program like so many others.

It does not matter what people say their intentions are, because people come and go and promises are hard to keep. What matters is what the law requires, and so it is encouraging to be able to assure the American people today that PEPFAR's unique innovation—cutting-edge HIV/AIDS medical care—has been preserved in this bill.

For that, there are a lot of people to thank, starting first with the President and his staff, who first reached out to try to broker this critical compromise. Of course, the bill managers, Chairman BIDEN and Senator LUGAR, and their staff were patient, constructive, and deserve all the thanks in the world. They were quick, thorough, honest, and at all times operated in good faith. Senators ENZI and BURR and their staff were incredible to work with, and their commitment to this cause is commendable.

The compromise language has a number of critical features that make it worthy of passage.

First and most important, the compromise restores the critical focus of PEPFAR on medical treatment. The House bill eliminated the provision in current law that required that 55 percent of all funding go to ''therapeutic medical care'' of people with HIV. The managers' substitute preserves this focus by requiring that ''more than half'' of the money goes to that medical care. This time, the law will also clarify what was meant by ''therapeutic medical care,'' so that there is no longer any confusion that this treatment money can be spent on ARV—antiretroviral—treatment, care for opportunistic infections, and medical monitoring of folks who do not yet need antiretroviral therapy.

Prioritizing treatment is not a radical policy. It is the same policy we have right here in the United States. In this country, this year, we are spending 63 percent of all domestic AIDS funding on treatment and 14 percent on prevention. Prevention is cheap, so you can still make prevention a big priority without spending nearly the money necessary for treatment.

The substitute also restores an ambitious target linked to funding. The original law had the 55-percent allocation, but it also had an ambitious target of treating 2 million people with antiretroviral drugs. The House-passed reauthorization only targeted 3 million people on treatment—a pretty underwhelming figure that meant adding only 1 million people on PEPFAR treatment rolls. That 1 million would have been a 50-percent increase in results, while funding was more than tripling in the bill.

Some have argued that this funding includes a lot of other things besides AIDS and so you cannot make that comparison. That is just not true. The original bill included malaria, it included TB, and it included the Global Fund. So it is an apples-to-apples comparison to say that the funding for AIDS, TB, malaria, and the Global Fund was $15 billion the first time this bill was authorized and that then, in this bill, $50 billion is authorized for those same things at this time.

That is a tremendous amount of money, and the targets for what we expect to achieve with that money must go up at the same rate the funding goes up. The compromise language appropriately links the target number to appropriations. As the funding goes up from the current funding level, the treatment target has to go up by the same percentage above the current goal of 2 million people. That means that if all the money authorized in this bill is appropriated, the number of people treated will exceed more than 5 million. Those extra millions of lives saved are a major accomplishment of the Senate bill. Those are lives. Those are individuals who would otherwise succumb to HIV.

However, the formula does not end there. Treatment costs per patient right now are fairly high—anywhere from $800 to $1,000 per patient. Some drugs are as low as $80 or at most around $200 per person, so we are talking 80 percent of the treatment costs that are not being spent on direct medical care now. That 80 percent represents overhead and infrastructure which should be reduced over time as the efficiencies are built in and clinics are expanded.

To account for that, the compromise language also requires that the target number for treatment increases by the same percent that cost-per-patient decreases over time. This ensures that the cost savings are reinvested right back into treatment rather than diverted to other activities.

Another key element of the compromise is the protection of PEPFAR patients from substandard medicines. From the earliest days of PEPFAR, there were some calling for the United States to buy cheap, copycat drugs for PEPFAR patients, including drugs that were not approved by the FDA or any other rigorous regulatory body of any country. These are drugs we would never treat our domestic patients with here in the United States. This is no abstract threat. Today, under the Orwellian named ''quality assurance'' process at the Global Fund, American dollars may be used to purchase drugs that have met no standard except that they have been put on an application for a WHO prequalification.

When this conflict arose shortly after PEPFAR was first authorized, the President rightly insisted that we would not treat the African AIDS patients like lab rats or guinea pigs. We would treat them with the same standards we treat American patients: They would only receive drugs with FDA approval or equivalent. To help expedite the approval of some international products that were likely safe and effective but had not been through the FDA process, the President established an emergency review process to speed up approval while still ensuring that PEPFAR patients get the same standard of care we expect for our domestic patients. Since then, others have generally agreed that all appropriate safe and effective drugs make it through this new process with proper and direct speed.

In direct contradiction of this more moral approach, the House bill took bilateral PEPFAR programs down the same scary path that the Global Fund has gone. It required that PEPFAR purchase the cheapest drugs available on the world market, without requiring any standard of safety and efficacy. Under such a provision, African patients would have been treated worse than lab rats—receiving drugs that the United States would never use for its patients, never purchase through Medicaid, Medicare, or the Ryan White Care Act.

The bill managers are to be commended for modifying this provision in their substitute to require that drugs purchased by PEPFAR have FDA approval or its equivalent in other developed countries. We can all breathe a little easier as we seek to put 5 million people on ARVs. We want those 5 million people to thrive as long as possible on first-line drugs before they experience a treatment failure. You should not be relegated to unsafe drugs just because you are poor and living in Africa.

There are quite a few other improvements in this substitute bill that the managers and the President helped to broker, but I will not take any more time. Suffice it to say that most of my outstanding concerns have been met through our negotiations, and I am confident that PEPFAR's success in the future is no longer in jeopardy.

PEPFAR was not broken. It did not need fixing. It just needed reauthorization. The managers' substitute does that. I am confident that lives are going to be saved because of the good faith in the bill and of the bill managers and the President and my other colleagues who are associated with it.

Mr. President, I ask unanimous consent to have the supplementary material I referred to printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FROM GOOD INTENTIONS TO BAD AIDS POLICY: THE MORAL HAZARDS OF REDESIGNING PEPFAR

(By Daniel Patrick Moloney)

The President's Emergency Plan for AIDS Relief (PEPFAR) has received praise from across the political spectrum, both for its principles and for its successes in fighting HIV/AIDS in some of the world's poorest countries. Announced by President George W. Bush in the 2003 State of the Union Address, PEPFAR fights HIV/AIDS primarily in countries with generalized epidemics. These countries are mostly, though not exclusively, in Africa.

PEPFAR's successful track record is a result of its focus on three points:

Treating those infected with HIV,

Preventing new HIV infections, and

Ensuring, through bilateral programs, that assistance is in accord with U.S. policy.

Bills under consideration in the U.S. House and Senate (H.R. 5501 and S. 2731) represent significant departures from the current law. These bills are hugely expensive, and would take existing U.S. policy off its present, successful course.

Rather than simply reauthorizing PEPFAR, Congress seeks to rewrite it, vastly expanding funding while removing structural guidance that stipulates how it is apportioned. The structure of the original PEPFAR law was essential for keeping it focused on its prevention and treatment objectives. The congressional bills fail to do this. Both more than triple the $15 billion cost of the original program, yet neither adjusts the targets of the program to reflect this increase. Instead, both propose to spend tens of billions of dollars on projects not directly related to the fight against HIV/AIDS. This proposed spending duplicates existing programs, and diverts resources into social engineering projects at odds with the values of many Americans.

To achieve PEPFAR's goal, policy must continue to be guided by strong requirements that will direct funding toward effective prevention and treatment strategies, rather than a diffuse set of general development goals.

From Good Intentions to Good Policy: The Original Design of PEPFAR. As proposed by President Bush in 2003, PEPFAR was built around three priorities:

Providing medicine to treat those who have HIV/AIDS in those countries where the disease affects the general population,

Funding local programs that aim to prevent new HIV infections, and

Providing palliative care to those suffering from HIV/AIDS, including children orphaned as a result of HIV-infected parents.

To justify its ambitious agenda and $15 billion price tag, the original law used three structural features to keep the program focused on its priorities: ambitious targets, spending requirements, and an emphasis on bilateral agreements.

The law set ambitious targets for the number of people in its treatment, prevention, and care programs. These goals were so ambitious that they could not be met were the money lost to waste or corruption, or simply diverted to other development activities not directly providing treatment, care, or prevention of HIV/AIDS.

The law also provided strong guidance so that the money would be spent in proportion to the law's priorities. It did this in two distinct but related sections of the law. The first, a ''Sense of Congress'' resolution, declared that 55 percent of the funds should be spent on medicine and treatment, 10 percent on orphans and children affected by HIV, 20 percent on prevention programs, and 15 percent on palliative care. This gave the Global AIDS Coordinator some idea how to balance the competing ends of the bill. The next section, which actually allocated the funds, made the first two elements of this nonbinding resolution into binding spending requirements. Though it did not make binding that 20 percent be spent on prevention, it did require that one-third of funds spent on prevention be spent on programs that promote abstinence outside of marriage and fidelity within it. By requiring that the money be spent according to these specific percentages, rather than authorizing particular dollar amounts, the law ensured that its priorities would always be implemented in the same proportions, even were Congress later to appropriate funds at amounts different than the law had authorized.

The law required that PEPFAR deliver aid through bilateral arrangements with each of the partner countries, rather than through multilateral organizations. This procedural safeguard gave the U.S. its best opportunity to make sure the funds were spent on its priorities. It was consistent with the President's belief that welfare and aid programs work best when they support civil society, rather than supplant it with an international bureaucracy.

The bills in the House and the Senate undermine these principles. They set goals too low for their budgets, remove most of the spending mandates under the guise of ''flexibility,'' and add radical new agendas on which the unstructured and abundant funds are to be spent.

Funding Should Fit Program Goals. In asking Congress to reauthorize PEPFAR for the next five years, the Bush Administration sought to increase the budget by 100 percent to $30 billion over five years. However, the President sought to increase its goals by a mere 20 percent to 70 percent (depending on the criterion) over that period. Some Members of Congress have complained that the Administration's goals are too low to justify doubling the funding. They note that the program is on track to meet its original goals of 2 million treated, 7 million infections prevented, and 10 million people in care, while staying close to its original budget of $15 billion–$18 billion. Given such a history, the Administration's moderately increased goals should require only moderately increased funding, particularly now that so much early infrastructure has been laid in the focus countries and some efficiencies of scale may be expected.

The Administration defends its lower goals on the grounds that they are realistic given local infrastructure. It also notes that its proposed goals represent a U.S. commitment to treat a number of people equal to the commitment of all other aid-donor nations combined. For the U.S. to treat more would not demand enough of the world community. It also expresses doubts that in 2013 there will be as many people to be treated in the focus countries as some of its critics predict.

If the Administration's request is disproportionate to its goals, the bills in the House and the Senate are even more so. Both bills add an additional $20 billion to the President's request—more than the entire first five years of the program—while barely changing the Administration's underwhelming new goals. The bills authorize up to $9 billion to fight other diseases common in Africa (i.e., tuberculosis and malaria), and they authorize billions more in contributions to the Global Fund to Fight AIDS, Tuberculosis, and Malaria. After taking all these into account and after assuming full funding of the bills' priorities, the Congressional Budget Office concluded that the bills would still have at least $15 billion left over. To date, no one in either chamber has adequately explained what will be done with the ''extra'' billions.

Congress could improve the fit between PEPFAR's funding and its goals by making the latter more ambitious. For example, Senators Tom Coburn (R–OK), Jon Kyl (R–AZ), Saxby Chambliss (R–GA), and Richard Burr (R–NC) have introduced S. 2749, the Save Lives First Act of 2008. This bill would set PEPFAR's treatment goal at providing HIV/AIDS treatment and pre-treatment medical monitoring to 7 million people, about one-half of them in sub-Saharan Africa—an increase from 3 million in the House and Senate bills. It would also reinstitute the provision in current law allocating at least 55 percent of all PEPFAR funds to treatment. To treat that many people is estimated to cost between $8.4 billion and $11.5 billion.

Higher goals require more money, but the draft bills' proposed goals for treatment, prevention, and care are not by themselves high enough to justify even the Administration's $30 billion price tag. Activities extraneous to the original program are likely to make up the difference. Whether Congress decides to increase PEPFAR's treatment goals along the lines of the Save Lives First Act, or whether it sticks with its current goals, a $50 billion budget would still include extra billions likely to be spent on purposes irrelevant to PEPFAR.

''Flexibility'' Means Blank Check Worth Billions. The original PEPFAR law contained binding requirements that 55 percent of all funds be spent on medical treatment, and 10 percent on orphans and vulnerable children. It further required that 33 percent of the prevention funds be spent on abstinence and fidelity programs. The spending restrictions (except for that regarding orphans) have been criticized, both by NGOs that disagree with U.S. priorities, and by bureaucrats who implement the program.

Both the House and the Senate strip out these funding requirements for prevention and treatment. (The Senate bill even strips out most of the nonbinding ''Sense of Congress'' resolutions of the original law.) The House bill gives the Global AIDS Coordinator complete control over 55 percent of the funding, and the Senate bill writes a blank check for 90 percent of the funds. Beyond this, the bills provide some vague guidance, but not hard requirements, on how money will be spent. The Global AIDS Coordinator is left to prioritize the multiple goals and agendas of the bills.

New Funds and Radical New Agendas. The proposed legislation expands the activities eligible for PEPFAR funding well beyond the scope of the original program, offering some clues about how its ''extra billions'' could be spent. Some of these new agendas are duplicative of other foreign aid programs and are irrelevant to fighting HIV/AIDS. For example, the legislation promotes micro-finance, education, general health care, and food security, among other new programs.

The bills also add a number of radical new agendas that change the focus of PEPFAR, are at odds with the values of many Americans, and trample on the cultural values of the partner countries. For example, the bills before Congress make it U.S. policy to teach safer drug-use techniques to injection drug users, and safer sex techniques to prostitutes, injection drug users, and men who have sex with men (MSM). The original law made no special provisions for outreach to these populations, reflecting the fact that infections among these risk groups are marginal to the generalized epidemic in sub-Saharan Africa, as opposed to the epidemics concentrated among these groups in countries such as Russia and Thailand. Where it did mention them, the original law sought to eradicate prostitution and to encourage injection drug users to stop, recognizing that public health policy should not enable such high-risk behavior but seek to end it. In a clear policy reversal, the proposed legislation strips out the original commitment to eradicate prostitution, and makes PEPFAR dollars available to activities intended to make illicit drug use ''safer.'' Not coincidentally, it also allows PEPFAR to expand to include more focus countries in Europe and Asia where the epidemics are concentrated among prostitutes and drug users.

The bills would also commit the U.S. to altering the relations between men and women in developing countries to reflect the values of Western gender activists. The bills encourage U.S. intervention on sensitive cultural topics that are not scientifically demonstrated to have direct impacts on rates of HIV/AIDS morbidity or mortality, but very well might offend those whom U.S. policy is designed to help. Whatever merits these provisions might have as aspirations, they were not in the original bill, they would do nothing to stop the AIDS emergency in sub-Saharan Africa, and they would commit the U.S. to agendas that are likely to be unpopular in partner countries.

Conclusion: Compassionate Aid Is Effective Aid. The three structural features of the original law—ambitious targets, spending restraints, and an emphasis on bilateral agreements—have helped PEPFAR stay on target. In the process, the U.S. has created a strong precedent for combating HIV/AIDS in poor countries with generalized epidemics. PEPFAR's commitment to abstinence and fidelity programs, which was and is still ridiculed by many activists and others, is now recognized to have a measurable impact on HIV infection rates.

Rather than write a blank check to an unelected bureaucracy, Congress should retain firm control over PEPFAR, which touches on such delicate issues as sex, marriage, and the relations between men and women. Congress should insist that PEPFAR retain its focus on preventing new HIV infections and treating those infected with HIV/AIDS. PEPFAR should not duplicate the efforts of America's other aid programs. Lawmakers should insist that the funds authorized and appropriated for PEPFAR will not support activities irrelevant to fighting HIV/AIDS in countries with generalized epidemics. Congress should authorize funds for PEPFAR at a level appropriate to its central goals. If Congress wishes to fund other activities, it should do so by increasing the budget for other assistance programs rather than diffusing PEPFAR's focus.

America's PEPFAR partners are waiting on congressional reauthorization before setting their own budgets, putting pressure on Congress to move quickly. Hasty passage of the existing House and Senate bills, however, would not allow them to make their plans either, since so many funding decisions would still be left to the discretion of the Global AIDS Coordinator in the next administration, and subject to the annual appropriations process and the lobbying of NGOs. With lives at stake, strategic efficiency and effectiveness are paramount. Ambitious goals, clear spending directives, and a reassertion of successful U.S. policies will maintain the structure and proportion that have leveraged Americas generous intentions into a highly effective policy.

MYTHS V. FACTS—RE: GLOBAL AIDS LEGISLATION (PEPFAR)

Myth: ''We Can't Treat Our Way Out of This Epidemic.''

Fact:

We have to walk and chew gum—we must prevent future infections but we must respond to the desperate and dying TODAY.

Prevention efforts may prevent new infections, and therefore prevent FUTURE treatment need, but prevention efforts do nothing to abate the treatment need in the next 5 years, which is the time period the reauthorization bills address.

Treatment need is determined by numbers infected 5–10 years ago.

This argument is like going into a post-Katrina New Orleans and spending most of the relief funds on building better levies to prevent a future disaster rather than rescuing the people waving frantically on rooftops for help.

Obviously both need to be done, but no one would claim that it was somehow more humane to focus more effort and funding on the future prevention than the immediate humanitarian disaster.

Treatment, is prevention. Treatment prevents new infections several ways:

It requires dramatic scale-up of diagnostic screening—meaning we will identify most infected people.

It will give us the opportunity to do education and prevention messaging with the people who are transmitting HIV rather than wasting money on mass media campaigns targeting mostly uninfected people. Nobody ever got HIV from someone who wasn't infected with HIV.

It identifies pregnant women with HIV so that their babies can be saved from infection.

It lowers viral load. There are quite a few studies out now showing that reduced viral load dramatically reduces the transmission of the virus.

Myth: Flexibility—''Earmarks'' or ''Allocations'' dictating how much money has to be spent on a certain activity are too inflexible and don't allow countries to respond to their needs appropriately.

Fact:

The allocations are not country-specific, they apply to the whole pot of money. If one country needs to spend less money on treatment, there are other countries where treatment is particularly expensive and can use the extra.

Other donors such as the Global Fund can come in and fund other priorities for the country—the American people are committed to treatment being the priority for PEPFAR.

Public health has taught us how to control infectious disease and it doesn't require flexibility. It requires a formula—find every case, treat every case, work with every case to find other cases and prevent transmission to new cases. This doesn't change no matter what the circumstances on the ground are.

This argument is disingenuous—the other side only wants to eliminate the allocations that take money away from beltway contractors—those for treatment and abstinence, because those contractors don't do treatment or abstinence. The other allocations have been left in the bill, and in fact, new ones added in the House version. You can't simultaneously criticize allocations but add in new ones.

Myth: Drug prices have gone down so we don't need to reserve as much for treatment costs anymore to meet our treatment targets.

Fact:

If it's now cheaper than expected to meet targets, then we should raise our targets to save and treat more people. We only are treating a small fraction of people in need of treatment in the developing world.

Myth: Eliminating baby AIDS is unrealistic.

Fact:

Dramatic gains are seen when universal testing of pregnant women and newborns is provided and appropriate prophylaxis of infections that are identified through that testing.

In states in the U.S. that have adopted this standard of care, new cases have been virtually eliminated.

In Botswana, a country that used to have HIV infection rates as high as 50% of childbearing-aged women, they instituted these policies. Now 92% of pregnant women are being tested, and the drop in HIV+ mothers delivering infected babies dropped from 35% to 4% from 2004–2007, with 13,000 HIV-infected moms being identified annually.

A recent study, the largest to date, just came out with findings that 99 percent of babies were born uninfected if an infected mother was diagnosed and proper treatment was administered.

However, a World Health Organization report found that access to AIDS drugs is severely limited in developing countries, with fewer than 10 percent of pregnant women with HIV in those countries having access to medication.

As a result, about 1,800 babies become infected with HIV each day. Prevention of mother-to-child-transmission (PMTCT) is cheap per life saved: Estimated cost of PMTCT drugs to support treatment of (1) mother/child pair is US$167 (generics) and US$318 (branded).

We haven't even come close to meeting the need in PEPFAR focus countries.

Estimated 1.15 million pregnant women with HIV/AIDS living in PEPFAR countries.

In 2006 PEPFAR proved ARV Prophylaxis to only 294,000 (25.5%).

And now PEPFAR is expanding beyond the focus countries to other countries—the need just will keep growing:

Estimated 2.1 million pregnant women estimated to be living with HIV/AIDS in developing countries (1.7 million in sub-Saharan Africa −85%).

Of the estimated 2.3 million (1.7–3.5 million) children under the age of 15 years living with HIV, well over 90% are thought to have become infected through mother-to-child transmission.

Mr. COBURN. Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that during the pendency of the PEPFAR matter, there be no motions to proceed in order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. REID. Mr. President, in this body, both sides need to exercise good faith. I appreciate very much what the distinguished Republican leader has been able to work out in the last couple hours. We are going to do our very best. This is a very difficult time we find ourselves in in our country. We have housing matters for which I have had three calls today from the Secretary of the Treasury, and he does not call me very often. It is a very serious situation we have with housing. We are trying to get the House to do what we think is right for this country. We know the energy issue is right for our trying to do something.

So, Mr. President, I am going to do my very best. I have expressed to the distinguished Republican leader, unless there is something I do not understand that comes up untoward, we are going to have all those 10 amendments debated and voted upon. And I indicated to the Republican leader that there will be no cloture filed unless he thinks it is appropriate. And if he does not want his fingerprints on it, I will do it on my own, but he will be closely advised of anything we do in that regard.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, let me just say to the majority leader, this is a good way to go forward. This consent agreement was rather painfully achieved last week, and I am glad to hear his representation that we will vote on the 10 amendments. I think all of our Members are more than happy to have short time agreements, process the amendments, and move on.

Mr. REID. Mr. President, on behalf of Senators BIDEN and LUGAR, I call up the managers' amendment, which Senator LUGAR was on the floor wanting to do earlier today, but because of issues he was unable to do that. So this is the substitute amendment.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

TOM LANTOS AND HENRY J. HYDE UNITED STATES GLOBAL LEADERSHIP AGAINST HIV/AIDS, TUBERCULOSIS, AND MALARIA REAUTHORIZATION ACT OF 2008—Continued

The PRESIDING OFFICER. The reported committee amendment is withdrawn.

AMENDMENT NO. 5075

(Purpose: In the nature of a substitute)

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. BIDEN, for himself and Mr. LUGAR, proposes an amendment numbered 5075.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The PRESIDING OFFICER. Under the previous order, the substitute is agreed to and the bill will be treated as original text for the purpose of further amendment.

The amendment (No. 5075) was agreed to.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DEMINT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 5077

Mr. DEMINT. Mr. President, I ask unanimous consent that the pending amendment be set aside, and I call up amendment No. 5077 for its immediate consideration.

The PRESIDING OFFICER. There is no pending amendment.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes an amendment numbered 5077.

Mr. DEMINT. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To reduce to $35,000,000,000 the amount authorized to be appropriated to combat HIV/AIDS, tuberculosis, and malaria in developing countries during the next 5 years)

On page 130, line 1, strike "$50,000,000,000" and insert "$35,000,000,000".

AMENDMENT NO. 5078

Mr. DEMINT. Mr. President, I call up amendment No. 5078 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes an amendment numbered 5078.

Mr. DEMINT. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To limit the countries to which Federal financial assistance may be targeted under this Act)

At the appropriate place, insert the following:

SEC. ____. FUNDING LIMITATION.

Notwithstanding any other provision of this Act, amounts authorized to be appropriated under this Act may only be targeted toward those countries authorized for funding under the United States Leadership Against HIV/AIDS, Tuberculosis and Malaria Act of 2003 (Public Law 108–25).

AMENDMENT NO. 5079 TO AMENDMENT NO. 5078

Mr. DEMINT. Mr. President, I send a second-degree amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes an amendment numbered 5079 to amendment No. 5078:

At the end of the amendment, strike the period and add a comma and the following: "and shall not be made available to such countries, or other countries through the Global Fund to Fight AIDS, Tuberculosis and Malaria, for any organization or program which supports or participates in the management of a program of coercive abortion or involuntary sterilizations."

Mr. DEMINT. Mr. President, I rise today to speak against this foreign aid bill and in favor of a couple of amendments that will restore some integrity to it.

I wish to make it clear that I believe this legislation aims to do something very important. A lot of people are suffering in Africa with AIDS, and the President's Emergency Plan For AIDS Relief—or PEPFAR, as we call it—is designed to provide treatment and prevention assistance to those in need. This is a program I voted for in 2003, and it is something I think every American would consider a worthy cause. But the simple fact is, we cannot afford every worthy cause around the world. Our budget is broken and our Nation is headed toward financial collapse. Yet this bill spends $50 billion, which is more than a 300-percent increase over the original $15 billion authorization. None of this money is paid for. Instead, it is all borrowed money. It passes the bill on to our children and grandchildren. This is not generosity; I am afraid it is thievery.

So we have conflicting goals. On one hand, we want to help people suffering in Africa. On the other hand, we want to balance our budget and prevent people from suffering in America. As Ronald Reagan said, ''America is a great Nation because America is a good Nation.'' Americans have always prided themselves on reaching out to people in need, and we should do so. However, if we bankrupt our own country, we will no longer be able to extend a helping hand to others. That is why I am offering an amendment—this first amendment, No. 5077—to reduce the spending in this bill from $50 billion to $35 billion. This would still provide a more than 100 percent increase over the original program while maintaining some integrity to our budget process.

The Senator from Kentucky, Mr. BUNNING, has an amendment that would reauthorize the program at current levels with no increase in spending. That is something I support because at a time when we need to be dramatically reducing the size and scope of government, just keeping the program at its current spending levels is generous.

My amendment would allow for the program to actually grow from $15 billion to $35 billion. This is still way too much money, in my opinion, but it would save American taxpayers $15 billion over the next 5 years, which is no small amount of money. Besides saving Americans money, this amendment would not actually take a thing away from people in Africa who benefit from this program.

The fact is, this foreign aid program cannot spend $50 billion on its intended purposes. According to the Congressional Budget Office, PEPFAR can only spend $35 billion over the next 5 years to meet the needs of those who are suffering. Our aid workers in many African nations have said as much, and their statements are backed up by the Congressional Budget Office's own estimate of this budget.

In reality, the money that cannot be spent to directly treat and prevent the spread of AIDS, tuberculosis, and malaria will be siphoned off for other things authorized in this bill, none of which are directly related to the prevention or treatment of these three diseases. For example, the bill authorizes the expenditure of funds to provide legal services, empower women, ensure safe drinking water and sanitation, provide treatment for alcohol abuse, and address the inheritance rights of women and girls, and study transportation patterns, just to name a few. In addition, some of this $35 billion would be siphoned off to build an even larger bureaucracy here in the United States.

One U.S. aid worker in Africa said:

> We spend 4 months writing our Country Operation Plan only to send it to Washington and have it rewritten without our input.

Four months of effort for no reason certainly sounds like a waste of effort, and it diminishes our success.

Unfortunately, as we have all seen around here, the bigger the pot of money gets, the more waste and fraud we have, and accountability completely disappears. If we really care about those suffering from AIDS, we need to ensure that as many dollars as possible reach the people who are truly in need. The measure of America's greatness is not found in the amount of money we provide but in the effectiveness of our efforts.

I encourage my colleagues to support my amendment. It saves $15 billion without taking anything away from people who are hurting in Africa. Most importantly, it restores some honesty and integrity to this bill.

Another problem with this bill is that it expands the scope of this program to new countries that were not part of the original program. The bill explicitly adds central Asia, Eastern Europe, and Latin America to the list of PEPFAR's focused countries. The bill also contains vague language expanding the program to other nations.

This is yet another example of the dishonesty of Congress. We say this bill is about addressing AIDS in Africa, but really it is about foreign aid all over the globe. The original program focused on countries that had widespread, generalized epidemics, but this bill allows the program to expand to a number of new countries that have problems only in limited areas. We can fix this problem with the bill by limiting the list of focused countries to those included in the original 2003 authorization.

That is what my amendment does, amendment No. 5078, and this is what it says:

> Notwithstanding any other provision of this Act, funds authorized under this Act shall be targeted only toward those countries authorized for funding under the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003.

So we keep the program focused on its original intent.

Last week, the majority leader pointed out that the purpose of this bill is to specifically help people in Africa. According to the Washington Times, he told reporters:

> While we're fiddling around here on this in Washington, people are dying. This is big-time stuff, this is very important to one whole continent.

I agree with him, but the bill he has brought up spreads money to more than three continents beyond Africa. If we are going to spend this kind of money, we need to be honest about what we are spending it on. This bill is supposed to be about the treatment of AIDS, tuberculosis, and malaria in Africa. The cost of this program will only continue to increase dramatically if we continue to allow funds to go to other countries.

I have also offered a second-degree amendment to prevent American taxpayers from having to support forced abortions around the world. My amendment simply says that none of the funds in this bill may be awarded to any organization or program which supports or participates in the management of a program of coerced abortion or involuntary sterilization.

In addition to the things I described before that fall outside the stated purpose of the bill, the provision of funds to organizations that perform and/or support coercive abortion in China is perhaps the worst. This not only kills innocent unborn children, it violates the human rights of women in China.

This bill authorizes $2 billion to the United Nations Global Fund in 2009 and designates such funds in the following 4 years. This means that over the 5-year life of the bill, the United States will likely provide at least $10 billion to the United Nations Global Fund.

Restrictions against funding forced abortions are in the current PEPFAR bill, but they do not apply to the Global Fund. We know that the Global Fund has provided at least two large grants in 2004 and 2006 to the various agencies within the Chinese Government, including the National Population and Family Planning Commission, which runs China's one-child-per-family program. In fact, we have here—and I wish to submit them for the record—the grants themselves which explicitly state that they were made to the various agencies within the Chinese Government, including the National Population and Family Planning Commission. I have the number, which I would like to have printed in the RECORD. One of these grants spent almost $59 million in 2004 and the second was over $11 million in 2006.

It is quite clear that my concerns about how funds can be used in the Global Fund are real and serious. It is very obvious that unless we pass this amendment to clearly prohibit funds, they can and likely will be used by the Chinese agency that carries out coercive abortions.

Instead of working to ensure that the United Nations Global Fund does not provide grants to Chinese Government agencies that force women to have

abortions, the sponsors of the bill doubled the U.S. contributions to the Global Fund to $2 billion.

The Bush administration has fought to prohibit funding to organizations that perform or support coercive abortions. In testimony before Congress on February 17, 2005, Secretary of State Condoleezza Rice said:

> We have been outspoken with the Chinese about this terrible practice, and of course, as Secretary of State, I will enforce Kemp-Kasten to make certain that we are not funding anything that remotely as related to these policies.

I just do not believe that either the administration or any Member of the Congress could ever argue that we should not do everything we can to ensure that American taxpayers' money does not go to the Chinese National Population and Family Planning Commission.

Now, many of my colleagues may not believe this because it is so outrageous, but it is true. Many outside groups supporting this bill don't want anyone to know about it because they don't believe we should do anything that restricts abortions—even those performed against the will of the mother. Even some people who oppose spending money on coercive abortions have been convinced to look the other way because they want this bill to pass. We cannot turn a blind eye to this problem with the bill.

My amendment is germane, it is allowable under the unanimous consent agreement, and I encourage all of my colleagues to support it. We need to make absolutely certain that American families are not giving their hard-earned tax dollars to organizations that force women in China and around the world to have abortions.

I encourage my colleagues to support these amendments.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, I saw the majority leader. I wonder if he needs time to speak or wrap up. I will be glad to forego if he wants to do that. I will speak for 10 or 15 minutes as in morning business, but I will be glad to wait for the majority leader to see if he wishes to speak.

The PRESIDING OFFICER. The Senator is recognized for 10 minutes.

JOHN WHITEHEAD

Mr. ALEXANDER. Mr. President, sometimes American lives are lived so eloquently that nothing needs to be written about them. Sometimes even eloquent lives can be eloquently written about. Such was the case over the Fourth of July weekend. When I had a little extra time, I came across Peggy Noonan's article in the Wall Street Journal on July 5 about John Whitehead of New York.

John Whitehead was on Normandy Beach. He chaired Goldman Saks. He was President Reagan's Deputy Secretary of State. He headed the International Rescue Commission. He has been in the middle of New York's efforts after 9/11. As Peggy Noonan wrote, he is a model public citizen.

For the eloquence of his life and the eloquence of her article, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

A DAY AT THE BEACH

(By Peggy Noonan)

It was May 1944, and 22-year-old John Whitehead of Montclair, N.J., an ensign on the USS Thomas Jefferson, was placed in charge of five of the landing craft for the invasion of Europe. Each would ferry 25 soldiers from the TJ, as they called it, onto the shore of France. John's landing site was to be a 50-yard stretch of shoreline dubbed Dog Red Beach. It fell near the middle of the sector called Omaha Beach which in turn fell in the middle of the entire assault.

The TJ sailed to Portsmouth Harbor, which was jam-packed with ships. On June 1 the Army troops arrived, coming up the gangway one by one. ''They were very quiet,'' John said this week. Word came on June 4 that they'd leave that night, but they were ordered back in a storm. The next morning June 5, the rain was still coming down, but the seas were calmer. Around 8 that night, they cast off to cross the channel. The skies were dark, rain lashed the deck, and the TJ rolled in the sea. At midnight they dropped anchor nine miles off the French coast. They ate a big breakfast of eggs and bacon. At 2 a.m. the crew began lowering the Higgins boats—''a kind of floating boxcar, rectangular, with high walls''—over the side by crane. The soldiers had to climb down big nets to get aboard. ''They had practiced, but as Eisenhower always said, 'In wartime, plans are only good until the moment you try to execute them.' ''

The Higgins boats pitched in the choppy water. The soldiers, loaded down ''like mountaineers'' with rifles, flamethrowers, radio equipment, artillery parts, tarps, food, water, ''70 pounds in all''—had trouble getting from the nets to the boats. ''I saw a poor soul slip from the net into the water. He sank like a stone. He just disappeared in the depths of the sea. There was nothing we could do.'' So they boarded the boats on the deck and hoisted them into the sea.

It took John's five little boats four hours to cover the nine miles to the beach. ''They were the worst hours of our lives. It was pitch black, cold, and the rain was coming down in sheets, drenching us. The boats were being tossed in the waves, making all of us violently sick. We'd all been given the big breakfast. Hardly anyone could hold it down. Packed in like that, with the boat's high walls. a cry went up: 'For Christ's sake, do it in your helmet!' ''

''Around 4 a.m. the dawn broke and a pale light spread across the sea, and now we could see that we were in the middle of an armada—every kind of boat, destroyers, probably the greatest array of sea power ever gathered.''

Now they heard the sound, the deep boom of the shells from the battleships farther out at sea, shelling the beach to clear a path. Above, barely visible through clouds, they saw the transport planes pushing through to drop paratroopers from the 82nd and 101st Airborne Divisions. ''Those were brave men.''

At 5 a.m. they were close enough to shore to see landmarks—a spit of land, a slight rise of a bluff. In front of them they saw some faster, sleeker British boats trying desperately to stay afloat in the choppy water. As the Americans watched, three of the boats flipped over and sank, drowning all the men. A British navigator went by in a different kind of boat. ''He was standing up and he called out to my friend in a very jaunty British accent, 'I say, fellows, which way is it to Pointe du Hoc?' That was one of the landmarks, and the toughest beach of all. My friend yelled out that it was up to our right. 'Very good!' he cried out, and then went on by with a little wave of his hand.''

Closer to shore, a furious din—''It was like a Fourth of July celebration multiplied by a thousand.'' By 6 a.m. they were 800 yards from shore. All five boats of the squadron had stayed together. The light had brightened enough that John could see his wristwatch. ''At 6:20 I waved them in with a hard chop of my arm: Go!''

They faced a barrier, made a sharp left, ran parallel to the shore looking for an opening, got one, turned again toward the beach. They hit it, were in a foot or two of water. The impact jarred loose the landing ramps to release the soldiers as planned. But on John's boat, it didn't work. He scrambled to the bow, got a hammer, pounded the stuck bolt. The ramp crashed down and the soldiers lunged forth. Some were hit with shrapnel as they struggled through to the beach. Others made it to land only to be hit as they crossed it. The stuck ramp probably saved John's life. After he'd rushed forward to grab the hammer, he turned and saw the coxswain he'd been standing next to had been hit and killed by an incoming shell.

The troops of Omaha Beach took terrible fire. Half the soldiers from John's five boats were killed or wounded. ''It was a horrible sight. But I had to concentrate on doing my job.'' To make room for the next wave of landings, they raised the ramp, backed out, turned around and sped back to the TJ. ''I remember, waving hello to the soldiers in the in-coming boats, as if we were all on launches for a pleasure cruise. I remember thinking how odd that such, gestures of civility would persist amid such horror.''

Back at the TJ, he was told to take a second breakfast in the wardroom—white tablecloths, steward's mates asking if he'd like more. He thought it unreal: ''from Dog Red Beach to the Ritz.'' He heard in the background the quiet boom of the liberation of Europe. Then back to a Higgins boat for another run at the beach. This time the ramp lowered, and he got off. Dog Red Beach was secure. The bodies of the dead and wounded had been carried up onto a rise below a bluff. He felt thankful he had survived. ''Then I took a few breaths and felt elated, proud to have played a part in maybe the biggest battle in history.''

John went on to landings in Marseilles, Iwo Jima and Okinawa. After he came home, he went on to chair Goldman Sachs, work in Ronald Reagan's State Department, and head great organizations such as the International Rescue Committee. He is, in that beautiful old phrase, a public citizen.

But if you asked him today his greatest moment, he'd say that day on the beach, when he was alive and grateful for it. ''At that moment, dead tired, soaked to the skin, I would not have wanted to be anywhere else in the world.''

It is silly to think one generation is ''better'' than another. No one born in 1920 is, by virtue of that fact, better than someone born in 1960. But it is true that each era has a certain mood, certain assumptions—in John's era, sacrifice—and each generation distinguishes itself in time, or doesn't. John's did. He himself did. And what better day than today to say: Thanks, John.

ENERGY

Mr. ALEXANDER. Mr. President, the majority leader, Senator REID, has spoken about an energy roadmap. He talked about it on Friday. He talked about it again today. I am glad he is talking about it. I want to make a suggestion to him, which I hope he can accept. I am sure that in his home State, Nevada, as well as in my home State, Tennessee, the first thing out of anybody's mouth has to do with gasoline prices.

I try to read on the floor of the Senate regularly letters that have been e-mailed to me from Tennesseans whose lives are changed by the $4 and $4.25 gasoline. What Senator REID said in his remarks was that he has an energy roadmap. I say, with great respect, that I am afraid his roadmap is only half a roadmap because he is willing to use less energy but not willing—as far as I can tell—to find more energy.

In 1961, President Kennedy said: Let's go to the Moon in 10 years. But if the astronauts had a roadmap that took them only halfway there, they would be floating in space. That is where I am afraid we would be as a country if we only do half our job as we address $4 gasoline.

The problem that we have is a very simple one, even though a difficult one. It has to do with economics 101, the law of supply and demand. We have low supplies and more demand because around the world, the Chinese, the Indians, and others are growing wealthier and using more oil, from which gasoline is made.

Mr. President, the only real solution to the $4, $4.25 gasoline prices is to find more and use less—find more, as well as use less.

Now, the majority leader's suggestions that he mentioned—and I don't think they are part of the bill yet—include some very promising ideas. Curb speculation. We on the Republican side have introduced legislation that would put 100 more cops on the beat to curb speculation. Say that oil produced in America should be used here. That is what is happening today.

Increase our focus on renewable energy; renewable energy is important. It is only 3 percent of the total amount of electricity that we use in the United States today. We have a long way to go before solar, wind, and other energy of that kind can be a major part of what we need to do. Most of that is devoted to electricity. Of course, that is important. On the Republican side, we have supported that.

But what we have done on our side is introduce legislation that would do both: find more and use less. We don't do that with the hope that we will have a Republican bill because we don't want to see a Democratic bill either. We want an American bill. We believe our legislation deserves—and will earn—Democratic support. In fact, Democratic Senators have voted for some of the provisions in our legislation before.

In terms of finding more oil, we propose allowing deep sea exploration—give a State the option to drill for oil, if the State wishes to do that, and then take 37 percent of that money and put it into the State treasury for universities, beach nourishment, lowering taxes, or whatever. Put 12½ percent into the Land and Water Conservation Fund and half to the Federal Treasury. We could unlock, conservatively, 1 million barrels of oil a day if we were to allow deep sea exploration.

Today the President has taken off the Presidential moratorium on deep sea exploration. So it is up to us in the Congress to say: Will we or will we not find more oil by exploring in the deep seas off our coast?

Two, we have suggested in our legislation that we take the moratorium off oil shale development in four Western States. That could produce, over time, 2 million barrels a day. Just those two ideas—drilling offshore and oil shale—would increase by one-third the American production of oil, almost all of which we use here. So that is the supply part.

We are also interested in using less. The most promising way to do that, I believe—and 44 of us have agreed, and I will bet many do on the other side—has to do with plug-in electric cars and trucks. When I first started talking about that, people thought I had been out in the sun too long. In fact, Nissan, General Motors, Toyota, and Ford are all going to be selling us cars that we can plug in at night—hybrid cars. Three quarters of us drive less than 40 miles a day, and I am one of those. I can drive back and forth to the Senate using very little gasoline, if any. We could electrify half of our fleet of cars and trucks in the United States. That would take time, but it would be a clear direction toward using less oil.

With just those provisions I have talked about—finding more and using less—we could cut our oil imports in half. That would reduce your gas prices.

If you are driving a plug-in electric vehicle, by the way, there is plenty of electricity. At night, while we are asleep, most utilities have plenty of cheap electricity they would sell us. You plug your car or truck in at night for just about the same amount of charge that your water heater would use, and you could fill up with 60 cents of electricity instead of $100 worth of gasoline.

Just these three ideas—deep sea exploration, oil shale, and plug-in vehicles—would cut oil imports in half. We are ready to do that.

We would like for the majority leader to bring to the floor of the Senate an energy bill that is directed toward reducing the price of gasoline. Let each Democratic Senator put up their best idea, and let the Republicans put up our best ideas. Let's have a debate and votes, and they would probably take 60 votes.

We cannot get everything done before we leave in August, or even before October, but we can begin. From the day the United States of America—the third largest producer of oil and the user of a quarter of all of the oil in the world—finds more and uses less, the future expected price of oil will go down, and today's price of oil will stabilize and begin to go down.

I say to my friend, the majority leader, as one Senator, I welcome his interest and attention to energy, and specifically to gasoline prices. We Republicans have offered—44 of us—a slimmed-down bill, a modest bill. We don't say drill everywhere offshore. We don't say drill in Alaska in this piece of legislation. We say give States the option, and lift the moratorium on oil shale. Make electric plug-in cars and trucks commonplace and cut our oil imports in half over time. That is the way to reduce gasoline prices.

We hope if we are able in this Senate to act like a Senate and spend a week or two on this legislation and consider a number of amendments, we can come up with a result and we can go home to our constituents in August and say: Yes, we got a result. And when we come back in September, if we can do more, we will. When we come back in January, if we can do more, we will.

Everybody in Tennessee is saying to me: Senator ALEXANDER, why don't you get together and work something out? I would like to do that, Mr. President. I didn't come here to play politics, talk trash, or stick my fingers in the eyes of the other side.

In my first speech on, for example, U.S. history, the majority leader, who was then the whip, was on the Senate floor, and he stood up and cosponsored my bill. Senator KENNEDY got 20 cosponsors for it. It is now law today. Surely, if we can do that with U.S. history summer academies, we can do it with gasoline prices when it is the No. 1 issue.

Last Tuesday we had a bipartisan breakfast that was attended by 14 Senators. We heard from Senators CONRAD, CHAMBLISS, DOMENICI, and BINGAMAN. We talked about what we could agree on that had to do with both finding more and using less.

We cannot repeal the law of supply and demand. We know that mostly on the Republican side we talk about supply. Over on the Democratic side, they talk about demand. We have to put it together if we want to bring gasoline prices down. That is what we should be doing. I think that opportunity exists today.

In that closed room last Tuesday—and there is another bipartisan breakfast in the morning—I heard some Senators say things such as:

> If we cannot deal with this across party lines, we don't deserve to be here.

I think that is right, and most Americans feel that way.

The majority leader has many issues that have to be dealt with in the next 2 or 3 weeks. I hope he can find a way to bring his best ideas to the floor and allow us to do the same. Let's bring up

the debates and let's talk and let's vote and come to a result, and let's begin to lower gasoline prices. From the day the United States of America says to the world that we are going to find more American oil and we are going to use less oil, the expected price of oil and gas will begin to go down, and so will today's price of gas and oil go down.

