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No. 146

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 15, 2008.

I hereby appoint the Honorable MAZIE K. HIRONO 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.

ENERGY INDEPENDENCE

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

Mr. ROYCE. Madam Speaker, I am rising today to speak about the consequences of some 80 percent of oil reserves around the world now being controlled by a foreign cartel, a foreign cartel that works in concert with Russia. And if you take Russia into the mix, you now have over 90 percent of the oil reserves of the oil that's being pumped around the world controlled by this cartel, OPEC.

Now, many of us remember when Aramco was nationalized, where the U.S. fields were seized in Saudi Arabia. And we remember when British Petroleum in Iran was nationalized by that government. Not too many years ago, Hugo Chavez seized the European oil companies, their derricks, off the coast of his country.

This is a phenomenon that, as it has occurred, has allowed, according to our former CIA Director Jim Woolsey, the cartel to pick a price. And what he suggested some years ago to us in the Congress was that there was an attempt to set that price at \$140 a barrel of oil. And, specifically, what the cartel did, what OPEC did, was to curtail production in order to drive up the price.

Frankly, we need a long-term and a short-term solution to this problem. The long-term solution is to continue the investment in lithium-ion batteries that the market is driving and continue incentives for hybrids so that we reach the point where you can actually go 100 miles per gallon of gasoline used because the first 40 miles that you would use to go to work typically or back will be off a battery. In other words, his argument is that long-term electricity is going to be the solution to this by converting the economy, which today 95 percent of the transportation costs dealing with fuel are petroleum, converting that over to electricity.

But that's 10 years out. And in the meantime, we have a short-term solution that we need in order to break this cartel's ability to hold that price as high as they hold it. And as the price began to dip down the last few weeks, you saw the cartel again doing what? Saying they were going to, again, curtail production in order to increase the price of gasoline. This represents, according to the former CIA Director, a \$10 trillion transfer in wealth over the next 10 years out of this economy into their economy, billions of dollars every day going into their sovereign wealth funds in Saudi Arabia or throughout the Persian Gulf and some of it also going into the madrassas, the special religious schools that they're setting up across Central Asia, across Africa, even in Europe, which, frankly, are radicalizing a younger generation.

So how do we take some of the profit out of this? What we do, frankly, is we

lift that moratorium on drilling. And our hope on the Republican side was that we might see a series of moratoriums which were put in place lifted.

One which was put in place a little over a year ago was the moratorium on using oil shale from Wyoming and Utah and Colorado. We have more oil shale in this country by threefold in terms of what the Saudis have in reserves in the Persian Gulf. So with 2 trillion in oil shale reserves, frankly, we could do a lot. But there has been a moratorium put by those who do not want to burn fossil fuels.

Then we have the moratorium on drilling offshore. We know that the Cubans are drilling off the coast of Florida; we're not allowed to drill off the coast in those waters.

We know that in the Arctic we have Gazprom, which was nationalized, seized by the Russian government a few years ago. They're bringing their two biggest derricks up to the Arctic. They're going to drill, whereas we can't expand in Alaska, in the Arctic, and drill there on the U.S. side.

So what we are witnessing is the fact that we have hamstrung our ability. Gasification, as the South Africans use a process to transfer coal into gasoline, a moratorium on that. Nuclear, well, France has 80 percent of its grid supported by nuclear power. In my State, California, it's 12.5 percent, and there is no chance of getting more because of the restrictions and moratoriums. And, frankly, when a lease is let, there is a lawsuit that follows it instantaneously.

So the question I have is why are we moving legislation which purports to lift only one of these moratoriums, which is the drilling offshore, but with it says that no State can take a percentage of the profits of that drilling to help its State budget? All that guarantees is that no State will allow drilling offshore. Right now if you're in the State of Louisiana and you have a certain area where drilling is occurring,

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



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part of that goes back to the State of Louisiana.

The fact is that this measure, this legislation, will prevent, will absolutely stop any State from going forward and allowing additional drilling. And that's what it's intended to do because the intention is not to have any energy produced in the United States, not to create jobs here, and not to help the inflation that, frankly, is being driven right now by these high energy prices. And I am very concerned about it.

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 38 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. CUMMINGS) at 2 p.m.

PRAYER

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

Lord God Almighty, after another weekend as a hurricane watch, we pray for all those whose lives and belongings have been affected by floods and collapsed infrastructure. May You strengthen the efforts of emergency workers and stir generous hearts in many others to come to their aid and help them repair their communities.

Bless the work of Congress this week both here in Washington and in the district offices. Grant discernment of spirits in these days, that what is best for this Nation may be done and ways of peace, security and creativity may be found that will give glory to this Nation and Your Holy Name 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 gentlewoman from Guam (Ms. BORDALLO) come forward and lead the House in the Pledge of Allegiance.

Ms. BORDALLO led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed by the Speaker on Thursday, September 11, 2008:

H.R. 6532, to amend the Internal Revenue Code of 1986 to restore the highway trust fund balance.

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.

JACKSON GULCH REHABILITATION ACT OF 2008

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3437) to authorize the Secretary of the Interior to carry out the Jackson Gulch rehabilitation project in the State of Colorado, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3437

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 "Jackson Gulch Rehabilitation Act of 2008".

SEC. 2. DEFINITIONS.

In this Act:

(1) **ASSESSMENT.**—*The term "assessment" means the engineering document that is—*

(A) *entitled "Jackson Gulch Inlet Canal Project, Jackson Gulch Outlet Canal Project, Jackson Gulch Operations Facilities Project: Condition Assessment and Recommendations for Rehabilitation";*

(B) *dated February 2004; and*

(C) *on file with the Bureau of Reclamation.*

(2) **DISTRICT.**—*The term "District" means the Mancos Water Conservancy District established under the Water Conservancy Act (Colo. Rev. Stat. 37-45-101 et seq.).*

(3) **PROJECT.**—*The term "Project" means the Jackson Gulch rehabilitation project, a program for the rehabilitation of the Jackson Gulch Canal system and other infrastructure in the State, as described in the assessment.*

(4) **SECRETARY.**—*The term "Secretary" means the Secretary of the Interior, acting through the Commissioner of Reclamation.*

(5) **STATE.**—*The term "State" means the State of Colorado.*

SEC. 3. AUTHORIZATION OF JACKSON GULCH REHABILITATION PROJECT.

(a) **IN GENERAL.**—*Subject to the reimbursement requirement described in subsection (c), the Secretary shall pay the Federal share of the total cost of carrying out the Project.*

(b) **USE OF EXISTING INFORMATION.**—*In preparing any studies relating to the Project, the Secretary shall, to the maximum extent practicable, use existing studies, including engineering and resource information provided by, or at the direction of—*

(1) *Federal, State, or local agencies; and*

(2) *the District.*

(c) **REIMBURSEMENT REQUIREMENT.**—

(1) **AMOUNT.**—*The Secretary shall recover from the District as reimbursable expenses the lesser of—*

(A) *the amount equal to 35 percent of the cost of the Project; or*

(B) *\$2,900,000.*

(2) **MANNER.**—*The Secretary shall recover reimbursable expenses under paragraph (1)—*

(A) *in a manner agreed to by the Secretary and the District;*

(B) *over a period of 15 years; and*

(C) *with no interest.*

(3) **CREDIT.**—*In determining the exact amount of reimbursable expenses to be recovered from the District, the Secretary shall credit the District for any amounts it paid before the date of the enactment of this Act for engineering work and improvements directly associated with the Project.*

(d) **PROHIBITION ON OPERATION AND MAINTENANCE COSTS.**—*The District shall be responsible for the operation and maintenance of any facility constructed or rehabilitated under this Act.*

(e) **LIABILITY.**—*The United States shall not be liable for damages of any kind arising out of any act, omission, or occurrence relating to a facility rehabilitated or constructed under this Act.*

(f) **EFFECT.**—*An activity provided Federal funding under this Act shall not be considered a supplemental or additional benefit under—*

(1) *the reclamation laws; or*

(2) *the Act of August 11, 1939 (16 U.S.C. 590y et seq.).*

(g) **AUTHORIZATION OF APPROPRIATIONS.**—*There is authorized to be appropriated to the Secretary to pay the Federal share of the total cost of carrying out the Project \$8,250,000.*

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Arkansas (Mr. BOOZMAN) 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, I yield myself such time as I may consume.

(Ms. BORDALLO asked and was given permission to revise and extend her remarks.)

Ms. BORDALLO. The Mancos Project delivers water from Jackson Gulch Dam to residents, farms and businesses in Montezuma County, Colorado. The project and the Jackson Gulch Dam provide supplemental agricultural water for about 8,650 irrigated acres and at least 237 agricultural businesses. The project is also a domestic water supply for the Mesa Verde National Park.

For almost 60 years, the project has outlived its expected life and is in dire need of rehabilitation. This bill will aid the repair and the rehabilitation of this vitally important project in southwestern Colorado.

I would like to commend our colleague from Colorado, Congressman JOHN SALAZAR, for his hard work on

the bill before us today. I urge my colleagues to support its passage.

I reserve the balance of my time.