I yield the floor.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators allowed to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

FORECLOSURE PREVENTION ACT OF 2008

Mr. KOHL. Mr. President, I am very pleased that the Senate has passed legislation which will help our troubled housing market. This bill will reform the oversight of the government-sponsored enterprises—Fannie Mae, Freddie Mac and the Federal Home Loan Banks—and also provided much needed relief for communities and homeowners combating foreclosures.

The first piece of this large housing bill is the Federal Housing Finance Regulatory Reform Act. This legislation will modernize the regulation of Fannie Mae, Freddie Mac, and the Federal Home Loan Banks and expands their housing mission. By creating one regulator for the GSEs, it will make it easier for them to respond to the housing market and continue to create affordable housing opportunities for Americans across the country.

The bill also includes key provisions which will help homeowners and communities combat foreclosures. Foreclosed properties drive down the property value of surrounding homes, and communities are losing tax revenue, which will impact public services. Communities need the ability to take excess homes and make them livable again in order to recover lost revenue. The $4 billion in CDBG funding included in this bill will allow for States and local municipalities to rehabilitate foreclosed properties and then get them back onto the market for homeowners to purchase or to be made into affordable rental housing. This money is vital to the economic recovery of communities that have been devastated by foreclosure.

Additionally, the bill has funding for housing counselors to help homeowners avoid foreclosure. Housing counselors will be able to reach troubled homeowners and find viable and affordable solutions in order to keep them in their homes. One of the most creative provisions to help at risk homeowners is the Hope for Homeownership Program in FHA. This program will allow homeowners who are behind on their mortgage payments to refinance into a fixed-rate FHA insured mortgage and ultimately stay in their homes. The quicker these provisions are signed into law, the quicker families and communities can respond to their housing needs.

I am very pleased that the amendment which myself, Senators COLLINS, LINCOLN, and MIKULSKI offered was agreed to and incorporated into the bill. There are many problems that are a result of the collapsing housing market, and the emergence of financial scam artists is one of them. The amendment will better protect homeowners from scam artists trying to steal the equity out of their homes.

The passage of this housing bill is the first step to help our country from the collapse of the housing market. I hope that the House will act quickly and Congress can produce a comprehensive piece of legislation which the President will sign.

FISA ADMENDMENTS ACT

Mr. NELSON of Florida. Mr. President, the CONGRESSIONAL RECORD for July 9, 2008, inadvertently omitted my written statement for the RECORD. The text is as follows:

Mr. President, I believe that we must pass a new FISA bill that enables our intelligence community to get the information it needs to stop terrorist plots while also protecting our civil liberties, by requiring a court order before any American is targeted for eavesdropping.

But I don't believe in blanket immunity for the phone companies. That's why, in the Intelligence Committee, I offered language to deny immunity to the telecommunications companies for their alleged participation in the President's warrantless wiretapping program. But that amendment failed—and failed miserably.

During floor consideration of the FISA bill, Senator FEINSTEIN and I offered a compromise amendment that would have required the FISA court to review the actions of telecommunication companies who participated in the President's warrantless wiretapping program. But it failed too.

Now I am backing an amendment by Senator BINGAMAN that would at least delay immunity until the inspectors general of the U.S. Government complete their investigation of the President's warrantless wiretapping program. Upon completion of the report, the Senate will have ninety days to act before immunity is granted to the telecommunications companies. This will allow us time to change some minds if real wrongdoing is found.

Overall, I believe this legislation significantly improves civil liberties protections for Americans while enabling our intelligence community to listen in on terrorists. This is an important step forward and I will support this legislation.

HONORING OUR ARMED FORCES

SPECIALIST ESTELLE ''LEE'' TURNER

Mr. JOHNSON. Mr. President, I rise today to pay tribute to SPC Estelle ''Lee'' Turner and his heroic service to our country. As a member of the Army's Echo Company, 1st Battalion, 506th Infantry Regiment, 4th Brigade Combat Team, 101st Airborne Division based in Fort Campbell, KY, SPC Turner was serving in support of Operation Enduring Freedom. On July 2, 2008, he died in a hospital in Bethesda, MD after being mortally wounded by an IED in Afghanistan.

Lee had already served his country for 6 years in the Army two decades earlier, having finished his military service in 1989. Yet this wasn't enough. Even though he had gone above and beyond, Lee still had the drive to be a hero. After moving to Sioux Falls in 2004, he reenlisted in the Army at the age of 39, after the Army had raised its age limit. He looked forward to being deployed to Afghanistan, his first tour in the war on terror. His wife recalls, ''He never seemed worried about it, this is something he believed in. He thought it was right.''

Raised in a military family, patriotism was instilled in his heart from a young age. Lee's father served in the Navy for 18 years, and his grandfather was an Army soldier who served in World War II. His younger brother John is in the Army, and his wife is an Army reservist. Lee's awards and decorations include the Army Good Conduct Medal, the National Defense Service Medal, the Army Combat Action Badge, and the Purple Heart. Lee enjoyed racing and fixing cars, and playing guitar. He had a fierce devotion to his family, and he will be deeply missed by those who survive him: his wife Leah, his daughter Lyda, his siblings, John and ''Gucci'', and his mother Gloria.

Specialist Turner gave his all for his soldiers and his country. Our Nation owes him a debt of gratitude, and the best way to honor his life is to emulate his commitment to our country. Mr. President, I join with all South Dakotans in expressing my deepest sympathy to the family and friends of Specialist Turner. He will be missed, but his service to our Nation will never be forgotten.

IDAHOANS SPEAK OUT ON HIGH ENERGY PRICES

Mr. CRAPO. Mr. President, in mid-June, I asked Idahoans to share with me how high energy prices are affecting their lives, and they responded by the hundreds. The stories, numbering over 1,000, are heartbreaking and

touching. To respect their efforts, I am submitting every e-mail sent to me through energy_prices@crapo.senate.gov to the CONGRESSIONAL RECORD. This is not an issue that will be easily resolved, but it is one that deserves immediate and serious attention, and Idahoans deserve to be heard. Their stories not only detail their struggles to meet everyday expenses but also have suggestions and recommendations as to what Congress can do now to tackle this problem and find solutions that last beyond today. I ask unanimous consent to have today's letters printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Like many other single parents out there, we have to commute to work for better-paying jobs and cannot take public transportation because they won't stop at daycare and the store on the way home from work. So, yes, like every family, whether single or not, you have to drive and cannot ride your bike, but give me a break. And tell me why the airlines are now charging a $75 escort fee for your child under 12 flying alone (it was $30 last year), and this is to walk them from the counter to the plane. Tell me how much gas does that use? And their reason for increased cost is the fuel prices. So that is $150 round trip to walk from the counter to the plane on top of the airline charge. What is going to be the next excuse—charging to use the restroom during the flight?

I seriously believe this is going to extremely out of hand before it gets any better. And is anyone going to do anything about all of this? I do not think so!!!

Thank you,

TRACY, *Star*.

Dear Senator Crapo, When gas hit $2 a gallon, my husband and I agreed that neither of us expected the price to ever go below $2 and that the price would continue to increase because of increased demand from China and India and the Iraq war. In 2006, we traded in a mid-80s Saturn and bought a Toyota Prius because of its gas mileage. As the price of gas continued to increase, my husband bought a scooter to commute to work whenever the weather is dry. The scooter gets 90+ miles to the gallon. Being a stay-at-home mom for a while with our daughter, I consolidate errands into a single trip whenever I can and handle as many things as I can over the telephone. Gas is now over $4 a gallon (. . . diesel is almost $5!), but everyday I still see huge shiny pickup trucks and SUVs driven by solo drivers commuting to work.

Would I like gas to be cheaper? Sure, but it is not reasonable to expect that it is going to happen any time soon. Domestic oil reserves cannot be developed quickly enough for us to seriously depend on that strategy. We must reduce demand and become more efficient.

Our grandparents and parents supported the war effort by reducing their personal consumption of oil, metal, clothing and food (among other items). Why do our leaders (you!) insist that citizens are unable to rise to the occasion and change our consumption?

Do I support destroying the Alaskan wilderness so my fellow Idahoans can commute in SUV's? No!

Do I support fighting wars over oil so we can go water skiing and speed boating at Lucky Peak? No!

Do I support subsidizing and coddling the American car industry which has stubbornly refused to offer fuel efficient cars? No!

If Boise had a light rail system, would we use it to visit family and run errands in Meridian, Nampa and Caldwell? You bet!

Senator Crapo, please be a leader who does not ask citizens to wallow in anger and pity. Establish your leadership and vision around responsible use and investment in the future!

Best regards,

KIMBERLY, *Boise*.

Dear Mr. Crapo: Thank you so much for trying to fight this battle for us. I do not think there is a family in the U.S. that is not being affected by our high fuel costs. For many of us, we have long considered our fuel as a necessity but with the prices we now are paying, it is becoming a luxury!

My husband and I are getting close to retirement, so we have been trying to plan and save for that time. With these fuel charges, I will have to reduce my 401K payments because I drive 25 miles to work each day. Sure, I could try and buy a smaller car to reduce my fuel bill, but my car is fairly new and paid for and it does not seem economically feasible to trade it in and start making payments on a smaller car.

No, we won't go without food or shelter, but we will be tightening our belts on other aspects of our lives. Our Saturday drives, date nights, and trips to visit our grandkids will be greatly reduced. These are the things that we have worked hard to achieve and enjoy and now will not be able to do so.

I greatly encourage our country to begin using our own resources. Domestic drilling and refining is the answer. Sure, I care about the environment and harming wildlife, but I care more about the human aspect of this crisis. Our human way life has become harmed. Why aren't the environmentalists worrying about that? With technology what it is today, there are fewer chances of oil spills or environmental issues. I also know that, with our technology, it will not take eight to ten years to get this oil into production. I think we need to begin drilling in ANWR and off the coast of California immediately.

As a citizen I will do my part to help with energy conservation but I also expect our legislatures to step up and do their part and stop being controlled by special interest environmentalists.

Thank you once again for your efforts.

JEANNETTE, *Idaho Falls*.

As seniors on a pension and Social Security, I think we are among the hardest hit. I think it is criminal that neither energy nor food is included in the COLA. It is going to be a long time before these prices come down and I think it is time the COLA is based on something a little more realistic. We cannot live without either one of these items. Also living in rural Idaho, we do not have any public transportation. I truly think the government would just as soon that we would all die off so they do not have to deal with us.

DONNA.

Dear Senator Mike Crapo: If you really care about one of the most crippling economic problems facing our nation, it is the impact of the greed of the oil industry infrastructure.

The racketeering (oh, well, what else should I call it?) of the oil industry is having massive inflationary impact on this nation, severely damaging this nations transportation system. The ripple effects will be far-reaching and crippling over the long term. Damage to the transportation infrastructure with loss of service through airline cutbacks, will have long term impact on the entire travel industry, in turn impacting the entire economy. Fewer flights and fewer airline routes (and bankrupt carriers) require less airplanes, impacting aircraft production (loss of airplane orders and jobs at Boeing), resulting in fewer jobs, and fewer hours worked. Resultant higher ticket prices make discretionary travel (vacations) less affordable impacting hotels, motels, theme parks, rental cars, etc. Look further still and it not hard to visualize the massive ripple: less hotel and motel supplies purchased, restaurant food, new automobiles for the rental car industry, etc.

The airline industry, trucking, farming, plastics (and other products reliant on petrochemicals) and food production are all suffering from the unchecked corporate oil industry greed. Greed that only promises to worsen, as the oil industry blackmails us with obvious threat of higher prices without access to protected areas for drilling. Yet they actually do nothing too relieve the bottlenecks nor improve their existing production infrastructure. Nor is it a short term solution. They claim investment, in what, additional tracts of land to grow their holdings, and exploration, to lock in future production, but provide no meaningful major expenditure that has improved current production that is of benefit to the American consumer. When was the last new refinery opened, or the old existing infrastructure modernized, unless required by regulation, or replacement due to industrial accident or breakdown? The number of competitors has shrunk thru buyouts and mergers over the years, serving to destroy the competitive market, and pricing at the pump, is nothing short of collusion, thinly veiled as competitive free market pricing. And the oil industry gets wiser on how to game the congress and the people. And you sit still for it!

We need very badly the long term solutions you speak of, however, we need action now with a high priority placed on bringing a cessation to the greed based damage to this nations economy and the severe economic burden being endured by the voters you elected officials collectively represent.

If it is bad now, think of the winter heating bill citizens in the nation's cold climate will shortly face when winter is once again upon us.

So vital is this industry to our nation's economy, it is past time to regulate it! I repeat, it is past time to regulate the oil industry!

Our government regulates electricity, natural gas, and telephone infrastructure, and the FCC TV & radio. How is the oil industry any different? How is the oil dependency/infrastructure of this nation less vital? They are no longer serving this nation's interest in a responsible manner, have made a complete mockery of congressional investigations (with the aid of some members of congress), and basically have the United States of America over a barrel!

A good place to start would be to make speculation illegal (dealing through third party brokers & traders illegal. If a person/company does not actually physically handle the actual product, it should be made illegal to profit from it by brokering or speculation.).

How many airlines have to fold, how many truckers go under, and how much unnecessary inflation must this nation endure before our elected (for now) officials really do something meaningful? It is said oil is higher due to the shrinking dollar. Oil has driven the dollar down and is a major player in our current inflation. It impacts the United States, it ripples thru the world.

Have you asked yourselves why the voters think less of our elected officials (per polls) than our President? Are you really happy with that?

Your email implies you care. Then prove it to the voters you represent. Start the Congress on a path to put control and regulation

on [the oil] industry so very vital to the nation's economy and infrastructure.

How long must we wait for Congress to stop the ongoing damage to our dollar, cost of living (including food), and our transportation infrastructure? What could be more important to both the short-term and long-term wellbeing of this country and its citizens in your list of priorities?

On another but still related issue, where is this nation's long range planning? If I might cite an example; Japan after WWII as a nation set its sights on consumer electronics and the automobile. Look where they are today with those technologies and look at our once proud auto industry, now a cripple. Kennedy pointed this nation toward the moon—within ten years. It was a national plan and a priority. What are this nation's long-term goals? Do you know? Why do not we the people know?

These items should rise above petty politics. They should be without party ownership and bickering. And a declaration of persona non grata made toward the oil lobby and their bought and paid for elected officials.

Thank you for asking for my story, but it is really a much larger story than my story; it is our story.

JOHN.

Dear Senator Crapo: It is good to hear from you and know that at least one politician in Washington has their head on straight. Thank you for representing those of us who do not buy the ''man-caused global warming'' hoax. I believe it is a natural cycle the earth has gone thru many times before and will continue to undergo.

I believe all Americans want clean air, water and a healthy environment which can all be accomplished while simultaneously drilling in ANWAR, off coast regions and exploring other natural resources available domestically.

Sincerely,

MIKE, *Emmett*.

Dear Senator Crapo: Thank you for the opportunity to provide input on what I think is the most important issue we should have faced at least twenty years ago. Yet, I know that mustering the political will to make the changes we needed to make would have been very difficult then. Nonetheless, here we are in 2008 and, being Americans, we will face this crisis with intelligence and determination.

Frankly, I put the rising prices into this perspective. I drive a Hyundai Accent and average about 34 mpg and drive about 11,000 miles per year. So, I buy about 325 gallons annually. Gasoline has increased $1.75 over the last short while. So, on average I'm paying an additional $47 per month. Sure, I'd rather spend that on something else, but that really is not that bad. My wife drives our Toyota 4 Runner. Her commute is short and other than that, we only use that vehicle for recreation . . . about 4,000 to 5,000 miles per year. Again, I can live with it.

To my way of thinking, the increased gas prices have been a blessing. It has finally brought the discussion of energy management to forefront where it has needed to be for some time. Not only is our economic well being at stake, but the security of America as well. Were it not for oil, would we have ever even heard of Saddam Hussein? And, too, we are finally coming to agreement that climate change is real and are showing signs that we may actually address it. If higher gas prices are the cost of getting to have this discussion, so be it.

What should we do about gas prices, you ask? Nothing. Market forces will bring down gas consumption which should have a moderating effect on prices. People are opting for more fuel efficient cars which may stimulate the auto industry. And finally, I think the federal government should take a more active role with our currency issues to keep the dollar from falling much further. I know there is reluctance to that idea, but the circumstances seem to warrant it.

Regards,

PETE, *Boise*.

Dear Senator Crapo: I do not agree with your assessment regarding the high price of gas. We are being gouged by the oil companies, and I will prove my point.

Oil is at about $130 a barrel. There are 42 gallons in a US barrel, which equates to $3.09 a gallon for crude. Add to this the price for refining say $0.40 distribution $0.25. State and federal Taxes and about $0.25 a gallon a gas station makes and you will see that we are already over $4 a gallon.

How do the oil companies make these massive profits every quarter? In the United States, we have to import 40% of our oil the other 60% comes from Alaska, Texas, California, the Gulf, etc. Are we paying $130 a barrel to the oil companies for oil coming out of our own back yard? You people blame China and India for the cost of fuel today. For your information, I have been to both countries. They do not have the amount of cars we Americans have. In fact, they are a bicycle society.

I am fed up with Congress and the Senate for not taking any action on this issue; in fact, President Bush is quiet on the subject.

I have always been [conservative], but I fear that this coming election [conservatives will not fare well], mainly due oil prices which has a ripple effect and cause unemployment, rise in food prices etc. The hardest hit people in out society are the old people of which I am one.

Sincerely,

GEORGE.

Our current monthly gas budget has almost tripled with the increase during the past year. With my husband working out of town (300+ miles weekly commute) and I'm working for a non-profit that reimburses me @$.40/mile, we are going in the hole. As our state representative, you and your family should be feeling the same affects of the energy prices that we are, and helping correct this problem. Are you?

Respectfully,

MARCIA.

Dear Senator: I am a hard-working Idahoan who has to change my behavior because of high energy costs, but I also understand that sometimes you have to pay the piper. Nobody likes to go on a diet or take medicine. Yet in order to get well, we have to do things we do not like. This is one of those times. The answer to our energy problem is not to find some way to ignore or go around what made us fat and sick. And, I mean that quite literally. Furthermore, you know as well as I do that local oil will be the same price as global oil. The market price is the price regardless of where it comes from. You do no favor to the public with this tactic. Feel free to quote me.

JIM.

We are unable to see our children who live 500 to 1000 miles away due to gas prices. We are getting older and live on retirement income, thus we are unable to help them out with gas for making a trip to Idaho. I expect we will never get to see them again.

ROBERT and PEGGY, *Emmett*.

Senator Crapo for the last three years, I have been traveling to Missoula, Montana, for medical treatments for cancer and I had a stint placed. I was traveling every three weeks for treatments and I am happy to say that the cancer is in remission as of now but Non Hodgkin's Lymphoma cannot be cured, it can be treated usually but not cured, and it keeps coming back. I am not only faced with expenses at the Cancer Center and doctor, but I have a diseased liver and they have no idea why the tests are showing such high levels in the tests. It seems all of this has hit more or less all at once in traveling and taking the tests. I have to stay overnight at times, and this, of course, creates more expenses which the government or the insurance and Medicare does not cover. My nest egg for retirement is getting eaten up each month, and it will run out. I worry about my wife if something happens to me.

I hope that someone reads this that can help me and others in the same boat. Thank you for giving me this chance to air my concerns about my health and what all it is taking to handle the situation so far.

Sincerely

GEORGE, *Salmon*.

OBJECTION TO THE NOMINATION OF HUSEIN CUMBER

Mr. WYDEN. Mr. President, I stand today to object to any unanimous consent agreement in connection with the nomination of Mr. Husein Cumber to be a member of the Surface Transportation Board, or STB. I don't take this action lightly, and I would like to take a few moments to briefly describe why I am placing a hold on his nomination.

Railroads and transportation infrastructure are the lifeblood of our economy. My home State of Oregon has recently been the victim of a short line railroad that has subverted consumer protections established by Congress in an attempt to reduce service and raise rates. The STB is the last line of defense against companies that are more interested in maximizing profits than they are in their legal obligations as a common carrier.

To be an effective safeguard against this activity, the STB needs board members with in-depth experience and knowledge of a broad range of rate, service and railroad merger issues. The law says that members of the STB should possess professional standing and demonstrated knowledge in the fields of transportation or transportation regulation. I am very concerned that Mr. Cumber doesn't possess any of these qualities.

Mr. Cumber's nomination requires this body to seriously review his record of accomplishment in light of these requirements and demonstrated abilities. I have compared Mr. Cumber's record with those of other current and former members of the STB, and I would like to share some of my findings with you today.

First, Chairman Charles Nottingham, a licensed attorney. Chairman Nottingham has 4 years of experience in the Federal Highway Administration working on everything from funding analysis to policy development. He has an additional 4 years at the state level as the Transportation Commissioner and CEO of Virginia DOT. He was the counsel to the Committee on Government

Reform in the U.S. House of Representatives. Chairman Nottingham is unquestionably qualified for the duties required of a board member and a good example of what the STB needs in a nominee.

Vice Chairman Francis Mulvey, with a Ph.D. in Economics, is likewise qualified. He has legislative experience as the Staff Director for the Railroad Subcommittee in the House of Representatives. He was the Deputy Assistant Inspector General for Rail, Transit, and Special Programs in the Department of Transportation. He was the Assistant Director charged with analyzing transportation issues at the GAO. His experiences outside government are equally valuable: He was the Programs Manager for the National Academy of Sciences, Transportation Research Board. He was also the Vice President for Research with the American Bus Association. Again, Vice Chairman Mulvey is an exemplary member and a model for future nominees.

Former Chairman Linda Morgan, an attorney with a Georgetown law degree, was supremely qualified to work on the STB. For 15 years she held various positions with the Senate Committee on Commerce, Science, and Transportation. While there, she was responsible for much of the legislation that established the framework for today's surface transportation system. She also served as the general counsel of the committee.

Former Chairman Roger Nober was the counselor to the Deputy Secretary of Transportation for a year before joining the STB. Before that he spent 4 years as the chief counsel for the Committee on Transportation and Infrastructure of the House of Representatives. For the 4 years before that, he held a variety of positions on that committee's staff. And for the 4 years before that, he put his Harvard law degree to use in New York City. His breadth of experience, most of it relating to transportation issues, made him very well qualified to serve as a board member and chairman.

Former Vice Chairman Wayne Burkes served in the Mississippi legislature for 14 years; 4 years in the House of Representatives, and 10 years in the Senate. He served on the Highways and Transportation Committee all 14 years. After his time in the legislature, he then spent 10 years as the Mississippi Transportation Commissioner for the Central District. His understanding of transportation issues was certainly unquestioned.

Even a cursory review of current and former board member qualifications makes it clear what kind of nominee this important regulatory body requires. I would like to bring the Senate's attention now to our current nominee, Mr. Husein Cumber. There are stark differences between what you have just heard and what I will present to you now.

Mr. Cumber's regulatory experience in transportation is limited to his short tenure as a political appointee at the Department of Transportation—1 year as the Deputy Chief of Staff, and some time as the Assistant to the Secretary for Policy. For his private sector expertise, he can point to his year as the spokesman for Florida East Coast Industries. And before that, he was a political fundraiser for President George W. Bush and Governor Jeb Bush. He was what some referred to as a fundraising wunderkind. One story noted that he ''devours business cards like most mortals do potato chips.'' Developing these political relationships, he said, allowed him to ''meet some great people and there's going to be a payoff in the end.''

The President has nominated Mr. Cumber to work on a vital regulatory board with the capacity to impact our economy, our infrastructure, and the wages of hard-working Americans across the Nation. Reviewing the qualifications of other members, be they PH.D.s, attorneys, or career legislators, I see that broad experience in regulatory, policy, and economic matters surrounding rail transportation is essential. Understanding the common carrier obligation of the rail industry is essential. Advocacy for consumers in the face of enormous pressure from powerful industry representatives is essential.

Mr. Husein Cumber is, by all accounts, a hard-working man. But hard work alone is not sufficient qualification for nomination to the board of an important consumer protection agency. It is also essential that a nominee have demonstrated experience and expertise in the issues that come before the agency.

I recently met with Mr. Cumber to discuss his nomination. I found him to be polite, personable, and eager. I did not, however, find him to be knowledgeable of the critical issues that have come before the STB. His experiences in lobbying and fundraising stand out and will no doubt help him in his future endeavors outside of government. But what is important here is what he has been nominated to do while serving in a government position.

Members of the Surface Transportation Board have to make important decisions affecting our Nation's transportation policy from the moment they are sworn in. They do not have time for on-the-job training.

Mr. Cumber's nomination to the STB may in fact be ''the payoff in the end'' he has been working toward. But a seat on the Surface Transportation Board shouldn't be a payoff. It's not a prize to be won—it is a job to be done. And it is a job to be done by someone armed with credentials and credibility, not by someone armed with only cash and connections.

I am compelled to object to this nomination for the reasons I have provided. My hope is that the administration will acknowledge the importance of the STB in their search for a qualified nominee and keep looking for one.

ADDITIONAL STATEMENTS

RECOGNIZING MONFORTON SCHOOL

• Mr. BAUCUS. Mr. President, I wish today to recognize the achievements of an outstanding teacher and her seventh grade students. This is a story of community and folks coming together to make their town a better place to live. The students at Monforton School in Bozeman, MT, with their teacher, Sally Broughton, saw a playground at the school that was outdated and unsafe. These ambitious young people then sprung into action and set out to inform the principal, school board, other students, and community members of the subpar condition of the playground and gathered input and support for building a new playground.

In the Montana spirit of folks working together to make their community a better place to live, local businesses pitched in by donating nearly $40,000 worth of supplies and labor toward completion of the playground. Monforton parent and carpenter, Alan Ripley, worked with students to design the octagonal climbing structure for the playground. The students spent countless hours with volunteers in building the playground.

Thanks to the work of these students, their teacher, and the community all Monforton students now have a safe playground at their school. The efforts of these fine young people have not gone unnoticed. The Corporation for National and Community Service honored the students and their teacher, Sally Broughton, with the 2008 Spirit of Service Award, and We the People: Project Citizen presented them with the Montana Project Citizen Award for their contributions to the community.

This spirit of service is prevalent at Monforton School as all students participate in service-learning projects. Classroom lessons are combined with meaningful service to their community. Through these efforts students have been responsible for improving the food service at the school, constructing a walking path, and informing the larger community about the need for a new jail and a warning system for Hyalite Dam among other projects.

I would like to join the chorus recognizing the seventh grade students of Monforton and their teacher, Sally Broughton. They are a perfect example of how Montana's world-class education system is preparing children across Big Sky country to meet the challenges they will face. These outstanding young people are the future of

our Nation, and I am sure that they will continue to serve and make many contributions to their communities.●

TRIBUTE TO MARIAN ORFEO

● Mr. KERRY. Mr. President, I would like to take this opportunity to congratulate Ms. Marian Orfeo, director of Planning and Coordination with the Massachusetts Water Resources Authority, MWRA, on being named the new president of the National Association of Clean Water Agencies, NACWA.

Ms. Orfeo has been an environmental champion for the city of Boston, State of Massachusetts, and the Nation. She is an exceptional leader and public steward dedicated to the improvement of Boston's water quality and public health.

Ms. Orfeo has worked for with MWRA, a founding member of NACWA, for nearly 20 years. The Authority provides wholesale water and sewer services to 2.5 million people in 61 communities across eastern and central Massachusetts 24 hours a day, 7 days a week.

As the director of Planning and Coordination, her responsibilities include long-range planning to construct and renew MWRA's water and wastewater facilities, as well as infrastructure and short-term strategic business planning for all agency functions. She also manages the Authority's performance reporting system and is a member of the steering committee for the MetroFuture initiative of the Boston Metropolitan Area Planning Council.

Before joining the Authority, Ms. Orfeo previously worked in Boston city government for 16 years. She held a range of positions including operations, administration and finance, and planning.

She has been an active member of NACWA since 1994, was elected to its board of directors in 2000, and has chaired the Association's Legislative Policy, Strategic Planning, Finance, and Awards Committees. Ms. Orfeo is also a consistent champion for the need to develop a new, holistic approach to the nation's complex 21st century water challenges.

Being elected NACWA president is not onlyan impressive personal accomplishment but will help secure NACWA's role as the leading advocate for responsible national policies that advance clean water and a healthy environment.

Mr. President, I congratulate Marian Orfeo on becoming president of NACWA. I am certain the association will greatly benefit from her able leadership.●

CONGRATULATING THE OLDENBURG GROUP

● Mr. KOHL. Mr. President, I would like to congratulate Oldenburg Group on the 150th anniversary of the Oldenburg Lake Shore product line. The Oldenburg Group has a major presence in Milwaukee and Rhinelander, WI. What began on the shores of Lake Superior as a line of outboard motors has grown into a significant contributor to our Nation's defense.

As a qualified small business with both military and commercial product lines, Oldenburg Group has shown that they are a leader within the Nation's defense industry. Their products support the U.S. Navy with refueling systems to allow our ships to remain at sea and ready. They support the U.S. Army with systems for offloading warfighting equipment when no port facility is available, as well as supporting the U.S. Department of Defense in many other ways as well. Oldenburg Group's history of customer satisfaction and excellence is immensely important as it contributes daily to the security of our Nation.

It is because of quality products and exceptional support service that the U.S. Department of Defense trusts Oldenburg Group to provide vital equipment and services used by the military. Oldenburg's dedication to continually looking toward the future and considering how products can practically be applied to homeland security is one reason for their considerable success, and I congratulate that spirit.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the Committee on Armed Services.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 6:43 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. 2967. An act to provide for certain Federal employee benefits to be continued for certain employees of the Senate Restaurants after operation of the Senate Restaurants are contracted to be performed by a private business concern, and for other purposes.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3257. A bill to extend immigration programs to promote legal immigration and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DORGAN, from the Committee on Appropriations, without amendment:

S. 3258. An original bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2009, and for other purposes (Rept. No. 110–416).

By Mr. DURBIN, from the Committee on Appropriations, without amendment:

S. 3260. An original bill making appropriations for financial services and general government for the fiscal year ending September 30, 2009, and for other purposes (Rept. No. 110–417).

By Mrs. MURRAY, from the Committee on Appropriations, without amendment:

S. 3261. An original bill making appropriations for the Departments of Transportation and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2009, and for other purposes (Rept. No. 110–418).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. DORGAN:

S. 3258. An original bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2009, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. WHITEHOUSE (for himself and Mr. DURBIN):

S. 3259. A bill to amend title 11, United States Code, with respect to the priority of certain high cost credit debts; to the Committee on the Judiciary.

By Mr. DURBIN:

S. 3260. An original bill making appropriations for financial services and general government for the fiscal year ending September 30, 2009, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mrs. MURRAY:

S. 3261. An original bill making appropriations for the Departments of Transportation and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2009, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mrs. HUTCHISON:

S. 3262. A bill to reauthorize the women's entrepreneurial development programs of the Small Business Administration, and for other purposes; to the Committee on Small Business and Entrepreneurship.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. FEINGOLD (for himself, Mr. ISAKSON, Mr. CARDIN, Mr. HARKIN, Mr. WHITEHOUSE, Mr. KERRY, Mr. NELSON of Florida, Mr. DURBIN, Mrs. BOXER, Mr. LEAHY, Mrs. CLINTON, Mr. SUNUNU, Mr. CHAMBLISS, Ms. SNOWE, Mrs. DOLE, Mr. INHOFE, Mr. SPECTER, Mr. STEVENS, Mr. MARTINEZ, and Mr. SMITH):

S. Res. 611. A resolution expressing the sense of the Senate on the crisis in

Zimbabwe, and for other purposes; considered and agreed to.

By Mr. BIDEN (for himself, Mr. KERRY, and Mr. CASEY):

S. Res. 612. A resolution expressing the sense of the Senate that President George W. Bush, President Dmitry Medvedev of the Russian Federation, and other participants in the 2008 Group of Eight (G8) Summit in Toyako, Hokkaido, Japan should work together to foster a more constructive relationship, and that the Government of the Russian Federation should eschew behaviors that are inconsistent with the Group's objectives of protecting global security, economic stability, and democracy; considered and agreed to.

By Mr. NELSON of Nebraska (for himself, Ms. COLLINS, Mr. BAUCUS, Mr. SMITH, Mr. KERRY, Mr. ROBERTS, Mr. DODD, Mr. HATCH, Mr. BROWN, Mr. BUNNING, and Mr. BINGAMAN):

S. Res. 613. A resolution designating the week beginning September 8, 2008, as ''National Direct Support Professionals Recognition Week''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 617

At the request of Mr. SMITH, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 617, a bill to make the National Parks and Federal Recreational Lands Pass available at a discount to certain veterans.

S. 999

At the request of Mr. COCHRAN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 999, a bill to amend the Public Health Service Act to improve stroke prevention, diagnosis, treatment, and rehabilitation.

S. 1738

At the request of Mr. BIDEN, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Minnesota (Mr. COLEMAN) were added as cosponsors of S. 1738, a bill to establish a Special Counsel for Child Exploitation Prevention and Interdiction within the Office of the Deputy Attorney General, to improve the Internet Crimes Against Children Task Force, to increase resources for regional computer forensic labs, and to make other improvements to increase the ability of law enforcement agencies to investigate and prosecute predators.

S. 2035

At the request of Mr. SPECTER, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2035, a bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

S. 2042

At the request of Ms. STABENOW, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2042, a bill to authorize the Secretary of Health and Human Services to conduct activities to rapidly advance treatments for spinal muscular atrophy, neuromuscular disease, and other pediatric diseases, and for other purposes.

S. 2204

At the request of Mr. WHITEHOUSE, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2204, a bill to assist wildlife populations and wildlife habitats in adapting to and surviving the effects of global warming, and for other purposes.

S. 2422

At the request of Mr. WHITEHOUSE, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2422, a bill to amend title 18, United States Code, to prohibit certain computer-assisted remote hunting, and for other purposes.

S. 2549

At the request of Mrs. CLINTON, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2549, a bill to require the Administrator of the Environmental Protection Agency to establish an Interagency Working Group on Environmental Justice to provide guidance to Federal agencies on the development of criteria for identifying disproportionately high and adverse human health or environmental effects on minority populations and low-income populations, and for other purposes.

S. 2579

At the request of Mr. INOUYE, the names of the Senator from Maryland (Mr. CARDIN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Iowa (Mr. GRASSLEY) and the Senator from Tennessee (Mr. ALEXANDER) were added as cosponsors of S. 2579, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the establishment of the United States Army in 1775, to honor the American soldier of both today and yesterday, in wartime and in peace, and to commemorate the traditions, history, and heritage of the United States Army and its role in American society, from the colonial period to today.

S. 2618

At the request of Ms. KLOBUCHAR, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2618, a bill to amend the Public Health Service Act to provide for research with respect to various forms of muscular dystrophy, including Becker, congenital, distal, Duchenne, Emery-Dreifuss Facioscapulohumeral, limb-girdle, myotonic, and oculopharyngeal muscular dystrophies.

S. 2668

At the request of Mr. KERRY, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 2668, a bill to amend the Internal Revenue Code of 1986 to remove cell phones from listed property under section 280F.

S. 2844

At the request of Mr. LAUTENBERG, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2844, a bill to amend the Federal Water Pollution Control Act to modify provisions relating to beach monitoring, and for other purposes.

S. 3038

At the request of Mr. GRASSLEY, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 3038, a bill to amend part E of title IV of the Social Security Act to extend the adoption incentives program, to authorize States to establish a relative guardianship program, to promote the adoption of children with special needs, and for other purposes.

S. 3122

At the request of Ms. KLOBUCHAR, her name was added as a cosponsor of S. 3122, a bill to amend the Commodity Exchange Act to provide for the regulation of oil commodities markets, and for other purposes.

S. 3134

At the request of Ms. KLOBUCHAR, her name was added as a cosponsor of S. 3134, a bill to amend the Commodity Exchange Act to require energy commodities to be traded only on regulated markets, and for other purposes.

S. 3185

At the request of Ms. KLOBUCHAR, her name was added as a cosponsor of S. 3185, a bill to provide for regulation of certain transactions involving energy commodities, to strengthen the enforcement authorities of the Federal Energy Regulatory Commission under the Natural Gas Act and the Federal Power Act, and for other purposes.

S. 3186

At the request of Mr. SANDERS, the names of the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Nevada (Mr. REID), the Senator from Florida (Mr. NELSON), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Montana (Mr. BAUCUS), the Senator from Michigan (Mr. LEVIN) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 3186, a bill to provide funding for the Low-Income Home Energy Assistance Program.

S. 3223

At the request of Mr. KERRY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 3223, a bill to establish a small business energy emergency disaster loan program.

S. 3233

At the request of Mr. BINGAMAN, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 3233, a bill to promote development of a 21st century energy system to increase United States competitiveness in the world energy technology marketplace, and for other purposes.

S. 3237

At the request of Mr. CASEY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 3237, a bill to assist volunteer

fire companies in coping with the precipitous rise in fuel prices.

S. 3240

At the request of Mr. SESSIONS, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 3240, a bill to promote energy production and security in the United States, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WHITEHOUSE (for himself and Mr. DURBIN):

S. 3259. A bill to amend title 11, United States Code, with respect to the priority of certain high cost credit debts; to the Committee on the Judiciary.

Mr. WHITEHOUSE. 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. 3259

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 ''Consumer Credit Fairness Act''.

SEC. 2. EFFECTS OF HIGH COST CREDIT ON BANKRUPTCY PROCEEDINGS.

(a) DEFINITIONS.—Section 101 of title 11, United States Code, is amended—

(1) by redesignating paragraph (27B) as paragraph (27C); and

(2) by inserting after paragraph (27A) the following:

''(27B) The term 'high cost consumer credit transaction' means an extension of credit by a 'creditor' (as defined in section 103 of the Truth in Lending Act (15 U.S.C. 1602(f)), resulting in a consumer debt that has an applicable annual percentage rate (as determined in accordance with section 107(a) of the Truth in Lending Act (15 U.S.C. 1606(a)), and including costs and fees incurred in connection with the extension of such credit) that exceeds the lesser of—

''(A) the sum of 15 percent and the yield on United States Treasury securities having a 30-year period of maturity; or

''(B) 36 percent.''.

(b) SUBORDINATION.—Section 510 of title 11, United States Code, is amended by adding at the end the following:

''(d)(1) For the purpose of distribution under this title, an allowed claim arising from a high cost consumer credit transaction shall be subordinated to all other claims.

''(2) Any lien securing a claim subordinated under paragraph (1) shall be transferred to the estate.''.

SEC. 3. EXCLUSION.

Section 707(b) of title 11, United States Code, is amended by adding at the end the following:

''(8) Paragraph (2) shall not apply if the debtor's petition resulted from a high cost consumer credit transaction.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 611—EXPRESSING THE SENSE OF THE SENATE ON THE CRISIS IN ZIMBABWE, AND FOR OTHER PURPOSES

Mr. FEINGOLD (for himself, Mr. ISAKSON, Mr. CARDIN, Mr. HARKIN, Mr. WHITEHOUSE, Mr. KERRY, Mr. NELSON of Florida, Mr. DURBIN, Mrs. BOXER, Mr. LEAHY, Mrs. CLINTON, Mr. SUNUNU, Mr. CHAMBLISS, Ms. SNOWE, Mrs. DOLE, Mr. INHOFE, Mr. SPECTER, Mr. STEVENS, Mr. MARTINEZ, and Mr. SMITH) submitted the following resolution; which was considered and agreed to:

S. RES. 611

Whereas, over the last eight years, the Zimbabwean African National Union-Patriotic Front (ZANU-PF), led by Robert Mugabe, has increasingly turned to violence and intimidation to maintain power amidst a deteriorating crisis;

Whereas the gross domestic product of Zimbabwe has decreased over 40 percent in the last decade, inflation is estimated by United Nations Deputy Secretary-General Asha-Rose Migiro at over 10,500,000 percent, unemployment is now over 80 percent, and more than 4,000,000 people have fled the country;

Whereas presidential and parliamentary elections were held on March 29, 2008, in Zimbabwe amidst widespread reports of voting irregularities and intimidation in favor of the ruling ZANU-PF party and Robert Mugabe;

Whereas the Zimbabwe Electoral Commission refused to release results, despite calls to do so by the African Union (AU), the European Union (EU), the Republic of South Africa, the Southern African Development Community (SADC), United Nations Secretary-General Ban Ki-Moon, and the United States;

Whereas the official results of the election, announced five weeks later, showed that Robert Mugabe won 43.2 percent of the vote, while Morgan Tsvangirai, leader of the opposition party Movement for Democratic Change (MDC), won 47.9 percent of the vote;

Whereas, in the wake of the elections, Robert Mugabe launched a brutal campaign of state-sponsored violence against opposition members, supporters, and other civilians in an attempt to consolidate his power;

Whereas United States Ambassador to the United Nations Zalmay Khalilzad stated on April 16, 2008, that he was ''gravely concerned about the escalating politically motivated violence perpetrated by security forces and ruling party militias'';

Whereas Secretary of State Condoleezza Rice stated on April 17, 2008, that Robert Mugabe has ''done more harm to his country than would have been imaginable'' and that ''the last years have been really an abomination'' and called for the AU and SADC to strengthen efforts to achieve a political resolution to the crisis;

Whereas Human Rights Watch reported on April 19, 2008, that the Mugabe regime had developed a network of informal detention centers to intimidate, torture, and detain political opponents;

Whereas the Mugabe regime has, in violation of the Vienna Convention on Diplomatic Relations, done at Vienna April 18, 1961 (23 U.S.T. 3229), harassed United States and other diplomats in retaliation for their repeated protest of recent violence, including by detaining the United States ambassador's vehicle for several hours on May 13, 2008, and detaining five United States embassy staff and two local embassy workers on June 5, 1998, one of whom was physically assaulted;

Whereas reports of killings, abductions, beatings, torture, and sexual violence against civilians in Zimbabwe have continued, resulting in some 10,000 people being assaulted and at least 30,000 displaced;

Whereas the MDC and Presidential candidate Tsvangirai withdrew from the June 27, 2008, runoff presidential election, citing intensified political repression and killings of their supporters;

Whereas the Mugabe regime persisted with the runoff election, despite the protest of many leaders in Africa, the EU, SADC, the United Nations Security Council, and the United States Government;

Whereas results from the runoff election unsurprisingly declared Robert Mugabe, the only standing candidate, as the winner with 85 percent of the vote, and he was sworn into office;

Whereas SADC, the Pan-African Parliament, and AU Observer missions to Zimbabwe made statements on June 29 and 30, 2008, finding that the elections fell short of accepted African Union standards, did not give rise to free, fair, or credible elections, and did not reflect the will of the people of Zimbabwe;

Whereas, on June 4, 2008, the Mugabe regime banned the operations of non-governmental organizations in Zimbabwe, including those who provide food and aid to millions of Zimbabweans suffering at the result of a ZANU-PF's policies, exacerbating the humanitarian crisis and leaving newly displaced victims of political violence without assistance;

Whereas Nelson Mandela has described the situation in Zimbabwe as a ''tragic failure of leadership,'' while the Government of Botswana has refused to recognize the election outcome as legitimate and has said that representatives of the administration should be excluded from SADC and African Union meetings;

Whereas the African Union passed a resolution on July 1, 2008, expressing concern for the loss of life in Zimbabwe and the need to initiate political dialogue to promote peace, democracy, and reconciliation;

Whereas the MDC reported on July 9, 2008, that 129 of its supporters have been killed since the first round of elections, including 20 since the runoff election, 1,500 of its activists and officials are in detention, and 5,000 are missing or unaccounted for; and

Whereas the Group of Eight (G8) industrialized nations, at their annual summit, issued a joint statement on July 8, 2008, rejecting the June 27, 2008, election and legitimacy of the Mugabe regime, as well as committing to further measures against those responsible for the violence: Now, therefore, be it

Resolved, That it is the sense of the Senate—

(1) to support the people of Zimbabwe, who continue to face widespread violence, political repression, a humanitarian emergency, and economic adversity;

(2) to condemn the Mugabe regime for its manipulation of the country's electoral process, including the March 29, 2008, election and the June 27, 2008, runoff election and the regime's continued attacks against, and intimidation of, opposition members and supporters and civil society;

(3) to reject the results of the June 27, 2008, presidential runoff election in Zimbabwe as illegitimate because of widespread irregularities, systematic violence by the Mugabe regime, and the boycott of the MDC;

(4) to encourage the President's continued efforts to tighten and expand sanctions on

those individuals responsible for violations of human and political rights in Zimbabwe;

(5) to applaud the Governments of Benin, Botswana, Liberia, Kenya, Nigeria, Senegal, Sierra Leone, and Zambia for condemning the violent derailment of the runoff election at the African Union summit in Sharm El-Sheikh;

(6) to encourage all members of the United Nations Security Council to vote in favor of the proposed resolution that would authorize a United Nations Special Representative to support the negotiations process, impose an international arms embargo, and strengthen financial penalties on those individuals most responsible for undermining democratic processes;

(7) to encourage the African Union to initiate an inclusive political dialogue between both parties and deploy a protection force to prevent attacks, assist victims, and prevent the security situation from further deteriorating;

(8) to urge leaders in Africa to engage directly in the effort to achieve an expeditious political resolution to the crisis;

(9) to urge the United States Government and the international community to assemble a comprehensive economic and political recovery package for Zimbabwe in the event that a political resolution is reached and a truly democratic government is formed; and

(10) to support a lasting democratic political solution that reflects the will and respects the rights of the people of Zimbabwe, including mechanisms to ensure that future elections are free and fair, in accordance with regional and international standards.

SENATE RESOLUTION 612—EXPRESSING THE SENSE OF THE SENATE THAT PRESIDENT GEORGE W. BUSH, PRESIDENT DMITRY MEDVEDEV OF THE RUSSIAN FEDERATION, AND OTHER PARTICIPANTS IN THE 2008 GROUP OF EIGHT (G8) SUMMIT IN TOYAKO, HOKKAIDO, JAPAN SHOULD WORK TOGETHER TO FOSTER A MORE CONSTRUCTIVE RELATIONSHIP, AND THAT THE GOVERNMENT OF THE RUSSIAN FEDERATION SHOULD ESCHEW BEHAVIORS THAT ARE INCONSISTENT WITH THE GROUP'S OBJECTIVES OF PROTECTING GLOBAL SECURITY, ECONOMIC STABILITY, AND DEMOCRACY

Mr. BIDEN (for himself, Mr. KERRY, and Mr. CASEY) submitted the following resolution; which was considered and agreed to:

S. RES. 612

Whereas the leaders of 6 major industrialized democracies, including France, West Germany, Italy, Japan, the United Kingdom, and the United States, gathered in 1975 for a summit meeting in Rambouillet, France, and for annual meetings thereafter under a rotating presidency known as the Group of Six (G6);

Whereas the G6 was established based on the mutual interest of its members in promoting economic stability, global security, and democracy;

Whereas, in 1976, membership of the G6 was expanded to include Canada;

Whereas the members of the G7 share a commitment to promote security, economic stability, and democracy in their respective nations and around the world;

Whereas Russia was integrated into the G7 in 1998 at the behest of President William Jefferson Clinton following Russian President Boris Yeltsin's decision to pursue reforms and assume a neutral position on the acceptance of additional members into the North Atlantic Treaty Organization (NATO);

Whereas the members of the G8 face common challenges, including climate change, violent extremism, global economic volatility, pandemic disease, nuclear proliferation, and trafficking in narcotics, persons, and weapons of mass destruction;

Whereas President Dmitry Medvedev, Prime Minister Vladimir Putin, and other leaders of the Russian Federation have regularly expressed a desire for the Russian Federation to play a leading role in international affairs;

Whereas the Russian Federation and other members of the international community all stand to benefit if the Russian Federation is an active, constructive partner in addressing the broad range of challenges confronting the global community;

Whereas the Russian Federation has evidenced the capacity and willingness to cooperate with the United States and other nations in the interest of global security in certain areas pertaining to arms control and weapons proliferation, notably through its participation in the Six-Party Talks regarding North Korea and its support of the incentives package offered by leading countries to Iran if that country would suspend its uranium enrichment program;

Whereas the United States and Russia have safely deactivated and destroyed thousands of nuclear, chemical, and biological weapons and provided upgraded storage and transportation of nuclear materials through the Nunn-Lugar program;

Whereas the United States and other countries participating in the June 2002 G8 Summit in Kananaskis, Canada agreed to raise up to $20,000,000,000 over 10 years to support nonproliferation projects in Russia and other nations through the Global Partnership Against the Spread of Weapons and Materials of Mass Destruction;

Whereas participants in the July 2006 G8 Summit in St. Petersburg, Russia launched the Global Initiative to Combat Nuclear Terrorism to improve the physical protection of nuclear materials, suppress illicit trafficking of such materials, and bolster the capacity of willing partner nations to respond to acts of nuclear terrorism;

Whereas the United States and the Government of the Russian Federation pledged in the April 2008 Sochi Strategic Framework Declaration to negotiate a ''legally binding post-START arrangement'' for the purposes of extending provisions of the 1991 Strategic Arms Reduction Treaty;

Whereas, notwithstanding these successes, the potential for collaboration between the United States and the Government of Russian Federation has been seriously undermined by the manner in which the leaders of the Russian Federation have conducted aspects of Russia's foreign policy;

Whereas the Government of the Russian Federation has unilaterally suspended implementation of the 1991 Treaty on Conventional Armed Forces in Europe (CFE Treaty) and has yet to fulfill its commitment to withdraw Russian forces from Georgia and Moldova pursuant to the 1999 Istanbul Summit Declaration of the Organization for Security and Cooperation in Europe;

Whereas the CFE Treaty has played a key role in enhancing the stability of the Euro-Atlantic region;

Whereas the Adapted CFE Treaty, which will not enter into force until the Russian Federation fulfills commitments made at the Istanbul Summit, will provide greater flexibility for the Russian Federation in return for improved transparency and verification;

Whereas the Government of the Russian Federation has attempted to undermine the territorial integrity of the Republic of Georgia through its support of the breakaway provinces of South Ossetia and Abkhazia;

Whereas the United Nations Observer Mission in Georgia has concluded that a military aircraft belonging to the Russian Federation shot down an unarmed Georgian drone on April 20, 2008, while flying over Abkhazia;

Whereas the conduct of Russian trade and energy policy has created a widespread perception that the Government of the Russian Federation is using oil and gas exports and economic policy as a means of political pressure on countries that seek closer ties with the United States and Euro-Atlantic partners;

Whereas the behavior of the Russian Federation as it relates to several neighboring countries has contributed to the erosion of regional peace and security;

Whereas such actions are inconsistent with the G8's objectives of protecting global security, economic stability, and democracy, hinder cooperation with the Government of the Russian Federation, and undermine the standing of the Russian Federation as a respected member of the international community;

Whereas there has been considerable disagreement between the Government of the United States and the Government of the Russian Federation regarding proposals to place ballistic missile defense interceptor and radar sites in Poland and the Czech Republic, respectively;

Whereas certain developments inside the Russian Federation and the Russian Government's conduct of domestic policy have undermined confidence in the Russian Federation's ability and capability to serve as a full partner in the work of the international community;

Whereas the Department of State's Country Report on Human Rights Practices for 2007 stated that, in Russia, ''continuing centralization of power in the executive branch, a compliant State Duma, corruption and selectivity in enforcement of the law, media restrictions, and harassment of some NGOs eroded the government's accountability to its citizens.'';

Whereas, in June 2008, a report released by Human Rights Watch concluded that Russian ''law enforcement and security forces involved in counterinsurgency [in the North Caucasus] have committed dozens of extrajudicial executions, summary and arbitrary detentions, and acts of torture and cruel, inhuman or degrading treatment'';

Whereas the Government of the Russian Federation has failed to successfully prosecute individuals responsible for the murder of critics of the Kremlin, including journalist Anna Politkovskaya and Alexander Litvinenko;

Whereas the 2008 Annual Report of Reporters without Borders noted a sharp increase in government pressure on the independent media in Russia, reporting that at least 2 journalists were forcibly sent to psychiatric hospitals in 2007 and others were badly beaten or kidnapped prior to the local and parliamentary elections in 2007;

Whereas Transparency International ranked Russia 143 out of 179 countries for perceived corruption in 2007;

Whereas there is increasing concern about violent nationalism and xenophobia in the Russian Federation and the 2008 Annual Report of the United States Commission on International Religious Freedom reports that there has been a ''sharp rise in violent

crimes against persons [in Russia] on account of their religion or ethnicity'';

Whereas, in the handling of the Yukos Oil Company case and numerous other judicial actions, the Government of the Russian Federation has permitted the politicization of Russia's legal system;

Whereas these developments have seriously damaged international confidence in the institutions and laws of the Russian Federation and hindered the ability of the United States and other partners to work with the Russian Federation in addressing a broad range of pressing global, regional, and domestic challenges;

Whereas the people of the Russian Federation and the people of the United States have been disadvantaged by the resulting damage to relations between the countries;

Whereas President Dmitry Medvedev, in an interview with the Reuters News Service on June 25, 2008, stated that ''freedom, democracy and the right to private property'' should define Russia's behavior;

Whereas the United States believes that adherence on the part of the Government of the Russian Federation to the values articulated by President Medvedev would provide a foundation for improved cooperation with the Russian Federation;

Whereas adherence to the values articulated by President Medvedev would also help repair damage to the international reputation of the Russian Federation and advance the goals of security, prosperity, and representative governance that should be the common ambition of all members of the G8;

Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) in order to build a more constructive relationship with the Government of the Russian Federation and its people, the President of the United States and other leaders of the G8 nations should—

(A) pursue a broad agenda of cooperation with the leaders of the Russian Federation; and

(B) encourage Russia's transformation into a more liberal and democratic polity;

(2) the Government of the United States and the Government of the Russian Federation should work to ensure the continued success of Nunn-Lugar initiatives and nonproliferation and counterterrorism programs through—

(A) additional funding;

(B) access to sensitive facilities;

(C) effective safety and security measures to prevent proliferation of nuclear, chemical, and biological weapons and weapons-related materials and technology; and

(D) cooperation between the United States and Russia to enhance these objectives on a worldwide basis;

(3) the Government of the United States and the Government of the Russian Federation, working within the International Atomic Energy Agency and United Nations Security Council, should renew demands for Iran to cease its nuclear enrichment activities and fully disclose any prior weapons-related work;

(4) the Government of the United States and the Government of the Russian Federation should negotiate a legally-binding successor agreement to the 1991 Strategic Arms Reductions Treaty and address all outstanding concerns regarding the 1991 Treaty on Conventional Armed Forces in Europe;

(5) the leaders of the Russian Federation should adopt foreign and domestic policies that are consistent with ''freedom, democracy and the right to private property'', as articulated by President Dmitry Medvedev;

(6) the Government of the Russian Federation should take immediate steps to restore the freedom and independence of the country's media in accordance with its obligations under the International Covenant on Civil and Political Rights;

(7) the Government and officials of the Russian Federation should refrain from portraying the North Atlantic Treaty Organization (NATO) as a threat to the Russian Federation and fully utilize the consultative mechanisms that exist through the NATO-Russia Council to facilitate cooperation between the countries of NATO and the Russian Federation;

(8) the United States, in coordination with other members of the G8, should—

(A) encourage the Government of the Russian Federation to address the challenges facing its society, including widespread corruption, a deteriorating health care system, growing instability in the North Caucasus, and an increasingly serious demographic crisis; and

(B) stand ready to assist the people and Government of the Russian Federation in those efforts;

(9) just as the United States welcomed the increasing prosperity and political development of Germany, Japan, and the nations Eastern Europe in the aftermath of former conflicts, the United States should welcome the emergence of the Russian Federation as a strong, successful, democratic partner in addressing global challenges; and

(10) the leaders of the Russian Federation should respect the rights of sovereign, democratic governments in neighboring countries and their prerogative to seek membership in Euro-Atlantic institutions.

SENATE RESOLUTION 613—DESIGNATING THE WEEK BEGINNING SEPTEMBER 8, 2008, AS ''NATIONAL DIRECT SUPPORT PROFESSIONALS RECOGNITION WEEK''

Mr. NELSON of Nebraska (for himself, Ms. COLLINS, Mr. BAUCUS, Mr. SMITH, Mr. KERRY, Mr. ROBERTS, Mr. DODD, Mr. HATCH, Mr. BROWN, Mr. BUNNING, and Mr. BINGAMAN) submitted the following resolution; which was considered and agreed to:

S. RES. 613

Whereas direct support workers, direct care workers, personal assistants, personal attendants, in-home support workers, and paraprofessionals (referred to in this preamble as ''direct support professionals'') are the primary providers of publicly funded long term support and services for millions of individuals;

Whereas a direct support professional must build a close, trusted relationship with an individual with disabilities;

Whereas a direct support professional assists an individual with disabilities with the most intimate needs, on a daily basis;

Whereas direct support professionals provide a broad range of support, including—

(1) preparation of meals;

(2) helping with medications;

(3) bathing;

(4) dressing;

(5) mobility;

(6) getting to school, work, religious, and recreational activities; and

(7) general daily affairs;

Whereas a direct support professional provides essential support to help keep an individual with disabilities connected to the family and community of the individual;

Whereas direct support professionals enable individuals with disabilities to live meaningful, productive lives;

Whereas direct support professionals are the key to allowing an individual with disabilities to live successfully in the community of the individual, and to avoid more costly institutional care;

Whereas the majority of direct support professionals are female, and many are the sole breadwinners of their families;

Whereas direct support professionals work and pay taxes, but many remain impoverished and are eligible for the same Federal and State public assistance programs on which the individuals with disabilities served by the direct support professionals must depend;

Whereas Federal and State policies, as well as the Supreme Court, in Olmstead v. L.C., 527 U.S. 581 (1999), assert the right of an individual to live in the home and community of the individual;

Whereas, in 2008, the majority of direct support professionals are employed in home and community-based settings and this trend is projected to increase over the next decade;

Whereas there is a documented critical and growing shortage of direct support professionals in every community throughout the United States; and

Whereas many direct support professionals are forced to leave jobs due to inadequate wages and benefits, creating high turnover and vacancy rates that research demonstrates adversely affects the quality of support to individuals with disabilities: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning September 8, 2008, as ''National Direct Support Professionals Recognition Week'';

(2) recognizes the dedication and vital role of direct support professionals in enhancing the lives of individuals with disabilities of all ages;

(3) appreciates the contribution of direct support professionals in supporting the needs that reach beyond the capacities of millions of families in the United States;

(4) commends direct support professionals as integral in supporting the long-term support and services system of the United States; and

(5) finds that the successful implementation of the public policies of the United States depends on the dedication of direct support professionals.

AMENDMENTS SUBMITTED AND PROPOSED

SA 5073. Mr. BUNNING submitted an amendment intended to be proposed by him to the bill S. 2731, to authorize appropriations for fiscal years 2009 through 2013 to provide assistance to foreign countries to combat HIV/AIDS, tuberculosis, and malaria, and for other purposes; which was ordered to lie on the table.

SA 5074. Mrs. DOLE submitted an amendment intended to be proposed by her to the bill S. 2731, supra; which was ordered to lie on the table.

SA 5075. Mr. LUGAR (for Mr. BIDEN (for himself and Mr. LUGAR)) submitted an amendment intended to be proposed by Mr. LUGAR to the bill S. 2731, supra.

SA 5076. Mr. THUNE (for himself, Mr. KYL, Mr. JOHNSON, Mr. TESTER, and Mr. DOMENICI) submitted an amendment intended to be proposed by him to the bill S. 2731, supra; which was ordered to lie on the table.

SA 5077. Mr. DEMINT proposed an amendment to the bill S. 2731, supra.

SA 5078. Mr. DEMINT proposed an amendment to the bill S. 2731, supra.

SA 5079. Mr. DEMINT proposed an amendment to amendment SA 5078 proposed by Mr. DEMINT to the bill S. 2731, supra.

TEXT OF AMENDMENTS

SA 5073. Mr. BUNNING submitted an amendment intended to be proposed by him to the bill S. 2731, to authorize appropriations for fiscal years 2009 through 2013 to provide assistance to foreign countries to combat HIV/AIDS, tuberculosis, malaria, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 401(a) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 is amended by striking ''2004 through 2008'' and inserting ''2009 through 2013''.

(b) MALARIA VACCINE DEVELOPMENT PROGRAMS.—Section 302(m) of the Foreign Assistance Act of 1961 (22 U.S.C. 2222(m)) is amended by striking ''2004 through 2008'' and inserting ''2009 through 2013''.

SA 5074. Mrs. DOLE submitted an amendment intended to be proposed by her to the bill S. 2731, to authorize appropriations for fiscal years 2009 through 2013 to provide assistance to foreign countries to combat HIV/AIDS, tuberculosis, malaria, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 5, strike ''and Henry J. Hyde'' and insert '', Henry J. Hyde, and Jesse Helms''.

SA 5075. Mr. LUGAR (for Mr. BIDEN (for himself and Mr. LUGAR)) submitted an amendment intended to be proposed by Mr. LUGAR to the bill S. 2731, to authorize appropriations for fiscal years 2009 through 2013 to provide assistance to foreign countries to combat HIV/AIDS, tuberculosis, and malaria, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Definitions.
Sec. 4. Purpose.
Sec. 5. Authority to consolidate and combine reports.

TITLE I—POLICY PLANNING AND COORDINATION

Sec. 101. Development of an updated, comprehensive, 5-year, global strategy.
Sec. 102. Interagency working group.
Sec. 103. Sense of Congress.

TITLE II—SUPPORT FOR MULTILATERAL FUNDS, PROGRAMS, AND PUBLIC-PRIVATE PARTNERSHIPS

Sec. 201. Voluntary contributions to international vaccine funds.
Sec. 202. Participation in the Global Fund to Fight AIDS, Tuberculosis and Malaria.
Sec. 203. Research on methods for women to prevent transmission of HIV and other diseases.
Sec. 204. Combating HIV/AIDS, tuberculosis, and malaria by strengthening health policies and health systems of partner countries.
Sec. 205. Facilitating effective operations of the Centers for Disease Control.
Sec. 206. Facilitating vaccine development.

TITLE III—BILATERAL EFFORTS

Subtitle A—General Assistance and Programs

Sec. 301. Assistance to combat HIV/AIDS.
Sec. 302. Assistance to combat tuberculosis.
Sec. 303. Assistance to combat malaria.
Sec. 304. Malaria Response Coordinator.
Sec. 305. Amendment to Immigration and Nationality Act.
Sec. 306. Clerical amendment.
Sec. 307. Requirements.
Sec. 308. Annual report on prevention of mother-to-child transmission of HIV.
Sec. 309. Prevention of mother-to-child transmission expert panel.

TITLE IV—FUNDING ALLOCATIONS

Sec. 401. Authorization of appropriations.
Sec. 402. Sense of Congress.
Sec. 403. Allocation of funds.

TITLE V—MISCELLANEOUS

Sec. 501. Machine readable visa fees.

SEC. 2. FINDINGS.

Section 2 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7601) is amended by adding at the end the following:

''(29) On May 27, 2003, the President signed this Act into law, launching the largest international public health program of its kind ever created.

''(30) Between 2003 and 2008, the United States, through the President's Emergency Plan for AIDS Relief (PEPFAR) and in conjunction with other bilateral programs and the multilateral Global Fund has helped to—

''(A) provide antiretroviral therapy for over 1,900,000 people;

''(B) ensure that over 150,000 infants, most of whom would have likely been infected with HIV during pregnancy or childbirth, were not infected; and

''(C) provide palliative care and HIV prevention assistance to millions of other people.

''(31) While United States leadership in the battles against HIV/AIDS, tuberculosis, and malaria has had an enormous impact, these diseases continue to take a terrible toll on the human race.

''(32) According to the 2007 AIDS Epidemic Update of the Joint United Nations Programme on HIV/AIDS (UNAIDS)—

''(A) an estimated 2,100,000 people died of AIDS-related causes in 2007; and

''(B) an estimated 2,500,000 people were newly infected with HIV during that year.

''(33) According to the World Health Organization, malaria kills more than 1,000,000 people per year, 70 percent of whom are children under 5 years of age.

''(34) According to the World Health Organization, ⅓ of the world's population is infected with the tuberculosis bacterium, and tuberculosis is 1 of the greatest infectious causes of death of adults worldwide, killing 1,600,000 people per year.

''(35) Efforts to promote abstinence, fidelity, the correct and consistent use of condoms, the delay of sexual debut, and the reduction of concurrent sexual partners represent important elements of strategies to prevent the transmission of HIV/AIDS.

''(36) According to UNAIDS—

''(A) women and girls make up nearly 60 percent of persons in sub-Saharan Africa who are HIV positive;

''(B) women and girls are more biologically, economically, and socially vulnerable to HIV infection; and

''(C) gender issues are critical components in the effort to prevent HIV/AIDS and to care for those affected by the disease.

''(37) Children who have lost a parent to HIV/AIDS, who are otherwise directly affected by the disease, or who live in areas of high HIV prevalence may be vulnerable to the disease or its socioeconomic effects.

''(38) Lack of health capacity, including insufficient personnel and inadequate infrastructure, in sub-Saharan Africa and other regions of the world is a critical barrier that limits the effectiveness of efforts to combat HIV/AIDS, tuberculosis, and malaria, and to achieve other global health goals.

''(39) On March 30, 2007, the Institute of Medicine of the National Academies released a report entitled 'PEPFAR Implementation: Progress and Promise', which found that budget allocations setting percentage levels for spending on prevention, care, and treatment and for certain subsets of activities within the prevention category—

''(A) have 'adversely affected implementation of the U.S. Global AIDS Initiative';

''(B) have inhibited comprehensive, integrated, evidence based approaches;

''(C) 'have been counterproductive';

''(D) 'may have been helpful initially in ensuring a balance of attention to activities within the 4 categories of prevention, treatment, care, and orphans and vulnerable children';

''(E) 'have also limited PEPFAR's ability to tailor its activities in each country to the local epidemic and to coordinate with the level of activities in the countries' national plans'; and

''(F) should be removed by Congress and replaced with more appropriate mechanisms that—

''(i) 'ensure accountability for results from Country Teams to the U.S. Global AIDS Coordinator and to Congress'; and

''(ii) 'ensure that spending is directly linked to and commensurate with necessary efforts to achieve both country and overall performance targets for prevention, treatment, care, and orphans and vulnerable children'.

''(40) The United States Government has endorsed the principles of harmonization in coordinating efforts to combat HIV/AIDS commonly referred to as the 'Three Ones', which includes—

''(A) 1 agreed HIV/AIDS action framework that provides the basis for coordination of the work of all partners;

''(B) 1 national HIV/AIDS coordinating authority, with a broadbased multisectoral mandate; and

''(C) 1 agreed HIV/AIDS country-level monitoring and evaluating system.

''(41) In the Abuja Declaration on HIV/AIDS, Tuberculosis and Other Related Infectious Diseases, of April 26–27, 2001 (referred to in this Act as the 'Abuja Declaration'), the Heads of State and Government of the Organization of African Unity (OAU)—

''(A) declared that they would 'place the fight against HIV/AIDS at the forefront and as the highest priority issue in our respective national development plans';

''(B) committed 'TO TAKE PERSONAL RESPONSIBILITY AND PROVIDE LEADERSHIP for the activities of the National AIDS Commissions/Councils';

''(C) resolved 'to lead from the front the battle against HIV/AIDS, Tuberculosis and Other Related Infectious Diseases by personally ensuring that such bodies were properly convened in mobilizing our societies as a whole and providing focus for unified national policymaking and programme implementation, ensuring coordination of all sectors at all levels with a gender perspective and respect for human rights, particularly to ensure equal rights for people living with HIV/AIDS'; and

''(D) pledged 'to set a target of allocating at least 15% of our annual budget to the improvement of the health sector'.''.

SEC. 3. DEFINITIONS.

Section 3 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7602) is amended—

(1) in paragraph (2), by striking ''Committee on International Relations'' and inserting ''Committee on Foreign Affairs of the House of Representatives, the Committee on Appropriations of the Senate, and the Committee on Appropriations'';

(2) by redesignating paragraph (6) as paragraph (12);

(3) by redesignating paragraphs (3) through (5), as paragraphs (4) through (6), respectively;

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

''(3) GLOBAL AIDS COORDINATOR.—The term 'Global AIDS Coordinator' means the Coordinator of United States Government Activities to Combat HIV/AIDS Globally.''; and

(5) by inserting after paragraph (6), as redesignated, the following:

''(7) IMPACT EVALUATION RESEARCH.—The term 'impact evaluation research' means the application of research methods and statistical analysis to measure the extent to which change in a population-based outcome can be attributed to program intervention instead of other environmental factors.

''(8) OPERATIONS RESEARCH.—The term 'operations research' means the application of social science research methods, statistical analysis, and other appropriate scientific methods to judge, compare, and improve policies and program outcomes, from the earliest stages of defining and designing programs through their development and implementation, with the objective of the rapid dissemination of conclusions and concrete impact on programming.

''(9) PARAPROFESSIONAL.—The term 'paraprofessional' means an individual who is trained and employed as a health agent for the provision of basic assistance in the identification, prevention, or treatment of illness or disability.

''(10) PARTNER GOVERNMENT.—The term 'partner government' means a government with which the United States is working to provide assistance to combat HIV/AIDS, tuberculosis, or malaria on behalf of people living within the jurisdiction of such government.

''(11) PROGRAM MONITORING.—The term 'program monitoring' means the collection, analysis, and use of routine program data to determine—

''(A) how well a program is carried out; and

''(B) how much the program costs.''.

SEC. 4. PURPOSE.

Section 4 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7603) is amended to read as follows:

''SEC. 4. PURPOSE.

''The purpose of this Act is to strengthen and enhance United States leadership and the effectiveness of the United States response to the HIV/AIDS, tuberculosis, and malaria pandemics and other related and preventable infectious diseases as part of the overall United States health and development agenda by—

''(1) establishing comprehensive, coordinated, and integrated 5-year, global strategies to combat HIV/AIDS, tuberculosis, and malaria by—

''(A) building on progress and successes to date;

''(B) improving harmonization of United States efforts with national strategies of partner governments and other public and private entities; and

''(C) emphasizing capacity building initiatives in order to promote a transition toward greater sustainability through the support of country-driven efforts;

''(2) providing increased resources for bilateral and multilateral efforts to fight HIV/AIDS, tuberculosis, and malaria as integrated components of United States development assistance;

''(3) intensifying efforts to—

''(A) prevent HIV infection;

''(B) ensure the continued support for, and expanded access to, treatment and care programs;

''(C) enhance the effectiveness of prevention, treatment, and care programs; and

''(D) address the particular vulnerabilities of girls and women;

''(4) encouraging the expansion of private sector efforts and expanding public-private sector partnerships to combat HIV/AIDS, tuberculosis, and malaria;

''(5) reinforcing efforts to—

''(A) develop safe and effective vaccines, microbicides, and other prevention and treatment technologies; and

''(B) improve diagnostics capabilities for HIV/AIDS, tuberculosis, and malaria; and

''(6) helping partner countries to—

''(A) strengthen health systems;

''(B) expand health workforce; and

''(C) address infrastructural weaknesses.''.

SEC. 5. AUTHORITY TO CONSOLIDATE AND COMBINE REPORTS.

Section 5 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7604) is amended by inserting '', with the exception of the 5-year strategy'' before the period at the end.

TITLE I—POLICY PLANNING AND COORDINATION

SEC. 101. DEVELOPMENT OF AN UPDATED, COMPREHENSIVE, 5-YEAR, GLOBAL STRATEGY.

(a) STRATEGY.—Section 101(a) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7611(a)) is amended to read as follows:

''(a) STRATEGY.—The President shall establish a comprehensive, integrated, 5-year strategy to expand and improve efforts to combat global HIV/AIDS. This strategy shall—

''(1) further strengthen the capability of the United States to be an effective leader of the international campaign against this disease and strengthen the capacities of nations experiencing HIV/AIDS epidemics to combat this disease;

''(2) maintain sufficient flexibility and remain responsive to—

''(A) changes in the epidemic;

''(B) challenges facing partner countries in developing and implementing an effective national response; and

''(C) evidence-based improvements and innovations in the prevention, care, and treatment of HIV/AIDS;

''(3) situate United States efforts to combat HIV/AIDS, tuberculosis, and malaria within the broader United States global health and development agenda, establishing a roadmap to link investments in specific disease programs to the broader goals of strengthening health systems and infrastructure and to integrate and coordinate HIV/AIDS, tuberculosis, or malaria programs with other health or development programs, as appropriate;

''(4) provide a plan to—

''(A) prevent 12,000,000 new HIV infections worldwide;

''(B) support—

''(i) the increase in the number of individuals with HIV/AIDS receiving antiretroviral treatment above the goal established under section 402(a)(3) and increased pursuant to paragraphs (1) through (3) of section 403(d); and

''(ii) additional treatment through coordinated multilateral efforts;

''(C) support care for 12,000,000 individuals infected with or affected by HIV/AIDS, including 5,000,000 orphans and vulnerable children affected by HIV/AIDS, with an emphasis on promoting a comprehensive, coordinated system of services to be integrated throughout the continuum of care;

''(D) help partner countries in the effort to achieve goals of 80 percent access to counseling, testing, and treatment to prevent the transmission of HIV from mother to child, emphasizing a continuum of care model;

''(E) help partner countries to provide care and treatment services to children with HIV in proportion to their percentage within the HIV-infected population in each country;

''(F) promote preservice training for health professionals designed to strengthen the capacity of institutions to develop and implement policies for training health workers to combat HIV/AIDS, tuberculosis, and malaria;

''(G) equip teachers with skills needed for HIV/AIDS prevention and support for persons with, or affected by, HIV/AIDS;

''(H) provide and share best practices for combating HIV/AIDS with health professionals;

''(I) promote pediatric HIV/AIDS training for physicians, nurses, and other health care workers, through public-private partnerships if possible, including through the designation, if appropriate, of centers of excellence for training in pediatric HIV/AIDS prevention, care, and treatment in partner countries; and

''(J) help partner countries to train and support retention of health care professionals and paraprofessionals, with the target of training and retaining at least 140,000 new health care professionals and paraprofessionals with an emphasis on training and in country deployment of critically needed doctors and nurses and to strengthen capacities in developing countries, especially in sub-Saharan Africa, to deliver primary health care with the objective of helping countries achieve staffing levels of at least 2.3 doctors, nurses, and midwives per 1,000 population, as called for by the World Health Organization;

''(5) include multisectoral approaches and specific strategies to treat individuals infected with HIV/AIDS and to prevent the further transmission of HIV infections, with a particular focus on the needs of families with children (including the prevention of mother-to-child transmission), women, young people, orphans, and vulnerable children;

''(6) establish a timetable with annual global treatment targets with country-level benchmarks for antiretroviral treatment;

''(7) expand the integration of timely and relevant research within the prevention, care, and treatment of HIV/AIDS;

''(8) include a plan for program monitoring, operations research, and impact evaluation and for the dissemination of a best practices report to highlight findings;

''(9) support the in-country or intra-regional training, preferably through public-private partnerships, of scientific investigators, managers, and other staff who are capable of promoting the systematic uptake of clinical research findings and other evidence-based interventions into routine practice, with the goal of improving the quality, effectiveness, and local leadership of HIV/AIDS health care;

''(10) expand and accelerate research on and development of HIV/AIDS prevention methods for women, including enhancing inter-agency collaboration, staffing, and organizational infrastructure dedicated to microbicide research;

''(11) provide for consultation with local leaders and officials to develop prevention strategies and programs that are tailored to the unique needs of each country and community and targeted particularly toward those most at risk of acquiring HIV infection;

''(12) make the reduction of HIV/AIDS behavioral risks a priority of all prevention efforts by—

''(A) promoting abstinence from sexual activity and encouraging monogamy and faithfulness;

''(B) encouraging the correct and consistent use of male and female condoms and increasing the availability of, and access to, these commodities;

''(C) promoting the delay of sexual debut and the reduction of multiple concurrent sexual partners;

''(D) promoting education for discordant couples (where an individual is infected with HIV and the other individual is uninfected or whose status is unknown) about safer sex practices;

''(E) promoting voluntary counseling and testing, addiction therapy, and other prevention and treatment tools for illicit injection drug users and other substance abusers;

''(F) educating men and boys about the risks of procuring sex commercially and about the need to end violent behavior toward women and girls;

''(G) supporting partner country and community efforts to identify and address social, economic, or cultural factors, such as migration, urbanization, conflict, gender-based violence, lack of empowerment for women, and transportation patterns, which directly contribute to the transmission of HIV;

''(H) supporting comprehensive programs to promote alternative livelihoods, safety, and social reintegration strategies for commercial sex workers and their families;

''(I) promoting cooperation with law enforcement to prosecute offenders of trafficking, rape, and sexual assault crimes with the goal of eliminating such crimes; and

''(J) working to eliminate rape, gender-based violence, sexual assault, and the sexual exploitation of women and children;

''(13) include programs to reduce the transmission of HIV, particularly addressing the heightened vulnerabilities of women and girls to HIV in many countries; and

''(14) support other important means of preventing or reducing the transmission of HIV, including—

''(A) medical male circumcision;

''(B) the maintenance of a safe blood supply; and

''(C) other mechanisms to reduce the transmission of HIV;

''(15) increase support for prevention of mother-to-child transmission;

''(16) build capacity within the public health sector of developing countries by improving health systems and public health infrastructure and developing indicators to measure changes in broader public health sector capabilities;

''(17) increase the coordination of HIV/AIDS programs with development programs;

''(18) provide a framework for expanding or developing existing or new country or regional programs, including—

''(A) drafting compacts or other agreements, as appropriate;

''(B) establishing criteria and objectives for such compacts and agreements; and

''(C) promoting sustainability;

''(19) provide a plan for national and regional priorities for resource distribution and a global investment plan by region;

''(20) provide a plan to address the immediate and ongoing needs of women and girls, which—

''(A) addresses the vulnerabilities that contribute to their elevated risk of infection;

''(B) includes specific goals and targets to address these factors;

''(C) provides clear guidance to field missions to integrate gender across prevention, care, and treatment programs;

''(D) sets forth gender-specific indicators to monitor progress on outcomes and impacts of gender programs;

''(E) supports efforts in countries in which women or orphans lack inheritance rights and other fundamental protections to promote the passage, implementation, and enforcement of such laws;

''(F) supports life skills training, especially among women and girls, with the goal of reducing vulnerabilities to HIV/AIDS;

''(G) addresses and prevents gender-based violence; and

''(H) addresses the posttraumatic and psychosocial consequences and provides postexposure prophylaxis protecting against HIV infection to victims of gender-based violence and rape;

''(21) provide a plan to—

''(A) determine the local factors that may put men and boys at elevated risk of contracting or transmitting HIV;

''(B) address male norms and behaviors to reduce these risks, including by reducing alcohol abuse;

''(C) promote responsible male behavior; and

''(D) promote male participation and leadership at the community level in efforts to promote HIV prevention, reduce stigma, promote participation in voluntary counseling and testing, and provide care, treatment, and support for persons with HIV/AIDS;

''(22) provide a plan to address the vulnerabilities and needs of orphans and children who are vulnerable to, or affected by, HIV/AIDS;

''(23) encourage partner countries to develop health care curricula and promote access to training tailored to individuals receiving services through, or exiting from, existing programs geared to orphans and vulnerable children;

''(24) provide a framework to work with international actors and partner countries toward universal access to HIV/AIDS prevention, treatment, and care programs, recognizing that prevention is of particular importance;

''(25) enhance the coordination of United States bilateral efforts to combat global HIV/AIDS with other major public and private entities;

''(26) enhance the attention given to the national strategic HIV/AIDS plans of countries receiving United States assistance by—

''(A) reviewing the planning and programmatic decisions associated with that assistance; and

''(B) helping to strengthen such national strategies, if necessary;

''(27) support activities described in the Global Plan to Stop TB, including—

''(A) expanding and enhancing the coverage of the Directly Observed Treatment Shortcourse (DOTS) in order to treat individuals infected with tuberculosis and HIV, including multi-drug resistant or extensively drug resistant tuberculosis; and

''(B) improving coordination and integration of HIV/AIDS and tuberculosis programming;

''(28) ensure coordination between the Global AIDS Coordinator and the Malaria Coordinator and address issues of comorbidity between HIV/AIDS and malaria; and

''(29) include a longer term estimate of the projected resource needs, progress toward greater sustainability and country ownership of HIV/AIDS programs, and the anticipated role of the United States in the global effort to combat HIV/AIDS during the 10-year period beginning on October 1, 2013.''.

(b) REPORT.—Section 101(b) of such Act (22 U.S.C. 7611(b)) is amended to read as follows:

''(b) REPORT.—

''(1) IN GENERAL.—Not later than October 1, 2009, the President shall submit a report to the appropriate congressional committees that sets forth the strategy described in subsection (a).

''(2) CONTENTS.—The report required under paragraph (1) shall include a discussion of the following elements:

''(A) The purpose, scope, methodology, and general and specific objectives of the strategy.

''(B) The problems, risks, and threats to the successful pursuit of the strategy.

''(C) The desired goals, objectives, activities, and outcome-related performance measures of the strategy.

''(D) A description of future costs and resources needed to carry out the strategy.

''(E) A delineation of United States Government roles, responsibility, and coordination mechanisms of the strategy.

''(F) A description of the strategy—

''(i) to promote harmonization of United States assistance with that of other international, national, and private actors as elucidated in the 'Three Ones'; and

''(ii) to address existing challenges in harmonization and alignment.

''(G) A description of the manner in which the strategy will—

''(i) further the development and implementation of the national multisectoral strategic HIV/AIDS frameworks of partner governments; and

''(ii) enhance the centrality, effectiveness, and sustainability of those national plans.

''(H) A description of how the strategy will seek to achieve the specific targets described in subsection (a) and other targets, as appropriate.

''(I) A description of, and rationale for, the timetable for annual global treatment targets with country-level estimates of numbers of persons in need of antiretroviral treatment, country-level benchmarks for United States support for assistance for antiretroviral treatment, and numbers of persons enrolled in antiretroviral treatment programs receiving United States support. If global benchmarks are not achieved within the reporting period, the report shall include a description of steps being taken to ensure that global benchmarks will be achieved and a detailed breakdown and justification of spending priorities in countries in which benchmarks are not being met, including a description of other donor or national support for antiretroviral treatment in the country, if appropriate.

''(J) A description of how operations research is addressed in the strategy and how such research can most effectively be integrated into care, treatment, and prevention activities in order to—

''(i) improve program quality and efficiency;

''(ii) ascertain cost effectiveness;

''(iii) ensure transparency and accountability;

''(iv) assess population-based impact;

''(v) disseminate findings and best practices; and

''(vi) optimize delivery of services.

''(K) An analysis of United States-assisted strategies to prevent the transmission of HIV/AIDS, including methodologies to promote abstinence, monogamy, faithfulness, the correct and consistent use of male and female condoms, reductions in concurrent sexual partners, and delay of sexual debut, and of intended monitoring and evaluation approaches to measure the effectiveness of

prevention programs and ensure that they are targeted to appropriate audiences.

''(L) Within the analysis required under subparagraph (K), an examination of additional planned means of preventing the transmission of HIV including medical male circumcision, maintenance of a safe blood supply, and other tools.

''(M) A description of efforts to assist partner country and community to identify and address social, economic, or cultural factors, such as migration, urbanization, conflict, gender-based violence, lack of empowerment for women, and transportation patterns, which directly contribute to the transmission of HIV.

''(N) A description of the specific targets, goals, and strategies developed to address the needs and vulnerabilities of women and girls to HIV/AIDS, including—

''(i) activities directed toward men and boys;

''(ii) activities to enhance educational, microfinance, and livelihood opportunities for women and girls;

''(iii) activities to promote and protect the legal empowerment of women, girls, and orphans and vulnerable children;

''(iv) programs targeted toward gender-based violence and sexual coercion;

''(v) strategies to meet the particular needs of adolescents;

''(vi) assistance for victims of rape, sexual abuse, assault, exploitation, and trafficking; and

''(vii) programs to prevent alcohol abuse.

''(O) A description of strategies to address male norms and behaviors that contribute to the transmission of HIV, to promote responsible male behavior, and to promote male participation and leadership in HIV/AIDS prevention, care, treatment, and voluntary counseling and testing.

''(P) A description of strategies—

''(i) to address the needs of orphans and vulnerable children, including an analysis of—

''(I) factors contributing to children's vulnerability to HIV/AIDS; and

''(II) vulnerabilities caused by the impact of HIV/AIDS on children and their families; and

''(ii) in areas of higher HIV/AIDS prevalence, to promote a community-based approach to vulnerability, maximizing community input into determining which children participate.

''(Q) A description of capacity-building efforts undertaken by countries themselves, including adherents of the Abuja Declaration and an assessment of the impact of International Monetary Fund macroeconomic and fiscal policies on national and donor investments in health.

''(R) A description of the strategy to—

''(i) strengthen capacity building within the public health sector;

''(ii) improve health care in those countries;

''(iii) help countries to develop and implement national health workforce strategies;

''(iv) strive to achieve goals in training, retaining, and effectively deploying health staff;

''(v) promote the use of codes of conduct for ethical recruiting practices for health care workers; and

''(vi) increase the sustainability of health programs.

''(S) A description of the criteria for selection, objectives, methodology, and structure of compacts or other framework agreements with countries or regional organizations, including—

''(i) the role of civil society;

''(ii) the degree of transparency;

''(iii) benchmarks for success of such compacts or agreements; and

''(iv) the relationship between such compacts or agreements and the national HIV/AIDS and public health strategies and commitments of partner countries.

''(T) A strategy to better coordinate HIV/AIDS assistance with nutrition and food assistance programs.

''(U) A description of transnational or regional initiatives to combat regionalized epidemics in highly affected areas such as the Caribbean.

''(V) A description of planned resource distribution and global investment by region.

''(W) A description of coordination efforts in order to better implement the Stop TB Strategy and to address the problem of co-infection of HIV/AIDS and tuberculosis and of projected challenges or barriers to successful implementation.

''(X) A description of coordination efforts to address malaria and comorbidity with malaria and HIV/AIDS.''.

(c) STUDY.—Section 101(c) of such Act (22 U.S.C. 7611(c)) is amended to read as follows:

''(c) STUDY OF PROGRESS TOWARD ACHIEVEMENT OF POLICY OBJECTIVES.—

''(1) DESIGN AND BUDGET PLAN FOR DATA EVALUATION.—The Global AIDS Coordinator shall enter into a contract with the Institute of Medicine of the National Academies that provides that not later than 18 months after the date of the enactment of the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008, the Institute, in consultation with the Global AIDS Coordinator and other relevant parties representing the public and private sector, shall provide the Global AIDS Coordinator with a design plan and budget for the evaluation and collection of baseline and subsequent data to address the elements set forth in paragraph (2)(B). The Global AIDS Coordinator shall submit the budget and design plan to the appropriate congressional committees.

''(2) STUDY.—

''(A) IN GENERAL.—Not later than 4 years after the date of the enactment of the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008, the Institute of Medicine of the National Academies shall publish a study that includes—

''(i) an assessment of the performance of United States-assisted global HIV/AIDS programs; and

''(ii) an evaluation of the impact on health of prevention, treatment, and care efforts that are supported by United States funding, including multilateral and bilateral programs involving joint operations.

''(B) CONTENT.—The study conducted under this paragraph shall include—

''(i) an assessment of progress toward prevention, treatment, and care targets;

''(ii) an assessment of the effects on health systems, including on the financing and management of health systems and the quality of service delivery and staffing;

''(iii) an assessment of efforts to address gender-specific aspects of HIV/AIDS, including gender related constraints to accessing services and addressing underlying social and economic vulnerabilities of women and men;

''(iv) an evaluation of the impact of treatment and care programs on 5-year survival rates, drug adherence, and the emergence of drug resistance;

''(v) an evaluation of the impact of prevention programs on HIV incidence in relevant population groups;

''(vi) an evaluation of the impact on child health and welfare of interventions authorized under this Act on behalf of orphans and vulnerable children;

''(vii) an evaluation of the impact of programs and activities authorized in this Act on child mortality; and

''(viii) recommendations for improving the programs referred to in subparagraph (A)(i).

''(C) METHODOLOGIES.—Assessments and impact evaluations conducted under the study shall utilize sound statistical methods and techniques for the behavioral sciences, including random assignment methodologies as feasible. Qualitative data on process variables should be used for assessments and impact evaluations, wherever possible.

''(3) CONTRACT AUTHORITY.—The Institute of Medicine may enter into contracts or cooperative agreements or award grants to conduct the study under paragraph (2).

''(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out the study under this subsection.''.

(d) REPORT.—Section 101 of such Act, as amended by this section, is further amended by adding at the end the following:

''(d) COMPTROLLER GENERAL REPORT.—

''(1) REPORT REQUIRED.—Not later than 3 years after the date of the enactment of the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008, the Comptroller General of the United States shall submit a report on the global HIV/AIDS programs of the United States to the appropriate congressional committees.

''(2) CONTENTS.—The report required under paragraph (1) shall include—

''(A) a description and assessment of the monitoring and evaluation practices and policies in place for these programs;

''(B) an assessment of coordination within Federal agencies involved in these programs, examining both internal coordination within these programs and integration with the larger global health and development agenda of the United States;

''(C) an assessment of procurement policies and practices within these programs;

''(D) an assessment of harmonization with national government HIV/AIDS and public health strategies as well as other international efforts;

''(E) an assessment of the impact of global HIV/AIDS funding and programs on other United States global health programming; and

''(F) recommendations for improving the global HIV/AIDS programs of the United States.