Mr. BOOZMAN. Mr. Speaker, the Democratic bill manager has adequately described H.R. 3437. We have no objection to the one-time solution in this bill.

Federal water projects throughout the western United States are crumbling due to age and limited resources at all levels. The Jackson Gulch project is a frustrating symbol of what could happen to other projects. In the coming years, Congress and the next administration have to resolve this aging infrastructure problem to leverage government and private assistance and remove unnecessary red tape to keep our water running and our lights on. We look forward to working together to resolve this nonpartisan problem.

I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I again urge Members to support the bill, and 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. 3437, 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. BISHOP of Utah. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

TULE RIVER TRIBE WATER DEVELOPMENT ACT

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2535) to direct the Secretary of the Interior to conduct a study on the feasibility and suitability of constructing a storage reservoir, outlet works, and a delivery system for the Tule River Indian Tribe of California to provide a water supply for domestic, municipal, industrial, and agricultural purposes, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2535

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 "Tule River Tribe Water Development Act".

SEC. 2. STUDY.

(a) AUTHORIZATION.—Not later than 2 years after funds are appropriated for this section or the signing of a reserved water rights set-

tlement agreement by the Tule River Tribe and other settling water users, whichever is later, the Secretary of the Interior, acting through the Bureau of Reclamation, shall complete a feasibility study to evaluate alternatives (including alternatives for a phase I reservoir storage of an amount of water not to exceed 5,000 acre feet) for a domestic, commercial, municipal, industrial, and irrigation water supply for the Tule River Tribe of the Tule River Reservation.

(b) REPORT.—Upon completion of the study conducted under subsection (a), the Secretary of the Interior shall transmit the study to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources and the Committee on Indian Affairs of the Senate.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of the Interior \$3,000,000 to carry out this section.

SEC. 3. CONDITIONS FOR FUTURE PROJECTS.

No project conducted in relation to the feasibility study conducted under section 2 shall provide water supplies for the proposed Tribal casino to be located in proximity to California Highway 190 near Lake Success, or any other Tribal casino, except—

(1) the casino in its current form and dimensions operated by the Tribe on the Tule River Reservation; and

(2) any lodging, dining, entertainment, meeting space, parking, or other similar facilities which may be constructed in the future in support of current on-Reservation gaming activities, or in support of any future expansion of on-Reservation gaming activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Utah (Mr. BISHOP) 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, I yield myself such time as I may consume.

(Ms. BORDALLO asked and was given permission to revise and extend her remarks.)

Ms. BORDALLO. Mr. Speaker, the Tule River Water Development Act, sponsored by our colleague from California, Congressman DEVIN NUNES, would authorize the Secretary of the Interior, through the Bureau of Reclamation, to complete a feasibility study that would evaluate alternatives for a water supply for the Tule River Tribe of the Tule River Reservation. The Tule tribe views this as a very important first step in settling their water rights claims.

This bill has received bipartisan support and I ask my colleagues to support its passage.

I reserve the balance of my time.

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

This bill, H.R. 2535, introduced by our California colleagues, DEVIN NUNES and JIM COSTA, is the first step towards improving the water supply situation on the Tule River Indian Reservation. This bill authorizes the Bureau of Reclamation to conduct a feasibility study to capture more surface water on the Reservation.

I urge my colleagues to support this bipartisan measure.

I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, at this time I yield as much time as he may consume to the gentleman from Colorado (Mr. SALAZAR) who will speak on the previous bill.

Mr. SALAZAR. Mr. Speaker, I want to thank the chairwoman, and I want to thank Chairwoman NAPOLITANO for all of her hard work on many of the water bills that are before us today. I also want to thank Congressman NUNES and Congressman COSTA from California. Being rural water Members, they understand the importance of water to rural America.

Today I would like to speak on H.R. 3437, the Jackson Gulch Rehabilitation Act of 2008. I introduced this bill after hearing from my constituents in Mancos, Colorado, including Gary Kennedy, who is the superintendent of the Mancos Water Conservancy District. Gary told me about how every spring as the snow melts he is terrified that they are going to have a catastrophic failure in the system. And it is only a matter of time.

The Jackson Gulch project is critical to southwest Colorado and has stored and delivered water for domestic, agriculture and recreational uses for over 50 years.

The Jackson Gulch Reservoir supplies water to the town of Mancos and the Mancos Rural Water Company. Many of my constituents in the area depend on the agricultural land to make a living. They cannot afford to lose their water supply.

Also of critical importance, Jackson Gulch is the sole supplier of municipal water for the Mesa Verde National Park. Mesa Verde National Park was founded in 1906 by President Theodore Roosevelt and is one of our Nation's most treasured archeological sites. Almost 600,000 Americans each year enjoy Mesa Verde National Park and rely on the water of the park that they receive from Jackson Gulch.

This bill is critical to extend the life of Jackson Gulch Project. The project was authorized in 1939, and construction of the project was completed in 1949. Over the past 60 years, the canals and facilities have exceeded their life expectancy and are in dire need of repair.

Congress is faced with a simple decision: Tackle the problem of rehabilitation for \$8 million today or wait for a catastrophic failure and face a \$30 million price tag for replacement tomorrow. Without action, it's only a matter of time before we have a major failure

and cut off water to Mesa Verde National Park and Coloradans in the southwest.

The most dangerous period is during the spring snow melt when Jackson Gulch Reservoir is being filled. If anything happens during that time, my farmers, the town of Mancos, and the Mesa Verde National Park will be out of business. The estimated cost to rehabilitate the canal system is less than one-third of the cost of replacement.

I urge my colleagues to help us address this important issue for southwest Colorado. There are approximately 300, 350 families living in the town of Mancos and 100 more living in Mancos Valley. The median income in Mancos is only \$25,000. Yet in their desperate need for water, they have agreed to pay for 35 percent of the cost. They know this will stretch their budgets, but they are also willing to do their part. Now Congress should do its part and pass this critical bill.

I want to thank the chairwoman; I want to thank the Speaker.

Mr. BISHOP of Utah. Mr. Speaker, I want it to be very clear that I respect extremely Mr. NUNES and Mr. COSTA who have introduced the bill that is before us. I also respect Mr. SALAZAR on the bill about which he was just speaking, because all those bills are very well written bills. They have gone through what we call regular order in this body so that the details have been worked out in a fair and equitable process. They are good, decent bills.

But we meet together on this day of suspensions in a unique concept. As we enter into this Hall, there are symbols placed throughout this building. And those symbols are there to remind us of certain concepts that we should be emulating. Around the top of this room, you see the faces, the side views of the icons of law, the great lawgivers of the history of this world, with Moses, obviously, who is the greatest of all, being the only one with a full face view looking directly at the Speaker. They are here because it reminds us that law, even though it sounds sometimes counterintuitive, is that factor which allows us to be free. Law sets the standard, the example, so that we know where we are going and what we are trying to do, which is why we are so offended when activist judges are creating law based on their whimsy, not on the record of the verbiage itself, why sometimes we also are offended in this body when we create wilderness or we create trail systems without maps, or we create wild river systems that violate the definition of those particular laws and we decide to do so on the whimsy of a simple majority vote.

The gentleman on the right side of the Speaker, when he was Vice President of the United States and thus also the President of the Senate, designed a set of rules by which the Senate would operate. This House has taken those rules, modified them slightly, but uses that as the basis of the rules of order

for the way we conduct business here. And we often refer to that as regular order. But bills have concepts that they are supposed to take. If we indeed have a bill coming up later this week which has gone through no public input, has had no hearings, has had no committee reviews, will possibly not have the ability of being amended on the floor or in committee, being written in secret and then presented to us at the last minute, a pattern that has been pervasive during this session, it violates the message of their presence. It violates the concept of what we are trying to do. It says to us it is the wrong way to conduct business, because the basis when we conduct business out of regular order, when we do things behind closed doors and then bring a finished product to a take-it-or-leave-it vote here on the floor, is to basically produce a wrong-headed policy.

That was what these people feared, even though most of them had no concept of what a democratic republic was supposed to be, nor did they care. They always established what the process should be. We are looking at the most significant issue to be faced by this Congress this year and have begun in secret, with no hearings, no input, no public. It suddenly appears on the floor out of regular order. To do so dishonors the memory of each of these individuals who have fought so hard to allow us to have a structured way of coming to common solutions to real problems. And it is one of those things we should not allow ourselves to sink into during this coming week or even the next week.

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

□ 1415

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

Mr. BISHOP of Utah. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Texas (Ms. GRANGER).

Ms. GRANGER. Mr. Speaker, as the previous speaker mentioned, in a normal time we would be debating this particular bill that has merit, I am sure. But these are not normal times. We are now in the last weeks before we adjourn this Congress, and we are not addressing the issue that is uppermost certainly in the minds of my constituents, and that is the energy crisis.

I noticed recently we haven't been talking much about the energy potential of the Arctic National Wildlife Refuge, or ANWR. There are rumors that we may have a bill this week on energy, but there is nothing mentioned about ANWR. Perhaps that is because the Democrats' later energy bill doesn't mention it at all.