''(e) BEST PRACTICES REPORT.—

''(1) IN GENERAL.—Not later than 1 year after the date of the enactment of the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008, and annually thereafter, the Global AIDS Coordinator shall publish a best practices report that highlights the programs receiving financial assistance from the United States that have the potential for replication or adaption, particularly at a low cost, across global AIDS programs, including those that focus on both generalized and localized epidemics.

''(2) DISSEMINATION OF FINDINGS.—

''(A) PUBLICATION ON INTERNET WEBSITE.—The Global AIDS Coordinator shall disseminate the full findings of the annual best practices report on the Internet website of the Office of the Global AIDS Coordinator.

''(B) DISSEMINATION GUIDANCE.—The Global AIDS Coordinator shall develop guidance to ensure timely submission and dissemination of significant information regarding best practices with respect to global AIDS programs.

''(f) INSPECTORS GENERAL.—

''(1) OVERSIGHT PLAN.—

''(A) DEVELOPMENT.—The Inspectors General of the Department of State and Broadcasting Board of Governors, the Department of Health and Human Services, and the United States Agency for International Development shall jointly develop 5 coordinated annual plans for oversight activity in each of the fiscal years 2009 through 2013, with regard to the programs authorized under this Act and sections 104A, 104B, and 104C of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b–2, 2151b–3, and 2151b–4).

''(B) CONTENTS.—The plans developed under subparagraph (A) shall include a schedule for financial audits, inspections, and performance reviews, as appropriate.

''(C) DEADLINE.—

''(i) INITIAL PLAN.—The first plan developed under subparagraph (A) shall be completed not later than the later of—

''(I) September 1, 2008; or

''(II) 60 days after the date of the enactment of the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008.

''(ii) SUBSEQUENT PLANS.—Each of the last four plans developed under subparagraph (A) shall be completed not later than 30 days before each of the fiscal years 2010 through 2013, respectively.

''(2) COORDINATION.—In order to avoid duplication and maximize efficiency, the Inspectors General described in paragraph (1) shall coordinate their activities with—

''(A) the Government Accountability Office; and

''(B) the Inspectors General of the Department of Commerce, the Department of Defense, the Department of Labor, and the Peace Corps, as appropriate, pursuant to the 2004 Memorandum of Agreement Coordinating Audit Coverage of Programs and Activities Implementing the President's Emergency Plan for AIDS Relief, or any successor agreement.

''(3) FUNDING.—The Global AIDS Coordinator and the Coordinator of the United States Government Activities to Combat Malaria Globally shall make available necessary funds not exceeding $15,000,000 during the 5-year period beginning on October 1, 2008 to the Inspectors General described in paragraph (1) for the audits, inspections, and reviews described in that paragraph.''.

(e) ANNUAL STUDY; MESSAGE.—Section 101 of such Act, as amended by this section, is further amended by adding at the end the following:

''(g) ANNUAL STUDY.—

''(1) IN GENERAL.—Not later than September 30, 2009, and annually thereafter through September 30, 2013, the Global AIDS Coordinator shall complete a study of treatment providers that—

''(A) represents a range of countries and service environments;

''(B) estimates the per-patient cost of antiretroviral HIV/AIDS treatment and the care of people with HIV/AIDS not receiving antiretroviral treatment, including a comparison of the costs for equivalent services provided by programs not receiving assistance under this Act;

''(C) estimates per-patient costs across the program and in specific categories of service providers, including—

''(i) urban and rural providers;

''(ii) country-specific providers; and

''(iii) other subcategories, as appropriate.

''(2) PUBLICATION.—Not later than 90 days after the completion of each study under paragraph (1), the Global AIDS Coordinator shall make the results of such study available on a publicly accessible Web site.

''(h) MESSAGE.—The Global AIDS Coordinator shall develop a message, to be prominently displayed by each program receiving funds under this Act, that—

''(1) demonstrates that the program is a commitment by citizens of the United States to the global fight against HIV/AIDS, tuberculosis, and malaria; and

''(2) enhances awareness by program recipients that the program is an effort on behalf of the citizens of the United States.''.

SEC. 102. INTERAGENCY WORKING GROUP.

Section 1(f)(2) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(f)(2)) is amended—

(1) in subparagraph (A), by inserting '', partner country finance, health, and other relevant ministries,'' after ''community based organizations)'' each place it appears;

(2) in subparagraph (B)(ii)—

(A) by striking subclauses (IV) and (V);

(B) by inserting after subclause (III) the following:

''(IV) Establishing an interagency working group on HIV/AIDS headed by the Global AIDS Coordinator and comprised of representatives from the United States Agency for International Development and the Department of Health and Human Services, for the purposes of coordination of activities relating to HIV/AIDS, including—

''(aa) meeting regularly to review progress in partner countries toward HIV/AIDS prevention, treatment, and care objectives;

''(bb) participating in the process of identifying countries to consider for increased assistance based on the epidemiology of HIV/AIDS in those countries, including clear evidence of a public health threat, as well as government commitment to address the HIV/AIDS problem, relative need, and coordination and joint planning with other significant actors;

''(cc) assisting the Coordinator in the evaluation, execution, and oversight of country operational plans;

''(dd) reviewing policies that may be obstacles to reaching targets set forth for HIV/AIDS prevention, treatment, and care; and

''(ee) consulting with representatives from additional relevant agencies, including the National Institutes of Health, the Health Resources and Services Administration, the Department of Labor, the Department of Agriculture, the Millennium Challenge Corporation, the Peace Corps, and the Department of Defense.

''(V) Coordinating overall United States HIV/AIDS policy and programs, including ensuring the coordination of relevant executive branch agency activities in the field, with efforts led by partner countries, and with the assistance provided by other relevant bilateral and multilateral aid agencies and other donor institutions to promote harmonization with other programs aimed at preventing and treating HIV/AIDS and other health challenges, improving primary health, addressing food security, promoting education and development, and strengthening health care systems.'';

(C) by redesignating subclauses (VII) and VIII) as subclauses (IX) and (XII), respectively;

(D) by inserting after subclause (VI) the following:

''(VII) Holding annual consultations with nongovernmental organizations in partner countries that provide services to improve health, and advocating on behalf of the individuals with HIV/AIDS and those at particular risk of contracting HIV/AIDS, including organizations with members who are living with HIV/AIDS.

''(VIII) Ensuring, through interagency and international coordination, that HIV/AIDS programs of the United States are coordinated with, and complementary to, the delivery of related global health, food security, development, and education.'';

(E) in subclause (IX), as redesignated by subparagraph (C)—

(i) by inserting ''Vietnam,'' after ''Uganda,'';

(ii) by inserting after ''of 2003'' the following: ''and other countries in which the United States is implementing HIV/AIDS programs as part of its foreign assistance program''; and

(iii) by adding at the end the following: ''In designating additional countries under this subparagraph, the President shall give priority to those countries in which there is a high prevalence of HIV or risk of significantly increasing incidence of HIV within the general population and inadequate financial means within the country.'';

(F) by inserting after subclause (IX), as redesignated by subparagraph (C), the following:

''(X) Working with partner countries in which the HIV/AIDS epidemic is prevalent among injection drug users to establish, as a national priority, national HIV/AIDS prevention programs.

''(XI) Working with partner countries in which the HIV/AIDS epidemic is prevalent among individuals involved in commercial sex acts to establish, as a national priority, national prevention programs, including education, voluntary testing, and counseling, and referral systems that link HIV/AIDS programs with programs to eradicate trafficking in persons and support alternatives to prostitution.'';

(G) in subclause (XII), as redesignated by subparagraph (C), by striking ''funds section'' and inserting ''funds appropriated for HIV/ AIDS assistance pursuant to the authorization of appropriations under section 401 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7671)''; and

(H) by adding at the end the following:

''(XIII) Publicizing updated drug pricing data to inform the purchasing decisions of pharmaceutical procurement partners.''.

SEC. 103. SENSE OF CONGRESS.

Section 102 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7612) is amended by adding at the end the following:

''(d) SENSE OF CONGRESS.—It is the sense of Congress that—

''(1) full-time country level coordinators, preferably with management experience, should head each HIV/AIDS country team for United States missions overseeing significant HIV/AIDS programs;

''(2) foreign service nationals provide critically important services in the design and implementation of United States country-level HIV/AIDS programs and their skills and experience as public health professionals should be recognized within hiring and compensation practices; and

''(3) staffing levels for United States country-level HIV/AIDS teams should be adequately maintained to fulfill oversight and other obligations of the positions.''.

TITLE II—SUPPORT FOR MULTILATERAL FUNDS, PROGRAMS, AND PUBLIC-PRIVATE PARTNERSHIPS

SEC. 201. VOLUNTARY CONTRIBUTIONS TO INTERNATIONAL VACCINE FUNDS.

Section 302 of the Foreign Assistance Act of 1961 (22 U.S.C. 2222) is amended—

(1) by inserting after subsection (c) the following:

''(d) TUBERCULOSIS VACCINE DEVELOPMENT PROGRAMS.—In addition to amounts otherwise available under this section, there are authorized to be appropriated to the President such sums as may be necessary for each of the fiscal years 2009 through 2013, which shall be used for United States contributions

to tuberculosis vaccine development programs, which may include the Aeras Global TB Vaccine Foundation.'';

(2) in subsection (k)—

(A) by striking ''fiscal years 2004 through 2008'' and inserting ''fiscal years 2009 through 2013''; and

(B) by striking ''Vaccine Fund'' and inserting ''GAVI Fund''.

(3) in subsection (l), by striking ''fiscal years 2004 through 2008'' and inserting ''fiscal years 2009 through 2013''; and

(4) in subsection (m), by striking ''fiscal years 2004 through 2008'' and inserting ''fiscal years 2009 through 2013''.

SEC. 202. PARTICIPATION IN THE GLOBAL FUND TO FIGHT AIDS, TUBERCULOSIS AND MALARIA.

(a) FINDINGS; SENSE OF CONGRESS.—Section 202(a) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7622(a)) is amended to read as follows:

''(a) FINDINGS; SENSE OF CONGRESS.—

''(1) FINDINGS.—Congress makes the following findings:

''(A) The establishment of the Global Fund in January 2002 is consistent with the general principles for an international AIDS trust fund first outlined by Congress in the Global AIDS and Tuberculosis Relief Act of 2000 (Public Law 106–264).

''(B) The Global Fund is an innovative financing mechanism which—

''(i) has made progress in many areas in combating HIV/AIDS, tuberculosis, and malaria; and

''(ii) represents the multilateral component of this Act, extending United States efforts to more than 130 countries around the world.

''(C) The Global Fund and United States bilateral assistance programs—

''(i) are demonstrating increasingly effective coordination, with each possessing certain comparative advantages in the fight against HIV/AIDS, tuberculosis, and malaria; and

''(ii) often work most effectively in concert with each other.

''(D) The United States Government—

''(i) is the largest supporter of the Global Fund in terms of resources and technical support;

''(ii) made the founding contribution to the Global Fund; and

''(iii) is fully committed to the success of the Global Fund as a multilateral public-private partnership.

''(2) SENSE OF CONGRESS.—It is the sense of Congress that—

''(A) transparency and accountability are crucial to the long-term success and viability of the Global Fund;

''(B) the Global Fund has made significant progress toward addressing concerns raised by the Government Accountability Office by—

''(i) improving risk assessment and risk management capabilities;

''(ii) providing clearer guidance for and oversight of Local Fund Agents; and

''(iii) strengthening the Office of the Inspector General for the Global Fund;

''(C) the provision of sufficient resources and authority to the Office of the Inspector General for the Global Fund to ensure that office has the staff and independence necessary to carry out its mandate will be a measure of the commitment of the Global Fund to transparency and accountability;

''(D) regular, publicly published financial, programmatic, and reporting audits of the Fund, its grantees, and Local Fund Agents are also important benchmarks of transparency;

''(E) the Global Fund should establish and maintain a system to track—

''(i) the amount of funds disbursed to each subrecipient on the grant's fiscal cycle; and

''(ii) the distribution of resources, by grant and principal recipient, for prevention, care, treatment, drug and commodity purchases, and other purposes;

''(F) relevant national authorities in recipient countries should exempt from duties and taxes all products financed by Global Fund grants and procured by any principal recipient or subrecipient for the purpose of carrying out such grants;

''(G) the Global Fund, UNAIDS, and the Global AIDS Coordinator should work together to standardize program indicators wherever possible;

''(H) for purposes of evaluating total amounts of funds contributed to the Global Fund under subsection (d)(4)(A)(i), the timetable for evaluations of contributions from sources other than the United States should take into account the fiscal calendars of other major contributors; and

''(I) the Global Fund should not support activities involving the 'Affordable Medicines Facility-Malaria' or similar entities pending compelling evidence of success from pilot programs as evaluated by the Coordinator of United States Government Activities to Combat Malaria Globally.''.

(b) STATEMENT OF POLICY.—Section 202(b) of such Act is amended by adding at the end the following:

''(3) STATEMENT OF POLICY.—The United States Government regards the imposition by recipient countries of taxes or tariffs on goods or services provided by the Global Fund, which are supported through public and private donations, including the substantial contribution of the American people, as inappropriate and inconsistent with standards of good governance. The Global AIDS Coordinator or other representatives of the United States Government shall work with the Global Fund to dissuade governments from imposing such duties, tariffs, or taxes.''.

(c) UNITED STATES FINANCIAL PARTICIPATION.—Section 202(d) of such Act (22 U.S.C. 7622(d)) is amended—

(1) in paragraph (1)—

(A) by striking ''$1,000,000,000 for the period of fiscal year 2004 beginning on January 1, 2004'' and inserting ''$2,000,000,000 for fiscal year 2009,''; and

(B) by striking ''the fiscal years 2005–2008'' and inserting ''each of the fiscal years 2010 through 2013'';

(2) in paragraph (4)—

(A) in subparagraph (A)—

(i) in clause (i), by striking ''fiscal years 2004 through 2008'' and inserting ''fiscal years 2009 through 2013'';

(ii) in clause (ii)—

(I) by striking ''during any of the fiscal years 2004 through 2008'' and inserting ''during any of the fiscal years 2009 through 2013''; and

(II) by adding at the end the following: ''The President may waive the application of this clause with respect to assistance for Sudan that is overseen by the Southern Country Coordinating Mechanism, including Southern Sudan, Southern Kordofan, Blue Nile State, and Abyei, if the President determines that the national interest or humanitarian reasons justify such a waiver. The President shall publish each waiver of this clause in the Federal Register and, not later than 15 days before the waiver takes effect, shall consult with the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives regarding the proposed waiver.''; and

(iii) in clause (vi)—

(I) by striking ''for the purposes'' and inserting ''For the purposes'';

(II) by striking ''fiscal years 2004 through 2008'' and inserting ''fiscal years 2009 through 2013''; and

(III) by striking ''prior to fiscal year 2004'' and inserting ''before fiscal year 2009'';

(B) in subparagraph (B)(iv), by striking ''fiscal years 2004 through 2008'' and inserting ''fiscal years 2009 through 2013''; and

(C) in subparagraph (C)(ii), by striking ''Committee on International Relations'' and inserting ''Committee on Foreign Affairs''; and

(3) by adding at the end the following:

''(5) WITHHOLDING FUNDS.—Notwithstanding any other provision of this Act, 20 percent of the amounts appropriated pursuant to this Act for a contribution to support the Global Fund for each of the fiscal years 2010 through 2013 shall be withheld from obligation to the Global Fund until the Secretary of State certifies to the appropriate congressional committees that the Global Fund—

''(A) has established an evaluation framework for the performance of Local Fund Agents (referred to in this paragraph as 'LFAs');

''(B) is undertaking a systematic assessment of the performance of LFAs;

''(C) has adopted, and is implementing, a policy to publish on a publicly available Web site—

''(i) grant performance reviews;

''(ii) all reports of the Inspector General of the Global Fund, in a manner that is consistent with the Policy for Disclosure of Reports of the Inspector General, approved at the 16th Meeting of the Board of the Global Fund;

''(iii) decision points of the Board of the Global Fund;

''(iv) reports from Board committees to the Board; and

''(v) a regular collection and analysis of performance data and funding of grants of the Global Fund, which shall cover all principal recipients and all subrecipients;

''(D) is maintaining an independent, well-staffed Office of the Inspector General that—

''(i) reports directly to the Board of the Global Fund; and

''(ii) compiles regular, publicly published audits of financial, programmatic, and reporting aspects of the Global Fund, its grantees, and LFAs;

''(E) has established, and is reporting publicly on, standard indicators for all program areas;

''(F) has established a methodology to track and is publicly reporting on—

''(i) all subrecipients and the amount of funds disbursed to each subrecipient on the grant's fiscal cycle; and

''(ii) the distribution of resources, by grant and principal recipient, for prevention, care, treatment, drugs and commodities purchase, and other purposes;

''(G) has established a policy on tariffs imposed by national governments on all goods and services financed by the Global Fund;

''(H) through its Secretariat, has taken meaningful steps to prevent national authorities in recipient countries from imposing taxes or tariffs on goods or services provided by the Fund;

''(I) is maintaining its status as a financing institution focused on programs directly related to HIV/AIDS, malaria, and tuberculosis; and

''(J) is maintaining and making progress on—

''(i) sustaining its multisectoral approach, through country coordinating mechanisms; and

''(ii) the implementation of grants, as reflected in the proportion of resources allocated to different sectors, including governments, civil society, and faith- and community-based organizations.

''(6) SUMMARIES OF BOARD DECISIONS AND UNITED STATES POSITIONS.—Following each meeting of the Board of the Global Fund, the Coordinator of United States Government Activities to Combat HIV/AIDS Globally shall report on the public website of the Coordinator a summary of Board decisions and how the United States Government voted and its positions on such decisions.''.

SEC. 203. RESEARCH ON METHODS FOR WOMEN TO PREVENT TRANSMISSION OF HIV AND OTHER DISEASES.

(a) SENSE OF CONGRESS.—Congress recognizes the need and urgency to expand the range of interventions for preventing the transmission of human immunodeficiency virus (HIV), including nonvaccine prevention methods that can be controlled by women.

(b) NIH OFFICE OF AIDS RESEARCH.—Subpart 1 of part D of title XXIII of the Public Health Service Act (42 U.S.C. 300cc–40 et seq.) is amended by inserting after section 2351 the following:

''SEC. 2351A. MICROBICIDE RESEARCH.

''(a) FEDERAL STRATEGIC PLAN.—The Director of the Office shall—

''(1) expedite the implementation of the Federal strategic plans required by section 403(a) of the Public Health Service Act (42 U.S.C. 283(a)(5)) regarding the conduct and support of research on, and development of, a microbicide to prevent the transmission of the human immunodeficiency virus; and

''(2) review and, as appropriate, revise such plan to prioritize funding and activities relative to their scientific urgency and potential market readiness.

''(b) COORDINATION.—In implementing, reviewing, and prioritizing elements of the plan described in subsection (a), the Director of the Office shall consult, as appropriate, with—

''(1) representatives of other Federal agencies involved in microbicide research, including the Coordinator of United States Government Activities to Combat HIV/AIDS Globally, the Director of the Centers for Disease Control and Prevention, and the Administrator of the United States Agency for International Development;

''(2) the microbicide research and development community; and

''(3) health advocates.''.

(c) NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES.—Subpart 6 of part C of title IV of the Public Health Service Act (42 U.S.C. 285f et seq.) is amended by adding at the end the following:

''SEC. 447C. MICROBICIDE RESEARCH AND DEVELOPMENT.

''The Director of the Institute, acting through the head of the Division of AIDS, shall, consistent with the peer-review process of the National Institutes of Health, carry out research on, and development of, safe and effective methods for use by women to prevent the transmission of the human immunodeficiency virus, which may include microbicides.''.

(d) CDC.—Part B of title III of the Public Health Service Act (42 U.S.C. 243 et seq.) is amended by inserting after section 317S the following:

''SEC. 317T. MICROBICIDE RESEARCH.

''(a) IN GENERAL.—The Director of the Centers for Disease Control and Prevention is strongly encouraged to fully implement the Centers' microbicide agenda to support research and development of microbicides for use to prevent the transmission of the human immunodeficiency virus.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for each of fiscal years 2009 through 2013 to carry out this section.''.

(e) UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—

(1) IN GENERAL.—The Administrator of the United States Agency for International Development, in coordination with the Coordinator of United States Government Activities to Combat HIV/AIDS Globally, may facilitate availability and accessibility of microbicides, provided that such pharmaceuticals are approved, tentatively approved, or otherwise authorized for use by—

(A) the Food and Drug Administration;

(B) a stringent regulatory agency acceptable to the Secretary of Health and Human Services; or

(C) a quality assurance mechanism acceptable to the Secretary of Health and Human Services.

(2) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated under section 401 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7671) for HIV/AIDS assistance, there are authorized to be appropriated to the President such sums as may be necessary for each of the fiscal years 2009 through 2013 to carry out this subsection.

SEC. 204. COMBATING HIV/AIDS, TUBERCULOSIS, AND MALARIA BY STRENGTHENING HEALTH POLICIES AND HEALTH SYSTEMS OF PARTNER COUNTRIES.

(a) IN GENERAL.—Title II of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7621) is amended by adding at the end the following:

''SEC. 204. COMBATING HIV/AIDS, TUBERCULOSIS, AND MALARIA BY STRENGTHENING HEALTH POLICIES AND HEALTH SYSTEMS OF PARTNER COUNTRIES.

''(a) STATEMENT OF POLICY.—It shall be the policy of the United States Government—

''(1) to invest appropriate resources authorized under this Act—

''(A) to carry out activities to strengthen HIV/AIDS, tuberculosis, and malaria health policies and health systems; and

''(B) to provide workforce training and capacity-building consistent with the goals and objectives of this Act; and

''(2) to support the development of a sound policy environment in partner countries to increase the ability of such countries—

''(A) to maximize utilization of health care resources from donor countries;

''(B) to increase national investments in health and education and maximize the effectiveness of such investments;

''(C) to improve national HIV/AIDS, tuberculosis, and malaria strategies;

''(D) to deliver evidence-based services in an effective and efficient manner; and

''(E) to reduce barriers that prevent recipients of services from achieving maximum benefit from such services.

''(b) ASSISTANCE TO IMPROVE PUBLIC FINANCE MANAGEMENT SYSTEMS.—

''(1) IN GENERAL.—Consistent with the authority under section 129 of the Foreign Assistance Act of 1961 (22 U.S.C. 2152), the Secretary of the Treasury, acting through the head of the Office of Technical Assistance, is authorized to provide assistance for advisors and partner country finance, health, and other relevant ministries to improve the effectiveness of public finance management systems in partner countries to enable such countries to receive funding to carry out programs to combat HIV/AIDS, tuberculosis, and malaria and to manage such programs.

''(2) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated under section 401 for HIV/AIDS assistance, there are authorized to be appropriated to the Secretary of the Treasury such sums as may be necessary for each of the fiscal years 2009 through 2013 to carry out this subsection.

''(c) PLAN REQUIRED.—The Global AIDS Coordinator, in collaboration with the Administrator of the United States Agency for International Development (USAID), shall develop and implement a plan to combat HIV/AIDS by strengthening health policies and health systems of partner countries as part of USAID's 'Health Systems 2020' project. Recognizing that human and institutional capacity form the core of any health care system that can sustain the fight against HIV/AIDS, tuberculosis, and malaria, the plan shall include a strategy to encourage postsecondary educational institutions in partner countries, particularly in Africa, in collaboration with United States postsecondary educational institutions, including historically black colleges and universities, to develop such human and institutional capacity and in the process further build their capacity to sustain the fight against these diseases.''.

(b) CLERICAL AMENDMENT.—The table of contents for the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7601 note) is amended by inserting after the item relating to section 203, as added by section 203 of this Act, the following:

''Sec. 204. Combating HIV/AIDS, tuberculosis, and malaria by strengthening health policies and health systems of partner countries.''.

SEC. 205. FACILITATING EFFECTIVE OPERATIONS OF THE CENTERS FOR DISEASE CONTROL.

Section 307 of the Public Health Service Act (42 U.S.C. 242*l*) is amended—

(1) by amending subsection (a) to read as follows:

''(a) The Secretary may participate with other countries in cooperative endeavors in—

''(1) biomedical research, health care technology, and the health services research and statistical analysis authorized under section 306 and title IX; and

''(2) biomedical research, health care services, health care research, or other related activities in furtherance of the activities, objectives or goals authorized under the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008.''; and

(2) in subsection (b)—

(A) in paragraph (7), by striking ''and'' after the semicolon at the end;

(B) by striking ''The Secretary may not, in the exercise of his authority under this section, provide financial assistance for the construction of any facility in any foreign country.''

(C) in paragraph (8), by striking ''for any purpose.'' and inserting ''for the purpose of any law administered by the Office of Personnel Management;''; and

(D) by adding at the end the following:

''(9) provide such funds by advance or reimbursement to the Secretary of State, as may be necessary, to pay the costs of acquisition, lease, construction, alteration, equipping, furnishing or management of facilities outside of the United States; and

''(10) in consultation with the Secretary of State, through grant or cooperative agreement, make funds available to public or nonprofit private institutions or agencies in foreign countries in which the Secretary is participating in activities described under subsection (a) to acquire, lease, construct, alter, or renovate facilities in those countries.''.

(3) in subsection (c)—

(A) by striking ''1990'' and inserting ''1980''; and

(B) by inserting or ''or section 903 of the Foreign Service Act of 1980 (22 U.S.C. 4083)'' after ''Code''.

SEC. 206. FACILITATING VACCINE DEVELOPMENT.

(a) TECHNICAL ASSISTANCE FOR DEVELOPING COUNTRIES.—The Administrator of the United States Agency for International Development, utilizing public-private partners, as appropriate, and working in coordination with other international development agencies, is authorized to strengthen the capacity of developing countries' governmental institutions to—

(1) collect evidence for informed decision-making and introduction of new vaccines, including potential HIV/AIDS, tuberculosis, and malaria vaccines, if such vaccines are determined to be safe and effective;

(2) review protocols for clinical trials and impact studies and improve the implementation of clinical trials; and

(3) ensure adequate supply chain and delivery systems.

(b) ADVANCED MARKET COMMITMENTS.—

(1) PURPOSE.—The purpose of this subsection is to improve global health by requiring the United States to participate in negotiations for advance market commitments for the development of future vaccines, including potential vaccines for HIV/AIDS, tuberculosis, and malaria.

(2) NEGOTIATION REQUIREMENT.—The Secretary of the Treasury shall enter into negotiations with the appropriate officials of the International Bank of Reconstruction and Development (World Bank) and the GAVI Alliance, the member nations of such entities, and other interested parties to establish advanced market commitments to purchase vaccines to combat HIV/AIDS, tuberculosis, malaria, and other related infectious diseases.

(3) REQUIREMENTS.—In negotiating the United States participation in programs for advanced market commitments, the Secretary of the Treasury shall take into account whether programs for advance market commitments include—

(A) legally binding contracts for product purchase that include a fair market price for up to a maximum number of treatments, creating a strong market incentive;

(B) clearly defined and transparent rules of program participation for qualified developers and suppliers of the product;

(C) clearly defined requirements for eligible vaccines to ensure that they are safe and effective and can be delivered in developing country contexts;

(D) dispute settlement mechanisms; and

(E) sufficient flexibility to enable the contracts to be adjusted in accord with new information related to projected market size and other factors while still maintaining the purchase commitment at a fair price.

(4) REPORT.—Not later than 1 year after the date of the enactment of this Act—

(A) the Secretary of the Treasury shall submit a report to the appropriate congressional committees on the status of the United States negotiations to participate in programs for the advanced market commitments under this subsection; and

(B) the President shall produce a comprehensive report, written by a study group of qualified professionals from relevant Federal agencies and initiatives, nongovernmental organizations, and industry representatives, that sets forth a coordinated strategy to accelerate development of vaccines for infectious diseases, such as HIV/AIDS, malaria, and tuberculosis, which includes—

(i) initiatives to create economic incentives for the research, development, and manufacturing of vaccines for HIV/AIDS, tuberculosis, malaria, and other infectious diseases;

(ii) an expansion of public-private partnerships and the leveraging of resources from other countries and the private sector; and

(iii) efforts to maximize United States capabilities to support clinical trials of vaccines in developing countries and to address the challenges of delivering vaccines in developing countries to minimize delays in access once vaccines are available.

TITLE III—BILATERAL EFFORTS

Subtitle A—General Assistance and Programs

SEC. 301. ASSISTANCE TO COMBAT HIV/AIDS.

(a) AMENDMENTS TO THE FOREIGN ASSISTANCE ACT OF 1961.—

(1) FINDING.—Section 104A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b–2(a)) is amended by inserting ''Central Asia, Eastern Europe, Latin America'' after ''Caribbean,''.

(2) POLICY.—Section 104A(b) of such Act is amended to read as follows:

''(b) POLICY.—

''(1) OBJECTIVES.—It is a major objective of the foreign assistance program of the United States to provide assistance for the prevention and treatment of HIV/AIDS and the care of those affected by the disease. It is the policy objective of the United States, by 2013, to—

''(A) assist partner countries to—

''(i) prevent 12,000,000 new HIV infections worldwide;

''(ii) support—

''(I) the increase in the number of individuals with HIV/AIDS receiving antiretroviral treatment above the goal established under section 402(a)(3) and increased pursuant to paragraphs (1) through (3) of section 403(d); and

''(II) additional treatment through coordinated multilateral efforts;

''(iii) support care for 12,000,000 individuals infected with or affected by HIV/AIDS, including 5,000,000 orphans and vulnerable children affected by HIV/AIDS, with an emphasis on promoting a comprehensive, coordinated system of services to be integrated throughout the continuum of care;

''(iv) provide at least 80 percent of the target population with access to counseling, testing, and treatment to prevent the transmission of HIV from mother-to-child;

''(v) provide care and treatment services to children with HIV in proportion to their percentage within the HIV-infected population of a given partner country; and

''(vi) train and support retention of health care professionals, paraprofessionals, and community health workers in HIV/AIDS prevention, treatment, and care, with the target of providing such training to at least 140,000 new health care professionals and paraprofessionals with an emphasis on training and in country deployment of critically needed doctors and nurses;

''(B) strengthen the capacity to deliver primary health care in developing countries, especially in sub-Saharan Africa;

''(C) support and help countries in their efforts to achieve staffing levels of at least 2.3 doctors, nurses, and midwives per 1,000 population, as called for by the World Health Organization; and

''(D) help partner countries to develop independent, sustainable HIV/AIDS programs.

''(2) COORDINATED GLOBAL STRATEGY.—The United States and other countries with the sufficient capacity should provide assistance to countries in sub-Saharan Africa, the Caribbean, Central Asia, Eastern Europe, and Latin America, and other countries and regions confronting HIV/AIDS epidemics in a coordinated global strategy to help address generalized and concentrated epidemics through HIV/AIDS prevention, treatment, care, monitoring and evaluation, and related activities.

''(3) PRIORITIES.—The United States Government's response to the global HIV/AIDS pandemic and the Government's efforts to help countries assume leadership of sustainable campaigns to combat their local epidemics should place high priority on—

''(A) the prevention of the transmission of HIV; and

''(B) moving toward universal access to HIV/AIDS prevention counseling and services.''.

(b) AUTHORIZATION.—Section 104A(c) of such Act is amended—

(1) in paragraph (1), by striking ''and other countries and areas.'' and inserting ''Central Asia, Eastern Europe, Latin America, and other countries and areas, particularly with respect to refugee populations or those in postconflict settings in such countries and areas with significant or increasing HIV incidence rates.'';

(2) in paragraph (2), by striking ''and other countries and areas affected by the HIV/AIDS pandemic'' and inserting ''Central Asia, Eastern Europe, Latin America, and other countries and areas affected by the HIV/AIDS pandemic, particularly with respect to refugee populations or those in postconflict settings in such countries and areas with significant or increasing HIV incidence rates.''; and

(3) in paragraph (3)—

(A) by striking ''foreign countries'' and inserting ''partner countries, other international actors,''; and

(B) by inserting ''within the framework of the principles of the Three Ones'' before the period at the end.

(c) ACTIVITIES SUPPORTED.—Section 104A(d) of such Act is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)—

(i) by inserting ''and multiple concurrent sexual partnering,'' after ''casual sexual partnering''; and

(ii) by striking ''condoms'' and inserting ''male and female condoms'';

(B) in subparagraph (B)—

(i) by striking ''programs that'' and inserting ''programs that are designed with local input and''; and

(ii) by striking ''those organizations'' and inserting ''those locally based organizations'';

(C) in subparagraph (D), by inserting ''and promoting the use of provider-initiated or 'opt-out' voluntary testing in accordance with World Health Organization guidelines'' before the semicolon at the end;

(D) by redesignating subparagraphs (F), (G), and (H) as subparagraphs (H), (I), and (J), respectively;

(E) by inserting after subparagraph (E) the following:

''(F) assistance to—

''(i) achieve the goal of reaching 80 percent of pregnant women for prevention and treatment of mother-to-child transmission of HIV in countries in which the United States is implementing HIV/AIDS programs by 2013; and

''(ii) promote infant feeding options and treatment protocols that meet the most recent criteria established by the World Health Organization;

''(G) medical male circumcision programs as part of national strategies to combat the transmission of HIV/AIDS;'';

(F) in subparagraph (I), as redesignated, by striking ''and'' at the end; and

(G) by adding at the end the following:

''(K) assistance for counseling, testing, treatment, care, and support programs, including—

''(i) counseling and other services for the prevention of reinfection of individuals with HIV/AIDS;

''(ii) counseling to prevent sexual transmission of HIV, including—

''(I) life skills development for practicing abstinence and faithfulness;

''(II) reducing the number of sexual partners;

''(III) delaying sexual debut; and

''(IV) ensuring correct and consistent use of condoms;

''(iii) assistance to engage underlying vulnerabilities to HIV/AIDS, especially those of women and girls;

''(iv) assistance for appropriate HIV/AIDS education programs and training targeted to prevent the transmission of HIV among men who have sex with men;

''(v) assistance to provide male and female condoms;

''(vi) diagnosis and treatment of other sexually transmitted infections;

''(vii) strategies to address the stigma and discrimination that impede HIV/AIDS prevention efforts; and

''(viii) assistance to facilitate widespread access to microbicides for HIV prevention, if safe and effective products become available, including financial and technical support for culturally appropriate introductory programs, procurement, distribution, logistics management, program delivery, acceptability studies, provider training, demand generation, and postintroduction monitoring.''; and

(2) in paragraph (2)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C)—

(i) by inserting ''pain management,'' after ''opportunistic infections,''; and

(ii) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(D) as part of care and treatment of HIV/AIDS, assistance (including prophylaxis and treatment) for common HIV/AIDS-related opportunistic infections for free or at a rate at which it is easily affordable to the individuals and populations being served;

''(E) as part of care and treatment of HIV/AIDS, assistance or referral to available and adequately resourced service providers for nutritional support, including counseling and where necessary the provision of commodities, for persons meeting malnourishment criteria and their families;'';

(3) in paragraph (4)—

(A) in subparagraph (C), by striking ''and'' at the end;

(B) in subparagraph (D), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(E) carrying out and expanding program monitoring, impact evaluation research and analysis, and operations research and disseminating data and findings through mechanisms to be developed by the Coordinator of United States Government Activities to Combat HIV/AIDS Globally, in coordination with the Director of the Centers for Disease Control, in order to—

''(i) improve accountability, increase transparency, and ensure the delivery of evidence-based services through the collection, evaluation, and analysis of data regarding gender-responsive interventions, disaggregated by age and sex;

''(ii) identify and replicate effective models; and

''(iii) develop gender indicators to measure outcomes and the impacts of interventions; and

''(F) establishing appropriate systems to—

''(i) gather epidemiological and social science data on HIV; and

''(ii) evaluate the effectiveness of prevention efforts among men who have sex with men, with due consideration to stigma and risks associated with disclosure.'';

(4) in paragraph (5)—

(A) by redesignating subparagraph (C) as subparagraph (D); and

(B) by inserting after subparagraph (B) the following:

''(C) MECHANISM TO ENSURE COST-EFFECTIVE DRUG PURCHASING.—Subject to subparagraph (B), mechanisms to ensure that safe and effective pharmaceuticals, including antiretrovirals and medicines to treat opportunistic infections, are purchased at the lowest possible price at which such pharmaceuticals may be obtained in sufficient quantity on the world market, provided that such pharmaceuticals are approved, tentatively approved, or otherwise authorized for use by—

''(i) the Food and Drug Administration;

''(ii) a stringent regulatory agency acceptable to the Secretary of Health and Human Services; or

''(iii) a quality assurance mechanism acceptable to the Secretary of Health and Human Services.'';

(5) in paragraph (6)—

(A) by amending the paragraph heading to read as follows:

''(6) RELATED AND COORDINATED ACTIVITIES.—'';

(B) in subparagraph (B), by striking ''and'' at the end;

(C) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(D) coordinated or referred activities to—

''(i) enhance the clinical impact of HIV/AIDS care and treatment; and

''(ii) ameliorate the adverse social and economic costs often affecting AIDS-impacted families and communities through the direct provision, as necessary, or through the referral, if possible, of support services, including—

''(I) nutritional and food support;

''(II) safe drinking water and adequate sanitation;

''(III) nutritional counseling;

''(IV) income-generating activities and livelihood initiatives;

''(V) maternal and child health care;

''(VI) primary health care;

''(VII) the diagnosis and treatment of other infectious or sexually transmitted diseases;

''(VIII) substance abuse and treatment services; and

''(IX) legal services;

''(E) coordinated or referred activities to link programs addressing HIV/AIDS with programs addressing gender-based violence in areas of significant HIV prevalence to assist countries in the development and enforcement of women's health, children's health, and HIV/AIDS laws and policies that—

''(i) prevent and respond to violence against women and girls;

''(ii) promote the integration of screening and assessment for gender-based violence into HIV/AIDS programming;

''(iii) promote appropriate HIV/AIDS counseling, testing, and treatment into gender-based violence programs; and

''(iv) assist governments to develop partnerships with civil society organizations to create networks for psychosocial, legal, economic, or other support services;

''(F) coordinated or referred activities to—

''(i) address the frequent coinfection of HIV and tuberculosis, in accordance with World Health Organization guidelines;

''(ii) promote provider-initiated or 'opt-out' HIV/AIDS counseling and testing and appropriate referral for treatment and care to individuals with tuberculosis or its symptoms, particularly in areas with significant HIV prevalence; and

''(iii) strengthen programs to ensure that individuals testing positive for HIV receive tuberculosis screening and to improve laboratory capacities, infection control, and adherence; and

''(G) activities to—

''(i) improve the effectiveness of national responses to HIV/AIDS;

''(ii) strengthen overall health systems in high-prevalence countries, including support for workforce training, retention, and effective deployment, capacity building, laboratory development, equipment maintenance and repair, and public health and related public financial management systems and operations; and

''(iii) encourage fair and transparent procurement practices among partner countries; and

''(iv) promote in-country or intra-regional pediatric training for physicians and other health professionals, preferably through public-private partnerships involving colleges and universities, with the goal of increasing pediatric HIV workforce capacity. .''; and

(6) by adding at the end the following:

''(8) COMPACTS AND FRAMEWORK AGREEMENTS.—The development of compacts or framework agreements, tailored to local circumstances, with national governments or regional partnerships in countries with significant HIV/AIDS burdens to promote host government commitment to deeper integration of HIV/AIDS services into health systems, contribute to health systems overall, and enhance sustainability.''.

(d) COMPACTS AND FRAMEWORK AGREEMENTS.—Section 104A of such Act is amended—

(1) by redesignating subsections (e) through (g) as subsections (f) through (h); and

(2) by inserting after subsection (d) the following:

''(e) COMPACTS AND FRAMEWORK AGREEMENTS.—

''(1) FINDINGS.—Congress makes the following findings:

''(A) The congressionally mandated Institute of Medicine report entitled 'PEPFAR Implementation: Progress and Promise' states: 'The next strategy [of the U.S. Global AIDS Initiative] should squarely address the needs and challenges involved in supporting sustainable country HIV/AIDS programs, thereby transitioning from a focus on emergency relief.'.

''(B) One mechanism to promote the transition from an emergency to a public health and development approach to HIV/AIDS is through compacts or framework agreements between the United States Government and each participating nation.

''(2) ELEMENTS.—Compacts on HIV/AIDS authorized under subsection (d)(8) shall include the following elements:

''(A) Compacts whose primary purpose is to provide direct services to combat HIV/AIDS are to be made between—

''(i) the United States Government; and

''(ii)(I) national or regional entities representing low-income countries served by an existing United States Agency for International Development or Department of Health and Human Services presence or regional platform; or

''(II) countries or regions—

''(aa) experiencing significantly high HIV prevalence or risk of significantly increasing incidence within the general population;

''(bb) served by an existing United States Agency for International Development or Department of Health and Human Services presence or regional platform; and

''(cc) that have inadequate financial means within such country or region.

''(B) Compacts whose primary purpose is to provide limited technical assistance to a country or region connected to services provided within the country or region—

''(i) may be made with other countries or regional entities served by an existing United States Agency for International Development or Department of Health and Human Services presence or regional platform;

''(ii) shall require significant investments in HIV prevention, care, and treatment services by the host country;

''(iii) shall be time-limited in terms of United States contributions; and

''(iv) shall be made only upon prior notification to Congress—

''(I) justifying the need for such compacts;

''(II) describing the expected investment by the country or regional entity; and

''(III) describing the scope, nature, expected total United States investment, and time frame of the limited technical assistance under the compact and its intended impact.

''(C) Compacts shall include provisions to—

''(i) promote local and national efforts to reduce stigma associated with HIV/AIDS; and

''(ii) work with and promote the role of civil society in combating HIV/AIDS.

''(D) Compacts shall take into account the overall national health and development and national HIV/AIDS and public health strategies of each country.

''(E) Compacts shall contain—

''(i) consideration of the specific objectives that the country and the United States expect to achieve during the term of a compact;

''(ii) consideration of the respective responsibilities of the country and the United States in the achievement of such objectives;

''(iii) consideration of regular benchmarks to measure progress toward achieving such objectives;

''(iv) an identification of the intended beneficiaries, disaggregated by gender and age, and including information on orphans and vulnerable children, to the maximum extent practicable;

''(v) consideration of the methods by which the compact is intended to—

''(I) address the factors that put women and girls at greater risk of HIV/AIDS; and

''(II) strengthen elements such as the economic, educational, and social status of women, girls, orphans, and vulnerable children and the inheritance rights and safety of such individuals;

''(vi) consideration of the methods by which the compact will—

''(I) strengthen the health care capacity, including factors such as the training, retention, deployment, recruitment, and utilization of health care workers;

''(II) improve supply chain management; and

''(III) improve the health systems and infrastructure of the partner country, including the ability of compact participants to maintain and operate equipment transferred or purchased as part of the compact;

''(vii) consideration of proposed mechanisms to provide oversight;

''(viii) consideration of the role of civil society in the development of a compact and the achievement of its objectives;

''(ix) a description of the current and potential participation of other donors in the achievement of such objectives, as appropriate; and

''(x) consideration of a plan to ensure appropriate fiscal accountability for the use of assistance.

''(F) For regional compacts, priority shall be given to countries that are included in regional funds and programs in existence as of the date of the enactment of the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008.

''(3) LOCAL INPUT.—In entering into a compact on HIV/AIDS authorized under subsection (d)(8), the Coordinator of United States Government Activities to Combat HIV/AIDS Globally shall seek to ensure that the government of a country—

''(A) takes into account the local perspectives of the rural and urban poor, including women, in each country; and

''(B) consults with private and voluntary organizations, including faith-based organizations, the business community, and other donors in the country.

''(4) CONGRESSIONAL AND PUBLIC NOTIFICATION AFTER ENTERING INTO A COMPACT.—Not later than 10 days after entering into a compact authorized under subsection (d)(8), the Global AIDS Coordinator shall—

''(A) submit a report containing a detailed summary of the compact and a copy of the text of the compact to—

''(i) the Committee on Foreign Relations of the Senate;

''(ii) the Committee on Appropriations of the Senate;

''(iii) the Committee on Foreign Affairs of the House of Representatives; and

''(iv) the Committee on Appropriations of the House of Representatives; and

''(B) publish such information in the Federal Register and on the Internet website of the Office of the Global AIDS Coordinator.''.

(e) ANNUAL REPORT.—Section 104A(f) of such Act, as redesignated, is amended—

(1) in paragraph (1), by striking ''Committee on International Relations'' and inserting ''Committee on Foreign Affairs''; and

(2) in paragraph (2)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) by striking subparagraph (C) and inserting the following:

''(C) a detailed breakdown of funding allocations, by program and by country, for prevention activities; and

''(D) a detailed assessment of the impact of programs established pursuant to such sections, including—

''(i)(I) the effectiveness of such programs in reducing—

''(aa) the transmission of HIV, particularly in women and girls;

''(bb) mother-to-child transmission of HIV, including through drug treatment and therapies, either directly or by referral; and

''(cc) mortality rates from HIV/AIDS;

''(II) the number of patients receiving treatment for AIDS in each country that receives assistance under this Act;

''(III) an assessment of progress towards the achievement of annual goals set forth in the timetable required under the 5-year strategy established under section 101 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 and, if annual goals are not being met, the reasons for such failure; and

''(IV) retention and attrition data for programs receiving United States assistance, including mortality and loss to follow-up rates, organized overall and by country;

''(ii) the progress made toward—

''(I) improving health care delivery systems (including the training of health care workers, including doctors, nurses, midwives, pharmacists, laboratory technicians, and compensated community health workers, and the use of codes of conduct for ethical recruiting practices for health care workers);

''(II) advancing safe working conditions for health care workers; and

''(III) improving infrastructure to promote progress toward universal access to HIV/AIDS prevention, treatment, and care by 2013;

''(iii) a description of coordination efforts with relevant executive branch agencies to link HIV/AIDS clinical and social services with non-HIV/AIDS services as part of the United States health and development agenda;

''(iv) a detailed description of integrated HIV/AIDS and food and nutrition programs and services, including—

''(I) the amount spent on food and nutrition support;

''(II) the types of activities supported; and

''(III) an assessment of the effectiveness of interventions carried out to improve the health status of persons with HIV/AIDS receiving food or nutritional support;

''(v) a description of efforts to improve harmonization, in terms of relevant executive branch agencies, coordination with other public and private entities, and coordination with partner countries' national strategic plans as called for in the 'Three Ones';

''(vi) a description of—

''(I) the efforts of partner countries that were signatories to the Abuja Declaration on HIV/AIDS, Tuberculosis and Other Related Infectious Diseases to adhere to the goals of such Declaration in terms of investments in public health, including HIV/AIDS; and

''(II) a description of the HIV/AIDS investments of partner countries that were not signatories to such Declaration;

''(vii) a detailed description of any compacts or framework agreements reached or negotiated between the United States and any partner countries, including a description of the elements of compacts described in subsection (e);

''(viii) a description of programs serving women and girls, including—

''(I) HIV/AIDS prevention programs that address the vulnerabilities of girls and women to HIV/AIDS;

''(II) information on the number of individuals served by programs aimed at reducing the vulnerabilities of women and girls to HIV/AIDS and data on the types, objectives, and duration of programs to address these issues;

''(III) information on programs to address the particular needs of adolescent girls and young women; and

''(IV) programs to prevent gender-based violence or to assist victims of gender based violence as part of, or in coordination with, HIV/AIDS programs;

''(ix) a description of strategies, goals, programs, and interventions to—

''(I) address the needs and vulnerabilities of youth populations;

''(II) expand access among young men and women to evidence-based HIV/AIDS health care services and HIV prevention programs, including abstinence education programs; and

''(III) expand community-based services to meet the needs of orphans and of children and adolescents affected by or vulnerable to HIV/AIDS without increasing stigmatization;

''(x) a description of—

''(I) the specific strategies funded to ensure the reduction of HIV infection among injection drug users;

''(II) the number of injection drug users, by country, reached by such strategies; and

''(III) medication-assisted drug treatment for individuals with HIV or at risk of HIV;

''(xi) a detailed description of program monitoring, operations research, and impact evaluation research, including—

''(I) the amount of funding provided for each research type;

''(II) an analysis of cost-effectiveness models; and

''(III) conclusions regarding the efficiency, effectiveness, and quality of services as derived from previous or ongoing research and monitoring efforts; and

''(xii) a description of staffing levels of United States government HIV/AIDS teams in countries with significant HIV/AIDS programs, including whether or not a full-time coordinator was on staff for the year.''.

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 301(b) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7631(b)) is amended—

(1) in paragraph (1), by striking ''fiscal years 2004 through 2008'' and inserting ''fiscal years 2009 through 2013''; and

(2) in paragraph (3), by striking ''fiscal years 2004 through 2008'' and inserting ''fiscal years 2009 through 2013''.

(g) RELATIONSHIP TO ASSISTANCE PROGRAMS TO ENHANCE NUTRITION.—Section 301(c) of such Act is amended to read as follows:

''(c) FOOD AND NUTRITIONAL SUPPORT.—

''(1) IN GENERAL.—As indicated in the report produced by the Institute of Medicine, entitled 'PEPFAR Implementation: Progress and Promise', inadequate caloric intake has been clearly identified as a principal reason for failure of clinical response to antiretroviral therapy. In recognition of the impact of malnutrition as a clinical health issue for many persons living with HIV/AIDS that is often associated with health and economic impacts on these individuals and their families, the Global AIDS Coordinator and the Administrator of the United States Agency for International Development shall—

''(A) follow World Health Organization guidelines for HIV/AIDS food and nutrition services;

''(B) integrate nutrition programs with HIV/AIDS activities through effective linkages among the health, agricultural, and livelihood sectors and establish additional services in circumstances in which referrals are inadequate or impossible;

''(C) provide, as a component of care and treatment programs for persons with HIV/AIDS, food and nutritional support to individuals infected with, and affected by, HIV/AIDS who meet established criteria for nutritional support (including clinically malnourished children and adults, and pregnant and lactating women in programs in need of supplemental support), including—

''(i) anthropometric and dietary assessment;

''(ii) counseling; and

''(iii) therapeutic and supplementary feeding;

''(D) provide food and nutritional support for children affected by HIV/AIDS and to communities and households caring for children affected by HIV/AIDS; and

''(E) in communities where HIV/AIDS and food insecurity are highly prevalent, support programs to address these often intersecting health problems through community-based assistance programs, with an emphasis on sustainable approaches.

''(2) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated under section 401, there are authorized to be appropriated to the President such sums as may be necessary for each of the fiscal years 2009 through 2013 to carry out this subsection.''.

(h) ELIGIBILITY FOR ASSISTANCE.—Section 301(d) of such Act is amended to read as follows:

''(d) ELIGIBILITY FOR ASSISTANCE.—An organization, including a faith-based organization, that is otherwise eligible to receive assistance under section 104A of the Foreign Assistance Act of 1961, under this Act, or under any amendment made by this Act or by the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008, for HIV/AIDS prevention, treatment, or care—

''(1) shall not be required, as a condition of receiving such assistance—

''(A) to endorse or utilize a multisectoral or comprehensive approach to combating HIV/AIDS; or

''(B) to endorse, utilize, make a referral to, become integrated with, or otherwise participate in any program or activity to which the organization has a religious or moral objection; and

''(2) shall not be discriminated against in the solicitation or issuance of grants, contracts, or cooperative agreements under such provisions of law for refusing to meet any requirement described in paragraph (1).''.

SEC. 302. ASSISTANCE TO COMBAT TUBERCULOSIS.

(a) POLICY.—Section 104B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b–3(b)) is amended to read as follows:

''(b) POLICY.—It is a major objective of the foreign assistance program of the United States to control tuberculosis. In all countries in which the Government of the United States has established development programs, particularly in countries with the highest burden of tuberculosis and other countries with high rates of tuberculosis, the United States should support the objectives of the Global Plan to Stop TB, including through achievement of the following goals:

''(1) Reduce by half the tuberculosis death and disease burden from the 1990 baseline.

''(2) Sustain or exceed the detection of at least 70 percent of sputum smear-positive cases of tuberculosis and the successful treatment of at least 85 percent of the cases detected in countries with established United States Agency for International Development tuberculosis programs.

''(3) In support of the Global Plan to Stop TB, the President shall establish a comprehensive, 5-year United States strategy to expand and improve United States efforts to combat tuberculosis globally, including a plan to support—

''(A) the successful treatment of 4,500,000 new sputum smear tuberculosis patients under DOTS programs by 2013, primarily through direct support for needed services, commodities, health workers, and training, and additional treatment through coordinated multilateral efforts; and

''(B) the diagnosis and treatment of 90,000 new multiple drug resistant tuberculosis cases by 2013, and additional treatment through coordinated multilateral efforts.''.

(b) PRIORITY TO STOP TB STRATEGY.—Section 104B(e) of such Act is amended to read as follows:

''(e) PRIORITY TO STOP TB STRATEGY.—In furnishing assistance under subsection (c), the President shall give priority to—

''(1) direct services described in the Stop TB Strategy, including expansion and enhancement of Directly Observed Treatment Short-course (DOTS) coverage, rapid testing, treatment for individuals infected with both tuberculosis and HIV, and treatment for individuals with multi-drug resistant tuberculosis (MDR–TB), strengthening of health systems, use of the International Standards for Tuberculosis Care by all providers, empowering individuals with tuberculosis, and enabling and promoting research to develop new diagnostics, drugs, and vaccines, and program-based operational research relating to tuberculosis; and

''(2) funding for the Global Tuberculosis Drug Facility, the Stop Tuberculosis Partnership, and the Global Alliance for TB Drug Development.''.

(c) ASSISTANCE FOR THE WORLD HEALTH ORGANIZATION AND THE STOP TUBERCULOSIS PARTNERSHIP.—Section 104B of such Act is amended—

(1) by redesignating subsection (f) as subsection (h); and

(2) by inserting after subsection (e) the following:

''(f) ASSISTANCE FOR THE WORLD HEALTH ORGANIZATION AND THE STOP TUBERCULOSIS PARTNERSHIP.—In carrying out this section, the President, acting through the Administrator of the United States Agency for International Development, is authorized to provide increased resources to the World Health Organization and the Stop Tuberculosis Partnership to improve the capacity of countries with high rates of tuberculosis and other affected countries to implement the Stop TB Strategy and specific strategies related to addressing multiple drug resistant tuberculosis (MDR–TB) and extensively drug resistant tuberculosis (XDR–TB).''.

(d) ANNUAL REPORT.—Section 104B of such Act is amended by inserting after subsection (f), as added by subsection (c) of this section, the following:

''(g) ANNUAL REPORT.—The President shall submit an annual report to Congress that describes the impact of United States foreign assistance on efforts to control tuberculosis, including—

''(1) the number of tuberculosis cases diagnosed and the number of cases cured in countries receiving United States bilateral foreign assistance for tuberculosis control purposes;

''(2) a description of activities supported with United States tuberculosis resources in each country, including a description of how those activities specifically contribute to increasing the number of people diagnosed and treated for tuberculosis;

''(3) in each country receiving bilateral United States foreign assistance for tuberculosis control purposes, the percentage provided for direct tuberculosis services in countries receiving United States bilateral foreign assistance for tuberculosis control purposes;

''(4) a description of research efforts and clinical trials to develop new tools to combat tuberculosis, including diagnostics, drugs, and vaccines supported by United States bilateral assistance;

''(5) the number of persons who have been diagnosed and started treatment for multidrug-resistant tuberculosis in countries receiving United States bilateral foreign assistance for tuberculosis control programs;

''(6) a description of the collaboration and coordination of United States anti-tuberculosis efforts with the World Health Organization, the Global Fund, and other major public and private entities within the Stop TB Strategy;

''(7) the constraints on implementation of programs posed by health workforce shortages and capacities;

''(8) the number of people trained in tuberculosis control; and

''(9) a breakdown of expenditures for direct patient tuberculosis services, drugs and other commodities, drug management, training in diagnosis and treatment, health systems strengthening, research, and support costs.''.

(e) DEFINITIONS.—Section 104B(h) of such Act, as redesignated by subsection (c), is amended—

(1) in paragraph (1), by striking the period at the end and inserting the following: ''including—

''(A) low-cost and effective diagnosis, treatment, and monitoring of tuberculosis;

''(B) a reliable drug supply;

''(C) a management strategy for public health systems;

''(D) health system strengthening;

''(E) promotion of the use of the International Standards for Tuberculosis Care by all care providers;

''(F) bacteriology under an external quality assessment framework;

''(G) short-course chemotherapy; and

''(H) sound reporting and recording systems.''; and

(2) by redesignating paragraph (5) as paragraph (6); and

(3) by inserting after paragraph (4) the following:

''(5) STOP TB STRATEGY.—The term 'Stop TB Strategy' means the 6-point strategy to reduce tuberculosis developed by the World Health Organization, which is described in the Global Plan to Stop TB 2006–2015: Actions for Life, a comprehensive plan developed by the Stop TB Partnership that sets out the actions necessary to achieve the millennium development goal of cutting tuberculosis deaths and disease burden in half by 2015.''.

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 302 (b) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7632(b)) is amended—

(1) in paragraph (1), by striking ''such sums as may be necessary for each of the fiscal years 2004 through 2008'' and inserting ''a total of $4,000,000,000 for the 5-year period beginning on October 1, 2008.''; and

(2) in paragraph (3), by striking ''fiscal years 2004 through 2008'' and inserting ''fiscal years 2009 through 2013.''.

SEC. 303. ASSISTANCE TO COMBAT MALARIA.

(a) AMENDMENT TO THE FOREIGN ASSISTANCE ACT OF 1961.—Section 104C(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151–4(b)) is amended by inserting ''treatment,'' after ''control,''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 303 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003, and Malaria Act of 2003 (22 U.S.C. 7633) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''such sums as may be necessary for fiscal years 2004 through 2008'' and inserting ''$5,000,000,000 during the 5-year period beginning on October 1, 2008''; and

(B) in paragraph (3), by striking ''fiscal years 2004 through 2008'' and inserting ''fiscal years 2009 through 2013''; and

(2) by adding at the end the following:

''(c) STATEMENT OF POLICY.—Providing assistance for the prevention, control, treatment, and the ultimate eradication of malaria is—

''(1) a major objective of the foreign assistance program of the United States; and

''(2) 1 component of a comprehensive United States global health strategy to reduce disease burdens and strengthen communities around the world.

''(d) DEVELOPMENT OF A COMPREHENSIVE 5-YEAR STRATEGY.—The President shall establish a comprehensive, 5-year strategy to combat global malaria that—

''(1) strengthens the capacity of the United States to be an effective leader of international efforts to reduce malaria burden;

''(2) maintains sufficient flexibility and remains responsive to the ever-changing nature of the global malaria challenge;

''(3) includes specific objectives and multisectoral approaches and strategies to reduce the prevalence, mortality, incidence, and spread of malaria;

''(4) describes how this strategy would contribute to the United States' overall global health and development goals;

''(5) clearly explains how outlined activities will interact with other United States Government global health activities, including the 5-year global AIDS strategy required under this Act;

''(6) expands public-private partnerships and leverage of resources;

''(7) coordinates among relevant Federal agencies to maximize human and financial resources and to reduce duplication among these agencies, foreign governments, and international organizations;

''(8) coordinates with other international entities, including the Global Fund;

''(9) maximizes United States capabilities in the areas of technical assistance and training and research, including vaccine research; and

''(10) establishes priorities and selection criteria for the distribution of resources based on factors such as—

''(A) the size and demographics of the population with malaria;

''(B) the needs of that population;

''(C) the country's existing infrastructure; and

''(D) the ability to closely coordinate United States Government efforts with national malaria control plans of partner countries.''.

SEC. 304. MALARIA RESPONSE COORDINATOR.

Section 304 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7634) is amended to read as follows:

''SEC. 304. MALARIA RESPONSE COORDINATOR.

''(a) IN GENERAL.—There is established within the United States Agency for International Development a Coordinator of United States Government Activities to Combat Malaria Globally (referred to in this section as the 'Malaria Coordinator'), who shall be appointed by the President.

''(b) AUTHORITIES.—The Malaria Coordinator, acting through nongovernmental organizations (including faith-based and community-based organizations), partner country finance, health, and other relevant ministries, and relevant executive branch agencies as may be necessary and appropriate to carry out this section, is authorized to—

''(1) operate internationally to carry out prevention, care, treatment, support, capacity development, and other activities to reduce the prevalence, mortality, and incidence of malaria;

''(2) provide grants to, and enter into contracts and cooperative agreements with, nongovernmental organizations (including faith-based organizations) to carry out this section; and

''(3) transfer and allocate executive branch agency funds that have been appropriated for the purposes described in paragraphs (1) and (2).

''(c) DUTIES.—

''(1) IN GENERAL.—The Malaria Coordinator has primary responsibility for the oversight and coordination of all resources and international activities of the United States Government relating to efforts to combat malaria.

''(2) SPECIFIC DUTIES.—The Malaria Coordinator shall—

''(A) facilitate program and policy coordination of antimalarial efforts among relevant executive branch agencies and nongovernmental organizations by auditing, monitoring, and evaluating such programs;

''(B) ensure that each relevant executive branch agency undertakes antimalarial programs primarily in those areas in which the agency has the greatest expertise, technical capability, and potential for success;

''(C) coordinate relevant executive branch agency activities in the field of malaria prevention and treatment;

''(D) coordinate planning, implementation, and evaluation with the Global AIDS Coordinator in countries in which both programs have a significant presence;

''(E) coordinate with national governments, international agencies, civil society, and the private sector; and

''(F) establish due diligence criteria for all recipients of funds appropriated by the Federal Government for malaria assistance.

''(d) ASSISTANCE FOR THE WORLD HEALTH ORGANIZATION.—In carrying out this section, the President may provide financial assistance to the Roll Back Malaria Partnership of the World Health Organization to improve the capacity of countries with high rates of malaria and other affected countries to implement comprehensive malaria control programs.

''(e) COORDINATION OF ASSISTANCE EFFORTS.—In carrying out this section and in accordance with section 104C of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b–4), the Malaria Coordinator shall coordinate the provision of assistance by working with—

''(1) relevant executive branch agencies, including—

''(A) the Department of State (including the Office of the Global AIDS Coordinator);

''(B) the Department of Health and Human Services;

''(C) the Department of Defense; and

''(D) the Office of the United States Trade Representative;

''(2) relevant multilateral institutions, including—

''(A) the World Health Organization;

''(B) the United Nations Children's Fund;

''(C) the United Nations Development Programme;

''(D) the Global Fund;

''(E) the World Bank; and

''(F) the Roll Back Malaria Partnership;

''(3) program delivery and efforts to lift barriers that would impede effective and comprehensive malaria control programs; and

''(4) partner or recipient country governments and national entities including universities and civil society organizations (including faith- and community-based organizations).

''(f) RESEARCH.—To carry out this section, the Malaria Coordinator, in accordance with section 104C of the Foreign Assistance Act of 1961 (22 U.S.C. 1151d-4), shall ensure that operations and implementation research conducted under this Act will closely complement the clinical and program research being undertaken by the National Institutes of Health. The Centers for Disease Control and Prevention should advise the Malaria Coordinator on priorities for operations and implementation research and should be a key implementer of this research.

''(g) MONITORING.—To ensure that adequate malaria controls are established and implemented, the Centers for Disease Control and Prevention should advise the Malaria Coordinator on monitoring, surveillance, and evaluation activities and be a key implementer of such activities under this Act. Such activities shall complement, rather than duplicate, the work of the World Health Organization.

''(h) ANNUAL REPORT.—

''(1) SUBMISSION.—Not later than 1 year after the date of the enactment of the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008, and annually thereafter, the President shall submit a report to the appropriate congressional committees that describes United States assistance for the prevention, treatment, control, and elimination of malaria.

''(2) CONTENTS.—The report required under paragraph (1) shall describe—

''(A) the countries and activities to which malaria resources have been allocated;

''(B) the number of people reached through malaria assistance programs, including data on children and pregnant women;

''(C) research efforts to develop new tools to combat malaria, including drugs and vaccines;

''(D) the collaboration and coordination of United States antimalarial efforts with the World Health Organization, the Global Fund, the World Bank, other donor governments, major private efforts, and relevant executive agencies;

''(E) the coordination of United States antimalarial efforts with the national malarial strategies of other donor or partner governments and major private initiatives;

''(F) the estimated impact of United States assistance on childhood mortality and morbidity from malaria;

''(G) the coordination of antimalarial efforts with broader health and development programs; and

''(H) the constraints on implementation of programs posed by health workforce shortages or capacities; and

''(I) the number of personnel trained as health workers and the training levels achieved.''.

SEC. 305. AMENDMENT TO IMMIGRATION AND NATIONALITY ACT.

Section 212(a)(1)(A)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(1)(A)(i)) is amended by striking '', which shall include infection with the etiologic agent for acquired immune deficiency syndrome,'' and inserting a semicolon.

SEC. 306. CLERICAL AMENDMENT.

Title III of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7631 et seq.) is amended by striking the heading for subtitle B and inserting the following:

''Subtitle B—Assistance for Women, Children, and Families''.

SEC. 307. REQUIREMENTS.

Section 312(b) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7652(b)) is amended by striking paragraphs (1), (2), and (3) and inserting the following:

''(1) establish a target for the prevention and treatment of mother-to-child transmission of HIV that, by 2013, will reach at least 80 percent of pregnant women in those countries most affected by HIV/AIDS in which the United States has HIV/AIDS programs;

''(2) establish a target that, by 2013, the proportion of children receiving care and treatment under this Act is proportionate to their numbers within the population of HIV infected individuals in each country;

''(3) integrate care and treatment with prevention of mother-to-child transmission of HIV programs to improve outcomes for HIV-affected women and families as soon as is feasible and support strategies that promote successful follow-up and continuity of care of mother and child;

''(4) expand programs designed to care for children orphaned by, affected by, or vulnerable to HIV/AIDS;

''(5) ensure that women in prevention of mother-to-child transmission of HIV programs are provided with, or referred to, appropriate maternal and child services; and

''(6) develop a timeline for expanding access to more effective regimes to prevent mother-to-child transmission of HIV, consistent with the national policies of countries in which programs are administered under this Act and the goal of achieving universal use of such regimes as soon as possible.''.

SEC. 308. ANNUAL REPORT ON PREVENTION OF MOTHER-TO-CHILD TRANSMISSION OF HIV.

Section 313(a) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7653(a)) is amended by striking ''5 years'' and inserting ''10 years''.

SEC. 309. PREVENTION OF MOTHER-TO-CHILD TRANSMISSION EXPERT PANEL.

Section 312 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7652) is amended by adding at the end the following:

''(c) PREVENTION OF MOTHER-TO-CHILD TRANSMISSION EXPERT PANEL.—

''(1) ESTABLISHMENT.—The Global AIDS Coordinator shall establish a panel of experts to be known as the Prevention of Mother-to-Child Transmission Panel (referred to in this subsection as the 'Panel') to—

''(A) provide an objective review of activities to prevent mother-to-child transmission of HIV; and

''(B) provide recommendations to the Global AIDS Coordinator and to the appropriate congressional committees for scale-up of mother-to-child transmission prevention services under this Act in order to achieve the target established in subsection (b)(1).

''(2) MEMBERSHIP.—The Panel shall be convened and chaired by the Global AIDS Coordinator, who shall serve as a nonvoting member. The Panel shall consist of not more than 15 members (excluding the Global AIDS Coordinator), to be appointed by the Global AIDS Coordinator not later than 1 year after the date of the enactment of this Act, including—

''(A) 2 members from the Department of Health and Human Services with expertise relating to the prevention of mother-to-child transmission activities;

''(B) 2 members from the United States Agency for International Development with expertise relating to the prevention of mother-to-child transmission activities;

''(C) 2 representatives from among health ministers of national governments of foreign countries in which programs under this Act are administered;

''(D) 3 members representing organizations implementing prevention of mother-to-child transmission activities under this Act;

''(E) 2 health care researchers with expertise relating to global HIV/AIDS activities; and

''(F) representatives from among patient advocate groups, health care professionals, persons living with HIV/AIDS, and non-governmental organizations with expertise relating to the prevention of mother-to-child transmission activities, giving priority to individuals in foreign countries in which programs under this Act are administered.

''(3) DUTIES OF PANEL.—The Panel shall—

''(A) assess the effectiveness of current activities in reaching the target described in subsection (b)(1);

''(B) review scientific evidence related to the provision of mother-to-child transmission prevention services, including programmatic data and data from clinical trials;

''(C) review and assess ways in which the Office of the United States Global AIDS Coordinator collaborates with international and multilateral entities on efforts to prevent mother-to-child transmission of HIV in affected countries;

''(D) identify barriers and challenges to increasing access to mother-to-child transmission prevention services and evaluate potential mechanisms to alleviate those barriers and challenges;

''(E) identify the extent to which stigma has hindered pregnant women from obtaining HIV counseling and testing or returning for results, and provide recommendations to address such stigma and its effects;

''(F) identify opportunities to improve linkages between mother-to-child transmission prevention services and care and treatment programs; and

''(G) recommend specific activities to facilitate reaching the target described in subsection (b)(1).

''(4) REPORT.—

''(A) IN GENERAL.—Not later than 1 year after the date on which the Panel is first convened, the Panel shall submit a report containing a detailed statement of the recommendations, findings, and conclusions of the Panel to the appropriate congressional committees.

''(B) AVAILABILITY.—The report submitted under subparagraph (A) shall be made available to the public.

''(C) CONSIDERATION BY COORDINATOR.—The Coordinator shall—

''(i) consider any recommendations contained in the report submitted under subparagraph (A); and

''(ii) include in the annual report required under section 104A(f) of the Foreign Assistance Act of 1961 a description of the activities conducted in response to the recommendations made by the Panel and an explanation of any recommendations not implemented at the time of the report.

''(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Panel such sums as may be necessary for each of the fiscal years 2009 through 2011 to carry out this section.

''(6) TERMINATION.—The Panel shall terminate on the date that is 60 days after the date on which the Panel submits the report to the appropriate congressional committees under paragraph (4).''.

TITLE IV—FUNDING ALLOCATIONS

SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 401(a) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7671(a)) is amended by striking ''$3,000,000,000 for each of the fiscal years 2004 through 2008'' and inserting ''$50,000,000,000 for the 5-year period beginning on October 1, 2008''.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the appropriations authorized under section 401(a) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003, as amended by subsection (a), should be allocated among fiscal years 2009 through 2013 in a manner that allows for the appropriations to be gradually increased in a manner that is consistent with program requirements, absorptive capacity, and priorities set forth in such Act, as amended by this Act.

SEC. 402. SENSE OF CONGRESS.

Section 402(b) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7672(b)) is amended by striking ''an effective distribution of such amounts would be'' and all that follows through ''10 percent of such amounts'' and inserting ''10 percent should be used''.

SEC. 403. ALLOCATION OF FUNDS.

Section 403 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7673) is amended—

(1) by amending subsection (a) to read as follows:

''(a) BALANCED FUNDING REQUIREMENT.—

''(1) IN GENERAL.—The Global AIDS Coordinator shall—

''(A) provide balanced funding for prevention activities for sexual transmission of HIV/AIDS; and

''(B) ensure that activities promoting abstinence, delay of sexual debut, monogamy,

fidelity, and partner reduction are implemented and funded in a meaningful and equitable way in the strategy for each host country based on objective epidemiological evidence as to the source of infections and in consultation with the government of each host county involved in HIV/AIDS prevention activities.

''(2) PREVENTION STRATEGY.—

''(A) ESTABLISHMENT.—In carrying out paragraph (1), the Global AIDS Coordinator shall establish an HIV sexual transmission prevention strategy governing the expenditure of funds authorized under this Act to prevent the sexual transmission of HIV in any host country with a generalized epidemic.

''(B) REPORT.—In each host country described in subparagraph (A), if the strategy established under subparagraph (A) provides less than 50 percent of the funds described in subparagraph (A) for activities promoting abstinence, delay of sexual debut, monogamy, fidelity, and partner reduction, the Global AIDS Coordinator shall, not later than 30 days after the issuance of this strategy, report to the appropriate congressional committees on the justification for this decision.

''(3) EXCLUSION.—Programs and activities that implement or purchase new prevention technologies or modalities, such as medical male circumcision, pre-exposure pharmaceutical prophylaxis to prevent transmission of HIV, or microbicides and programs and activities that provide counseling and testing for HIV or prevent mother-to-child prevention of HIV, shall not be included in determining compliance with paragraph (2).

''(4) REPORT.—Not later than 1 year after the date of the enactment of the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008, and annually thereafter as part of the annual report required under section 104A(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b–2(e)), the President shall—

''(A) submit a report on the implementation of paragraph (2) for the most recently concluded fiscal year to the appropriate congressional committees; and

''(B) make the report described in subparagraph (A) available to the public.'';

(2) in subsection (b)—

(A) by striking ''fiscal years 2006 through 2008'' and inserting ''fiscal years 2009 through 2013''; and

(B) by striking ''vulnerable children affected by'' and inserting ''other children affected by, or vulnerable to,''; and

(3) by adding at the end the following:

''(c) FUNDING ALLOCATION.—For each of the fiscal years 2009 through 2013, more than half of the amounts appropriated for bilateral global HIV/AIDS assistance pursuant to section 401 shall be expended for—

''(1) antiretroviral treatment for HIV/AIDS;

''(2) clinical monitoring of HIV-seropositive people not in need of antiretroviral treatment;

''(3) care for associated opportunistic infections;

''(4) nutrition and food support for people living with HIV/AIDS; and

''(5) other essential HIV/AIDS-related medical care for people living with HIV/AIDS.

''(d) TREATMENT, PREVENTION, AND CARE GOALS.—For each of the fiscal years 2009 through 2013—

''(1) the treatment goal under section 402(a)(3) shall be increased above 2,000,000 by at least the percentage increase in the amount appropriated for bilateral global HIV/AIDS assistance for such fiscal year compared with fiscal year 2008;

''(2) any increase in the treatment goal under section 402(a)(3) above the percentage increase in the amount appropriated for bilateral global HIV/AIDS assistance for such fiscal year compared with fiscal year 2008 shall be based on long-term requirements, epidemiological evidence, the share of treatment needs being met by partner governments and other sources of treatment funding, and other appropriate factors;

''(3) the treatment goal under section 402(a)(3) shall be increased above the number calculated under paragraph (1) by the same percentage that the average United States Government cost per patient of providing treatment in countries receiving bilateral HIV/AIDS assistance has decreased compared with fiscal year 2008; and

''(4) the prevention and care goals established in clauses (i) and (iv) of section 104A(b)(1)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b–2(b)(1)(A)) shall be increased consistent with epidemiological evidence and available resources.''.

TITLE V—MISCELLANEOUS

SEC. 501. MACHINE READABLE VISA FEES.

(a) FEE INCREASE.—Notwithstanding any other provision of law—

(1) not later than October 1, 2010, the Secretary of State shall increase by $1 the fee or surcharge authorized under section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236; 8 U.S.C. 1351 note) for processing machine readable nonimmigrant visas and machine readable combined border crossing identification cards and nonimmigrant visas; and

(2) not later than October 1, 2013, the Secretary shall increase the fee or surcharge described in paragraph (1) by an additional $1.

(b) DEPOSIT OF AMOUNTS.—Notwithstanding section 140(a)(2) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236; 8 U.S.C. 1351 note), fees collected under the authority of subsection (a) shall be deposited in the Treasury.

SA 5076. Mr. THUNE (for himself, Mr. KYL, Mr. JOHNSON, Mr. TESTER, and Mr. DOMENICI) submitted an amendment intended to be proposed by him to the bill S. 2731, to authorize appropriations for fiscal years 2009 through 2013 to provide assistance to foreign countries to combat HIV/AIDS, tuberculosis, and malaria, and for other purposes; which was ordered to lie on the table; as follows:

In section 401(a), strike ''$50,000,000,000'' and insert ''$48,000,000,000''.

At the end, add the following:

TITLE VI—EMERGENCY PLAN FOR INDIAN SAFETY AND HEALTH

SEC. 601. EMERGENCY PLAN FOR INDIAN SAFETY AND HEALTH.

(a) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a fund, to be known as the ''Emergency Fund for Indian Safety and Health'' (referred to in this section as the ''Fund''), consisting of such amounts as are appropriated to the Fund under subsection (b).

(b) TRANSFERS TO FUND.—

(1) IN GENERAL.—There is authorized to be appropriated to the Fund, out of funds of the Treasury not otherwise appropriated, $2,000,000,000 for the 5-year period beginning on October 1, 2008.

(2) AVAILABILITY OF AMOUNTS.—Amounts deposited in the Fund under this section shall—

(A) be made available without further appropriation;

(B) be in addition to amounts made available under any other provision of law; and

(C) remain available until expended.

(c) EXPENDITURES FROM FUND.—On request by the Attorney General, the Secretary of the Interior, or the Secretary of Health and Human Services, the Secretary of the Treasury shall transfer from the Fund to the Attorney General, the Secretary of the Interior, or the Secretary of Health and Human Services, as appropriate, such amounts as the Attorney General, the Secretary of the Interior, or the Secretary of Health and Human Services determines to be necessary to carry out the emergency plan under subsection (f).

(d) TRANSFERS OF AMOUNTS.—

(1) IN GENERAL.—The amounts required to be transferred to the Fund under this section shall be transferred at least monthly from the general fund of the Treasury to the Fund on the basis of estimates made by the Secretary of the Treasury.

(2) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

(e) REMAINING AMOUNTS.—Any amounts remaining in the Fund on September 30 of an applicable fiscal year may be used by the Attorney General, the Secretary of the Interior, or the Secretary of Health and Human Services to carry out the emergency plan under subsection (f) for any subsequent fiscal year.

(f) EMERGENCY PLAN.—Not later than 1 year after the date of enactment of this Act, the Attorney General, the Secretary of the Interior, and the Secretary of Health and Human Services, in consultation with Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)), shall jointly establish an emergency plan that addresses law enforcement and water needs of Indian tribes under which, for each of fiscal years 2010 through 2019, of amounts in the Fund—

(1) the Attorney General shall use—

(A) 25 percent for the construction, rehabilitation, and replacement of Federal Indian detention facilities;

(B) 2.5 percent to investigate and prosecute crimes in Indian country (as defined in section 1151 of title 18, United States Code);

(C) 1.5 percent for use by the Office of Justice Programs for Indian and Alaska Native programs; and

(D) 1 percent to provide assistance to—

(i) parties to cross-deputization or other cooperative agreements between State or local governments and Indian tribes (as defined in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a)) carrying out law enforcement activities in Indian country; and

(ii) the State of Alaska (including political subdivisions of that State) for carrying out the Village Public Safety Officer Program and law enforcement activities on Alaska Native land (as defined in section 3 of Public Law 103–399 (25 U.S.C. 3902));

(2) the Secretary of the Interior shall—

(A) deposit 20 percent in the public safety and justice account of the Bureau of Indian Affairs for use by the Office of Justice Services of the Bureau in providing law enforcement or detention services, directly or through contracts or compacts with Indian tribes under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.); and

(B) use 45 percent to implement requirements of Indian water settlement agreements that are approved by Congress (or the legislation to implement such an agreement) under which the United States shall plan, design, rehabilitate, or construct, or provide financial assistance for the planning, design, rehabilitation, or construction of, water supply or delivery infrastructure that will serve

an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)); and

(3) the Secretary of Health and Human Services, acting through the Director of the Indian Health Service, shall use 5 percent to provide domestic and community sanitation facilities serving members of Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)) pursuant to section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), directly or through contracts or compacts with Indian tribes under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

SA 5077. Mr. DEMINT proposed an amendment to the bill S. 2731, to authorize appropriations for fiscal years 2009 through 2013 to provide assistance to foreign countries to combat HIV/AIDS, tuberculosis, and malaria, and for other purposes; as follows:

On page 130, line 1, strike ''$50,000,000,000'' and insert ''$35,000,000,000''.

SA 5078. Mr. DEMINT proposed an amendment to the bill S. 2731, to authorize appropriations for fiscal years 2009 through 2013 to provide assistance to foreign countries to combat HIV/AIDS, tuberculosis, and malaria, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ___. FUNDING LIMITATION.

Notwithstanding any other provision of this Act, amounts authorized to be appropriated under this Act may only be targeted toward those countries authorized for funding under the United States Leadership Against HIV/AIDS, Tuberculosis and Malaria Act of 2003 (Public Law 108–25).

SA 5079. Mr. DEMINT proposed an amendment to amendment SA 5078 proposed by Mr. DEMINT to the bill S. 2731, to authorize appropriations for fiscal years 2009 through 2013 to provide assistance to foreign countries to combat HIV/AIDS, tuberculosis, and malaria, and for other purposes; as follows:

At the end of the amendment, strike the period and add a comma and the following:

''and shall not be made available to such countries, or other countries through the Global Fund to Fight AIDS, Tuberculosis and Malaria, for any organization or program which supports or participates in the management of a program of coercive abortion or involuntary sterilizations.''

NOTICE: REGISTRATION OF MASS MAILINGS

The filing date for 2008 second quarter mass mailings is Friday, July 25, 2008. If your office did no mass mailings during this period, please submit a form that states ''none.''

Mass mailing registrations, or negative reports, should be submitted to the Senate Office of Public Records, 232 Hart Building, Washington, DC 20510–7116.

The Public Records office will be open from 9 a.m. to 6 p.m. on the filing date to accept these filings. For further information, please contact the Public Records office at (202) 224–0322.

OVER-THE-ROAD BUS TRANSPORTATION ACCESSIBILITY ACT OF 2007

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 829, H.R. 3985.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3985) to amend title 49, United States Code, to direct the Secretary of Transportation to register a person providing transportation by an over-the-road bus as a motor carrier of passengers only if the person is willing and able to comply with certain accessibility requirements in addition to the other existing requirements, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read a third time, passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3985) was ordered to a third reading, was read the third time, and passed.

CRISIS IN ZIMBABWE

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 611.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 611) expressing the sense of the Senate on the crisis in Zimbabwe, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that all statements relating to this resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 611) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 611

Whereas, over the last eight years, the Zimbabwean African National Union-Patriotic Front (ZANU–PF), led by Robert Mugabe, has increasingly turned to violence and intimidation to maintain power amidst a deteriorating crisis;

Whereas the gross domestic product of Zimbabwe has decreased over 40 percent in the last decade, inflation is estimated by United Nations Deputy Secretary-General Asha-Rose Migiro at over 10,500,000 percent, unemployment is now over 80 percent, and more than 4,000,000 people have fled the country;

Whereas presidential and parliamentary elections were held on March 29, 2008, in Zimbabwe amidst widespread reports of voting irregularities and intimidation in favor of the ruling ZANU–PF party and Robert Mugabe;

Whereas the Zimbabwe Electoral Commission refused to release results, despite calls to do so by the African Union (AU), the European Union (EU), the Republic of South Africa, the Southern African Development Community (SADC), United Nations Secretary-General Ban Ki-Moon, and the United States;

Whereas the official results of the election, announced five weeks later, showed that Robert Mugabe won 43.2 percent of the vote, while Morgan Tsvangirai, leader of the opposition party Movement for Democratic Change (MDC), won 47.9 percent of the vote;

Whereas, in the wake of the elections, Robert Mugabe launched a brutal campaign of state-sponsored violence against opposition members, supporters, and other civilians in an attempt to consolidate his power;

Whereas United States Ambassador to the United Nations Zalmay Khalilzad stated on April 16, 2008, that he was ''gravely concerned about the escalating politically motivated violence perpetrated by security forces and ruling party militias'';

Whereas Secretary of State Condoleezza Rice stated on April 17, 2008, that Robert Mugabe has ''done more harm to his country than would have been imaginable'' and that ''the last years have been really an abomination'' and called for the AU and SADC to strengthen efforts to achieve a political resolution to the crisis;

Whereas Human Rights Watch reported on April 19, 2008, that the Mugabe regime had developed a network of informal detention centers to intimidate, torture, and detain political opponents;

Whereas the Mugabe regime has, in violation of the Vienna Convention on Diplomatic Relations, done at Vienna April 18, 1961 (23 U.S.T. 3229), harassed United States and other diplomats in retaliation for their repeated protest of recent violence, including by detaining the United States ambassador's vehicle for several hours on May 13, 2008, and detaining five United States embassy staff and two local embassy workers on June 5, 1998, one of whom was physically assaulted;

Whereas reports of killings, abductions, beatings, torture, and sexual violence against civilians in Zimbabwe have continued, resulting in some 10,000 people being assaulted and at least 30,000 displaced;

Whereas the MDC and Presidential candidate Tsvangirai withdrew from the June 27, 2008, runoff presidential election, citing intensified political repression and killings of their supporters;

Whereas the Mugabe regime persisted with the runoff election, despite the protest of many leaders in Africa, the EU, SADC, the United Nations Security Council, and the United States Government;

Whereas results from the runoff election unsurprisingly declared Robert Mugabe, the only standing candidate, as the winner with 85 percent of the vote, and he was sworn into office;

Whereas SADC, the Pan-African Parliament, and AU Observer missions to Zimbabwe made statements on June 29 and 30, 2008, finding that the elections fell short of accepted African Union standards, did not give rise to free, fair, or credible elections, and did not reflect the will of the people of Zimbabwe;

Whereas, on June 4, 2008, the Mugabe regime banned the operations of non-governmental organizations in Zimbabwe, including those who provide food and aid to millions of Zimbabweans suffering at the result of a ZANU–PF's policies, exacerbating the

humanitarian crisis and leaving newly displaced victims of political violence without assistance;

Whereas Nelson Mandela has described the situation in Zimbabwe as a ''tragic failure of leadership,'' while the Government of Botswana has refused to recognize the election outcome as legitimate and has said that representatives of the administration should be excluded from SADC and African Union meetings;

Whereas the African Union passed a resolution on July 1, 2008, expressing concern for the loss of life in Zimbabwe and the need to initiate political dialogue to promote peace, democracy, and reconciliation;

Whereas the MDC reported on July 9, 2008, that 129 of its supporters have been killed since the first round of elections, including 20 since the runoff election, 1,500 of its activists and officials are in detention, and 5,000 are missing or unaccounted for; and

Whereas the Group of Eight (G8) industrialized nations, at their annual summit, issued a joint statement on July 8, 2008, rejecting the June 27, 2008, election and legitimacy of the Mugabe regime, as well as committing to further measures against those responsible for the violence: Now, therefore, be it

Resolved, That it is the sense of the Senate—

(1) to support the people of Zimbabwe, who continue to face widespread violence, political repression, a humanitarian emergency, and economic adversity;

(2) to condemn the Mugabe regime for its manipulation of the country's electoral process, including the March 29, 2008, election and the June 27, 2008, runoff election and the regime's continued attacks against, and intimidation of, opposition members and supporters and civil society;

(3) to reject the results of the June 27, 2008, presidential runoff election in Zimbabwe as illegitimate because of widespread irregularities, systematic violence by the Mugabe regime, and the boycott of the MDC;

(4) to encourage the President's continued efforts to tighten and expand sanctions on those individuals responsible for violations of human and political rights in Zimbabwe;

(5) to applaud the Governments of Benin, Botswana, Liberia, Kenya, Nigeria, Senegal, Sierra Leone, and Zambia for condemning the violent derailment of the runoff election at the African Union summit in Sharm El-Sheikh;

(6) to encourage all members of the United Nations Security Council to vote in favor of the proposed resolution that would authorize a United Nations Special Representative to support the negotiations process, impose an international arms embargo, and strengthen financial penalties on those individuals most responsible for undermining democratic processes;

(7) to encourage the African Union to initiate an inclusive political dialogue between both parties and deploy a protection force to prevent attacks, assist victims, and prevent the security situation from further deteriorating;

(8) to urge leaders in Africa to engage directly in the effort to achieve an expeditious political resolution to the crisis;

(9) to urge the United States Government and the international community to assemble a comprehensive economic and political recovery package for Zimbabwe in the event that a political resolution is reached and a truly democratic government is formed; and

(10) to support a lasting democratic political solution that reflects the will and respects the rights of the people of Zimbabwe, including mechanisms to ensure that future elections are free and fair, in accordance with regional and international standards.

REGARDING G8 SUMMIT IN JAPAN

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 612.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. 612) expressing the sense of the Senate that President George W. Bush, President Dmitry Medvedev of the Russian Federation, and other participants in the 2008 Group of Eight (G8) Summit in Toyako, Hokkaido, Japan should work together to foster a more constructive relationship, and that the Government of the Russian Federation should eschew behaviors that are inconsistent with the Group's objectives of protecting global security, economic stability, and democracy.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to this measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 612) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 612

Expressing the sense of the Senate that President George W. Bush, President Dmitry Medvedev of the Russian Federation, and other participants in the 2008 Group of Eight (G8) Summit in Toyako, Hokkaido, Japan should work together to foster a more constructive relationship, and that the Government of the Russian Federation should eschew behaviors that are inconsistent with the Group's objectives of protecting global security, economic stability, and democracy.