The American Energy Act, however, does give ANWR the attention it deserves. The American Energy Act opens the coastal plain of ANWR to drilling, limiting the footprint to just 2,000 acres. That is one one-hundredth of 1 percent of the whole refuge. I know

we have all heard the comparison, but I think it is worth repeating. That is the size of a postcard on a football field.

ANWR has over 10 billion barrels of recoverable oil. That is over twice the proven oil reserves in all my State of Texas. Once ANWR is on line, it could produce as much oil per day as the entire State of Texas.

In addition to increasing the supply of oil and therefore reducing prices, the royalty and tax revenue from ANWR would be considerable. Congress has authorized several programs to help develop alternative and renewable energy sources. However, we have not been able to fully fund those initiatives, so we have not seen the benefit we were hoping for when they became law. The American Energy Act reinvests any bonus bids and royalty revenue from ANWR into a trust fund to help fund these initiatives to develop alternative and renewable energy sources.

Poll after poll shows that Americans want more domestic production. My office is flooded with calls and e-mails begging me to convince Speaker PELOSI to allow a vote on drilling in ANWR. We need to increase domestic production. We need to develop alternative energy sources. We need to make renewable energy sources more effective. Allowing access to ANWR, as outlined in the American Energy Act, accomplishes all of these objectives.

Let's heed the call of the American people. After all, that is what we were elected to do. Let's take responsibility and vote today to give them the relief they so desperately are seeking.

I invite my colleagues on the other side of the aisle to join us and vote for real solutions today, this week, on this energy crisis.

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

Ms. BORDALLO. Mr. Speaker, I again urge Members to support the bill, and 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. 2535.

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. BISHOP of Utah. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

NOAA LAND SALE

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 5350) to authorize the Secretary of Commerce to sell or exchange certain National Oceanic and Atmospheric Administration property located in Norfolk, Virginia, and for other purposes, as amended.

The Clerk read the title of the bill.
The text of the bill is as follows:

H.R. 5350

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

SECTION 1. SALE OR EXCHANGE OF NOAA PROPERTY IN NORFOLK, VIRGINIA.

(a) IN GENERAL.—The Secretary of Commerce may sell or exchange to the City of Norfolk, Virginia, in accordance with chapter 13 of title 40, United States Code, real property under the administrative jurisdiction of the National Oceanic and Atmospheric Administration (in this section referred to as “NOAA”), including land and improvements thereon, located at 538 Front Street, Norfolk, Virginia, consisting of approximately 3.78 acres, if the Secretary—

(1) determines that the conveyance is in the best interests of NOAA and the Federal Government; and

(2) has provided prior notification to the Committee on Natural Resources and the Committee on Appropriations of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate.

(b) CONSIDERATION.—

(1) IN GENERAL.—For any conveyance under this section the Secretary shall require the City of Norfolk to provide consideration to the United States that is not less than the fair market value of the property conveyed by the United States.

(2) FORM.—Consideration under this subsection may include any combination of—

(A) cash or cash equivalents;

(B) other property (either real or personal); and

(C) consideration in-kind, including—

(i) provision of space, goods, or services of benefit to NOAA including construction, repair, remodeling, or other physical improvements of NOAA property;

(ii) maintenance of NOAA property;

(iii) provision of office, storage, or other useable space; or

(iv) relocation services associated with conveyance of property under this section.

(3) DETERMINATION OF FAIR MARKET VALUE.—The Secretary shall determine fair market value for purposes of paragraph (1) based upon a highest- and best-use appraisal of the property conveyed under subsection (a) conducted in conformance with the Uniform Appraisal Standards for Professional Appraisal Practice.

(c) USE OF PROCEEDS.—Amounts received under subsection (b)(2)(A) by the United States as proceeds of any conveyance under this section shall be available to the Secretary, subject to appropriation, for—

(1) activities related to the operations of, or capital improvements, to NOAA property; or

(2) relocation and other costs associated with the sale or exchange.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance of property by the United States under subsection (a) as the Secretary considers appropriate to protect the interest of the United States, including the recoupment of any profit the City of Norfolk may realize within three years after the date of conveyance to the City due to resale of the property

(e) TERMINATION.—The authority granted to the Secretary under subsections (a) and

(b) shall terminate at the end of the 24-month period beginning on the date of enactment of this Act if no contract for sale or exchange under subsection (a) has been entered into by the City of Norfolk and the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Utah (Mr. BISHOP) 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, I yield myself such time as I may consume.

Mr. Speaker, H.R. 5350 is non-controversial legislation introduced by our colleague from Virginia, Congressman BOBBY SCOTT, to authorize the Secretary of Commerce and the City of Norfolk, Virginia, to negotiate and complete a conveyance of Federal property located in the city that is under the control of the National Oceanic and Atmospheric Administration. The purpose of this fair market value conveyance would be to enable the city to fulfill its plans for the economic redevelopment of the Fort Norfolk waterfront area.

I commend my colleague from Virginia, Congressman BOBBY SCOTT, for his tireless efforts to assist the City of Norfolk as it revitalizes its downtown waterfront core. This legislation also was approved by our colleagues on the Committee on Oversight and Government Reform. The helpful revisions offered by Chairman HENRY WAXMAN and his staff will protect the interests of NOAA and ensure that any future conveyance is consistent with standard terms of terms and conditions found in similar General Services administration contracts.

Mr. Speaker, I ask my colleagues to support the passage of this bill.

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

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

Mr. Speaker, the Democrat bill manager has I think sufficiently explained the particulars of this bill. I understand the parties involved in the land sale or exchange and the National Oceanic and Atmospheric Administration and the City of Norfolk support the bill and its passage today. I think it is also an exceptional bill.

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

Ms. BORDALLO. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. SCOTT), the author of the bill.

Mr. SCOTT of Virginia. I thank the gentlewoman for yielding.

Mr. Speaker, I rise in support of H.R. 5350, a bill authorizing the Secretary of Commerce to sell or exchange certain National Oceanic and Atmospheric Administration property in the City of Norfolk, Virginia. At the request of the City of Norfolk, I introduced this legislation in February of this year, along with my colleague from Virginia's Second Congressional District, THELMA DRAKE, who also represents part of the City of Norfolk.

Over the last decade, the City of Norfolk has experienced tremendous economic growth. Downtown Norfolk has reemerged as the urban center of the Hampton Roads region through revitalization and new commercial and residential development.

For several decades, NOAA has been an important Federal partner in downtown Norfolk's development. NOAA's Atlantic Marine Operations Center and NOAA's Chesapeake Bay office are both located downtown in an area referred to as the Fort Norfolk district, which is one of the last remaining undeveloped waterfront areas of downtown Norfolk.

Nearly a decade ago, the city recognized the strategic location of the Fort Norfolk district for development and revitalization and the city began discussions about its desire to purchase a parcel of property from NOAA located at 538 Front Street, directly across from NOAA's primary Norfolk facility. NOAA currently uses the property for storage and staff space for the Norfolk field operations office of NOAA's National Geodetic Survey. These discussions stalled when NOAA ascertained that congressional authorization was required to proceed.

H.R. 5350 simply authorizes, but does not require, the Secretary of Commerce to sell or exchange the NOAA property located at 538 Front Street in Norfolk to the City of Norfolk. The bill clearly states that NOAA may only sell or exchange the property if the Secretary of Commerce determines that the conveyance would be in the best interests of the Federal Government. The bill also requires that the property be sold at a value not less than the fair market value, as determined by the Federal Government.

The bill does not delineate or support any particular agreement or contract. The details of any future agreement between NOAA and the City of Norfolk would have to be worked out. This legislation would simply permit that process to move forward, and if a mutually agreeable contract is decided upon, this land sale or exchange would allow Norfolk to continue its tremendous economic growth by developing the land for commercial and residential purposes. The authority granted to the Secretary of Commerce to enter into this agreement with the City of Norfolk will expire 2 years after the date of enactment of H.R. 5350.

Mr. Speaker, I would like to thank the chairwoman of the Fisheries Subcommittee, Ms. BORDALLO, and the ranking member, Mr. BROWN, as well as the Natural Resources Committee chairman, Mr. RAHALL, and ranking member, Mr. YOUNG, for getting this bill to the floor.

I urge my colleagues to support this bipartisan legislation that protects both the interests of the Federal Government and the citizens of Norfolk.

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

Mr. Speaker, I once again commend the author of this particular bill. I think this is a good bill that has worked its way through. We have one of our Members, Representative DRAKE, who is on her way up here, from her district which is on the coast of Virginia, driving up in a very crowded parkway trying to get here as well, illustrating several of the problems that we face in this country, one of which is what do you do with that land off the coast of Virginia, as well as the entire coast of the United States, to try and help solve the problem of our parkways and driveways and highways, our freeways, as people are trying to go from one destination to another, especially with the overwhelmingly destructive high cost of gasoline that we have now.

A lot of people talk about these things as if what the Republicans have been saying is we simply want to drill now and drill everywhere, as if that were the only solution that we present to the situation. It is not the only solution. In fact, there are many who have said that you can't drill your way out of the problem.

We have found already by past efforts that you can't tax your way out of this problem of energy.