Whereas the leaders of 6 major industrialized democracies, including France, West Germany, Italy, Japan, the United Kingdom, and the United States, gathered in 1975 for a summit meeting in Rambouillet, France, and for annual meetings thereafter under a rotating presidency known as the Group of Six (G6);

Whereas the G6 was established based on the mutual interest of its members in promoting economic stability, global security, and democracy;

Whereas, in 1976, membership of the G6 was expanded to include Canada;

Whereas the members of the G7 share a commitment to promote security, economic stability, and democracy in their respective nations and around the world;

Whereas Russia was integrated into the G7 in 1998 at the behest of President William Jefferson Clinton following Russian President Boris Yeltsin's decision to pursue reforms and assume a neutral position on the acceptance of additional members into the North Atlantic Treaty Organization (NATO);

Whereas the members of the G8 face common challenges, including climate change, violent extremism, global economic volatility, pandemic disease, nuclear proliferation, and trafficking in narcotics, persons, and weapons of mass destruction;

Whereas President Dmitry Medvedev, Prime Minister Vladimir Putin, and other leaders of the Russian Federation have regularly expressed a desire for the Russian Federation to play a leading role in international affairs;

Whereas the Russian Federation and other members of the international community all stand to benefit if the Russian Federation is an active, constructive partner in addressing the broad range of challenges confronting the global community;

Whereas the Russian Federation has evidenced the capacity and willingness to cooperate with the United States and other nations in the interest of global security in certain areas pertaining to arms control and weapons proliferation, notably through its participation in the Six-Party Talks regarding North Korea and its support of the incentives package offered by leading countries to Iran if that country would suspend its uranium enrichment program;

Whereas the United States and Russia have safely deactivated and destroyed thousands of nuclear, chemical, and biological weapons and provided upgraded storage and transportation of nuclear materials through the Nunn-Lugar program;

Whereas the United States and other countries participating in the June 2002 G8 Summit in Kananaskis, Canada agreed to raise up to $20,000,000,000 over 10 years to support nonproliferation projects in Russia and other nations through the Global Partnership Against the Spread of Weapons and Materials of Mass Destruction;

Whereas participants in the July 2006 G8 Summit in St. Petersburg, Russia launched the Global Initiative to Combat Nuclear Terrorism to improve the physical protection of nuclear materials, suppress illicit trafficking of such materials, and bolster the capacity of willing partner nations to respond to acts of nuclear terrorism;

Whereas the United States and the Government of the Russian Federation pledged in the April 2008 Sochi Strategic Framework Declaration to negotiate a ''legally binding post-START arrangement'' for the purposes of extending provisions of the 1991 Strategic Arms Reduction Treaty;

Whereas, notwithstanding these successes, the potential for collaboration between the United States and the Government of the Russian Federation has been seriously undermined by the manner in which the leaders of the Russian Federation have conducted aspects of Russia's foreign policy;

Whereas the Government of the Russian Federation has unilaterally suspended implementation of the 1991 Treaty on Conventional Armed Forces in Europe (CFE Treaty) and has yet to fulfill its commitment to withdraw Russian forces from Georgia and Moldova pursuant to the 1999 Istanbul Summit Declaration of the Organization for Security and Cooperation in Europe;

Whereas the CFE Treaty has played a key role in enhancing the stability of the Euro-Atlantic region;

Whereas the Adapted CFE Treaty, which will not enter into force until the Russian Federation fulfills commitments made at the Istanbul Summit, will provide greater flexibility for the Russian Federation in return for improved transparency and verification;

Whereas the Government of the Russian Federation has attempted to undermine the territorial integrity of the Republic of Georgia through its support of the breakaway provinces of South Ossetia and Abkhazia;

Whereas the United Nations Observer Mission in Georgia has concluded that a military aircraft belonging to the Russian Federation shot down an unarmed Georgian drone on April 20, 2008, while flying over Abkhazia;

Whereas the conduct of Russian trade and energy policy has created a widespread perception that the Government of the Russian Federation is using oil and gas exports and economic policy as a means of political pressure on countries that seek closer ties with the United States and Euro-Atlantic partners;

Whereas the behavior of the Russian Federation as it relates to several neighboring countries has contributed to the erosion of regional peace and security;

Whereas such actions are inconsistent with the G8's objectives of protecting global security, economic stability, and democracy, hinder cooperation with the Government of the Russian Federation, and undermine the standing of the Russian Federation as a respected member of the international community;

Whereas there has been considerable disagreement between the Government of the United States and the Government of the Russian Federation regarding proposals to place ballistic missile defense interceptor and radar sites in Poland and the Czech Republic, respectively;

Whereas certain developments inside the Russian Federation and the Russian Government's conduct of domestic policy have undermined confidence in the Russian Federation's ability and capability to serve as a full partner in the work of the international community;

Whereas the Department of State's Country Report on Human Rights Practices for 2007 stated that, in Russia, ''continuing centralization of power in the executive branch, a compliant State Duma, corruption and selectivity in enforcement of the law, media restrictions, and harassment of some NGOs eroded the government's accountability to its citizens.'';

Whereas, in June 2008, a report released by Human Rights Watch concluded that Russian ''law enforcement and security forces involved in counterinsurgency [in the North Caucasus] have committed dozens of extrajudicial executions, summary and arbitrary detentions, and acts of torture and cruel, inhuman or degrading treatment'';

Whereas the Government of the Russian Federation has failed to successfully prosecute individuals responsible for the murder of critics of the Kremlin, including journalist Anna Politkovskaya and Alexander Litvinenko;

Whereas the 2008 Annual Report of Reporters without Borders noted a sharp increase in government pressure on the independent media in Russia, reporting that at least 2 journalists were forcibly sent to psychiatric hospitals in 2007 and others were badly beaten or kidnapped prior to the local and parliamentary elections in 2007;

Whereas Transparency International ranked Russia 143 out of 179 countries for perceived corruption in 2007;

Whereas there is increasing concern about violent nationalism and xenophobia in the Russian Federation and the 2008 Annual Report of the United States Commission on International Religious Freedom reports that there has been a ''sharp rise in violent crimes against persons [in Russia] on account of their religion or ethnicity'';

Whereas, in the handling of the Yukos Oil Company case and numerous other judicial actions, the Government of the Russian Federation has permitted the politicization of Russia's legal system;

Whereas these developments have seriously damaged international confidence in the institutions and laws of the Russian Federation and hindered the ability of the United States and other partners to work with the Russian Federation in addressing a broad range of pressing global, regional, and domestic challenges;

Whereas the people of the Russian Federation and the people of the United States have been disadvantaged by the resulting damage to relations between the countries;

Whereas President Dmitry Medvedev, in an interview with the Reuters News Service on June 25, 2008, stated that ''freedom, democracy and the right to private property'' should define Russia's behavior;

Whereas the United States believes that adherence on the part of the Government of the Russian Federation to the values articulated by President Medvedev would provide a foundation for improved cooperation with the Russian Federation;

Whereas adherence to the values articulated by President Medvedev would also help repair damage to the international reputation of the Russian Federation and advance the goals of security, prosperity, and representative governance that should be the common ambition of all members of the G8;

Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) in order to build a more constructive relationship with the Government of the Russian Federation and its people, the President of the United States and other leaders of the G8 nations should—

(A) pursue a broad agenda of cooperation with the leaders of the Russian Federation; and

(B) encourage Russia's transformation into a more liberal and democratic polity;

(2) the Government of the United States and the Government of the Russian Federation should work to ensure the continued success of Nunn-Lugar initiatives and nonproliferation and counterterrorism programs through—

(A) additional funding;

(B) access to sensitive facilities;

(C) effective safety and security measures to prevent proliferation of nuclear, chemical, and biological weapons and weapons-related materials and technology; and

(D) cooperation between the United States and Russia to enhance these objectives on a worldwide basis;

(3) the Government of the United States and the Government of the Russian Federation, working within the International Atomic Energy Agency and United Nations Security Council, should renew demands for Iran to cease its nuclear enrichment activities and fully disclose any prior weapons-related work;

(4) the Government of the United States and the Government of the Russian Federation should negotiate a legally-binding successor agreement to the 1991 Strategic Arms Reductions Treaty and address all outstanding concerns regarding the 1991 Treaty on Conventional Armed Forces in Europe;

(5) the leaders of the Russian Federation should adopt foreign and domestic policies that are consistent with ''freedom, democracy and the right to private property'', as articulated by President Dmitry Medvedev;

(6) the Government of the Russian Federation should take immediate steps to restore the freedom and independence of the country's media in accordance with its obligations under the International Covenant on Civil and Political Rights;

(7) the Government and officials of the Russian Federation should refrain from portraying the North Atlantic Treaty Organization (NATO) as a threat to the Russian Federation and fully utilize the consultative mechanisms that exist through the NATO-Russia Council to facilitate cooperation between the countries of NATO and the Russian Federation;

(8) the United States, in coordination with other members of the G8, should—

(A) encourage the Government of the Russian Federation to address the challenges facing its society, including widespread corruption, a deteriorating health care system, growing instability in the North Caucasus, and an increasingly serious demographic crisis; and

(B) stand ready to assist the people and Government of the Russian Federation in those efforts;

(9) just as the United States welcomed the increasing prosperity and political development of Germany, Japan, and the nations Eastern Europe in the aftermath of former conflicts, the United States should welcome the emergence of the Russian Federation as a strong, successful, democratic partner in addressing global challenges; and

(10) the leaders of the Russian Federation should respect the rights of sovereign, democratic governments in neighboring countries and their prerogative to seek membership in Euro-Atlantic institutions.

NATIONAL DIRECT SUPPORT PROFESSIONALS RECOGNITION WEEK

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 613.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 613) designating the week beginning September 8, 2008, as ''National Direct Support Professionals Recognition Week.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to this matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 613) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 613

Whereas direct support workers, direct care workers, personal assistants, personal attendants, in-home support workers, and paraprofessionals (referred to in this preamble as ''direct support professionals'') are the primary providers of publicly funded long term support and services for millions of individuals;

Whereas a direct support professional must build a close, trusted relationship with an individual with disabilities;

Whereas a direct support professional assists an individual with disabilities with the most intimate needs, on a daily basis;

Whereas direct support professionals provide a broad range of support, including—

(1) preparation of meals;

(2) helping with medications;

(3) bathing;

(4) dressing;

(5) mobility;

(6) getting to school, work, religious, and recreational activities; and

(7) general daily affairs;

Whereas a direct support professional provides essential support to help keep an individual with disabilities connected to the family and community of the individual;

Whereas direct support professionals enable individuals with disabilities to live meaningful, productive lives;

Whereas direct support professionals are the key to allowing an individual with disabilities to live successfully in the community of the individual, and to avoid more costly institutional care;

Whereas the majority of direct support professionals are female, and many are the sole breadwinners of their families;

Whereas direct support professionals work and pay taxes, but many remain impoverished and are eligible for the same Federal and State public assistance programs on which the individuals with disabilities served by the direct support professionals must depend;

Whereas Federal and State policies, as well as the Supreme Court, in Olmstead v. L.C., 527 U.S. 581 (1999), assert the right of an individual to live in the home and community of the individual;

Whereas, in 2008, the majority of direct support professionals are employed in home and community-based settings and this trend is projected to increase over the next decade;

Whereas there is a documented critical and growing shortage of direct support professionals in every community throughout the United States; and

Whereas many direct support professionals are forced to leave jobs due to inadequate wages and benefits, creating high turnover and vacancy rates that research demonstrates adversely affects the quality of support to individuals with disabilities: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning September 8, 2008, as ''National Direct Support Professionals Recognition Week'';

(2) recognizes the dedication and vital role of direct support professionals in enhancing the lives of individuals with disabilities of all ages;

(3) appreciates the contribution of direct support professionals in supporting the needs that reach beyond the capacities of millions of families in the United States;

(4) commends direct support professionals as integral in supporting the long-term support and services system of the United States; and

(5) finds that the successful implementation of the public policies of the United States depends on the dedication of direct support professionals.

PROGRAM

Mr. REID. Mr. President, we are going to be able to move through this PEPFAR legislation. It would be good for our country if we pass it. I also have spoken to the Speaker. She agrees with me and Senator MCCONNELL that we should move this housing fix quickly. The President and his people have submitted to us some language that we think, from all we can tell, is appropriate. Senator DODD is agreeing we should move forward. I think there is a sense we should do this within the next couple of days. This is something that is important.

With the housing crisis, the main reason we do this is to make sure people understand that we have faith in our financial markets. Fannie and Freddie, we believe, with the attention being focused on them over the weekend and today, have stabilized, and that is the way it should be. We are going to try to move forward on this very quickly.

ORDERS FOR TUESDAY, JULY 15, 2008

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. tomorrow, Tuesday, July 15; that following the prayer and pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business for up to 1 hour, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the second half; that following morning business, the Senate resume consideration of S. 2731, the Global AIDS bill, and when the Senate resumes consideration of the bill, the majority leader or his designee be recognized to move to table the DeMint amendment No. 5078. I further ask the Senate stand adjourned from 12:30 to 2:15 p.m. to allow for the weekly policy luncheons.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I would say, Mr. President, Senators should expect the first vote of the day to occur as early as 11 a.m. tomorrow morning.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to be brought before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:27 p.m., adjourned until Tuesday, July 15, 2008, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE CHIEF OF STAFF, UNITED STATES AIR FORCE, AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 8034 AND 601:

To be general

LT. GEN. WILLIAM M. FRASER III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. LARRY D. JAMES

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. KELLY K. MCKEAGUE

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ROBERT E. DURBIN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. RONALD L. BURGESS, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOHN F. KIMMONS

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. GEOGE J. FLYNN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL JUAN G. AYALA
COLONEL RONALD F. BACZKOWSKI
COLONEL WILLIAM B. CROWE
COLONEL MICHAEL G. DANA
COLONEL WILLIAM M. FAULKNER
COLONEL WALTER L. MILLER, JR.
COLONEL JOSEPH L. OSTERMAN
COLONEL CHRISTOPHER S. OWENS
COLONEL GREGG A. STURDEVANT
COLONEL GLENN M. WALTERS

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

STEPHEN L. AKI
RODRIGUE ALEANDRE
JOEL O. ALEXANDER
EDWARD W. ALLEN II
PAUL M. ALLMON
TODD K. ALSTON
LISA L. ANDERSON
SEAN D. ANDERSON
WILLIAM J. ANDERSON
CARMEN R. ANTHONY
MICHAEL J. ARNOLD
OSWALDO C. ARROYO
SPENCER O. ASHFORD
HOUSTON E. BAKER
RONALD L. BAKER
SHERWOOD P. BAKER II
ROY D. BANZON
CHARLES H. BARBER
DALLIS L. BARNES
KIMMIE M. BARTENSLAGER
MICHAEL A. BAUMEISTER
KIRBY D. BEARD
DAVID M. BEDARD
LAMONICA BELL
CHRISTOPHER A. BENN
THOMAS F. BENTZEL
CRAIG S. BESAW
DERELL M. BIBBS
JOHN C. BIVONA, JR.
CHARLES E. BLEDSOE
ELIZABETH E. BLEDSOE
MICHAEL D. BLOMQUIST
JAMES W. BOGART
LAURA B. BOZEMAN
STEVEN R. BRADDOM
JAMES T. BRADY II
WILLIAM T. BRENNAN
CHRISTOPHER M. BRIDGES
JOHN C. BROOKIE
CHRISTOPHER L. BROWN
EVAN J. BROWN
JAMES L. BROWN
KEVYN M. BRYANT
SHATRECE B. BUCHANAN
CLYDE M. BUCKLEY
GREGORY N. BUNN
BRENDEN D. BURKE
ADAM W. BUTLER
DAVID B. BYERS
JILL F. CAHILL
LINNIE W. CAIN, JR.
EARL D. CALEB
JOHN C. CALHOUN
MIKE A. CALVIN
WILLIAM J. CAMPBELL III
JASON A. CARRICO
JEFFERY A. CARTER
WILLIAM D. CARUSO
YONG S. CASSLE
ERNEST R. CHAMBERS
JOSEPH H. CHAN
JEAN R. CHAUSSE

QUINZEL E. CHESTNUT
DAVID D. CHIPCHASE
HARRIET A. CLANCY
SHAY V. COATES
GREGORY H. COILE
WILLIAM C. COKER
ROBERT M. COLLINS
JOSE A. COLONRODRIGUEZ
AARON J. COOK
ALANNA M. COOK
JOHN L. COOMBS
KENNETH J. COON
JAMES W. CRAFT III
JACOB E. CRAWFORD III
CARMELO A. CRESPOAGUADO
ELISABETH G. CROOKS
LANCE G. CURTIS
FRANK G. DAVIS II
PAUL M. DAVIS
STEPHEN R. DAVIS
TOYA J. DAVIS
ROBERT A. DAWSON
GLENN A. DEAN III
RICHARD B. DEBANY
ELIZABETH DELBRIDGEKEOUGH
ROY A. DESILVA
CHRISTOPHER E. DEXTER
PAUL D. DISMER
ROBERT A. DIXON, JR.
WILLIE L. DRUMGOLD, JR.
JEROME C. DUFFY, JR.
PAUL R. DWIGANS
LANCE R. ELDRED
MICHAEL G. ELLIOTT
BRUCE E. ELLIS
KEVIN L. ELLISON
MICHAEL F. ENNABE
MARK A. EVANS
MARK M. EVANS
MARY V. EWING
DALE L. FARRAND
ANN G. FINLEY
TODD J. FISH
JAMES R. FLANDERS
MICHAEL E. FOSTER, SR.
SABRINA E. FRANCIS
DANIEL L. FURBER
KENNETH L. GAMBLES
GAVIN J. GARDNER
CRAIG R. GARDUNIA
ANTHONY GAUTIER
KEVIN L. GEISBERT
LANCE G. GIDDENS
FRANK V. GILBERTSON
TIMOTHY M. GILHOOL
AMERICUS M. GILL III
KEVIN D. GILSON
BRETT F. GORDON
STEPHANIE E. GRADFORD
MARKO K. GRAHAM
PETER N. GREANY
ALEXANDER E. GREENWICH
AMANDA P. GREIG
SCOT W. GREIG
CRAIG L. GROSENHEIDER
SUSAN M. GROSENHEIDER
GREGORY H. GRZYBOWSKI
JAMES E. GULLEY, JR.
MARTY G. HAGENSTON
RICHARD T. HAGGERTY
MARC A. HAMILTON
YEE C. HANG
MATHEW J. HANNAH
STEVEN G. HANSON
DIANA M. HARDY
CYNTHIA HARGROW
DARYL M. HARP
RASHANN D. HARRIS
TERRECE B. HARRIS
STACIE I. HATTEN
JON HAWKINS
SHAWN L. HAWKINS
ANTHONY L. HAYCOCK
JERED P. HELWIG
MARK E. HENRIE
THOMAS J. HENTHORN, JR.
SEAN A. HILBER
COFIELD B. HILBURN
STEVEN B. HINES
JOHN B. HINSON
RICHARD J. HOERNER
DEAN M. HOFFMAN IV
MARK A. HOLLINGSWORTH
JAMES P. HOOPER
KAROLYN I. HOOPER
JANE M. HOSTETLER
HEIDI J. HOYLE
ROBERT S. HRIBAR
KAREN S. HUBBARD
WILLIAM T. HUNT, JR.
DONALD W. HURST III
NOAH HUTCHER
ANDREW J. HYATT
ERIC G. IACOBUCCI
SULA L. IRISH
ALICIA D. JACKSON
WILLIAM D. JACKSON
VERNON E. JAKOBY
MARK A. JOHNSON
WILLIAM C. JOHNSON, JR.
ERNEST C. JONES
DOUGLAS M. KADETZ
JOHN D. KAYLOR, JR.
NELSON G. KERLEY, JR.
CHARLES F. KIMBALL
FEDERICA L. KING
JOHN C. KIRALY
NORMAN B. KIRBY, JR.
STEPHEN L. KNOTTS
CHARLES H. KOEHLER III
MICHAEL K. KOLB
JOHN N. KOTZMAN
CHRISTINA M. KRYCH
CALYES L. KYNARD II
JEFFERY M. LACAZE
CHRISTOPHER J. LACKOVIC
CYNTHIA LANG
TRACY L. LANIER
KELLY D. LAUGHLIN
ROBERT N. LAW
JOSEPH H. LAWSON III
RICARDO LEBRON
WILLIAM E. LEE III
WON S. LEE
KENNETH M. LEEDS, JR.
CHRISTOPHER D. LELJEDAL
CYNTHIA A. LERCH
DOUGLAS A. LEVIEN
JOHN D. LOONEY
CARLOS E. LOPEZGUZMAN
ROBERT W. LOVE, JR.
DOUGLAS S. LOWREY
SIDNEY J. LOYD
ERIC W. LUDWIG
BRIAN J. LYTTLE
EDWARD D. MADDOX
ROBIN L. MAHADY
VICTOR M. MARRERO
GARY A. MARTIN
MICHAEL B. MARTIN
JOHN P. MAYER
ROBERT A. MCCASLIN
WILLIAM J. MCCLARY
DAVID J. MCCONNELL
RANDY E. MCGEE
DENNIS M. MCGOWAN
MICHAEL T. MCTIGUE
KEITH J. MCVEIGH
SIDNEY W. MELTON
GERARDO V. MENESES
CHRISTOPHER D. MEREDITH
MARI E. MEW
ROBERT J. MICELI
ROBERT E. MIDDLETON
KENDRA L. MILLIKEN
DAVID L. MORGAN III
CALVIN A. MORRIS
JOSEPH R. MORROW
ROBERT S. MOTT
MARC A. MUELLER
HAKEEM A. MUHAMMAD
IAN D. MURDOCH
VERNON L. MYERS
MICHAEL T. NAIFEH
PAUL J. NAROWSKI II
JUDSON P. NELSON, JR.
THOMAS D. NETZEL
DANA A. NORTON
VINCENT C. NWAFOR
ERIC P. OLSON
GREGORY OQUENDO
GERARD J. OVERBEY
GEORGE PADILLA
KIYOUNG A. PAK
CHRISTOPHER PALFI
KEVIN P. PAUL
WANDA L. PEE
ELIJAH PETTY, JR.
CHARLES G. PHILLIPS
TERESA A. PLEINIS
PEYTON POTTS
SHAWN B. POWELL
DEMETRIUS R. PRICE
IVAN J. QUINONES
ERIC C. RANNOW
AUDREY RANSOM
CRAIG M. RAVENELL
JOHN A. REDINGER II
JAMES E. REXFORD
MARK A. RIDGLEY
HAROLD T. RIGGINS III
STEPHEN J. RILEY
EARL W. RILINGTON, JR.
AARON D. ROBERSON
ROCHELLE C. ROBERSON
KRISTIAN A. ROGERS
JUAN ROSAS
GEORGE L. ROSS
MATTHEW H. RUEDI
GREGORY M. RUPKALVIS
MARK W. RUSSELL
THOMAS J. RYAN
RANDI E. RZESZOT
ROY E. SALYER
GREGORY E. SANDERS
ANTHONY J. SATTERFIELD
ARI J. SCHEIN
BRADLEY C. SCHUTZ
MATTHEW M. SCHWIND
TOMMIE L. SHERRILL
ERIC P. SHIRLEY
SCOTT A. SHORE
CRAIG M. SHORT
PAUL D. SHULER
GLENN T. SIMPKINS
JONATHAN B. SLATER
ZORN T. SLIMAN
ERIC J. SLOUGHFY
PHILLIP E. SMALLWOOD
CATHERINE A. SMITH
CRYSTAL S. SMITH
JAMES M. SMITH
GARY M. SOLDATO
WILLIAM E. SPARROW
GARY E. SPEAROW
MARC A. SPENCER
KATHRYN A. SPLETSTOSER
CHARLES A. STAMM
JOYCE B. STEWART
SCOTT W. STEWART
WILLIAM L. STEWART, JR.
TIMOTHY R. STIANSEN
LAWRENCE R. STILLER
MARK T. STINER
DANIEL L. STONE
DONALD W. STONER III
CHRISTOPHER G. STRACK
DARYL L. STRONG
CRAIG TACKETT
MARK E. TALBOT
RICHARD J. TATE
CLINT C. TAYLOR
JOHN M. THANE
ROBERT J. THOMAS
JAMES M. THORNE
LEE M. TONSMEIRE
MILES E. TOWNSEND
MICHAEL E. TRAXLER
PATRICK J. UNZICKER
LUIS A. URBINA
VINCENT C. VALLEY
ANGEL L. VELEZ
MENDEL D. WADDELL
LAURA K. WAGES
THOMAS L. WAILD, JR.
ALLEN F. WALKER
SUSAN M. WALTON
TIMOTHY A. WARNER
EUGENE WARREN
DONALD A. WEYLER
KEVIN S. WHITE
CRAIG A. WHITTEN
DEAN E. WILEY
DONALD B. WILHIDE
JIMMIE L. WILLIAMS, JR.
JOSEPH V. WILLIAMS
DONALD K. WOLS
CARL E. WOMACK, JR.
JERRY L. WOOD
GLENN W. WOOLGAR
CHARLES WORSHIM III
BROADUS H. WRIGHT III
TIMOTHY W. ZIMMERMAN
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THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

EARL E. ABONADI
MARCUS P. ACOSTA
ROY H. ADAMS III
ARTHUR A. ADDLEMAN
EDWARD J. ALCOCK
ROBERT F. ALVARO
MICHAEL R. ANDERSON
STEVEN ANGERTHAL
RICHARD T. APPELHANS
KRIS A. ARNOLD
RAUL M. ARROCHA
ERIC E. ASLAKSON
MATTHEW D. ATKINS
MICHAEL A. BACHAND
JOSEPH A. BAIRD
STEVEN L. BAIRD
MARION P. BAKALORZ
MATTHEW C. BALLARD
JOHN L. BARRETT, JR.
LEE A. BAUBLITZ
PHILIP A. BAUDE
HASHEM BAYATPOOR
TERRY A. BAYLISS
JAIME T. BAZIL
WILLIAM V. BECK
SHANNON D. BEEBE
ROY L. BEHNE
JOHN A. BENEDICT
ERIC J. BENEFIELD
DAVID W. BERNARD
ALLEN T. BERRY
TODD A. BERRY
WOLFGANG T. BIGGERSTAFF
KIM T. BIVIN
ERIC W. BLAIR
NANCY E. BODYK
MATTHEW A. BOEHNKE
JOSE R. BRACERO, JR.
DAVID M. BRADSHAW
MONICA F. BRADSHAW
JOHN D. BRANCH
STEVEN E. BREWER
SCHUYLER M. BRISTOW
SCOTT D. BROOKS
JASON M. BROWN
MICHAEL L. BROWN
DANIEL W. BURNETT
GUY M. BURROW
THOMAS M. BUTLER
JASON T. CALDWELL
JAVIER E. CARDONA
CHARLES A. CARLTON
ROBERT H. CARR
TANIA M. CHACHO
MICHAEL A. CHANDANAIS

MARY R. CHEYNE
LAWRENCE W. CHINNERY, JR.
JOO E. CHO
JEFFREY S. CHRISMAN
CECIL L. CLARK
PATRICK S. COFFMAN
CHARLES O. COLLINS
ANDREW A. COLLUM
KEITH A. COLLYER
KURT P. CONNELL
WILLIAM D. CONNER
JOHN A. CONNIFF
MICHAEL T. COOPER
DENNIS D. COWHER
PAUL G. CRAFT
CHRISTOPHER M. CRAWFORD
BRADY A. CROSIER
JOSEPH A. CRUSE
ELOY E. CUEVAS
BRADLEY W. CULLUM
ROBERT M. CUNNINGHAM
WILLIAM P. CZAJKOWSKI, JR.
DENNIS C. DANIELS
MARK D. DAVEY
QUACEY L. DAVIS
RICHARD S. DAVIS
KETTI C. DAVISON
STEPHEN E. DAWSON
JOHN M. DEMKO
JAMES B. DICKEY
MICHELLE L. DIGRUTTOLO
GORDON E. DODSON, JR.
MARK H. DOTSON
GREGORY J. DOUBEK
TIMOTHY A. DOYLE
RUSSELL G. DRAPER
TODD C. DUDLEY
GLORIA D. DUNKLIN
BRIAN R. DUNMIRE
CHRISTOPHER R. DURHAM
MARC A. EDQUID
DONALD W. EDWARDS, JR.
DOUGLASS EDWARDS
WILLIAM B. EGER
DEBORAH M. ELLIS
MELISSA D. FAHRNI
MARTIN J. FARENFIELD
ANDREW F. FARNSLER
STEVEN G. FINLEY
SCOTT T. FLEEHER
ROSS D. FLORES
THOMAS F. FOSTER
KATHY FOX
JOHN F. FRAVEL III
EARL A. FREEMAN
DANIEL FRIEND
KEITH A. GALLEW
ALPHONSO L. GAMBLE
DAVID A. GIGLIOTTI
DANIEL R. GINN
THOMAS P. GLOVER
MARTIN D. GLYNN
RICARDO GONZALEZ
DUANE K. GREEN
JOSEPH D. GRIMES
PETER J. HABIC
MICHAEL HAKEMAN
JERRY A. HALL
MARIE L. HALL
TYRONE J. HALL
DAN R. HANSON
JAMES E. HARDY
GARRICK M. HARMON
BLAIRE M. HARMS
ELLIOT E. HARRIS
JOHN K. HARRIS
LARRY D. HARRISON II
CHRISTOPHER L. HARTLEY
JAMES E. HARVEY
LINDA T. HARVEY
JASON R. HAYES
STEVEN A. HEDDEN
TROY K. HEINEMAN
TERRY W. HERRING
BRADLEY C. HILTON
CLIFFORD M. HODGES
JAMES R. HOGAN
THOMAS P. HOLLIDAY, JR.
ERIC A. HOLLISTER
JEFFREY B. HOUSE
MATTHEW J. INGRAM
JEFFREY L. JENNETTE
ALAN L. JOHNSON
ANTONIO D. JOHNSON
JOHN D. JOHNSON
STEVEN W. JOHNSON
THOMAS C. JOHNSON
TODD A. JOHNSON
BENJAMIN C. JONES
DAVID C. JONES
DAVID M. JONES
DOUGLAS D. JONES
MARTINA L. JONES
SHANNON D. JUDNIC
PIERRE D. JUTRAS
WILLIAM H. KACZYNSKI
GUY M. KAPUSTKA
KIM T. KAWAMOTO
DAVID R. KING
BRET C. KINMAN
MICHAEL G. KIRKLAND
KENNETH F. KLOCK
DAVID L. KNIGHT
WILLIAM K. KONDRACKI
KEVIN J. KRACKENBERGER
DAVID P. KRAHL
DANIEL F. KUNTZ
THOMAS M. LAFLEUR
LINDA M. LAMM
PAUL E. LANZILLOTTA
ERIC J. LARSEN
KEVIN T. LAUGHLIN
TIMOTHY R. LAWRENCE
CARLETON A. LEE
KEVIN H. LEE
JASON LERNER
MARK J. LESZCZAK
PETER S. LEVOLA
DOUGLAS R. LEWIS
WILLIAM I. LEWIS, JR.
BRIAN J. LIEB
MARVIN G. LOERA
DARON L. LONG
SEAN W. LONG
JOHN S. LYERLY
KEVIN R. LYNCH
SUZANNE B. MACDONALD
ANDREW W. MACK
MICHAEL L. MANSI
MICHAEL A. MATNEY
CYNTHIA A. MATUSKEVICH
CHRISTOPHER T. MAYER
TIMOTHY J. MAYNARD
EDWARD W. MCCARTHY
ANDREW S. MCCLELLAND
RICHARD K. MCCLUNG
JAMES E. MCDONOUGH
JAMES T. MCGHEE
MICHAEL D. MCKAY
JOHN M. MCNEALY
CHARMAINE R. MEANS
ANNETTE C. MERFALEN
TIMOTHY J. MERTSOCK
MARIA K. METCALF
WILLIAM P. MIGOS
MICHAEL J. MILLWARD
BILLY M. MIRANDA
GARY P. MISKOVSKY, JR.
CAMERON G. MITCHELL
JOHN A. MOBERLY
PHILIP P. MONBLEAU
CHARLES P. MOORE
DONALD E. MOORE
KERRY E. MOORES
TODD T. MORGAN
NICOLE R. MORRIS
MARK L. MOSS
JOHN A. MOWCHAN
TIMOTHY R. MURDOCK
THOMAS G. NEEMEYER
LANDY T. NELSON, JR.
ANGEL L. NIEVESORTIZ
JOHN F. NOLDEN, JR.
MATTHEW H. NUHSE
CHARLES B. OBRIEN
EDWARD P. OCONNOR
JOSEPH T. ONEIL
ANDREW S. ORNELAS
RANDALL G. OWENS
WESLEY P. PADILLA
JOHN PARENTE, JR.
MARK B. PARKER
JOEL S. PAWLOSKI
WILLIAM F. PEARMAN
GREGORY H. PENFIELD
MELANIE S. PEREZ
DAVID C. PERRINE
KEITH C. PHILLIPS
JEANMARC PIERRE
SEAN L. PIERSON
GEOFFREY D. PINSKY
WILLIAM R. PITTMAN IV
CHRISTIANE L. PLOCH
JAMES S. POWELL
CLIFTON PRAT
BRIAN W. PREISS
JOHN D. PRICE
JAMES B. PUGEL
RICHARD J. QUIRK IV
ALAN L. RAMOS
FIRMAN H. RAY
JOEL D. RAYBURN
VIRGINIA REED
ROBERT N. RIDDLE
MARK S. RILEY
LORA A. RIMMER
ROYAL S. RIPLEY
WENDY L. RIVERS
PAUL W. ROBYN
RONALD D. ROGERS
STEPHEN C. ROGERS
PAUL D. ROMAGNOLI
KEVIN P. ROMANO
DANA RUCINSKI
DANIEL J. RUDER
ROBERTO RUIZ
CRAIG A. SALO
DANNY B. SALTER
PAUL M. SALTYSIAK
RONALD D. SARGENT, JR.
REID L. SAWYER
PETER J. SCAMMELL
ROBERT J. SCANLON
ROBERT W. SCHAEFER
WILLIAM M. SCHAUM, JR.
PATRICK J. SCHULER
ROBERT C. SCHULTE
JOHN W. SCHURTZ
CHRISTINA M. SCHWEISS
CHARLES E. SEGARS
SUZANNE M. SELF
DENNIS S. SENTELL, JR.
MICHAEL R. SEVERSON
GERALD W. SHAW
JEROME R. SHAY, JR.
EUGENE V. SHEELY
EULYS B. SHELL II
THOMAS R. SHENK
AARON R. SHIELDS
JOHN A. SINCLAIR
NANDKUMAR R. SINGH
SCOTT H. SINKULAR
DALE K. SLADE
DARREN R. SMITH
STEPHEN M. SMITH
ROBERT SOBESKI
BRIAN T. SOLDON
MICHAEL J. SORRENTINO
STEVEN J. SPARLING
JOHN F. SPENCER III
JEFFERY W. STANSFIELD
JEFFREY A. STARKE
BRIAN L. STEED
TAMMY L. STOCKING
GEOFFREY M. STOKER
OLIN K. STRADER
JASON T. STRICKLAND
ANN L. SUMMERS
FRANK F. TANK
RALPH M. TAYLOR
AARON P. TIPTON
PAUL J. TODD
THOMAS B. TREDWAY
MICHAEL F. TREVETT
DAVID W. TROTTER
JAMES D. TURINETTI IV
CURTIS L. TYGART
ROBERT H. VALIEANT
VERNON N. VANDYNE
BRET P. VANPOPPEL
JUAN C. VEGA
JONATHAN W. VERNAU
WILLIAM T. VIAR
GREGORY C. VIGGIANO
LISA C. VINING
ROBERT A. VITT
GLENN J. VOELZ
DALE L. VOLKMAN
TERESA A. WARDELL
JASON F. WEECE
JOHN W. WEIDNER
KENNETH M. WEILAND II
DON L. WILLADSEN
DAVID G. WILLIAMS
DAVID T. WILLIAMS
JEFFREY N. WILLIAMS
BRET D. WILSON
DAVID N. WILSON
EDWARD C. WILSON
TROY S. WISDOM
LARRY N. WITTWER
KEVIN P. WOLFLA
DOUGLAS R. WOODALL
JASON A. WOODFORD
DONALD R. WORDEN
ROBERT B. WORSHAM
MICHAEL A. YORK
JON W. YOUNG
RICHARD L. ZELLMANN
PAUL M. ZEPS, JR.
SCOTT M. ZNAMENACEK
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THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JEFFREY W. ABBOTT
BRIAN W. ADAMS
JAY R. ADAMS
JOHNNY D. ADAMS
LAMAR D. ADAMS
MARK E. ADAMS
KEVIN D. ADMIRAL
LAWRENCE AGUILLARD III
MARK J. AITKEN
BARBI L. ALEANDRE
JOSEPH P. ALESSI
MARK E. ALEXANDER
STEPHEN B. ALEXANDER
CRAIG J. ALIA
JOHN R. ALLEN
MARK A. ALVAREZ
MAXWELL J. AMMONS
CURTIS T. ANDERSON II
DOUGLAS A. ANDERSON
JOEL K. AOKI
CHAD R. ARCAND
PATRICIA A. ARCARI
TIMOTHY J. ATKINS
CHARLES H. AUER, JR.
TODD A. AULD
CORBIN K. BACKMAN
JAMES J. BAILEY
JOHN M. BAILEY, JR.
ALLAN P. BAKER

ALAN K. BAL
STEPHEN H. BALES
REGGINIAL R. BARDEN II
BALLARD C. BARKER
SEAN W. BARNES
TROY D. BARNES
WILLIAM A. BARROW
SAMUEL S. BARTON
BRENT M. BARTOS
STEVEN G. BASSO
SEAN T. BATEMAN
RYAN D. BATES
STACY M. BATHRICK
PABLO BATISTAHERNANDEZ
CRAIG S. BAUMGARTNER
DAVID R. BAXTER
DERRICK E. BAXTER
THOMAS A. BAYER II
JAMES E. BEAN
JOHN C. BEATTY
WILLIAM T. BECK
MARY S. BELL
WILLIAM J. BENNER
DOUGLAS W. BENNETT
CRAIG R. BENSON
ANGEL N. BERMUDEZCASTRO
SEAN C. BERNABE
KOLIN V. BERNARDONI
ROBERT K. BERTRAND
MICHAEL J. BEST
ROBERT E. BEY
MARK O. BILAFER
DAVID E. BITNER
JASON J. BLAIS
ROBERT G. BLANKENSHIP
NATHAN B. BLOOD
GLEN B. BLUMHARDT
MARC E. BOBERG
KENNETH D. BOGGS
THOMAS R. BOLEN
GEORGE M. BOND
JOHN M. BONE
GREGORY A. BORCHERDING
DAVID T. BOROWICZ
BRIAN L. BOWEN
RAYMOND D. BOWYER
KEITH B. BRACE
TERRENCE L. BRALEY
JAMES M. BRAMBLETT
DAVID B. BRICKER
RONALD S. BRIDEGAM
MARSHALL W. BRIDGES
MICHAEL S. BROOKS
PAUL T. BROOKS
WINSTON P. BROOKS
MICHAEL D. BROPHY
EDWIN C. BROUSE
CHARLES M. BROWN
EDMOND M. BROWN
KEVIN S. BROWN
TIMOTHY A. BRUMFIEL, SR.
PATRICK D. BRUNDIDGE
ERIC D. BRUNKEN
JAMES D. BRUNS, JR.
JOHN T. BRYANT
SANTIAGO G. BUENO III
CHRISTOPHER A. BURNS
THOMAS D. BURTON
CHRISTOPHER S. BUTLER
CURTIS A. BUZZARD
DAVID A. CALDWELL
PATRICK A. CALLAHAN
SCOTT A. CAMPBELL
CAMERON M. CANTLON
JAMES F. CARLISLE
CHRISTOPHER J. CASSIBRY
ROBERT C. CASTELLI
GEOFFREY A. CATLETT
INGRID I. CENTURION
EDWARD P. CHAMBERLAYNE
BEVIN K. CHEROT
SCOTT M. CHIASSON
WARREN CHRISTOPHER
BRETT M. CLARK
SEAN D. CLEVELAND
DONN T. COFFMAN
CHRISTOPHER COGLIANESE
MALCOLM C. COLE II
CHRISTOPHER L. COLEMAN
LIAM S. COLLINS
CHRISTOPHER L. CONNOLLY
JOHN W. CONNOR
ROBERT J. CONNOR, JR.
FRANK J. COOK
NATHAN E. COOK II
CHRISTOPHER C. CORBETT
NICHOLAS P. CORRAO
SCOTT A. COULSON
CHRISTOPHER J. COX
DARREN V. COX
BRUCE R. COYNE
JAMES R. CRAIG
PAUL A. CRAVEY
ELTON E. CRAWFORD II
GEOFFREY A. CRAWFORD
TIMOTHY CREIGHTON
STEPHEN W. CROLEY
JOHN D. CROSS
CURTIS L. CRUM
MARC J. CUMMINS
ROBERT A. CURRIS
SAMUEL W. CURTIS
JOHN M. CUSHING
SHAWN L. DANIEL
BARRY E. DANIELS, JR.
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WILLIAM E. DARNE
WILLIAM E. DAVENPORT II
MICHAEL L. DAVIDSON
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HAROLD C. DEMBY
JEFFREY C. DENIUS
MICHAEL C. DEROSIER
CHRISTOPHER D. DESSASO
TORREY A. DICIRO
SCOTT DICKEY
KEVIN J. DIERMEIER
SHANE C. DILLOW
CRAIG M. DOANE
DAVID P. DOHERTY
JAMES H. DONAHUE, JR.
MICHAEL C. DONAHUE
DAVID A. DOSIER
CHRISTOPHER P. DOWNEY
DAVID S. DOYLE
DANIEL J. DUDEK
TIMOTHY M. DUFFY
GERALD R. DULL
JAMES A. DUNCAN
THOMAS A. DUNCAN II
LANDY D. DUNHAM
MICHAEL K. DYE
BRIAN R. EBERT
MARSHALL V. ECKLUND
MICHAEL E. EDWARDS
RICHARD J. EDWARDS
JAMES W. ELLERSON, JR.
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MARCUS S. EVANS
JAMES M. FALCONE, JR.
ROGER E. FARRIS
MATTHEW H. FATH
EDWARD F. FEARS
KYLE E. FEGER
KURT P. FELPEL
ENRICCO C. FINLEY
DARREN P. FITZGERALD
TIMOTHY J. FLETCHER
DARREN M. FLOWERS
ROBERT D. FOSTER, JR.
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TIMOTHY R. FRAMBES
CHARLES D. FREEMAN
BRIAN P. FREIDHOFF
ROBERT G. FREYLAND
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LISA A. GARCIA
PAUL N. GARCIA
NICOLE J. GARDNER
GREG W. GAUNTLETT
PATRICK L. GAYDON
ANDY J. GENASCI
CRAIG W. GENDREAU
DARRYL L. GEROW, SR.
KIRK E. GIBBS
JAYSON C. GILBERTI
JOSEPH B. GILION
MICHAEL M. GILL
JEFFREY S. GLOEDE
PAUL L. GOETHALS
DAVID J. GOETZE
ROBERT J. GONDOLFO
GORDON M. GORE
JOHN R. GOSSART
JOEL C. GRANTHAM, JR.
GARY R. GRAVES
DARRELL L. GREEN
SCOTT A. GREEN
TIMOTHY M. GREENHAW
ROBERT W. GRIEGO
RHETT B. GRINER
DANIEL GUADALUPE
EUGENIA K. GUILMARTIN
THOMAS B. GUKEISEN
NATHANIEL D. GUSTIN
ROBERT A. GUTIERREZ
DOUGLAS B. GUTTORMSEN
YI S. GWON
RAYMOND E. HACKLER
JUSTIN D. HADLEY
DAVID W. HAINES
DAVID W. HAINES
SAMUEL E. HALES
PHILIP J. HALLIBURTON
THOMAS B. HAM
VICTOR S. HAMILTON
THOMAS D. HANSBARGER
WILLIAM M. HARDY, JR.
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CYNTHIA A. HAZEL
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JOSEPH E. HEFFERNAN
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PETER D. JACKSON
GREGORY K. JACOBSEN
MICHAEL E. JAMES
MARK D. JERNIGAN
WILLIAM B. JOHNSON
KEVIN L. JOHNSTON
HERBERT A. JOLIAT
BENJAMIN S. JONES
DAVID E. JONES
GUY M. JONES
KENNETH E. JONES
PAUL A. JONES
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YVETTE M. KANNEY
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ROBERT F. KIERMAYR
ANDREW B. KIGER
MICHAEL K. KING
HERMAN F. KIRSCH
SEAN G. KIRSCHNER
DARREN J. KLEMENS
KEVIN M. KLOPCIC
STEPHEN G. KNEELAND
NIAVE F. KNELL
JOHN A. KNIGHT
JOHN H. KNIGHTSTEP
TIMOTHY J. KNOWLES
ANDREW W. KOLOSKI
DAVID R. KRAMER
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CHARLES L. KURZ
KERIEM X. KVALEVOG
MICHAEL J. LACKMAN
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ADAM W. LANGE
GLENN E. LAPOINT
JONATHAN C. LARSEN
MICHAEL M. LARSEN
MICHAEL J. LAWRENCE
DAVID J. LEACH
KEVIN C. LEAHY
THEODORE M. LEBLOW
SEAN M. LEEMAN
HERBERT E. LEPLATT
TIMOTHY P. LEROUX
DAVID R. LEWIS
JACKIELYN LEWIS
THOMAS E. LEWIS, JR.
OTTO K. LILLER
JOHN A. LOBASH, JR.
JOSEPH G. LOCK
DAVID T. LONDON
ARTHUR J. LONTOC
JOE A. LOPEZ
PETER B. LUGAR
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WESLEY F. MACMULLEN
THAMAR A. MAIN
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CARL W. MAROTTO
TIMOTHY J. MARSHALL
JOSEPH J. MARTIN
MARK T. MARTINEZ
SILAS G. MARTINEZ
JEFFREY D. MARTUSCELLI
CHARLES J. MASARACCHIA
MICHAEL L. MATHEWS
JAMES A. MAXWELL
PAUL E. MAXWELL
JOSEPH MCCALLION, JR.
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MICHAEL J. MCGUIRE
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AGUSTIN MCLAMBQUINONES
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JEFFREY A. MERENKOV
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JODY C. MILLER
RUSSELL S. MILLER
SHANNON T. MILLER
STEPHEN A. MILLER
STEVEN M. MILLIKEN
JON R. MILNER
ANDREW L. MILTNER
RONALD J. MINTY, JR.
JAMES M. MISHINA
JOHN P. MITCHELL
KOREY O. MITCHELL
BRADLEY F. MOCK
JEFFREY J. MONTE
JON P. MOORE
LANCE D. MOORE
MATTHEW P. MOORE
MATTHEW R. MOORE
MAXIMO A. MOORE
CATHERINE L. MORELLEOLIVEIRA
CHRISTOPHER S. MORETTI
ANDREW MORGADO
SEAN M. MORGAN
JASON R. MORRIS
SHANON J. MOSAKOWSKI
DEWEY A. MOSLEY
RICHARD L. MULLINS
WILLIAM C. NAGEL
VINCENT D. NAVARRE
DAVID R. NEHRING, JR.
ROBERT J. NEITZEL
BRUCE W. NELSON
JACK H. NELSON
STEVEN W. NETTLETON
MARK A. NEWBY
BRANDON D. NEWTON
DEMETRIOS J. NICHOLSON
HEATH J. NIEMI
ROLLAND C. NILES
ARNOLD J. NOONAN
JARED H. NORRELL
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TROY G. ODONNELL
MICHAEL T. OESCHGER
CRYSTAL M. OLIVER
STANNUS P. ORR
ANDREW A. OSBORN
LANCE D. OSKEY
STEVEN E. OSTERHOLZER
DAVID L. PAINTER
DAVID L. PARKER
DARREN N. PARSONS
MICHAEL J. PATE
FLINT M. PATTERSON
THOMAS D. PATTON, JR.
BRIAN A. PAYNE
NATALIE M. PEARSON
ISAAC J. PELTIER
JOSEPH PEPPER, JR.
CARLOS M. PEREZ
CELESTINO PEREZ, JR.
MARIO L. PEREZ
JEFFREY C. PERRY
JO D. PHILLIPS
ROBERT G. PICHT, JR.
TODD A. PLOTNER
JOHN A. POLHAMUS
STEPHEN D. POMPER
JOSHUA J. POTTER
ANDREW T. POZNICK
TIMOTHY L. PRATER
CURTIS W. PRICE
KEITH T. PRITCHARD
KEITH C. PRITCHETT
ROLAND V. QUIDACHAY
JOHN L. RAFFERTY, JR.
ROBERT L. RAGLAND
TROY J. RAMIREZ
DAVID L. RAUGH
BRIAN D. RAY
DAVID G. RAY
MARK R. READ
THEODORE R. READ
DAVID M. REARDON, JR.
SHERRI K. REED
RICHARD P. REESE III
NEIL A. REILLY, JR.
CHAD A. REIMAN
JOHN C. ROADCAP
BRANDON S. ROBBINS
CHRISTOPHER K. ROBBINS
ELIZABETH L. ROBBINS
DANIEL M. ROBERTS
LORI L. ROBINSON
RICHARD E. ROBINSON III
JASON P. ROCK
ROBERT M. RODRIGUEZ
THOMAS J. ROE
RICHARD R. ROLLER
ELBERT G. ROSS
SAMANTHA B. ROSS
DANIEL N. ROUSE
JAMES D. ROUSE
JOSHUA M. RUDD
THOMAS E. RUDE
PHILIP J. RYAN
ROBERT W. RYAN
SEAN P. RYAN
WILLIAM A. RYAN III
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FRANKLIN R. SAFFEN
SAMUEL J. SAINE
JUAN M. SALDIVAR, JR.
JAMES R. SALOME
DAVID L. SANDERS III
KENNETH J. SANDERSON
HENRY SANTIAGOGONZALEZ
CHRISTOPHER N. SANTOS
KENNETH W. SCHEIDT
ROBERT L. SCHILLER, JR.
RANDY D. SCHLIEP
CHRISTOPHER F. SCHMITT
KARL K. SCHNEIDER
ERIC D. SCHOUREK
JEROME P. SCHULZ
GERALD R. SCOTT
DONALD A. SCULLI
CLAY A. SEABOLT
PHILIP M. SECRIST III
DAVID A. SEGULIN
JAMES L. SHARP II
BRYAN L. SHARTZER
DAVID M. SHELLY
LAWRENCE L. SHEPHERD
KENNETH J. SHEPPARD
PETER A. SICOLI
JEREMY T. SIEGRIST
JEREMY L. SIMMONS
THOMAS N. SIMONS, JR.
MARK A. SIMPSON
TERRY L. SIMPSON
HARVINDER SINGH
MARK A. SISCO
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NOEL C. SMART
ELIZABETH R. SMITH
FELTON E. SMITH, JR.
GREGORY M. SMITH
KELLY H. SMITH
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TIMOTHY C. SMITH
IRIS M. SOBCHAK
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GROVER R. SOUTHERLAND
GERALD J. STALDER
THOMAS A. STAMP, JR.
FRANK J. STANCO, JR.
MICHAEL L. STANDISH
MICHAEL D. STEEN
DARRYL D. STEPHENS
KENNETH T. STEPHENS
JOEL R. STEPHENSON
LARRY D. STEPHNEY
JOSHUA T. STEVENS
GEOFFREY T. STEWART
WILLIAM D. STEWART
JOHN J. STRANGE, JR.
LANCE D. STRATTON
CHRISTIAN A. SULIT
CHAD R. SUNDEM
BRETT G. SYLVIA
JOHN F. TAFT
MUFUTAU A. TAIWO
CURTIS D. TAYLOR
SCOTT L. TAYLOR
STEWART S. TAYLOR
RANDALL L. THRASH
JOHN L. THROCKMORTON III
PAMELA S. TING
KEVIN S. TITUS
MATTHEW A. TOLLE
MICHAEL S. TRACY
BART R. TRAGEMANN
BRIAN TRIBUS
MICHAEL N. TROTTER
COLIN P. TULEY
DENNIS M. TURNER
JERRY A. TURNER
BRIAN TUSON
PATRICK T. TVRDIK
DIRK W. TYSON
ELBERT D. VALENTINE
PRAXITELIS N. VAMVAKIAS
JACK E. VANTRESS
CHARLES M. VELESARIS
GUILLERMO A. VENTURA
ERIC L. VICKERY
SON P. VO
DOUGLAS J. WADDINGHAM
ALAN R. WAGNER
DAVID S. WALKER
ERIC L. WALKER
ERIK J. WALKER
NATHANIEL F. WALLACE
CHRISTOPHER S. WALTON
FRANK J. WALTON
BRAD W. WAMBEKE
FORTE D. WARD
JAMES E. WARD
STEVEN A. WARMAN
PAUL A. WARMUSKERKEN
ADOLPHUS WEEMS III
ERIC J. WEIS
JOHN B. WEISNER
RANDALL E. WHEELER
MATTHEW R. WHITEHEAD
DAVID R. WILDER
ALFRED G. WILLIAMS
GREGORY A. WILLIAMS
JASON D. WILLIAMS
BOB E. WILLIS, JR.
ROBERT L. WILSON
SEAN E. WILSON
TARPON S. WISEMAN
THOMAS E. WOODIE
PATRICK T. WRIGHT
ROBERT A. WRIGHT IV
CHRISTOPHER V. WYNDER
JOSEPH L. WYSZYNSKI
BRIAN K. YEE
VINCENT M. YZNAGA
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WITHDRAWAL

Executive Message transmitted by the President to the Senate on July 14, 2008 withdrawing from further Senate consideration the following nomination:

AIR FORCE NOMINATION OF LT. GEN. WILLIAM M. FRASER III, TO BE GENERAL, WHICH WAS SENT TO THE SENATE ON APRIL 23, 2008.

EXTENSIONS OF REMARKS

HONORING THE PEOPLE'S MUJAHIDEEN ORGANIZATION OF IRAN

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 2008

Mr. TANCREDO. Madam Speaker, in the 1980's the United States supported and helped arm the Afghan resistance to Soviet occupation of their country, a policy later portrayed in the award-winning Tom Hanks movie, ''Charlie Wilson's War.'' Today we need to show support for dissidents fighting to overthrow the terrorist regime in Tehran. It will come as a surprise to most Americans that we are not doing so.

In that struggle to push the Soviets out of Afghanistan, not all of those Afghan freedom-fighters were fighting for democracy. It was a coalition of forces who had one thing in common: they wanted the Soviets out of their country. We supported them, and they won. Not only did the Soviets leave Afghanistan, within four years the Soviet Union imploded.

One of the main groups fighting to overthrow the Ahmadinejad regime is the People's Mujahideen Organization of Iran (PMOI)—also called the MEK—and its political arm, the National Council of Resistance in Iran (NCRI). Strangely, instead of assisting these dissidents, our Department of State decided to label them terrorists in 1997.

In the decade since, a debate has raged about whether the designation of the MEK as a terrorist group was driven less by the facts than it was a desire on the part of State Department bureaucrats to curry favor with ''moderates'' in the government of then-Iranian President Mohammad Khatami. Either way, it is has become clear that this ''good will gesture'' on the part of the State Department failed to yield any progress with Tehran.

The MEK advocates a secular democratic government for Iran, one that that respects human rights and basic freedoms (including freedom of the press and freedom of religion) and has provided intelligence and assistance about the activities of the Iranian regime in Iraq, and Tehran's covert nuclear program. Moreover, a number of the group's members are under the protection of Coalition troops in Iraq.

Unfortunately, the group was recently the victim of a missile attack at Camp Ashraf in Iraq. This is a testament to how much Tehran fears the group.

I hope the Iranian regime will refrain from future attacks of this nature, as Ashraf's residents are protected under the Fourth Geneva Convention. Their well being is and continues to be the obligation of the Coalition troops in Iraq, and the Iraqi government.

This raises another interesting point. Not only does the MEK not behave like a terrorist group, in many respects the U.S. government does not treat them like one.

The MEK is a group that the United States and the west should cultivate as we seek an organic, democratic change agent in Iran.

Fortunately, the United Kingdom has already come to this conclusion in removing the MEK from the British terrorist list earlier this year.

Franklin Roosevelt and Winston Churchill were willing to enter into an alliance with Joseph Stalin and the Soviet Union in 1941 in order to defeat Hitler. We used every ally and every resource to defeat the Axis Powers. Yet today, in dealing with the terrorist regime of Iran, a regime that daily threatens to destroy Israel and the U.S. (the ''Great Satan'') and is actively seeking the means of fulfilling that threat, we cannot find it in our interest to render aid to the People's Mujahideen of Iran because of its checkered past.

It is time for the western world to re-examine our treatment of the MEK in the wake of the UK court decision.

For starters, the political goals behind designating the MEK as a terrorist organization here in the U.S. have failed to materialize. If anything, the Iranian government has become more aggressive and repressive in the years since the MEK designation. Iran is supporting violence and terrorism from Baghdad to Beirut, has defied U.N. demands to end its nuclear enrichment program, and shows no signs of moderating its behavior—test firing missiles yesterday in violation of UN Security Council resolutions.

What better way to send a message to Tehran than to free the MEK from the international stigma that comes with the 'terrorist' label.

This year's U.S. State Department Country Reports on Terrorism rightly brands the Iranian government as the number one state sponsor of global terrorism. Iran has also been the principal supplier of IEDs to terrorists in Iraq who are killing American soldiers and Iraqi civilians.

Despite continued efforts at diplomacy, financial sanctions, and—in the case of placing the MEK on various terrorist lists—outright appeasement by many western countries, Iranian President Mahmoud Ahmadinejad has declared that his country will never yield its ''dignity'' by suspending its uranium enrichment program.

U.S., EU and UN negotiators have been talking with Tehran about its nuclear program for many years, but Tehran has shown no sign of changing course. And why should they when we keep handcuffs on Iranian dissidents who might cause the Iranian regime real problems?

If western efforts at ''dialogue'' and ''diplomacy'' are to be successful, they must be more than opportunities for Iran to stall for time while moving forward with their nuclear program. A willingness to negotiate with carrots doesn't work unless one is willing to use a few sticks as well.

Today, there no longer remain any legal or political justifications for maintaining the MEK on the terror list. I therefore urge our government to seriously reconsider its stance on the democratic opposition of Iran and remove the group from our list of terrorist organizations.

It's time to take the handcuffs off of the MEK.

IN RECOGNITION OF CHRIS MURZIN, UNIVERSITY PARK'S 2008 CITIZEN OF THE YEAR

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 2008

Mr. SESSIONS. Madam Speaker, I rise today to congratulate Chris Murzin who was named University Park's 2008 Citizen of the Year.

Chris and his family moved to University Park in 2006 and have been active members of our local community. As a father of a child with special needs, he was quick to identify local accessibility issues and has dedicated himself to improving the lives of the disabled. He is constantly on the forefront of our community—educating the public, meeting with officials from Highland Park Independent School District and PTA members, and coordinating a citizen-based fund drive to build a barrier-free playground. I know he will continue to strive for a better life for the disabled by serving as a vocal advocate. His vision and commitment to this cause has already led to greater awareness in University Park and will soon be evidenced by a barrier-free playground at Coffee Park.

Madam Speaker, I ask my esteemed colleagues to join me in expressing our sincerest congratulations to him and our heartfelt gratitude for his dedicated efforts to better the lives of the disabled.

DR. JOSHUA CULBREATH

HON. JOE SESTAK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 2008

Mr. SESTAK. Madam Speaker, I rise today to honor the career of a remarkable individual on the occasion of his induction into the United States Marine Corps Hall of Fame: Dr. Joshua ''Josh'' Culbreath, a native of Norristown, PA and an Olympic athlete, who distinguished himself as a community leader.

Dr. Culbreath was a bronze medalist as a member of the United States' 400 meter hurdling team in the 1956 Melbourne Olympics, part of an American clean sweep of the medals in that race. As a star track and field athlete, he was a state high school champion and was a three time national 440 yard hurdles champion, setting a world record in that event.

Dr. Culbreath recognized that ''sport determined his destiny.'' A confident and self-motivated individual, he set seemingly insurmountable goals for himself. In addition to his brilliant racing career, Dr. Culbreath dedicated more than 60 years of his life as an educator and high school, college, and university track and field coach, sharing his knowledge, expertise, and love for track and field with aspiring athletes. The athletic accomplishments of his students are astonishing, as they won ten collegiate national titles. As the Director of Athletics at Morehouse College, Dr. Culbreath developed an athletic program that received national acclaim and Central State University named a new track, the Josh Culbreath Track, in his honor. Dr. Culbreath also took pride in tutoring his athletes, with more than 90 percent of them graduating from college.

The Honorary Doctor of Humane Letters awarded to Dr. Culbreath by Edward Waters College is clearly deserved. On the international stage, he represented the United States as a lecturer, coach and sports ambassador in Iraq and India. In particular, he must be commended for his humanitarian work with the International Cultural Exchange Program, which resulted in a groundbreaking integrated competition in Africa between Black and White athletes, who raced in Northern and Southern Rhodesia and Nysaland. In the United States he led integration efforts in Hollywood, Florida, using his stature as a record-setting athlete and talent as a communicator to unite people in that community. His work produced integration in housing complexes and at sporting events.

Dr. Culbreath also served as a community leader by helping in the development and implementation of Plans for Progress in Philadelphia, a forerunner of the national Affirmative Action Program. He also assisted in the development of an affirmative action and equal employment opportunity program for the Sperry/Unisys Corporation. Through his work as a motivational speaker and lecturer, Dr. Culbreath has touched the lives of a diverse audience, appearing before corporate, governmental, and collegiate groups to discuss motivation and education, Olympic sports, and international athletics issues.

Madam Speaker, I ask that we pause and salute Dr. Culbreath, father of Sandra Allen Penn, Khaliq T. Culbreath (deceased), Maliq R. Culbreath, Jahan L. Culbreath, and Camille A.M. Culbreath, for his amazing athletics achievements, his extraordinary accomplishments as a community leader and his commitment to improving the lives of others.

IN REMEMBRANCE OF AL STERN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 2008

Mr. KUCINICH. Madam Speaker, I rise today in remembrance of Al Stern, a man who lived his life by the principal of Tikkun Olam, the healing of the world. He dedicated himself to the cause of free speech and to cultivating the seeds of Middle East peace and understanding in the Cleveland community.

The roots of his activism began during the Civil Rights Era, when he marched along side Dr. Martin Luther King Jr. He was an activist for the Congress on Racial Equality, the Committee for Sane Nuclear Policy, and was an activist against the Vietnam War and for women's reproductive rights. In 1974 when helped found the Cleveland chapter of Americans for Peace Now, a solidarity organization aligned with the Shalom Achshav movement in Israel formed out of the conviction that Israel's democratic character and future security were intertwined with achieving a just and peaceful solution to the Palestinian-Israeli conflict.

Al Stern advocated for mutual understanding and a two state solution long before it was widely accepted. For twenty years he engaged with and educated the Cleveland community about the costs of the current conflict and the opportunities for peaceful solutions. His work took him all over the world, where he met with the people and leaders in Israel, Syria, Egypt and Gaza. He led by example through his own commitment to educating himself and reaching out to concerned members of the community.

After stepping down from his position on the board of Americans for Peace Now in 1993, he became a full time volunteer for the American Civil Liberties Union. I have had the privilege of hearing Mr. Stern speak on free speech and civil liberties issues. He and I have worked closely together in an effort to build bridges across the gaps that divide people in the Middle East and in Cleveland.

Madam Speaker and colleagues, please join me in remembrance of Al Stern, who has served as an inspiration for engaged, global citizenship. May his legacy of advocating for civil liberties and cultivating Middle East Peace be an example for all of us to follow.

CONGRATULATING THE STUDENTS OF LIBERTY CHRISTIAN SCHOOL IN ARGYLE, TEXAS FOR THEIR PARTICIPATION IN THE DELL-WINSTON SCHOOL SOLAR CAR CHALLENGE

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 2008

Mr. BURGESS. Madam Speaker, I rise today to congratulate the students from Liberty Christian School in Argyle, Texas for building a one-of-a kind solar-powered vehicle to compete in the Dell-Winston School Solar Car Challenge. Their solar powered vehicle passed inspection and was tested this weekend at Texas Motor Speedway.

The Dell-Winston School Solar Car Challenge began in 1993 in Dallas, Texas. The competition now attracts students from 19 high schools across Texas, in addition to teams from other states. Each team must build its own solar-powered car, and the car that completes the most laps at the Speedway during three-hour periods wins the competition. The Liberty Christian students used scrap parts, as well as some parts bought on the Internet, to build their vehicle, at a total cost of only $8000.

The team members have varying interests, some planning on pursuing engineering or science in college, while others plan to study non-scientific fields, such as dance. Nonetheless, each member is dedicated to completing this very challenging project, which tests their attention to detail, mechanical ability, and creativity.

The four-day competition took place this weekend. The students' vehicle, named ''Racing for the Sun,'' was successful in completing eighteen laps. Now that the competition is over, the students' next step will be to travel across the country to display their work.

The six students from Liberty Christian have displayed team work, and they've shown how dedication and persistence can lead to success. I am proud to represent these students in the 26th District of Texas, and I wish them all the best in their future endeavors.

ORGANIZATIONS THAT SUPPORT H.R. 3195, THE ADA AMENDMENTS ACT OF 2008

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 2008

Mr. GEORGE MILLER of California. Madam Speaker, I respectfully submit the following for inclusion in the CONGRESSIONAL RECORD. The first is a letter of support for H.R. 3195, the ADA Amendments Act of 2008, and the second is a list of organizations that support this important legislation.

JUNE 17, 2008.

HELP SECURE THE PROMISE OF THE ADA: SUPPORT THE ADA AMENDMENTS ACT OF 2008

CHAIRMAN MILLER AND RANKING MEMBER MCKEON. As you are aware, the Committee today is poised to consider legislation to secure the promise of the original Americans with Disabilities Act of 1990 (ADA). The ADA has as its fundamental goal the inclusion of people with disabilities in all aspects of society, including employment for people who are willing and able to work despite their disabilities.

Unfortunately, court decisions over the last decade have excluded individuals who should have been covered under the current ADA law. These narrow court interpretations have restricted ADA coverage for people with diabetes, epilepsy, serious heart conditions, mental disabilities and even cancer. As representatives of a broad cross-section of both the employer and disability communities, we believe the proposal before the Committee strikes an appropriate balance between the needs of individuals with disabilities and those of employers. The proposal includes the following key provisions:

Coverage under the ADA—The proposal clarifies that Congress intended the ADA's coverage to be broad, to cover anyone who faces unfair discrimination because of a disability.

Definition of Disability—The proposal retains the requirement that an individual's impairment substantially limits a major life activity in order to be considered a disability and an individual must demonstrate that he or she is qualified for the job.

Protection for Mitigating Measures—The proposal would overturn several court decisions to provide that people with disabilities not lose their coverage under the ADA simply because their condition is treatable with medication or can be addressed with the help of assistive technology.

Regarded As—The proposal includes a ''regarded as'' prong as part of the definition of disability which covers situations where an employee is discriminated against because of his or her actual or perceived impairment. Moreover, the proposal makes it clear that

accommodations do not need to be made to someone who is disabled solely because he or she is ''regarded as'' disabled.

Chairman Miller and Ranking Member McKeon, we firmly support this legislation and we stand ready to work with you to enact this legislation this year. We thank you for addressing the important issue and look forward to working with the House of Representatives to secure its passage.

Sincerely,

American Association of People with Disabilities; American Diabetes Association; Bazelon Center for Mental Health Law; Epilepsy Foundation; HR Policy Association; International Franchise Association; Leadership Conference on Civil Rights; National Association of Manufacturers; National Disability Rights Network; National Council on Independent Living; National Restaurant Association; Society for Human Resource Management; U.S Chamber of Commerce.

SUPPORTERS OF H.R. 3195—ADA AMENDMENTS ACT OF 2008

193 NATIONAL ORGANIZATIONS

JUNE 25, 2008

AARP; AARP Foundation; ADA Watch/National Coalition for Disability Rights; Air Force Association; Air Force Sergeants Association; Air Force Womens Officers Association; Alexander Graham Bell Association for the Deaf; Alpha-1 Association; Alpha-1 Foundation; ALS Association; Alzheimer's Foundation; American Academy of Nursing; American Association for Respiratory Care; American Association of Diabetes Educators; American Association of People with Disabilities, AAPD; American Autoimmune Related Diseases Association; American Cancer Society Network; American Civil Liberties Union, ACLU; American Council of the Blind; American Diabetes Association.

American Federation of Government Employees; American Foundation for the Blind; American GI Forum of the U.S.; American Islamic Congress; American Jewish Committee; American Kidney Fund; American Liver Foundation; American Lung Association; American Mental Health Counselors Association; American Network of Community Options and Resources; American Psychological Association; Americans for Democratic Action; AMVETS; Anti-Defamation League; APSE: The Network on Employment; Arthritis Foundation; Asian American Justice Center; Association of Assistive Technology Act Programs, ATAP; Association of Jewish Family & Children's Agencies; Association of Jewish Family & Children's Agencies.

Association of Programs for Rural Independent Living, APRIL; Association of University Centers on Disabilities, AUCD; Asthma and Allergy Foundation of America; Autism Society of America; Bazelon Center for Mental Health Law; Blind Veterans Association; Brain Injury Association of America; Breast Cancer Network of Strength; Care4Dystonia, Inc.; Catholic Charities Disabilities Services; Central Conference of American Rabbis; Children and Adults with Attention-Deficit/Hyperactivity Disorder; Common Cause; Community Action Partnership; Community Health Charities of America; Consortium for Citizens with Disabilities, CCD; COPD Foundation; Council for Learning Disabilities; Council of State Administrators of Vocational Rehabilitation, CSAVR.

Disabled American Veterans; Disciples Justice Action Network, Disciples of Christ; Division on Developmental Disabilities; Easter Seals; Enlisted Association of the National Guard of the United States; Epilepsy Foundation; Evangelical Lutheran Church in America; Federally Employed Women, FEW; Friends Committee on National Legislation; Friends Committee on National Legislation; Friends of the National Institute of Dental and Craniofacial Research; Guide Dog Foundation for the Blind, Inc.; Hearing Loss Association of America; Hindu American Foundation; HR Policy Association; Human Rights Campaign; Huntington's Disease Society of America; Hydrocephalus Association; International Franchise Association; International Union, United Auto Workers; International Ventilator Users Network; Iraq & Afghanistan Veterans of America.

Islamic Society of North America; Jewish Council for Public Affairs; Jewish Labor Committee;p Jewish Reconstructionist Federation; Jewish War Veterans of the USA; Lambda Legal; Leadership Conference on Civil Rights, LCCR; Learning Disabilities Association of America, LDA; Learning Disabilities of the Council for Exceptional Children; Legal Momentum; Lupus Foundation of America; March of Dimes; Mental Health America; Military Officers Association of America; Military Order of the Purple Heart; Muslim Public Affairs Council; Myasthenia Gravis Foundation for the Blind, Inc.

NAACP; NAACP Legal Defense & Educational Fund, Inc.; National Advocacy Center of the Sisters of the Good Shepherd; National Alliance on Mental Illness, NAMI; National Alopecia Areata Foundation; National Association for Black Veterans; National Association for Employment of People who are Blind, NAEPB; National Association for Uniformed Services; National Association of Community Health Charities; National Association of Councils on Developmental Disabilities; National Association of Governors' Committees on People with Disabilities, NAGC; National Association of Law Students with Disabilities; National Association of Manufacturers; National Association of State Head Injury Administrators; National Association of the Deaf; National Center for Environmental Health Strategies, Inc.; National Center for Learning Disabilities, NCLD; National Coalition of Mental Health Consumer Survivor Organizations; National Congress of Black Women, Inc.; National Council for Community Behavioral Healthcare; National Council for Support of Disability Issues; National Council of Churches.

National Council of Jewish Women; National Council of Jewish Women; National Council of La Raza, NCLR; National Council on Disability; National Council on Independent Living, NCIL; National Disability Rights Network, NDRN; National Down Syndrome Congress; National Down Syndrome Society; National Education Association; National Employment Lawyers Association; National Fair Housing Alliance; National Family Caregivers Association; National Federation of Filipino American Associations, NaFFAA; National Health Council, National Industries for the Blind, NIB; National Kidney Foundation, National Legal Aid and Defender Association; National Marfan Foundation; National Multiple Sclerosis; Society National Organization for Women.

National Organization on Fetal Alcohol Syndrome, NOFAS; National Partnership for Women and Families; National Psoriasis Foundation; National Rehabilitation Association; National Respite Coalition; National Restaurant Association; National Spinal Cord Injury Association; National Vocational Evaluation and Career Assessment Professionals, VECAP; National Women's Law Center; National Youth Leadership Network; Naval Reserve Association; NETWORK: A National Catholic Social Justice Lobby; Non-Commissioned Officers Association; Osteogenesis Imperfecta Foundation; Paralyzed Veterans of America; Parent Project Muscular Dystrophy; People For the American Way; Post-Polio Health International; Presbyterian Church, U.S.A., Washington Office; Prevent Blindness America.

RESOLVE: The National Infertility Association; Self Advocates Becoming Empowered; Sikh American Legal Defense and Education Fund, SALDEF; Sjogren's Syndrome Foundation; Society for Human Resource Management; Spina Bifida Association; TASH: The Arc of the United States; The Autistic Self-Advocacy Network; The Council of Parent Attorneys and Advocates, Inc.; The Episcopal Church; The International Post Polio Support Organization; The International Post-Polio Task Force; The LAM Foundation; The Leukemia & Lymphoma Society; The National Foundation for Ectodermal Dysplasias; The Paget Foundation; The Salvation Army, United States; The Workmen's Circle/Arbeter Ring.

U.S. Chamber of Commerce; Union for Reform Judaism; Unitarian Universalist Association of Congregations; United Cerebral Palsy; United Church of Christ, Justice and Witness Ministries; United Jewish Communities; United Methodist Church, General Board of Church and Society; United Spinal Association; United States Conference of Catholic Bishops; United Synagogue of Conservative Judaism; US Psychiatric Rehabilitation Association; Us TOO International; Veterans of Modern Warfare; Vietnam Veterans of America.

HONORING THE ESSEXVILLE-HAMPTON BOARDS OF EDUCATION

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 2008

Mr. KILDEE. Madam Speaker, I rise today to recognize the men and women of the Essexville-Hampton School District for their service on the district's boards of education. For over 50 years these men and women have been instrumental in shaping the minds and lives of Essexville-Hampton students. A reception will be held at Garber High School on July 14 to honor all the board of education members that served between 1957 and 2008.

Garber High School was named in honor of the Garber family. The family has a tradition of promoting education in the Essexville area and donated land to the school district. In keeping with this tradition, Melissa Garber, a family member, was the first female board of education member serving on the Essexville Board of Education in the 1890s.

The board members, past and present, that will be honored on July 14 are: Marilyn S. Abbs, Terrence R. Adcock, Bryan L. Augustine, Wilford D. Barber, Gary O. Bartow, Harold I. Blumenstein, Michael J. Brancheau, Richard D. Colony, Lowell R. Cuthbert, Frank

H. Davenport, John Debbink, Jennifer T. Duncan, John K. Duncan, Oscar Duyck, Reese Evans, E. Heric Fehrenbach, Victor A. Gansser, Lawrence R. Gordon, John W. Grigg, William F. Gross, Margaret A. Hanson, Mark M. Jaffe, Eugene H. Kramer, Bradford T. Light, Vagn A. Littrup, David A. Lovely, Clifford F. Mader, Ronald P. Maes, William R. Mahoney, John A. Martin, Donald J. Massnick, Margaret F. Morand, Karl D. Newingham, Austin P. Nickel, Frank C. Niemann, George L. Oliver, Gerald W. Pergande, Joseph E. Pergande, Charles C. Rochow, Michael D. Rowley, Daniel L. Santistevan, Jack A. Shaw, Robert N. Shuster, Richard J. Somalski, Melvin E. Steggall, Edward P. Trahan, Jill M. Urban, Gregory S. Wagner, Louis W. Westover, Dena J. Wirt, Gary Young, Eric W. Zimostrad, Gary N. Zube.

Madam Speaker, I ask the House of Representatives to rise with me and applaud the wonderful service provided by these board members since 1957. As a former teacher, I know first hand the impact boards of education have on shaping the curriculum, culture, and structure of our schools. I congratulate the Essexville-Hampton Board of Education for the work they have accomplished over the years.

CONGRATULATING SALLYANNE AND HAROLD ROSENN, 2008 RECIPIENTS OF THE MONSIGNOR McGOWAN CORNERSTONE AWARD

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 2008

Mr. KANJORSKI. Madam Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Sallyanne and Harold Rosenn, the recipients of the Monsignor McGowan Cornerstone Award for their years of service to Northeastern Pennsylvania.

This prestigious award was created by the collaborative efforts of various nonprofit organizations in northeast Pennsylvania as well as the mid-Atlantic region that prospered from Monsignor McGowan's aid.

The Monsignor McGowan Cornerstone Award is presented annually to an individual whose tireless efforts in the areas of service, leadership, humanitarianism, and philanthropy make them an invaluable resource to their community.

Sallyanne and Harold Rosenn are textbook examples of kindness and dedication. Harold Rosenn received his law degree from the University of Michigan in 1941 and enlisted in the United States Air Force shortly after, earning three medals for his service.

Mrs. Sallyanne Rosenn met her husband when she was the executive director of the Girl Scouts while he was chairman to the Community Chest, predecessor of the United Way. This is the first of many positions she held that were dedicated to helping the area's youth. She was employed as field and camp director of the Wyoming Valley Council of Girl Scouts and served as president of the Penn's Woods Girl Scout Council; the Council on Juvenile Justice and Youth Service Commission of Luzerne County.

Mrs. Rosenn was the recipient of the Woman of the Year Award from the National Council of Jewish Women in 1961. She received the Hannah G. Solomon Award in 1966, and the Woman of the Year Award from the Seekers of Mercy. She was also the first woman to run for the office of councilwoman in Kingston, in which she served a full term.

Harold Rosenn has held the position of commander of the Kingston American Legion Post No. 395 where he started a blood donor program which would eventually be adopted as the American Legion Blood Donor Program for Pennsylvania. He has chaired the United Way Campaign of the Wyoming Valley, twice chaired the United Jewish Campaign and served as chairman and president of Temple Israel. He also served on the boards of United Penn Bank, Franklin First Savings Bank, and Governor George Leader's nursing homes.

His community bonds extend to not only public service, but appreciation for the education of the region's youth. He has been extensively involved with his wife's alma mater, Misericordia University. He served as a member of Misericordia's board of trustees for almost 25 years and became a Director Emeritus in 1985. The plaza in the center of campus has been named "Rosenn Plaza" in their honor and they were the first recipients of the Trustees Award for their dedication. Atty. Rosenn was awarded an honorary doctorate of law degree and the McAuley Medal in 1991.

Madam Speaker, please join me in congratulating Sallyanne and Harold Rosenn on this auspicious occasion. Their inexhaustible efforts and dedication to community service is an inspiration to all.

A TRIBUTE TO LIEUTENANT VIRGIL BROWN

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 2008

Ms. MATSUI. Madam Speaker, I rise today in recognition of Virgil Brown's 30 years of service to the Sacramento Police Department. Lieutenant Brown leaves a lasting legacy in Sacramento and his leadership and expertise will be deeply missed. I ask all my colleagues to join me in honoring one of Sacramento's finest public servants.

Lieutenant Brown began his career with the Sacramento Police Department as a community service officer in June 1978. By December of that year Lieutenant Brown was promoted to the rank of police officer in the Patrol Division. During his time on patrol his work ethic distinguished himself from others and in 1983 he tested for and was assigned to the Crime Suppression Unit where he had a 92 percent conviction rate. In 1989 he was promoted to detective in the Special Investigation Division During his time as detective he conducted major multi-jurisdictional narcotic investigations, resulting in the arrest of many suspects and the recovery of thousands of pounds of cocaine and hundreds of thousands of dollars.

In 1995 Lieutenant Brown was assigned to the Office of the Chief Criminal Intelligence Unit where he worked with the Secret Service and sat on the Greater Sacramento Area Taskforce on Hate Crimes. Over the next few years Lieutenant Brown continued to distinguish himself on all of his assignments and was promoted to the rank of sergeant. In 1999 he was assigned to the North Area Patrol Division, and was promoted to his current rank of lieutenant, assigned to the Office of Operation in 2006 where he currently works as a watch commander for the south and east areas of Sacramento.

During his tenure with the Sacramento Police Department Lieutenant Brown has been honored for his hard work and dedication to Sacramento's safety. In 1991 he was named Narcotic Officer of the Year by H.I.P., the Joint Narcotic Investigation Taskforce of the Sacramento Police Department and the Sacramento Sheriff's Department. That same year he was awarded a Certificate of Appreciation in recognition for the narcotic investigation of Oscar Garcia Escobar, Cali Cartel cocaine trafficker. In 1994 Lieutenant Brown was honored with a Special Award of Honor in recognition of his outstanding accomplishments in the field of Narcotic Law Enforcement by the International Narcotic Enforcement Officers Association in New York and was named the Narcotics Officer of the Year by the California Narcotic Officers Association.

Madam Speaker, I am honored to pay tribute to Lieutenant Virgil Brown's distinguished commitment to law enforcement and Sacramento's safety. Lieutenant Brown's outstanding leadership and dedication to the Sacramento Police Department, has reduced crime and made Sacramento a better and safer place for us to live and work. We all are thankful for his efforts. As Lieutenant Brown's colleagues, family and friends gather to honor his service, I ask all my colleagues to join me in wishing him continued good fortune in his future endeavors.

H.R. 6304, FOREIGN INTELLIGENCE SURVEILLANCE AMENDMENTS ACT

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 2008

Ms. McCOLLUM of Minnesota. Madam Speaker I rise in opposition to H.R. 6304, the Foreign Intelligence Surveillance Amendments Act (FISA).

There is no question that we need to modernize the laws that govern U.S. intelligence to protect our national security, but we must also rigorously defend civil liberties and ensure accountability.

That is why I am strongly opposed to any retroactive immunity for those telecommunications companies that are charged with violating those fundamental rights.

Legal experts concur that President Bush's wiretapping program was, and is, in violation of the Constitution and applicable federal law. Congress as a whole was kept in the dark for years about these activities.

It is our responsibility to protect innocent Americans who expect that their communications will remain private, except in circumstances provided under the law. Corporations that handed over their customers' records, without a valid court order or other legal instrument authorized by statute, undermined fundamental civil protections and privacy rights of Americans.

The courts should not be prevented from ruling on the legality of the actions taken by these corporations. And Congress should not meddle in the pending lawsuits.

Yes, we need to replace the outdated and controversial Protect America Act (S. 1927) and enable timely intelligence gathering against terrorists. But we must also ensure that power cannot be abused to violate our most precious freedoms.

Since the tragedy of September 11, the Bush administration has abused its intelligence gathering powers. In 2005, we learned that the government had circumvented intelligence laws to spy on Americans' phone conversations. Last year, an investigation found that the FBI had misused tools intended to fight terrorism to conduct unrelated domestic surveillance. And earlier this year, reports have surfaced that the FBI requested thousands of phone records to cover up its previous abuses, and that this and other questionably obtained data is being compiled by the National Security Agency in a massive data-mining operation about which we know almost nothing.

I cannot in good conscience vote for this bill, which gives the Bush administration even broader spying powers.

The Foreign Intelligence Surveillance Amendments Act implicitly gives retroactive immunity to telecommunication companies that facilitated warrantless wiretapping over the last 7 years and ensures the dismissal of all cases pending against telecommunication companies.

Furthermore, H.R. 6304 permits the government to conduct mass, untargeted surveillance of all communication coming into and out of the United States, without any individualized review, and without any finding of wronging doing.

This act permits only minimal court oversight and court review is further trivialized by authorizing the Government to continue a surveillance program even after an application is denied by the court.

The legislation also contains a loophole that permits the Government to start spying and wait for up to 7 days to go to court and obtain a warrant.

Congress should not allow for the warrantless wiretapping of American citizens. Ensuring our national security must not come at the expense of our basic civil liberties. We can protect our Nation and our rights.

EXPRESSING CONDOLENCES ON THE PASSING OF ONESEPHOR PETER (O.P.) BROUSSARD

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 2008

Mr. GENE GREEN of Texas. Madam Speaker, I rise today to extend my deepest sympathies to the family of Onesephor Peter Broussard, a constituent and citizen of Pleasantville, Texas, and a tireless civil rights advocate, who passed away June 25, 2008, at the age of 81.

Born in Louisiana to sharecropper parents, Mr. Broussard served in a segregated Army unit during World War II, in the battalion known as the Black Panthers. After returning to the States, Mr. Broussard served as a union organizer at Armco Steel, where he worked for 35 years.

But what truly distinguished Mr. Broussard, was his endless fight for civil rights, specifically for the integration of the Houston Independent School District. In 1966, Mr. Broussard and his wife filed a lawsuit against HISD to stop a project that would encourage de facto segregation. The suit eventually went to the U.S. 5th Circuit Court of Appeals, where the judges unfortunately refused to halt the program. Despite this, Mr. Broussard's eldest son, Richard Broussard, became the first African-American freshman at McReynolds High School in the Fifth Ward of Houston, TX. It was only thanks to his father's tireless struggle that Richard, and his siblings, were able to gain the good education that their father had never had.

In addition to this civil rights work, Mr. Broussard served as an officer in the Pleasantville Civic League, and as director of the Gulf Coast Community Action Board and the Community Development Commission. He dedicated his life to helping others, and this made him a true leader in every way. O.P. was a civil rights pioneer and a good friend.

He will be greatly missed by the Pleasantville community and by all those who knew him, and I ask that you remember the Broussard family in your thoughts and prayers.

SUPREME COURT'S DECISION IN BOUMEDIENE ET AL. V. BUSH

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 2008

Ms. MOORE of Wisconsin. Madam Speaker, the Supreme Court's recent decision in Boumediene et al. v. Bush has again shown a spotlight on this administration's misguided attempts to rewrite the Constitution to suit its own ends. Once again, the Court has spoken up for the Constitution and against attempts to do an end run around the venerable document.

In this important decision, the Court found that those at Guantanamo Bay "have the constitutional privilege of habeas corpus" and are "not barred from seeking the writ . . . because they have been designated as enemy combatants or because of their presence at Guantanamo" and struck down attempts by the 109th Congress and the President to prevent detainees from using this historic writ to challenge their detention in court.

In its ruling, the Court again reminds us "that the Framers considered the writ a vital instrument for the protection of individual liberty" as well as a safeguard of the separation of powers provided in the Constitution.

This decision marks at least the third time in which the Supreme Court has acted to overturn disastrous and controversial Bush Administration policies regarding the treatment of enemy combatants. These policies have helped to make Guantanamo a negative symbol of America around the world.

While I strongly believe that dangerous terrorists should and must be detained, the confusing, conflicting, and sometimes illegal policies at Guantanamo and the actions of the Supreme Court time and again clearly indicate a need for change. These changes must include the closing of the detention facilities at Guantanamo and an end to the torture and detention policies that have tarnished America's image, drawn condemnation from our allies, and done little to help bring to justice those responsible for acts of terrorism against our country.

Prolonged indefinite imprisonment without charges and torture are out of line with the traditions and values of the U.S. While the Supreme Court decision will now ensure that Habeas Corpus will be available so that an independent court can review the facts and make a determination of whether individuals should be detained, the administration's other policies also need to be reformed.

Last year, in the FY 2008 Defense Authorization bill, Congress urged the administration to ensure that detainees at Guantanamo Bay, to the maximum extent possible, are charged and expeditiously prosecuted for crimes committed against the U.S. The bill also urged the administration to carry out operations at Guantanamo Bay "in a way that upholds the national interest and core values of the American people" and called for the Defense Department to provide Congress with its plan for each detainee—whether they have or will be charged, whether they will be released or transferred, or whether they will be detained.

In light of the recent ruling and continuing controversy regarding this facility, Congress can and must go further to ensure that this facility is closed.

Closing Guantanamo won't immediately repair the damage done by the detention and other policies that have undermined America's image even among some of our allies. Such a move may open up a host of new questions of what to do about those detained there. However, rather than putting that important question to an administration which our courts have repeatedly had to check, the Court's ruling creates another opportunity for Congress to Act.

And one of its first steps should be putting Guantanamo out of business while holding accountable those prisoners at Guantanamo who represent real danger to the U.S. We can and should do so in a way that does not require us to switch off the Constitution, our values, or our Nation's strong tradition of ensuring access to the courts and justice.

In the decision, Justice Kennedy, writing for the majority, warned of the dangers of allowing either the legislative or executive branch to "switch the Constitution on or off at will."

In pursuing terrorists, we cannot undermine the very freedoms and rights that are the basis for our democracy. Our national security interests are best served when we interrogate and try terrorist suspects in a manner that comports with our values, produces convictions that will withstand appeals, and honors longstanding international commitments.

THE "MICHAEL BILIRAKIS DEPARTMENT OF VETERANS AFFAIRS SPINAL CORD INJURY CENTER"

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 2008

Mr. STEARNS. Madam Speaker, I am proud to stand before my colleagues today as we pass legislation that will designate the Department of Veterans Affairs spinal cord injury center in Tampa, Florida, as the "Michael Bilirakis Department of Veterans Affairs Spinal Cord Injury Center."

Michael Bilirakis served the Ninth Congressional District of Florida from 1983–2006. Michael was a standout member of the United States House of Representatives, and his presence is surely missed on Capitol Hill. A native of my home State of Florida, Michael worked steadfastly for his constituents for 23 years, and his lifetime of civic-minded public service has not gone unnoticed.