□ 1430

We can't regulate our way out. We can't ignore our way out. Drilling is not the only solution, but it has to be part of the real solution if we, indeed, are going to find something that helps the people of the United States.

We have lived, after 30 years now, and have seen the results of this much time of government regulation of our sources of energy. It is government rationing of our resources that has caused us to be in a situation where we are today, to the point that some people even seriously talk about having gas stamps again, which once again illustrates how the government truly is the cause of the problem, because it is the government that is doing the rationing and the regulation.

Drilling is an essential part. Drilling off the coast of Virginia, drilling off the entire Outer Continental Shelf is an important part, but it is not the only solution to our problem. We must have revenues that can be available to build alternative forms of energy. The royalties that could come from those offshore drillings, as well as onshore drillings, could be that solution if they

were tied together into one comprehensive approach to it.

We failed to realize that the infrastructure we have in this country does not meet the needs of energy for its citizens. We do not have the capacity for moving energy from one part of this country to another.

We have forgotten for too long our refinery needs, our electrical grid needs, our corridor needs, to the point that we now are in a significant problem. That has to be solved if, indeed, we are going to meet the needs of American citizens.

We need to start reemphasizing conservation and rewarding Americans, not forcing Americans and mandating Americans, but rewarding Americans for their effort to help meet this problem by means of conservation. But none of the issues I have just mentioned, ticked off by itself, is a solution.

All of them have to be there at the same time, which is why, if we really are going to meet the needs of Americans in this problem of excessive cost of energy, it has to be an all-of-the-above solution.

We must drill in all of the Outer Continental Shelf, as we must drill in Alaska, as we must explore the trillions of barrels of oil found in oil shale in the States of Wyoming, Colorado and my home State of Utah. We must look at clean, coal technology, nuclear technology, oil shale, natural gas. We must ensure that States are a partner with us.

The idea that the United States can actually do any of this without sharing the royalties is an insult to the States of this Nation. Already, we have insulted them in this particular Congress when we took the existing split of royalties, which is 50/50, and decided unilaterally, without their consent, to change that to a 52/48 so that we got to keep 52 percent, and we allowed the States to have 48 percent, taking away millions of dollars that they had been counting on, that they had been using, to meet the needs of their citizens.

All of those issues have been there. If we now decide to come up to this floor with a solution that is not all of the above, that only looks at drilling in one part of this country and not all, that does not look at the infrastructure needs, does not look at the alternative needs, does not look at the other kinds of fossil fuel needs. It does not come up with conservation requirements that we have to have. It is going to be the same heavy hand of government, which has already brought us to the situation we have right now, where it is the government that is causing, by our actions over the past 30 years, nothing short of rationing of the resources that we have.

There are three great bills that have been presented, one we have asked a vote for on this floor, the American Energy Act. I have to admit there is another one the western States representatives got together, the Ameri-

cans for American Energy Act. There is a bipartisan act sometimes called the Peterson-Abercrombie bill, 20 Members of this Congress, a bipartisan group, have all asked to be discussed on the floor.

All three of those are a comprehensive all-of-the-above approach. None of those have been allowed to have a hearing, to have a markup, to have discussions, or to have a vote on this floor. Yet today we are told that sometime this week the bill written in secret will be brought to this floor, like Moses coming down from Mount Sinai, and will be given to us as the law.

That process is a fraud. That resulting bill will be a fraud. Anything that takes anything off the table will be a fraud. Anything that does not allow an all-of-the-above approach will be a fraud. We will not do what we are supposed to do when we come here to this body, which is, in addition to passing good bills like the one in front of us, but also solving the problem of American citizens.

We are not doing that. We are derelict in our responsibilities, and we need to change that.

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

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

Mr. Speaker, I commend the other side for their views and agree that we should consider energy legislation, and we will.

The difference is that when the Democratic majority brings up legislation this week, we will make very sure that the oil companies that are drilling for America's resources are held accountable. I would like to repeat that, accountable.

The gentleman raised the issue of government regulations. What regulations?

Last week we heard from the Inspector General and the GAO that the very office in charge of regulating the oil companies and the royalty-in-kind program were not doing their job, and here are some of the examples.

The Lakewood Marketing Group, a group of government employees who were in charge of selling the public's oil and gas at the highest price possible were, instead, were concerned with partying, dining, attending golf and ski junkets and a lot more.

There was a Mr. Gregory W. Smith, the head of the royalty-in-kind program, who was also doing illegal things.

One of the top officials at the Minerals Management Service arranged for her assistant to be able to retire and then win a lucrative contract with the agency for his new consulting firm. Not only did the assistant help write the contract before leaving MMS, but another top MMS official in charge of overseeing that contract later retired and joined the consulting firm.

On top of these serious ethical violations, we also learned from three Government Accountability Office, GAO,

reports, that MMS is not carrying out its most fundamental mission, making sure the American taxpayer gets a fair return for the use of the public's oil and gas resources.

There is an inadequate Federal royalty system. The GAO found that the United States, one of the safest and most lucrative areas to operate, receives one of the smallest shares of oil and gas revenues in the entire world. Not only that, the Interior Department does not even evaluate how the United States compares to other countries, to ensure we remain competitive while still keeping the taxpayers from being cheated.

There is no diligent development, despite industry false claims that they are diligently developing the 68 million acres of Federal land they hold leases on. GAO found that over a 10-year period, only 6 percent of nearly 48,000 onshore Federal oil leases were actually drilled. While States and private landowners use a number of strategies such as shorter lease terms to encourage faster production and payments, the Federal Government lets the industry sit on valuable resources for years.

There is sloppy royalty collection. The GAO found that the Department of Interior utterly fails in providing certainty that companies are paying the royalties that they owe the American people. Due to an inadequate computer system, a reliance on company self-reported data and an insufficient number of field inspections, these reports indicate that this administration has been absolutely derelict in its duty to the American people and that serious reforms are needed to the Federal oil and gas royalty program.

This, then, should be a part and parcel of any energy legislation to ensure that American interests are represented in American resources, and that will be part of our energy bill on the floor this week.

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

Mr. BISHOP of Utah. Mr. Speaker, I yield such time as she may consume to the gentlelady from Texas (Ms. GRANGER).

Ms. GRANGER. Mr. Speaker, last week on Thursday we finished our week and our voting. Like most Members of the House here, I went back home to my district in Fort Worth, Texas, and there I spent the weekend talking to people, listening to people, receiving telephone calls. The question was, time and time again, KAY, what are they doing about energy? The answer was nothing.

In addressing this crisis and the solutions to this energy crisis, a key to increasing the American production of energy is to increase our refinery capacity.

As you know, it has been over 30 years since a new refinery was built in the United States. The refineries we do have are operating at near capacity, but we are not able to keep up with consumer demand.

The United States consumed over 15 million barrels per day of petroleum products in the year 2004, and consumption is expected to increase to nearly 26.1 million barrels per day by 2025. That's why increasing refinery capacity is a key piece of the American Energy Act.

Through many innovations, technology has changed a lot since the last U.S. refinery was built in 1976. We should use the advances we have made over the years to build new state-of-the-art facilities that can refine the oil and gas that we need. We need to cut the red tape that has prohibited us from moving forward.

That is why I am proud of my colleagues, HEATHER WILSON and JOE PITTS, who have legislation, the American Energy Act, that would take the necessary steps to remove the bureaucratic roadblocks that have hampered new efforts to build new refinery facilities. Our country has the resources and the space available to increase our capacity and to do so in environmentally safe ways.

An important part of our plan to increase our refinery capacity is using closed military installations to build new refineries. These bases provide the space we need to build refinery infrastructure quickly and get more refineries online as soon as possible.

We have seen the impact of Mother Nature on our refinery infrastructure. Hurricanes Katrina and Rita wreaked havoc on our refineries. During the current hurricane season, as much as 25 percent our Nation's refinery capacity has been taken offline in the wake of these terrible storms in Texas and along the gulf coast. We could greatly reduce the impact of these service interruptions if we had more refineries in this country.

I completely understand increasing our refinery capacity is not the only answer to the energy crisis. I understand the need to look to the future toward alternatives, such as solar and wind. My home State of Texas is doing just that. But in the short-term, increasing our refinery capacity will give us the time to improve and increase these alternative forms of energy.

Until we are able to rely more on these energy sources, we need to boost the source of energy that has powered this Nation in the 21st century. That's why I call on this body and the Democrats in this body for a vote, an up-or-down vote on the American Energy Act, a comprehensive solution that has the support of the American people.

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

Mr. BISHOP of Utah. Mr. Speaker, I appreciate, once again, our opportunity to talk about the many needs we have dealing with the environment and dealing with the energy situation that is so critical to Americans at this particular time.

I appreciate the gentlelady from Guam bringing up a problem that is, indeed, a problem, that we have known

about since 2006. I am glad that the majority party has finally decided to hold hearings, after 2 long years, on that particular issue. I would hope that this week we can actually get to the bottom of that and make sure it never happens again.

But the issue of that has nothing to do with the fact that we are still rationing, through our actions, the opportunity of dealing with the resources that we do have.

Why, in Chukchi Sea, in February of 2008, were 487 leases allowed and immediately there were 487 lawsuits that took place? Why, in New Mexico in the spring of this year, were onshore drilling leases allowed, and immediately they were stopped because of lawsuits that are going forward?

Why, in my State, where we are ready to move forward with oil-shale production on private lands, was it stopped because of actions by this House that denied any funding going forward to move that process to its completion?

It is our actions that have actually been the regulatory stranglehold on moving this Nation forward, and those are the things that need to be completed. Hopefully, in the bill being written in secret that will be presented at some time, these actions will be addressed, these problems will be addressed.

These roadblocks will be addressed, but so far in the talking points that have leaked out, none of that seems to be even a topic of conversation. Yet if we indeed are going to solve all of the problems with an all-of-the-above solution, it has to be part of our discussion.

□ 1445

I have no additional speakers on this bill and would yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I again urge all Members to support the bill.

Mrs. DRAKE. Mr. Speaker, I am pleased to be standing today in support of H.R. 5350, legislation that I sponsored along with Congressman BOBBY SCOTT, which authorizes the sale or exchange of a specific tract of National Oceanic and Atmospheric Administration (NOAA) property located in Norfolk, Virginia. The sale of this NOAA land is something the City of Norfolk has been working on since 2005. I am proud that this legislation is being considered today, as it will have a significant impact on the economic development of Norfolk.

Over thirty years ago, the federal government purchased 3.78 acres of land located at 538 Front Street in Norfolk for \$47,300. From this time forward, this prime, waterfront location has remained under-utilized—when the original intention for this land was to be the future site of NOAA's regional headquarters.

Allowing the City of Norfolk to purchase this land for fair market value gives Norfolk a new area to continue redevelopment efforts that will foster job growth and economic opportunities for citizens in Hampton Roads. As Norfolk has experienced substantial economic growth since the time of the original purchase, I appreciate that this sale will finally be permitted

to further ensure Norfolk's future economic development efforts.

I am grateful for Representative SCOTT's work on helping to bring this bill to the floor, as well as the work of the Committee on Natural Resources and I look forward to the great benefit this redevelopment effort will have for the people of Hampton Roads.

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. 5350, 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. BISHOP of Utah. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

SHOSHONE-PAIUTE TRIBES OF THE DUCK VALLEY RESERVATION WATER RIGHTS SETTLEMENT ACT

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5293) to approve the settlement of the water rights claims of the Shoshone-Paiute Tribes of the Duck Valley Reservation in Nevada, to require the Secretary of the Interior to carry out the settlement, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5293

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 "Shoshone-Paiute Tribes of the Duck Valley Reservation Water Rights Settlement Act".

SEC. 2. FINDINGS.

Congress finds that—

(1) it is the policy of the United States, in accordance with the trust responsibility of the United States to Indian tribes, to promote Indian self-determination and economic self-sufficiency and to settle Indian water rights claims without lengthy and costly litigation, if practicable;

(2) quantifying rights to water and development of facilities needed to use tribal water supplies is essential to the development of viable Indian reservation economies and the establishment of a permanent reservation homeland;

(3) uncertainty concerning the extent of the Shoshone-Paiute Tribes' water rights has resulted in limited access to water and inadequate financial resources necessary to achieve self-determination and self-sufficiency;

(4) in 2006, the Tribes, the State of Idaho, the affected individual water users, and the

United States resolved all tribal claims to water rights in the Snake River Basin Adjudication through a consent decree entered by the District Court of the Fifth Judicial District of the State of Idaho, requiring no further Federal action to quantify the Tribes' water rights in the State of Idaho;

(5) as of the date of enactment of this Act, proceedings to determine the extent and nature of the water rights of the Tribes in the East Fork of the Owyhee River in Nevada are pending before the Nevada State Engineer;

(6) final resolution of the Tribes' water claims in the East Fork of the Owyhee River adjudication will—

(A) take many years;

(B) entail great expense;

(C) continue to limit the access of the Tribes to water, with economic and social consequences;

(D) prolong uncertainty relating to the availability of water supplies; and

(E) seriously impair long-term economic planning and development for all parties to the litigation;

(7) after many years of negotiation, the Tribes, the State, and the upstream water users have entered into a settlement agreement to resolve permanently all water rights of the Tribes in the State; and

(8) the Tribes also seek to resolve certain water-related claims for damages against the United States.

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to resolve outstanding issues with respect to the East Fork of the Owyhee River in the State in such a manner as to provide important benefits to—

(A) the United States;

(B) the State;

(C) the Tribes; and

(D) the upstream water users;

(2) to achieve a fair, equitable, and final settlement of all claims of the Tribes, members of the Tribes, and the United States on behalf of the Tribes and members of Tribes to the waters of the East Fork of the Owyhee River in the State;

(3) to ratify and provide for the enforcement of the Agreement among the parties to the litigation;

(4) to resolve the Tribes' water-related claims for damages against the United States;

(5) to require the Secretary to perform all obligations of the Secretary under the Agreement and this Act; and

(6) to authorize the actions and appropriations necessary to meet the obligations of the United States under the Agreement and this Act.

SEC. 4. DEFINITIONS.

In this Act:

(1) AGREEMENT.—The term "Agreement" means the agreement entitled the "Agreement to Establish the Relative Water Rights of the Shoshone-Paiute Tribes of the Duck Valley Reservation and the Upstream Water Users, East Fork Owyhee River" and signed in counterpart between, on, or about September 22, 2006, and January 15, 2007 (including all attachments to that Agreement).

(2) DEVELOPMENT FUND.—The term "Development Fund" means the Shoshone-Paiute Tribes Water Rights Development Fund established by section 8(b)(1).

(3) EAST FORK OF THE OWYHEE RIVER.—The term "East Fork of the Owyhee River" means the portion of the east fork of the Owyhee River that is located in the State.

(4) MAINTENANCE FUND.—The term "Maintenance Fund" means the Shoshone-Paiute Tribes Operation and Maintenance Fund established by section 8(c)(1).

(5) RESERVATION.—The term "Reservation" means the Duck Valley Reservation estab-

lished by the Executive order dated April 16, 1877, as adjusted pursuant to the Executive order dated May 4, 1886, and Executive order numbered 1222 and dated July 1, 1910, for use and occupation by the Western Shoshones and the Paddy Cap Band of Paiutes.

(6) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(7) STATE.—The term "State" means the State of Nevada.

(8) TRIBAL WATER RIGHTS.—The term "tribal water rights" means rights of the Tribes described in the Agreement relating to water, including groundwater, storage water, and surface water.

(9) TRIBES.—The term "Tribes" means the Shoshone-Paiute Tribes of the Duck Valley Reservation.

(10) UPSTREAM WATER USER.—The term "upstream water user" means a non-Federal water user that—

(A) is located upstream from the Reservation on the East Fork of the Owyhee River; and

(B) is a signatory to the Agreement as a party to the East Fork of the Owyhee River adjudication.

SEC. 5. APPROVAL, RATIFICATION, AND CONFIRMATION OF AGREEMENT; AUTHORIZATION.

(a) IN GENERAL.—Except as provided in subsection (c) and except to the extent that the Agreement otherwise conflicts with provisions of this Act, the Agreement is approved, ratified, and confirmed.

(b) SECRETARIAL AUTHORIZATION.—The Secretary is authorized and directed to execute the Agreement as approved by Congress.

(c) EXCEPTION FOR TRIBAL WATER MARKETING.—Notwithstanding any language in the Agreement to the contrary, nothing in this Act authorizes the Tribes to use or authorize others to use tribal water rights off the Reservation, other than use for storage at Wild Horse Reservoir for use on tribal land and for the allocation of 265 acre feet to upstream water users under the Agreement, or use on tribal land off the Reservation.

(d) ENVIRONMENTAL COMPLIANCE.—Execution of the Agreement by the Secretary under this section shall not constitute major Federal action under the National Environmental Policy Act (42 U.S.C. 4321 et seq.). The Secretary shall carry out all environmental compliance required by Federal law in implementing the Agreement.

(e) PERFORMANCE OF OBLIGATIONS.—The Secretary and any other head of a Federal agency obligated under the Agreement shall perform actions necessary to carry out an obligation under the Agreement in accordance with this Act.

SEC. 6. TRIBAL WATER RIGHTS.

(a) IN GENERAL.—Tribal water rights shall be held in trust by the United States for the benefit of the Tribes.

(b) ADMINISTRATION.—

(1) ENACTMENT OF WATER CODE.—Not later than 3 years after the date of enactment of this Act, the Tribes, in accordance with provisions of the Tribes' constitution and subject to the approval of the Secretary, shall enact a water code to administer tribal water rights.

(2) INTERIM ADMINISTRATION.—The Secretary shall regulate the tribal water rights during the period beginning on the date of enactment of this Act and ending on the date on which the Tribes enact a water code under paragraph (1).

(c) TRIBAL WATER RIGHTS NOT SUBJECT TO LOSS.—The tribal water rights shall not be subject to loss by abandonment, forfeiture, or nonuse.

SEC. 7. DUCK VALLEY INDIAN IRRIGATION PROJECT.