I had the pleasure of serving on the House Veterans' Affairs Committee with Michael, and his leadership as chairman of the VA Subcommittee on Oversight and Investigations was unparalleled. A veteran of the United States Air Force, Michael spent his career working hard to serve the best interests of our Nation's veterans. Michael's strong traditional values and service-oriented spirit were always visible in his everyday work on Capitol Hill.

It is truly appropriate and deserving then, for Congress to name the VA spinal cord injury center in Tampa, Florida after Michael Bilirakis, and I thank my colleague and fellow Florida delegation member JEFF MILLER for sponsoring this legislation.

RECOGNIZING THE LAND OF LAKES BOYS CHOIR FOR A SILVER AT THE WORLD CHOIR GAMES

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 2008

Mrs. BACHMANN. Madam Speaker, I rise to honor the Land of Lakes Boys Choir, headquartered in Elk River, Minnesota, for their exemplary musical achievements and the pride and inspiration they instill in our community.

The Land of Lakes Boys Choir is an extremely talented group of boys who have brought global recognition to the great State of Minnesota. These children have worked tirelessly to perfect their skills and talents, participating in many prestigious competitions. They attended the World Choir Games in Germany, France, and Austria and recently received a silver medal there. And they will also be going to the 2008 Olympics in Beijing, China.

Since 1976, this choir program has helped many boys pursue their passion for music. In 2004, the Land of Lakes Boys Choir received the International Trebby Award for ''Best Boys' Choir Album'' with its CD ''Steal Away.'' And most recently, in 2006, it was awarded the Grand Champion of Cruise Festivals Music Festivals, for their outstanding performance.

This organization has been a helpful extracurricular program for many young boys, teaching them self-discipline, character and leadership. The individuals who have sacrificed their time to train and work with these boys should also be recognized for their continued efforts to mentor these children.

Madam Speaker, it is my honor to recognize and congratulate the Land of Lakes Boys Choir for its tremendous achievements in music and community service. I know that I join so many in Minnesota when I say that I am proud to have these boys as American ambassadors at this year's Olympic Games.

IN RECOGNITION OF JOHN M. HAIRSTON

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 2008

Mr. KUCINICH. Madam Speaker, I rise today in honor of John M. Hairston and in recognition of his outstanding leadership, vision and dedication to empowering those around him at the NASA Glenn Research Center in Cleveland, Ohio.

Mr. Hairston earned his first degree in English from Bluefield State College and later went on to earn his master's degree in Education Administration from Cleveland State University. He also attended the John F. Kennedy School of Public Policy at Harvard University. Prior to working at NASA, Mr. Hairston worked in the Cleveland Metropolitan School District for almost thirty years, where he served as an English teacher, Staff Development Director and Chief of the Community Relations Department.

Mr. Hairston's leadership has been vital in the success of the NASA Glenn Research Center. He worked tirelessly to promote scientific literacy and to develop outreach programs that help economically disadvantaged communities and businesses. Mr. Hairston worked within NASA as the Acting Assistant Administrator for the Office of Education. His guidance helped to ensure that NASA's educational programs were effective. Mr. Hairston has worked to make manifest NASA's vision of educating the next generation of explorers by developing criteria to ensure that their programs are effective and that they attract students from all of Cleveland's diverse communities. He succeeded in developing strong partnerships between the NASA Glenn Research Center and Greater Cleveland Community.

Mr. Hairston has been the recipient of numerous awards for his outstanding work at the NASA Glenn Research Center. NASA honored him several times by awarding him with the Exceptional Achievement Medal, the Medal for Outstanding Leadership, and their Education Distinguished Service Award. He has also been the recipient of the Presidential Rank Award and the Leadership Cleveland Civic Volunteer of the Year award.

Madam Speaker and colleagues, please join me in honor of John M. Hairston and in recognition of his outstanding leadership and vision. May his dedication to his work and to the community serve as an example for us all.

HONORING THE LIFE OF DR. JAMES ROBERT ''BOB'' WOOLSEY, JR.

HON. TRAVIS W. CHILDERS

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 2008

Mr. CHILDERS. Madam Speaker, I rise to pay respect to the life and accomplishments of a fellow Mississippian who was tragically taken from us Wednesday, July 9th, 2008. Dr. James Robert ''Bob'' Woolsey, Jr., 72, was a man of great accomplishment. He is survived by his wife, five sons, two daughters, and his four grandchildren. Dr. Woolsey was involved in community and civic activity throughout his life. He was a member of the United States Navy as well as an Eagle Scout, a Mason, and a member Oxford University United Methodist Church. He was dedicated to his chosen field and went on to become the Director of the Center for Marine Resources and Environmental Technology and the Seabed Technology Research Center at The University of Mississippi. Throughout his life, Dr. Woolsey served his country, his state, and even the international community during his tenure with the United Nations as a consulting geologist. I thank my colleagues for remembering Dr. Woolsey and his family at this time.

TRIBUTE TO AMBASSADOR ROY HUFFINGTON

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 2008

Mr. DREIER. Madam Speaker, last Friday marked the passing of a tremendous life. Ambassador Roy Huffington lived 90 very full years. He was larger than life. Roy was an entrepreneur, a veteran, a philanthropist, a husband and father, and a patriot. To me, he was a dear friend.

He first served his country in the Navy in World War II. When he returned, he struck out on his own in the energy business and pioneered the development of the industry in Indonesia. He was enormously successful in everything he did, and he used his success to give back to society. The charities he founded and supported raised millions for good causes.

President George H.W. Bush appointed Roy as Ambassador to Austria in the early 1990s, a critical time for the region. His tenure saw the fall of the Berlin Wall and the beginnings of real democracy in Eastern and Central Europe. Roy used his position to forge relationships between Eastern and Western Europe and to encourage the investment that was necessary to build up former Soviet states and create new opportunities for the people who had lived so long under tyranny. He continued this work until his passing. I have fond memories of times we spent together in Davos at the World Economic Forum. He never missed one of those annual meetings.

I had the privilege of getting to know Roy and his wonderful wife Phyllis as we campaigned for their son, our former colleague Michael, as he was running for the United States Senate. Roy and Phyllis were incredibly warm, boisterous, funny and down-to-earth. When Phyllis passed away 5 years ago, everyone who knew her felt the terrible loss. Roy's unexpected passing on Friday was a tragic loss for the family and friends who loved him. We take comfort in the fact that he lived every day with a tremendous zeal for life.

THE INTRODUCTION OF THE TIMELY DUE PROCESS FOR THE DISABLED ACT

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 2008

Ms. CASTOR. Madam Speaker, today I rise to begin to address an overwhelming problem currently faced by far too many of our most vulnerable neighbors by introducing the Timely Due Process for the Disabled Act.

Every year, thousands of Americans lose the ability to work due to illness or injury. But as paychecks stop coming in, bills do not. For many of these people, the only thing that can prevent them from having to share their time between medical treatment and phone calls from collection agencies and attempts to avoid foreclosure is Social Security Disability Insurance (SSDI).

But, today, the system of enrolling in SSDI is broken. The average wait for an Administrative Law Judge hearing to contest a faulty disability determination has climbed in the past 8 years from an already outrageous 275 days to 481 days, with 28% of claims taking over 600 days to receive a hearing. This figure does not even include the initial determination, and reconsideration phases, which together push the average wait time for an Appeals Hearing case to well over 2 years.

One of my constituents called my office in Tampa, frantic that his home was in foreclosure proceedings, and though he knew he was eligible for Disability, he simply had not been given a hearing. Facing the prospect of homelessness with a young daughter, he still was not able to break through the crushing bureaucracy that has taken over the Disability appeals process.

One woman I worked with had had multiple surgeries due to debilitating problems with her spine. She was in excruciating pain, and was completely unable to work, but was denied disability payments. The Social Security Administration eventually conceded that she was, in fact, eligible for disability payments. But before that happened, she had to endure three long years of financial uncertainty, near bankruptcy, and the near repossession of her home.

Another constituent of mine was diagnosed with Parkinson's disease. She started to have balance problems. At one point she lost her balance and was injured in a bad fall. Still, she was denied disability. Her husband had to come out of retirement to take a part-time job in order to avoid financial ruin while they waited, and waited, and waited for their appeals hearing. Finally, the Social Security Administration came back and said that yes, she should have been receiving payments for years.

A system that leaves our neighbors in limbo while their financial problems continue to mount is not a system that is working. The Timely Due Process for the Disabled Act will begin to move us in the right direction by setting a standard of treatment for disability patients. It instructs the Social Security Administration to, within 5 days of receiving an appeal, set a date for a hearing. After a 60-day time period for claimants to prepare and gather evidence, the hearing must be held within 15 days. A final determination will be required in another 15 days. These benchmarks are ambitious, but they are not out of line with timeliness requirements in other agencies.

The Timely Due Process for the Disabled Act will also allow a more complete picture of the magnitude of the problems inherent in the system. It requires local offices to share more data about the first phase of the appeals process, the reconsideration phase. While SSA already reports data about the initial claims phase, the Administrative Law Judge hearing phase, and the appeals council, which is the last level of appeals, there is far less data available about the reconsideration phase that takes place at the State disability offices. This is the first level of appeal, and in many cases, is a formality where the same office that denied the claim looks at the same material again, eating up an additional average of about 2 months time. This bill will give a clearer idea of how long these reconsiderations are taking, and how we can speed them up.

Ultimately, the way we treat people with disabilities reflects the values we have as a nation. Over the past 8 years, that treatment has gone from bad to worse, leaving thousands of Americans who need help to struggle on without it. I urge my colleagues to support the Timely Due Process for the Disabled Act and begin to place a priority on doing right by our neighbors who need us the most.

INTRODUCTION OF THE RECREATIONAL PERFORMANCE OUTERWEAR APPAREL ACT OF 2008

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 2008

Mr. BLUMENAUER. Madam Speaker, today I am introducing the Recreational Performance Outerwear Apparel Act of 2008. This bill eliminates import duties on recreational-use performance outerwear apparel while simultaneously enhancing an established, U.S.-based training and education program for American textile and apparel workers. The legislation is the result of a successful partnership between importers of performance outerwear and the U.S. domestic textile and apparel industry.

In a recent report, the U.S. International Trade Commission recently found that there was no commercially viable U.S. production of performance outerwear used for skiing and snowboarding, hunting and other outdoor activities. This legislation reflects the findings of that report, while also investing in U.S. jobs. It provides duty free treatment for qualifying recreational-use performance outerwear and it establishes the Sustainable Textile and Apparel Research, STAR, fund.

The STAR fund invests in a training program that specializes in lean manufacturing technologies and supply chain analysis, including helping companies work towards minimizing energy and water use, reducing waste and carbon emissions and incorporating sustainable practices into a product's entire life cycle.

By reducing tariffs, my legislation reduces costs for American consumers and for American companies importing these goods; by investing in the textile industry, my legislation supports American jobs and competitiveness; and by researching environmental aspects of textile manufacture and supply, my legislation improves environmental outcomes.

UPHOLDING THE KEMP-KASTEN AMENDMENT

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 2008

Mr. ADERHOLT. Madam Speaker, I want to thank my colleague from New Jersey, the Honorable CHRIS SMITH for his work on this important issue. It is a privilege to work alongside him in the fight for the lives of the unborn children in our country and around the world.

I want to remind this body and the American public about the need to spend taxpayer funds in a responsible manner by upholding the provisions of the Kemp-Kasten Amendment.

According to the Congressional Research Service, "In 13 of the past 22 years the United States has not contributed to the [United Nations Population Fund] as a result of executive branch determinations that UNFPA's program in China was in violation of the Kemp-Kasten amendment banning U.S. aid to organizations involved in the management of coercive family planning programs."

On June 26, 2008, President Bush issued a determination that because China continues its policy of coercive abortions and forced sterilizations, the provisions of the Kemp-Kasten Amendment continue to prohibit the funding of UNFPA. Nearly $7 million of the $39.6 million appropriated for this organization in the Fiscal Year 2008 State and Foreign Operations Appropriations Act will now be transferred to the Global Health and Child Survival account.

U.S. foreign aid is meant to help those in less fortunate circumstances with the generosity and goodwill of America; it must not be tainted with coerced abortion, forced sterilizations, and draconian family-limiting policies. We seek to eliminate human rights abuses, not promote them under the guise of our aid.

Since China initiated its one-child policy in 1980, countless women have been traumatized and terrorized by their government. A 2005 article in Time magazine by Hannah Beech, detailed one family's situation: "When family-planning officials came to fetch [Hu] in May for a forced sterilization, [she] escaped with her two daughters to her parents' home in another village. Several days later, seven officials showed up, she says, grabbed her younger child and shoved the girl into a car. Afraid that her daughter would be abducted, Hu jumped into the vehicle with them. The car drove to the local family-planning clinic, where, Hu says, nurses threw her onto an operating table. 'Other people were fine after their operations, but it hurt me so much, I could barely stand up,' says Hu, 33. Two weeks later, doctors operated again and promised things would heal better. But even today, Hu doubles over in pain after just a few steps. 'They told me they were doing this for my own good,' says Hu. 'But they have ruined my life.'"

In April 2007, National Public Radio (NPR) uncovered evidence of dozens of forced abortions in southwest China, even as late as 9 months into the pregnancy. According to the NPR report, one family had one child and believed that—like many other couples—they

could pay a fine and keep their second baby. The wife was 7 months pregnant when 10 family planning officials visited her at home. The husband says they were threatened and told that if the wife did not go to the hospital for an abortion that the officials would take her themselves. ''I was scared,'' the wife told NPR. ''The hospital was full of women who'd been brought in forcibly. There wasn't a single spare bed. The family planning people said forced abortions and forced sterilizations were both being carried out. We saw women being pulled in one by one.''

Madam Speaker, U.S. policy must remain in place that protects women and their children. We cannot morally participate in and fund programs that ruin the lives of these women and unborn children. As a member of the House Committee on Appropriations, I will continue to fight to maintain the protections offered by the Kemp-Kasten Amendment, and I look forward to working with my colleagues such as Representative SMITH on these issues.

DEMOCRACY IN IRAN

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 2008

Mr. FILNER. Madam Speaker, I rise today in support of democracy in Iran and stability in Iraq. We in the United States Congress must work together for a stable and democratic Iraq. Today, there is undisputable evidence that Iran is the main contributor to the violence in Iraq which causes American and Iraqi casualties.

On July 4, Iran fired yet another GRAD missile at Ashraf City, the residence compound of the Iranian resistance—the People's Mujahadeen Organization of Iran. Iran's mercenaries in Iraq have also been busy calling for arrest, trial, and expulsion of these ''protected persons'' living in Ashraf. Our soldiers are protecting Ashraf in accordance with the Fourth Geneva Convention. Iranian action has therefore endangered them as well.

I have said many times that the mullahs in Tehran do not hold all the cards. The Iranian regime's aggressive policies are rooted in the weakness of their regime. The unrelenting assault on the civil and human rights of the Iranian people is a direct response to the illegitimacy of the extremist theocratic government. A military attack on Iran would be a tragic mistake. Yet, it is an error almost as grave to think that continued appeasement of the Iranian regime is the only alternative to war.

Reasonably, Western democracies, with the support of the peace activist community, should use all peaceful means possible to isolate the Iranian regime and to avoid war. However, the desire for a peaceful resolution of this crisis has led into policy choices which provide Iran with the legitimacy it craves and a strengthened diplomatic hand.

The most notable remnant of the West's unsuccessful attempt at ''engagement'' with Iran is the designation of the People's Mujahedeen Organization of Iran, also known as the MEK, as a foreign terrorist organization. The MEK provided significant intelligence that helped blow the whistle on Iran's clandestine nuclear weapon and missile development programs.

The MEK has already been removed from the United Kingdom list of terrorist organizations. Late last month, the British parliament approved the order put before it by that country's home secretary and removed the MEK from the UK blacklist. In light of the recent developments, the United States must seriously consider the court's findings as well as the present political environment and also remove the limitations it has placed on the MEK.

We must stop appeasing Iran and shift our support to the Iranian people. They are our best allies against Iran's aggression. Iranian people have an unwavering longing for freedom and democracy. We must work together to acknowledge their resounding rejection of extremism and move to support their efforts for democracy in Iran.

SUNSET MEMORIAL

HON. TRENT FRANKS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 14, 2008

Mr. FRANKS of Arizona. Madam Speaker, I stand once again before this House with yet other Sunset Memorial.

It is July 14, 2008, in the land of the free and the home of the brave, and before the sun set today in America, almost 4,000 more defenseless unborn children were killed by abortion on demand. That's just today, Madam Speaker. That's more than the number of innocent lives lost on September 11 in this country, only it happens every day.

It has now been exactly 12,957 days since the tragedy called Roe v. Wade was first handed down. Since then, the very foundation of this Nation has been stained by the blood of almost 50 million of its own children. Some of them, Madam Speaker, cried and screamed as they died, but because it was amniotic fluid passing over the vocal cords instead of air, we couldn't hear them.

All of them had at least four things in common. First, they were each just little babies who had done nothing wrong to anyone, and each one of them died a nameless and lonely death. And each one of their mothers, whether she realizes it or not, will never be quite the same. And all the gifts that these children might have brought to humanity are now lost forever. Yet even in the glare of such tragedy, this generation still clings to a blind, invincible ignorance while history repeats itself and our own silent genocide mercilessly annihilates the most helpless of all victims, those yet unborn.

Madam Speaker, perhaps it's time for those of us in this Chamber to remind ourselves of why we are really all here. Thomas Jefferson said, ''The care of human life and its happiness and not its destruction is the chief and only object of good government.'' The phrase in the 14th Amendment capsulizes our entire Constitution. It says, ''No State shall deprive any person of life, liberty or property without due process of law.'' Madam Speaker, protecting the lives of our innocent citizens and their constitutional rights is why we are all here.

The bedrock foundation of this Republic is the clarion declaration of the self-evident truth that all human beings are created equal and endowed by their Creator with the unalienable rights of life, liberty and the pursuit of happiness. Every conflict and battle our Nation has ever faced can be traced to our commitment to this core, self-evident truth.

It has made us the beacon of hope for the entire world. Madam Speaker, it is who we are.

And yet today another day has passed, and we in this body have failed again to honor that foundational commitment. We have failed our sworn oath and our God-given responsibility as we broke faith with nearly 4,000 more innocent American babies who died today without the protection we should have given them.

So Madam Speaker, let me conclude this Sunset Memorial in the hope that perhaps someone new who heard it tonight will finally embrace the truth that abortion really does kill little babies; that it hurts mothers in ways that we can never express; and that 12,957 days spent killing nearly 50 million unborn children in America is enough; and that it is time that we stood up together again, and remembered that we are the same America that rejected human slavery and marched into Europe to arrest the Nazi Holocaust; and we are still courageous and compassionate enough to find a better way for mothers and their unborn babies than abortion on demand.

Madam Speaker, as we consider the plight of unborn America tonight, may we each remind ourselves that our own days in this sunshine of life are also numbered and that all too soon each one of us will walk from these Chambers for the very last time.

And if it should be that this Congress is allowed to convene on yet another day to come, may that be the day when we finally hear the cries of innocent unborn children. May that be the day when we find the humanity, the courage, and the will to embrace together our human and our constitutional duty to protect these, the least of our tiny, little American brothers and sisters from this murderous scourge upon our Nation called ''abortion on demand.''

It is July 14, 2008, 12,957 days since Roe versus Wade first stained the foundation of this Nation with the blood of its own children; this in the land of the free and the home of the brave.

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, July 15, 2008 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 16

10 a.m.

Environment and Public Works

Clean Air and Nuclear Safety Subcommittee

To hold hearings to examine the Nuclear Regulatory Commission's licensing and relicensing processes for nuclear power plants.

SD–406

Homeland Security and Governmental Affairs

To hold hearings to examine global nuclear detection architecture, focusing on ways to build domestic defenses to combat a possible future attack.

SD–342

Judiciary

To hold hearings to examine the Administration's detainee policies and the fight against terrorism, focusing on sound legal foundations.

SD–226

Rules and Administration

To hold hearings to examine administrative and management operations of the United States Capitol Police.

SR–301

10:30 a.m.

Aging

To hold hearings to examine smart ways Americans can save for their retirement.

SD–562

11 a.m.

Commission on Security and Cooperation in Europe

To hold hearings to examine racism in the 21st century, focusing on understanding global challenges and implementing solutions.

B318, Rayburn Building

2 p.m.

Homeland Security and Governmental Affairs

Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee

To hold hearings to examine the human capital crisis at the Department of State, focusing on its global implications.

SD–342

2:30 p.m.

Armed Services

To receive a closed briefing on the status of negotiations with Iraq on a strategic framework agreement and a status of forces agreement.

SR–222

Health, Education, Labor, and Pensions

Children and Families Subcommittee

To hold hearings to examine childhood obesity, focusing on declining health of America's next generation (Part I).

SD–430

Foreign Relations

To hold closed hearings to examine North Korea's declaration of the Six-Party Talks.

S–407, Capitol

Energy and Natural Resources

Public Lands and Forests Subcommittee

To hold hearings to examine S. 2354, to direct the Secretary of the Interior to convey 4 parcels of land from the Bureau of Land Management to the city of Twin Falls, Idaho, S. 3065, to establish the Dominguez-Escalante National Conservation Area and the Dominguez Canyon Wilderness Area, S. 3069, to designate certain land as wilderness in the State of California, S. 3085, to require the Secretary of the Interior to establish a cooperative watershed management program, H.R. 3473, to provide for a land exchange with the City of Bountiful, Utah, involving National Forest System land in the Wasatch-Cache National Forest and to further land ownership consolidation in that national forest, H.R. 3490, to transfer administrative jurisdiction of certain Federal lands from the Bureau of Land Management to the Bureau of Indian Affairs, to take such lands into trust for Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria, H.R. 3651, to require the conveyance of certain public land within the boundaries of Camp Williams, Utah, to support the training and readiness of the Utah National Guard, H.R. 2632, to establish the Sabinoso Wilderness Area in San Miguel County, New Mexico, and S. 2448, to amend the Surface Mining Control and Reclamation Act of 1977 to make certain technical corrections.

SD–366

JULY 17

9:30 a.m.

Homeland Security and Governmental Affairs

Investigations Subcommittee

To hold hearings to examine financial institutions located in offshore tax havens, focusing on ways to strengthen United States domestic and international tax enforcement efforts.

SD–106

10 a.m.

Banking, Housing, and Urban Affairs

Business meeting to markup an original bill entitled, ''The Comprehensive Iran Sanctions, Accountability and Divestment Act of 2008.''.

SD–538

Finance

To hold hearings to examine leveraging innovation to improve health care quality for all Americans.

SD–215

Indian Affairs

To hold an oversight hearing to examine tracking sex offenders in Indian country, focusing on tribal implementation of the Adam Walsh Act (Public Law 109–248).

SD–562

10:30 a.m.

Environment and Public Works

To hold hearings to examine ways to make the nation's highways safer for travelers.

SD–408

11:30 a.m.

Judiciary

Business meeting to consider S. 3155, to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, S. 2746, to amend section 552(b)(3) of title 5, United States Code (commonly referred to as the Freedom of Information Act) to provide that statutory exemptions to the disclosure requirements of that Act shall specifically cite to the provision of that Act authorizing such exemptions, to ensure an open and deliberative process in Congress by providing for related legislative proposals to explicitly state such required citations, S. 3061, to authorize appropriations for fiscal years 2008 through 2011 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, S. 2838, to amend chapter 1 of title 9 of United States Code with respect to arbitration, S. 3136, to encourage the entry of felony warrants into the NCIC database by States and provide additional resources for extradition, S. 1276, to establish a grant program to facilitate the creation of methamphetamine precursor electronic logbook systems, and S. 3197, to amend title 11, United States Code, to exempt for a limited period, from the application of the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days.

SD–226

2 p.m.

Appropriations

Business meeting to markup proposed legislation making appropriations for the Departments of State, Foreign Operations and Related Programs, Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, and Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2009.

SR–325

2:30 p.m.

Homeland Security and Governmental Affairs

Disaster Recovery Subcommittee

To hold hearings to examine major disaster recovery assessing the performance of the Federal Emergency Management Agency (FEMA) since October 2007.

SD–342

Foreign Relations

To hold hearings to examine the nominations of Mimi Alemayehou, of the District of Columbia, to be United States Director of the African Development Bank, Kenneth L. Peel, of Maryland, to be United States Director of the European Bank for Reconstruction and Development, and Miguel R. San Juan, of Texas, to be United States Executive Director of the Inter-American Development Bank.

SD–419

JULY 22

9:30 a.m.

Armed Services

To hold hearings to examine the nominations of Michael Bruce Donley, of Virginia, to be Secretary, General Norton A. Schwartz, for reappointment to the grade of general and to be Chief of Staff, and General Duncan J. McNabb, for reappointment to the grade of general and to be Commander, United States Transportation Command, all of the United States Air Force.

SR–325

10 a.m.

Homeland Security and Governmental Affairs

To hold hearings to examine ways for America to gain energy security.

SD–342

JULY 23

9:30 a.m.

Veterans' Affairs

To hold an oversight hearing to examine the Department of Veterans Affairs, focusing on responding to the needs of returning United States Guard and Reserve members.

SR–418

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S6613–S6676

Measures Introduced: Five bills and three resolutions were introduced, as follows: S. 3258–3262, and S. Res. 611–613. **Pages S6650–51**

Measures Reported:

S. 3258, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2009. (S. Rept. No. 110–416)

S. 3260, making appropriations for financial services and general government for the fiscal year ending September 30, 2009. (S. Rept. No. 110–417)

S. 3261, making appropriations for the Departments of Transportation and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2009. (S. Rept. No. 110–418) **Page S6650**

Measures Passed:

Over-the-Road Bus Transportation Accessibility Act: Senate passed H.R. 3985, to amend title 49, United States Code, to direct the Secretary of Transportation to register a person providing transportation by an over-the-road bus as a motor carrier of passengers only if the person is willing and able to comply with certain accessibility requirements in addition to other existing requirements, clearing the measure for the President. **Page S6669**

Crisis in Zimbabwe: Senate agreed to S. Res. 611, expressing the sense of the Senate on the crisis in Zimbabwe. **Pages S6669–70**

Group of Eight (G8) Summit in Toyako: Senate agreed to S. Res. 612, expressing the sense of the Senate that President George W. Bush, President Dmitry Medvedev of the Russian Federation, and other participants in the 2008 Group of Eight (G8) Summit in Toyako, Hokkaido, Japan should work together to foster a more constructive relationship, and that the Government of the Russian Federation should eschew behaviors that are inconsistent with the Group's objectives of protecting global security, economic stability, and democracy. **Pages S6670–71**

National Direct Support Professionals Recognition Week: Senate agreed to S. Res. 613, designating the week beginning September 8, 2008, as "National Direct Support Professionals Recognition Week". **Pages S6671–72**

Measures Considered:

Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act: Senate began consideration of the S. 2731, to authorize appropriations for fiscal years 2009 through 2013 to provide assistance to foreign countries to combat HIV/AIDS, tuberculosis, and malaria, after agreeing to the motion to proceed to its consideration, the committee amendment in the nature of a substitute was withdrawn, and taking action on the following amendments proposed thereto: **Pages S6621–32, S6642–46**

Adopted:

Reid for (Biden/Lugar) Amendment No. 5075, in the nature of a substitute.

(By unanimous consent, the amendment will be considered as original text for the purpose of further amendment.) **Page S6642**

Pending:

DeMint Amendment No. 5077, to reduce to $35,000,000,000 the amount authorized to be appropriated to combat HIV/AIDS, tuberculosis, and malaria in developing countries during the next 5 years. **Page S6642**

DeMint Amendment No. 5078, to limit the countries to which Federal financial assistance may be targeted under this Act. **Page S6642**

DeMint Amendment No. 5079 (to Amendment No. 5078), to prevent certain uses of the Global Fund. **Pages S6642–46**

A unanimous-consent agreement was reached providing that during the pendency of the bill there be no motions to proceed in order. **Page S6642**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 11 a.m., on Tuesday, July 15, 2008, and that the Majority Leader, or his designee, be recognized to make a motion to table DeMint Amendment No. 5078 (listed above). **Page S6672**

Nominations Received: Senate received the following nominations:

3 Air Force nominations in the rank of general.

3 Army nominations in the rank of general.

11 Marine Corps nominations in the rank of general.

Routine lists in the Army. **Pages S6672–76**

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

1 Air Force nomination in the rank of general. **Page S6676**

Messages from the House: **Page S6650**

Measures Placed on the Calendar: **Page S6650**

Additional Cosponsors: **Pages S6651–52**

Statements on Introduced Bills/Resolutions: **Pages S6652–54**

Additional Statements: **Pages S6649–50**

Amendments Submitted: **Pages S6654–69**

Adjournment: Senate convened at 2 p.m. and adjourned at 7:27 p.m., until 10 a.m. on Tuesday, July 15, 2008. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S6672.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 10 public bills, H.R. 6481–6490, and 1 resolution, H. Res. 1340, were introduced. **Page H6472**

Additional Cosponsors: **Pages H6472–73**

Reports Filed: A report was filed on July 10, 2008 as follows:

H.R. 5170, to amend the Homeland Security Act of 2002 to provide for a privacy official within each component of the Department of Homeland Security, with an amendment (H. Rept. 110–755).

A report was filed on July 11, 2008 as follows:

H.R. 5618, to reauthorize and amend the National Sea Grant College Program Act, with an amendment (H. Rept. 110–701, Pt. 2).

Reports were filed today as follows:

H.R. 3227, to direct the Secretary of the Interior to continue stocking fish in certain lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area, with amendments (H. Rept. 110–756);

H.R. 5057, to reauthorize the Debbie Smith DNA Backlog Grant Program, with amendments (H. Rept. 110–757); and

H. Res. 1339, providing for consideration of the bill (H.R. 415) to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System (H. Rept. 110–758). **Page H6472**

Speaker: Read a letter from the Speaker wherein she appointed Representative Jackson (IL) to act as Speaker pro tempore for today. **Page H6411**

Recess: The House recessed at 12:31 p.m. and reconvened at 2 p.m. **Page H6411**

Suspensions: The House agreed to suspend the rules and pass the following measures:

National Sea Grant College Program Amendments Act of 2008: H.R. 5618, amended, to reauthorize and amend the National Sea Grant College Program Act; **Pages H6412–14**

Clarifying the boundaries of Coastal Barrier Resources System Clam Pass Unit FL–64P: H.R. 1714, to clarify the boundaries of Coastal Barrier Resources System Clam Pass Unit FL–64P; **Pages H6414–15**

Directing the Secretary of the Interior to continue stocking fish in certain lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area: H.R. 3227, amended, to direct the Secretary of the Interior to continue stocking fish in certain lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area; **Pages H6415–16**

Agreed to amend the title so as to read: "To authorize the Secretary of the Interior to allow stocking fish in certain lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area.". **Page H6416**

Expressing support for the designation of July 26, 2008 as "National Day of the Cowboy": H. Res. 984, to express support for the designation of July 26, 2008 as "National Day of the Cowboy"; **Pages H6416–17**

Bishop Ralph E. Brower Post Office Building Designation Act: H.R. 5506, to designate the facility of the United States Postal Service located at 369 Martin Luther King Jr. Drive in Jersey City, New Jersey, as the "Bishop Ralph E. Brower Post Office Building"; **Pages H6417–18**

Minnie Cox Post Office Building Designation Act: H.R. 4010, to designate the facility of the United States Postal Service located at 100 West Percy Street in Indianola, Mississippi, as the "Minnie Cox Post Office Building"; **Pages H6418–19**

Recognizing the 50th anniversary of the crossing of the North Pole by the USS "Nautilus" (SSN 571) and its significance in the history of both our Nation and the world: H. Res. 1067, to recognize the 50th anniversary of the crossing of the North Pole by the USS *Nautilus* (SSN 571) and its significance in the history of both our Nation and the world, by a ⅔ yea-and-nay vote of 375 yeas with none voting "nay", Roll No. 486; **Pages H6419–21, H6446–47**

Honoring the extraordinary service and exceptional sacrifice of the 101st Airborne Division (Air Assault), known as the Screaming Eagles: H. Res. 1080, amended, to honor the extraordinary service and exceptional sacrifice of the 101st Airborne Division (Air Assault), known as the Screaming Eagles, by a ⅔ yea-and-nay vote of 378 yeas with none voting "nay", Roll No. 487; **Pages H6421–22, H6447–48**

Recognizing the 60th anniversary of the integration of the United States Armed Forces: H. Con. Res. 297, amended, to recognize the 60th anniversary of the integration of the United States Armed Forces, by a ⅔ yea-and-nay vote of 378 yeas with none voting "nay", Roll No. 488; **Pages H6424–26, H6448**

Agreed to amend the title so as to read: "Recognizing the 60th anniversary of the beginning of the integration of the Armed Forces.". **Page H6448**

Regulatory Improvement Act: Agreed to the Senate amendment to H.R. 3564, to amend title 5, United States Code, to authorize appropriations for the Administrative Conference of the United States through fiscal year 2011—clearing the measure for the President; **Pages H6426–28**

Honoring and recognizing the dedication and achievements of Thurgood Marshall on the 100th anniversary of his birth: H. Con. Res. 381, to honor and recognize the dedication and achievements of Thurgood Marshall on the 100th anniversary of his birth; **Pages H6428–32**

Expressing the sense of the House of Representatives that American flags flown on Federal Government buildings and on Federal property be made in the United States: H. Res. 1182, to express the sense of the House of Representatives that American flags flown on Federal Government buildings and on Federal property be made in the United States; **Pages H6432–33**

Honoring the men and women of the Drug Enforcement Administration on the occasion of its 35th anniversary: H. Con. Res. 369, to honor the men and women of the Drug Enforcement Administration on the occasion of its 35th anniversary; **Pages H6433–35**

Debbie Smith Reauthorization Act of 2008: H.R. 5057, amended, to reauthorize the Debbie Smith DNA Backlog Grant Program; **Pages H6436–41**

Agreed to amend the title so as to read: "To reauthorize the Debbie Smith DNA Backlog Grant Program, and for other purposes.". **Page H6441**

Criminal History Background Checks Pilot Extension Act of 2008: S. 3218, to extend the pilot program for volunteer groups to obtain criminal history background checks—clearing the measure for the President; **Pages H6441–43**

A Child Is Missing Alert and Recovery Center Act: H.R. 5464, to direct the Attorney General to make an annual grant to the A Child Is Missing Alert and Recovery Center to assist law enforcement agencies in the rapid recovery of missing children; and **Pages H6443–45**

Authorizing the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through 2012: S. 231, to authorize the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through 2012—clearing the measure for the President. **Pages H6445–46**

Recess: The House recessed at 5:12 p.m. and reconvened at 6:30 p.m. **Page H6446**

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed:

Expressing the deepest appreciation of Congress to the families of members of the United States Armed Forces: H. Con. Res. 295, to express the deepest appreciation of Congress to the families of members of the United States Armed Forces. **Pages H6422–24**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H6411.

Senate Referrals: S. 1046 was referred to the Committee on Oversight and Government Reform.

Page H6470

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H6447, H6447–48, and H6448. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:10 p.m.

Committee Meetings

TAUNTON RIVER WILD-SCENIC RIVER DESIGNATION ACT

Committee on Rules: Granted, by voice vote, a rule providing for consideration of H.R. 415, to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System. The rule provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources.

The rule waives all points of order against consideration of the bill except clauses 9 and 10 of rule XXI. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute except for clause 10 of rule XXI.

The rule makes in order only those amendments printed in the report of the Committee on Rules. The amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. All points of order against the amendments except for clauses 9 and 10 of rule XXI are waived. The rule provides one motion to recommit with or without instructions.

The rule provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

The rule takes from the Speaker's table S. 2062 (the Native American Housing Assistance and Self-Determination Reauthorization Act of 2007), adopts an amendment in the nature of a substitute consisting of the text of H.R. 2786 as passed by the House, passes S. 2062 as amended, and provides that the House insists on its amendment and requests a conference with the Senate. Testimony was heard from Representatives Holt and Frank of Massachusetts.

COMMITTEE MEETINGS FOR TUESDAY, JULY 15, 2008

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the semiannual monetary policy report to Congress, 10 a.m., SR–325.

Full Committee, to hold hearings to examine recent developments in United State financial markets and regulatory responses to them, 11:30 a.m., SR–325.

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation Operations, Safety, and Security, to hold hearings to examine summer air travel, focusing on addressing congestion and delay, 10 a.m., SR–253.

Committee on Energy and Natural Resources: to hold hearings to examine S. 3233, to promote development of a 21st century energy system to increase United States competitiveness in the world energy technology marketplace, and S. 2730, to facilitate the participation of private capital and skills in the strategic, economic, and environmental development of a diverse portfolio of clean energy and energy efficiency technologies within the United States, to facilitate the commercialization and market penetration of the technologies, 10 a.m., SD–366.

Committee on Finance: to hold hearings to examine international enforcement of intellectual property rights and American competitiveness, 10 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine the crisis in Zimbabwe and prospects for its resolution, 10:30 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine the Americans with Disabilities Act (Public Law 101–336), focusing on ways to determine the proper scope of coverage, 10 a.m., SD–106.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the nomination of Gus P. Coldebella, of Massachusetts, to be General Counsel, Department of Homeland Security, 10 a.m., SD–342.

Committee on the Judiciary: Subcommittee on Antitrust, Competition Policy and Consumer Rights, to hold hearings to examine the Google-Yahoo agreement, focusing on the future of internet advertising, 10:30 a.m., SD–226.

House

Committee on Armed Services, Subcommittee on Oversight and Investigations, hearing on A New U.S. Grand Strategy, 10 a.m., 2212 Rayburn.

Committee on Education and Labor, hearing on Is the Department of Labor Effectively Enforcing Our Wage and Hour Laws? 10:45 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Energy and Air Quality, hearing entitled ''Next Steps Toward Permanent Nuclear Waste Disposal,'' 10 a.m., 2123 Rayburn.

Committee on Homeland Security, Subcommittee on Emergency Communications, Preparedness and Response, hearing entitled ''Assessing the Framework and Coordination of the National Emergency Communications Plan, 10 a.m., 311 Cannon.

Subcommittee on Transportation Security and Infrastructure, hearing entitled ''The Next Step in Aviation Security—Cargo Security: Is DHS Implementing the Requirements of the 9/11 Law Effectively?'' 2 p.m., 311 Cannon.

Committee on the Judiciary, Task Force on Competition Policy and Antitrust Laws, hearing on Competition on the Internet, 1:30 p.m., 2141 Rayburn.

Subcommittee on Commercial and Administrative Law, to mark up the following bills: H.R. 6126, Fairness in Nursing Home Arbitration Act of 2008; H.R. 5312, Automobile Arbitration Fairness Act of 2008; and H.R. 3010, Arbitration Fairness Act of 2007, 12:30 p.m., 2237 Rayburn.

Subcommittee on the Constitution, Civil Rights and Civil Liberties, to continue hearings on From the Department of Justice to Guantanamo Bay: Administration Lawyers and Administration Interrogation Rules, Part IV, 10 a.m., 2141 Rayburn.

Subcommittee on Crime, Terrorism and Homeland Security, hearing on the following bills: H.R. 6064, National Silver Alert Act; H.R. 5898, Silver Alert Grant Program Act of 2008; and H.R. 423, Kristen's Act Reauthorization of 2007; followed by a mark up of H.R. 6064, National Silver Alert Act, 2 p.m., 2237 Rayburn.

Committee on Natural Resources, Subcommittee on National Parks, Forests and Public Lands, hearing on the following bills: H.R. 2297, Arizona National Scenic Trail Act; H.R. 2299, Southern Nevada Limited Transition Area Act; H.R. 5335, To amend the National Trails System Act to provide for the inclusion of new trails segments, land components, and campgrounds associated with the Trail of Tears National Historic Trail, and for other purposes; H.R. 5671, To amend the laws establishing the Whiskeytown-Shasta-Trinity National Recreation Area and the Columbia River National Gorge National Scenic Area, units of the National Forest System derived from the public domain, to authorize the Secretary of Agriculture to retain and utilize special use permit fees collected by the Secretary in connection with the operation of marinas in the recreation area and the operation of the Multnomah Fall Lodge in the scenic area, and for other purposes; H.R. 5853, Minute Man National Historical Park Boundary Revision Act; H.R. 6159, Deafy Glade Land Exchange Act; H.R. 6176, To authorize the expansion of the Fort Davis National Historic Site in Fort Davis, Texas, and for other purposes; and H.R. 6305, To clarify the authorization for the use of certain National Park Service properties within Golden Gate National Parks and San Francisco Maritime National Historic Park, and for other purposes, 10 a.m., 1334 Longworth.

Subcommittee on Water and Power, to mark up the following bills: H.R. 3437, Jackson Gulch Rehabilitation Act of 2007; H.R. 2535, Tule River Tribe Water Development Act; and H.R. 5293, Shoshone-Paiute Tribes of the Duck Valley Reservation Water Rights Settlement Act, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on Federal Workforce, Postal Service and the District of Columbia, to mark up H.R. 6322, Public Charter Schools Home Rule Act of 2008; followed by a hearing on H.R. 5600, District of Columbia Court, Offender Supervision, Parole, and Public Defender Employees Equity Act of 2008, 2 p.m., 2154 Rayburn.

Subcommittee on National Security and Foreign Affairs, hearing on AFRICOM: Rationales, Roles, and Progress on the Eve of Operations, 10 a.m., 2154 Rayburn.

Committee on Rules. to consider the following bills: H.R. 5959, Intelligence Authorization Act for Fiscal Year 2009; and H.R. 3999, National Highway Bridge Reconstruction and Inspection Act of 2007, 2:30 p.m., H–313 Capitol.

Committee on Science and Technology, Subcommittee on Research and Science Education, hearing on the Role of Non-Governmental Organizations and Universities in International Science and Technology Cooperation, 10 a.m., 2318 Rayburn.

Subcommittee on Technology and Innovation, oversight hearing on Low-Level Plutonium Spill at NIST-Boulder; Contamination of Lab and Personnel, 11 a.m., 2325 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Oversight and Investigations, Media Outreach to Veterans, 2 p.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Health, hearing on State Coverage Initiatives, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, briefing by Ambassador Chris Hill, 3:30 p.m., H–405 Capitol.

Joint Meetings

Commission on Security and Cooperation in Europe: to hold hearings to examine the Supreme Court's recent decision in Boumediene v. Bush, focusing on foreign terrorism suspects held at Guantanamo Bay detention facility, 2:30 p.m., 2200 Rayburn Building.

Next Meeting of the SENATE
10 a.m., Tuesday, July 15

Senate Chamber

Program for Tuesday: After the transaction of any morning business (not to extend beyond 60 minutes), Senate will continue consideration of S. 2731, Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act, and the Majority Leader will be recognized to make a motion to table the DeMint Amendment No. 5078.

(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, July 15

House Chamber

Program for Tuesday: Consideration of the following suspensions: 1) H.R. 4049—Money Service Business Act of 2007; 2) H.R. 6455—To require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the establishment of the National Aeronautics and Space Administration; 3) S. 3145—A bill to designate a portion of United States Route 20A, located in Orchard Park, New York, as the "Timothy J. Russert Highway"; 4) S. 496—The Appalachian Regional Development Act Amendments of 2008; 5) H. Con. Res. 299—Supporting the goals and ideals of National Cystic Fibrosis Awareness Month; 6) H. Res. 1259—Congratulating the Hamilton College Continentals on winning the NCAA Division III women's lacrosse championship; 7) H. Res. 1088—Recognizing and commending the Alvin Ailey American Dance Theater for 50 years of service as a vital American cultural ambassador to the world; 8) H. Res. 1323—Commending the Arizona State University softball team for their victory in the 2008 Women's College World Series; 9) H. Res. 1327—Congratulating the 2008 National Collegiate Athletic Association (NCAA) Division I Baseball Champions, the Fresno State Bulldogs; 10) H. Res. 1261—Congratulating East High School in Denver, Colorado, on winning the 2008 "We the People: The Citizen and the Constitution" national competition; 11) H. Con. Res. 385—Condemning the attack on the AMIA Jewish Community Center in Buenos Aires, Argentina, in July 1994; 12) H. Res. 1090—Honoring the esteemed former President Nelson Rolihlahla Mandela on the occasion of his 90th birthday; 13) H.R. 3890—Burma Democracy Promotion Act of 2007; 14) H.R. 3032—To amend the Federal Election Campaign Act of 1971 to permit candidates for election for Federal office to designate an individual who will be authorized to disburse funds of the authorized campaign committees of the candidate in the event of the death of the candidate; 15) H.R. 6296—To extend through 2013 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission; and 16) H.R. 5803—To direct the Election Assistance Commission to establish a program to make grants to participating States and units of local government which will administer the regularly scheduled general election for Federal office held in November 2008 for carrying out a program to make backup paper ballots available in the case of the failure of a voting system or voting equipment in the election or some other emergency situation. Consideration of H.R. 415—Amending the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System (Subject to a Rule).

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