(a) STATUS OF THE DUCK VALLEY INDIAN IRRIGATION PROJECT.—Nothing in this Act shall

affect the status of the Duck Valley Indian Irrigation Project under Federal law.

(b) CAPITAL COSTS NONREIMBURSABLE.—The capital costs associated with the Duck Valley Indian Irrigation Project as of the date of enactment of this Act, including any capital cost incurred with funds distributed under this Act for the Duck Valley Indian Irrigation Project, shall be nonreimbursable.

SEC. 8. DEVELOPMENT AND MAINTENANCE FUNDS.

(a) DEFINITION OF FUNDS.—In this section, the term “Funds” means—

- (1) the Development Fund; and
- (2) the Maintenance Fund.

(b) DEVELOPMENT FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the “Shoshone-Paiute Tribes Water Rights Development Fund”.

(2) USE OF FUNDS.—

(A) PRIORITY USE OF FUNDS FOR REHABILITATION.—The Tribes shall use amounts in the Development Fund to—

(i) rehabilitate the Duck Valley Indian Irrigation Project; or

(ii) for other purposes under subparagraph (B), provided that the Tribes have given written notification to the Secretary that—

(I) the Duck Valley Indian Irrigation Project has been rehabilitated to an acceptable condition; or

(II) sufficient funds will remain available from the Development Fund to rehabilitate the Duck Valley Indian Irrigation Project to an acceptable condition after expending funds for other purposes under subparagraph (B).

(B) OTHER USES OF FUNDS.—Once the Tribes have provided written notification as provided in subparagraph (A)(ii)(I) or (A)(ii)(II), the Tribes may use amounts from the Development Fund for any of the following purposes:

(i) To expand the Duck Valley Indian Irrigation Project.

(ii) To pay or reimburse costs incurred by the Tribes in acquiring land and water rights.

(iii) For purposes of cultural preservation.

(iv) To restore or improve fish or wildlife habitat.

(v) For fish or wildlife production, water resource development, or agricultural development.

(vi) For water resource planning and development.

(vii) To pay the costs of—

(I) designing and constructing water supply and sewer systems for tribal communities, including a water quality testing laboratory;

(II) other appropriate water-related projects and other related economic development projects;

(III) the development of a water code; and

(IV) other costs of implementing the Agreement.

(3) AUTHORIZATION OF APPROPRIATIONS.—For each of fiscal years 2009 through 2013, there is authorized to be appropriated to the Secretary for deposit in the Development Fund an amount equal to the sum of—

(A) \$9,000,000; and

(B) the interest that would have accrued during the preceding fiscal year on balances held in the Development Fund, as calculated using the applicable rate for interest-bearing obligations of the United States.

(c) MAINTENANCE FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the “Shoshone-Paiute Tribes Operation and Maintenance Fund”.

(2) USE OF FUNDS.—The Tribes shall use amounts in the Maintenance Fund to pay or provide reimbursement for—

(A) operation, maintenance, and replacement costs of the Duck Valley Indian Irrigation Project and other water-related projects funded under this Act; or

(B) operation, maintenance, and replacement costs of water supply and sewer systems for tribal communities, including the operation and maintenance costs of a water quality testing laboratory.

(3) AUTHORIZATION OF APPROPRIATIONS.—For each of fiscal years 2009 through 2013, there is authorized to be appropriated to the Secretary for deposit in the Maintenance Fund an amount equal to the sum of—

(A) \$3,000,000; and

(B) the interest that would have accrued during the preceding fiscal year on balances held in the Maintenance Fund, as calculated using the applicable rate for interest-bearing obligations of the United States.

(d) ESTIMATE OF ACCRUED INTEREST.—The President’s budget submission shall include an estimate of the amount of interest that would have accrued under the subsections (b)(3)(B), (c)(3)(B), and (e)(2).

(e) ADDITIONAL AUTHORIZATION OF APPROPRIATIONS OF INTEREST.—

(1) IN GENERAL.—There is authorized to be appropriated an amount equal to the additional interest that would have accrued on amounts in the Funds during the period beginning on the date of completion of the event described in section 9(d)(3) and ending on the later of—

(A) the date of completion of the event described in section 9(d)(1); or

(B) the date of completion of the event described in section 9(d)(2).

(2) CALCULATION.—The interest authorized to be appropriated under paragraph (1) shall be calculated using the applicable rate for interest-bearing obligations of the United States.

(f) AVAILABILITY OF AMOUNTS FROM FUNDS.—Amounts made available under subsections (b)(3), (c)(3), and (e) shall be available for expenditure or withdrawal only after the effective date as set forth in section 9(d).

(g) ADMINISTRATION OF FUNDS.—Upon completion of the actions described in section 9(d), the Secretary, in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.) shall manage the Funds, including by investing amounts from the Funds in accordance with the Act of April 1, 1880 (25 U.S.C. 161), and the first section of the Act of June 24, 1938 (25 U.S.C. 162a).

(h) EXPENDITURES AND WITHDRAWAL.—

(1) TRIBAL MANAGEMENT PLAN.—

(A) IN GENERAL.—The Tribes may withdraw all or part of amounts in the Funds on approval by the Secretary of a tribal management plan as described in the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(B) REQUIREMENTS.—In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the tribal management plan shall require that the Tribes spend any amounts withdrawn from the Funds in accordance with the purposes described in subsection (b)(2) or (c)(2).

(C) ENFORCEMENT.—The Secretary may take judicial or administrative action to enforce the provisions of any tribal management plan to ensure that any amounts withdrawn from the Funds under the plan are used in accordance with this Act and the Agreement.

(D) LIABILITY.—If the Tribes exercise the right to withdraw amounts from the Funds, neither the Secretary nor the Secretary of the Treasury shall retain any liability for the expenditure or investment of the amounts.

(2) EXPENDITURE PLAN.—

(A) IN GENERAL.—The Tribes shall submit to the Secretary for approval an expenditure plan for any portion of the amounts in the Funds that the Tribes do not withdraw under the tribal management plan.

(B) DESCRIPTION.—The expenditure plan shall describe the manner in which, and the purposes for which, amounts of the Tribes remaining in the Funds will be used.

(C) APPROVAL.—On receipt of an expenditure plan under subparagraph (A), the Secretary shall approve the plan if the Secretary determines that the plan is reasonable and consistent with this Act and the Agreement.

(D) ANNUAL REPORT.—For each Fund, the Tribes shall submit to the Secretary an annual report that describes all expenditures from the Fund during the year covered by the report.

(3) FUNDING AGREEMENT.—Notwithstanding any other provision of this Act, on receipt of a request from the Tribes, the Secretary shall include an amount from funds made available under this section in the funding agreement of the Tribes under title IV of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458aa et seq.), for use in accordance with subsections (b)(2) and (c)(2). No amount made available under this Act may be requested until the waivers under section 9(a) take effect.

(i) NO PER CAPITA PAYMENTS.—No amount from the Funds (including any amounts appropriated under subsections (b)(3)(B), (c)(3)(B), and (e)(1) for interest income that would have accrued to the Funds) shall be distributed to a member of the Tribes on a per capita basis.

SEC. 9. TRIBAL WAIVER AND RELEASE OF CLAIMS.

(a) WAIVER AND RELEASE OF CLAIMS BY TRIBES AND UNITED STATES ACTING AS TRUSTEE FOR TRIBES.—In return for recognition of the Tribes’ water rights and other benefits as set forth in the Agreement and this Act, the Tribes, on behalf of themselves and their members, and the United States acting in its capacity as trustee for the Tribes are authorized to execute a waiver and release of—

(1) all claims for water rights in the State of Nevada that the Tribes, or the United States acting in its capacity as trustee for the Tribes, asserted, or could have asserted, in any proceeding, including pending proceedings before the Nevada State Engineer to determine the extent and nature of the water rights of the Tribes in the East Fork of the Owyhee River in Nevada, up to and including the effective date, except to the extent that such rights are recognized in the Agreement or this Act; and

(2) all claims for damages, losses or injuries to water rights or claims of interference with, diversion or taking of water rights (including claims for injury to lands resulting from such damages, losses, injuries, interference with, diversion, or taking of water rights) within the State of Nevada that first accrued at any time up to and including the effective date.

(b) WAIVER AND RELEASE OF CLAIMS BY TRIBES AGAINST UNITED STATES.—The Tribes, on behalf of themselves and their members, are authorized to execute a waiver and release of—

(1) all claims against the United States, its agencies, or employees, relating in any manner to claims for water rights in or water of the States of Nevada and Idaho that the United States acting in its capacity as trustee for the Tribes asserted, or could have asserted, in any proceeding, including pending proceedings before the Nevada State Engineer to determine the extent and nature of the water rights of the Tribes in the East Fork of the Owyhee River in Nevada, or the Snake River Basin Adjudication in Idaho;

(2) all claims against the United States, its agencies, or employees relating in any manner to damages, losses, or injuries to water, water rights, land, or other resources due to loss of water or water rights (including damages, losses or injuries to fishing and other similar rights due to loss of water or water rights; claims relating to interference with, diversion or taking of water; or claims relating to failure to protect, acquire, replace, or develop water, water rights or water infrastructure) within the States of Nevada and Idaho that first accrued at any time up to and including the effective date;

(3) all claims against the United States, its agencies, or employees relating to the operation, maintenance, or rehabilitation of the Duck Valley Indian Irrigation Project that first accrued at any time up to and including the date upon which the Tribes notify the Secretary as provided in section 8(b)(2)(A)(ii)(I) that the rehabilitation of the Duck Valley Indian Irrigation Project under this Act to an acceptable level has been accomplished;

(4) all claims against the United States, its agencies, or employees relating in any manner to the litigation of claims relating to the Tribes' water rights in pending proceedings before the Nevada State Engineer to determine the extent and nature of the water rights of the Tribes in the East Fork of the Owyhee River in Nevada or the Snake River Basin Adjudication in Idaho; and

(5) all claims against the United States, its agencies, or employees relating in any manner to the negotiation, execution, or adoption of the Agreement, exhibits thereto, the decree referred to in subsection (d)(2), or this Act.

(c) **RESERVATION OF RIGHTS AND RETENTION OF CLAIMS.**—Notwithstanding the waivers and releases authorized in this Act, the Tribes on their own behalf and the United States acting in its capacity as trustee for the Tribes retain—

(1) all claims for enforcement of the Agreement, the decree referred to in subsection (d)(2), or this Act, through such legal and equitable remedies as may be available in the decree court or the appropriate Federal court;

(2) all rights to acquire a water right in a State to the same extent as any other entity in the State, in accordance with State law, and to use and protect water rights acquired after the date of enactment of this Act;

(3) all claims relating to activities affecting the quality of water including any claims the Tribes might have under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) (including claims for damages to natural resources), the Safe Drinking Water Act (42 U.S.C. 300f et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), and the regulations implementing those Acts; and

(4) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to this Act.

(d) **EFFECTIVE DATE.**—Notwithstanding anything in the Agreement to the contrary, the waivers by the Tribes, or the United States on behalf of the Tribes, under this section shall take effect on the date on which the Secretary publishes in the Federal Register a statement of findings that includes a finding that—

(1) the Agreement and the waivers and releases authorized and set forth in subsections (a) and (b) have been executed by the parties and the Secretary;

(2) the Fourth Judicial District Court, Elko County, Nevada, has issued a judgment and decree consistent with the Agreement from which no further appeal can be taken; and

(3) the amounts authorized under subsections (b)(3) and (c)(3) of section 8 have been appropriated.

(e) **FAILURE TO PUBLISH STATEMENT OF FINDINGS.**—If the Secretary does not publish a statement of findings under subsection (d) by March 31, 2016—

(1) the Agreement and this Act shall not take effect; and

(2) any funds and interest accrued thereon that have been appropriated under this Act shall immediately revert to the general fund of the United States Treasury.

(f) **TOLLING OF CLAIMS.**—

(1) **IN GENERAL.**—Each applicable period of limitation and time-based equitable defense relating to a claim described in this section shall be tolled for the period beginning on the date of enactment of this Act and ending on the date on which the amounts authorized to be appropriated under subsections (b)(3) and (c)(3) of section 8 are appropriated.

(2) **EFFECT OF SUBPARAGRAPH.**—Nothing in this subparagraph revives any claim or tolls any period of limitation or time-based equitable defense that expired before the date of enactment of this Act.

SEC. 10. MISCELLANEOUS.

(a) **GENERAL DISCLAIMER.**—The parties to the Agreement expressly reserve all rights not specifically granted, recognized, or relinquished by—

(1) the settlement described in the Agreement; or

(2) this Act.

(b) **LIMITATION OF CLAIMS AND RIGHTS.**—Nothing in this Act—

(1) establishes a standard for quantifying—

(A) a Federal reserved water right;

(B) an aboriginal claim; or

(C) any other water right claim of an Indian tribe in a judicial or administrative proceeding;

(2) affects the ability of the United States, acting in its sovereign capacity, to take actions authorized by law, including any laws relating to health, safety, or the environment, including the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), the Safe Drinking Water Act (42 U.S.C. 300f et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) (commonly known as the "Resource Conservation and Recovery Act of 1976"), and the regulations implementing those Acts;

(3) affects the ability of the United States to take actions, acting in its capacity as trustee for any other Tribe, Pueblo, or allottee;

(4) waives any claim of a member of the Tribes in an individual capacity that does not derive from a right of the Tribes; or

(5) limits the right of a party to the Agreement to litigate any issue not resolved by the Agreement or this Act.

(c) **ADMISSION AGAINST INTEREST.**—Nothing in this Act constitutes an admission against interest by a party in any legal proceeding.

(d) **RESERVATION.**—The Reservation shall be—

(1) considered to be the property of the Tribes; and

(2) permanently held in trust by the United States for the sole use and benefit of the Tribes.

(e) **JURISDICTION.**—

(1) **SUBJECT MATTER JURISDICTION.**—Nothing in the Agreement or this Act restricts, enlarges, or otherwise determines the subject matter jurisdiction of any Federal, State, or tribal court.

(2) **CIVIL OR REGULATORY JURISDICTION.**—Nothing in the Agreement or this Act impairs or impedes the exercise of any civil or regulatory authority of the United States, the State, or the Tribes.

(3) **CONSENT TO JURISDICTION.**—The United States consents to jurisdiction in a proper forum for purposes of enforcing the provisions of the Agreement.

(4) **EFFECT OF SUBSECTION.**—Nothing in this subsection confers jurisdiction on any State court to—

(A) interpret Federal law regarding the health, safety, or the environment or determine the duties of the United States or other parties pursuant to such Federal law; or

(B) conduct judicial review of a Federal agency action.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Utah (Mr. BISHOP) 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 to 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, I yield myself such time as I might consume.

(Ms. BORDALLO asked and was given permission to revise and extend her remarks.)

Ms. BORDALLO. The Shoshone-Paiute Tribes of Duck Valley Reservation Water Rights Settlement Act sponsored by our colleague from Nevada, Congressman DEAN HELLER, would ratify and finalize the tribes' water rights settlement agreement with the State of Nevada and with the United States. This bill has faced many obstacles, but through bipartisan work, it is here today.

In the last few weeks of July, representatives from the Department of the Interior—the tribes and the staff—engaged in last-minute negotiations about the administration's concerns on waiver language. In the future, it is our hope that these concerns are addressed during committee consideration of legislation and not after the bill has been reported from the committee. We will work with the minority on addressing the need for more consistent waiver language in the next Congress. So I ask my colleagues to support the passage of H.R. 5293.

I reserve the balance of my time.

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

This legislation authored by our colleague from Nevada (Mr. HELLER) seeks to resolve the water claims associated with the Duck Valley Reservation in Nevada. This bill has undergone many changes. It reflects intense but good faith negotiations between the administration and staff on both sides of the aisle.

The Democratic bill manager is correct in stating there is a need for consistency in waiver language, and while this bill's waiver language has been resolved for now, we have received commitments from the Democrats that

they will work together on applying consistent waiver language in all Indian water right settlements in the next Congress. I actually support this bill as well.

I reserve the balance of my time.

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

Mr. BISHOP of Utah. Mr. Speaker, again, one of the things that has changed over the past 30 years is we've had the same policies that have brought us to the situation in which we are today. It is the pain that people have faced at the gas pumps. It has been one of those things that has been a shocking realization. The road on which we have been traveling for over 30 years is a road that is simply not working. Sometimes there are people who, unfortunately, are happy with the pain that Americans are going through at the pumps today.

There was a former mayor of one of the major cities in Utah who did not like the fact that people were not living in his jurisdiction and were living across the county line. In an effort to punish them, he tried to insist that every effort to try and build more infrastructure and roads be hammered at every venue, at every opportunity. It looked at least from my side of that line as if it were punishment for actually deciding to live where you would want to live.

I talked once at length at a television and radio interview about the issue that we have with energy and about the problems that people are facing with the energy crisis that we have right now. One of the callers called in and said, you know, what we need to do is to simply have more commuter rail service. Now, I don't quibble with that caller, because he's right. We need to have more commuter rail. That's one of the solutions that we have, but having more commuter rail lines does not solve the problem of the farmer who has to fill his tractor with diesel.

For one of the farmers in my community, every time he fills up that tractor, it's \$600 just to fill up one tractor. That is \$600 for which he doesn't get reimbursed at the end of the week by putting in a voucher to his employer. It is \$600 he has to eat until the end of the growing season when he may or may not receive money back for the sale of the goods that he produces.

Commuter lines are great, but they don't help the trucker who still has to bring those products to market. Ninety-five percent of everything we consume comes to a store by way of truck, and commuter rail lines don't stop at grocery stores. Those truckers still have to be able to have the fuel necessary to bring the food to market. We sometimes forget there is a whole segue that is involved in this particular issue of our energy crisis and that everybody isn't part of it. It's in part of the agriculture that we need. It's in part of the trucking industry that we need. It's in part of the pain that people feel at the pump.

Those people who are looking at what is coming out of their pockets week after week don't want us simply coming back here and talking about a highfalutin energy policy. It's not an energy policy to them. It is the way they cook their food. It is the way they heat their homes. It's whether they have a job or not. The pain at the pump is what people are feeling right now, but come this winter, there's going to be pain as the prices of heating their homes will increase by 20 to 30 percent.

So far, the only solution this Congress seems to want to do to address that situation is to try to increase welfare payments or LIHEAP payments in some way rather than to go to the root cause of that problem, which is 30 years of mismanagement that we have had that brings us to this particular situation.

It also means that food prices will be increasing because it is so much more difficult for the farmers to produce that food, for the processors to process that food, for the truck drivers to deliver that food. All of those are going to come as crisis after crisis after crisis if we do not address a comprehensive, all-of-the-above energy policy and do it now. For every week that we delay, we delay and continue on with the pain that real people are facing out there in America, and we are turning this country almost into a second class society.

I had a principal once who was in the military before he went to education, and he always used to answer many of my requests with the old military phrase "rank has its privileges." It is true. Rank has privileges. That's why, in class, I was able to drink a Dr. Pepper and my students could not, because rank had privileges. That's why I get to park in the Cannon building parking garage and my staff does not. Rank has privileges. Some people are able to write bills in the secrecy of their offices and to bring them directly to the floor because rank has privileges. Some people are able to establish an agenda here even though 136 Republicans came back here during the recess time and spoke on that floor, asking, begging, demanding that different types of votes be allowed to take place on this floor. It happens because rank has privileges. In addition to privileges, rank also has responsibilities, and part of the responsibility has to be to solve the real problem that real Americans are facing.

When the Members met in Philadelphia to do their Constitution, a document we'll be celebrating in a couple of days, they were sent there to make minor adjustments to the Articles of Confederation, but they recognized that some of the States that had sent their instructions had also told them to go beyond that to solve the problem. What they decided was essential, not because it was what literally was put in front of them as their responsibilities, but what was essential to meet the needs of the people was to solve the problem.

If we fail in this Congress to bring an all-of-the-above solution to the floor

that is a real solution to real problems, we fail in our responsibility to Americans.

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

Ms. BORDALLO. Mr. Speaker, I thank the gentleman for his views and for his diplomatic approach to this important issue.

I reserve the balance of my time.

Mr. BISHOP of Utah. May I also yield as much time as she may consume to the gentlelady from Texas (Ms. GRANGER) who understands this issue completely and who understands the need of a real solution to the real problems facing real Americans.

Ms. GRANGER. Mr. Speaker, week after week, we have implored the Speaker of the House to address the most important issue of our day, and that is the energy crisis. The gentleman from Utah (Mr. BISHOP) outlined some of the severe problems that people are having and will continue to have until we address this and do what they expect us to do.

We hear rumors and hints about the possibility of a bill coming to the floor and finally, perhaps, an announcement that we can have a vote on this energy crisis and its solutions.

Mr. Speaker, when I first read in the newspaper that Speaker PELOSI had decided to open the Outer Continental Shelf for drilling, I thought it was too good to be true. Unfortunately, it turns out I was right. It really was too good to be true. While all of the headlines proclaimed that the House would finally get to vote on a real energy bill that expands domestic production, it simply wasn't true.

The Democrats' latest energy plan lists the current moratorium on drilling in the Outer Continental Shelf and replaces it with a provision that virtually guarantees that no drilling will ever take place there. Democrats are proposing to ban all drilling up to 50 miles off the coast, cutting off all access to some of the most promising areas. Then between 50 and 100 miles of the coast, the Democratic plan leaves it up to the States to decide whether to allow drilling. However, their plan cleverly leaves out any incentives to the States to actually start drilling.

Unlike the Democrats' bill, our all-of-the-above American Energy Act, which I'm proud to support, does not permanently lock up the most promising area for production. Instead, it allows the States to decide whether to allow drilling up to 50 miles off their coast, keeping those most promising areas available for consideration. It doesn't take an expert to see that by leaving out any sort of revenue sharing agreement my Democrat colleagues ensure that the States will have no real motivation to take any action whatsoever.

The American Energy Act, on the other hand, provides appropriate incentives for the States to make sure they see some of the benefits of drilling off their shores. Our bill includes revenue

sharing to provide the States with the financial motivation they need to act. States could use those royalties to benefit their citizens as they see fit. At the same time, all Americans would benefit from lower energy prices. This is a real energy bill. This is what citizens expect and deserve from us.

Mr. Speaker, it's time to stop playing games and wasting time. Let's have a straight up-or-down vote on the American Energy Act and give Americans the relief they deserve. They can't wait any longer and they shouldn't have to.

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

Let me just note that the energy crisis must be addressed in a deliberative fashion, not by a bumper sticker's reading "drill here; drill now" approach that would have us drilling in the National Mall. We will have all of the bills but one that includes accountability and a bill that transitions us to a better future—we must wean ourselves from this addiction to oil.

So we will have a vote.

I reserve the balance of my time.

□ 1500

Mr. BISHOP of Utah. Mr. Speaker, I agree with everything that Ms. BORDALLO just said in her comments, that we should have an energy policy that comes in a deliberative fashion, which means that the bills should be allowed to have committee process. They should be allowed to have public hearings. They should be allowed to have an open rule so that Members can amend them in committee or here on the floor. That is the deliberative process. Those are the rules that these people try to establish. That's the concept of the rules that these people try to establish so that we can go through this process.

Everything she said is exactly accurate, except we're not going to do that. We're going to have a bill written in secret and unveiled on the floor. And if it, by chance, has an open rule, I'll be the very first one to be surprised and will probably apologize.

But she is right. That is exactly, that is exactly what needs to take place.

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

Ms. BORDALLO. Mr. Speaker, I thank the gentleman for his comments. I will certainly be watching for transparency and accountability in this bill. And let us hope that this is included when we are debating on the floor. Mr. Speaker, I again urge Members to support the bill at hand.

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. 5293, 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. BISHOP of Utah. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

HONORING MILITARY SUPPORT GROUPS

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1200) honoring the dedication and outstanding work of military support groups across the country for their steadfast support of the members of our Armed Forces and their families, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1200

Whereas more than 1,700,000 members of the Armed Forces have been deployed to Iraq and Afghanistan since September 2001, and nearly 611,000 have been deployed more than once;

Whereas more than 782,000 members of our Armed Forces deployed to Iraq and Afghanistan are parents with 1 or more children, and nearly 35,000 troops have been separated from their children for 4 or more deployments;

Whereas as of May 3, 2008, 4,059 members of our Armed Forces have died and 30,004 have been wounded in action in Iraq, while deployed in support of Operation Iraqi Freedom;

Whereas as of May 3, 2008, 491 members of our Armed Forces have died and 1,944 have been wounded in action in Afghanistan, while deployed in support of Operation Enduring Freedom;

Whereas members of our Armed Forces and their families deserve all the medical, financial, education, and moral support that our Nation can provide;

Whereas the spouses, children, family, friends, coworkers, and neighbors of members of our Armed Forces play a key role in the success of our Nation's troops;

Whereas Secretary of Defense Robert Gates has recognized the families and community members who support America's troops as "the power behind the power" and the Department of Defense has created the America Supports You program to recognize the efforts of those citizens and organizations;

Whereas military support groups play a crucial role in supporting every family member and loved one of members of our Armed Forces;

Whereas military support groups provide a variety of crucial services to members of our Armed Forces and their families, including financial assistance, employment assistance, tax return preparation, counseling, prayer groups, and sending care packages; and

Whereas military support groups provide a compassionate community and incalculable moral support to the hundreds of thousands of military families with loved ones at home and deployed overseas: Now, therefore, be it

Resolved, That the House of Representatives honors the dedication and outstanding work of military support groups across the

country for their steadfast support of the members of our Armed Forces and their families.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Oklahoma (Mr. COLE) 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 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 gentlewoman from Guam?

There was no objection.

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

I rise today in support of House Resolution 1200, honoring the dedication and the outstanding work of military support groups for their steadfast work on behalf of the members of the Armed Forces and their families.

Over 1.7 million military men and women have deployed to Iraq and Afghanistan since September of 2001, many of whom have been deployed more than once. These military men and women have left behind beloved parents, siblings and spouses. More than 782,000 children have had parents leave the confines of their home to serve the Nation nobly. These soldiers and their families face a daily struggle with constant and sustained deployments. Children are left to cope with the difficulties of a sustained deployment with one parent supporting the family, and some are even left with other family members.

Military men and women and their families make tremendous sacrifices every single day to serve and protect our country. These heroes deserve all the medical, the financial, the educational and moral support that our Nation can provide them. Military support groups, with that mission in mind, work diligently to provide essential support and services to the members of the Armed Forces and their families. They provide a compassionate community of supporters to military families, whether their loved ones are at home or abroad. Whether it's finding a job, replacing a broken oven in a home, or offering moral support by sending care packages to soldiers abroad, our American military support groups and their volunteers work tirelessly to serve the men and women who serve to protect our way of life.

The positive impact that military support groups have on our soldiers and their families is invaluable. As Secretary of Defense Robert Gates recognized, the families and community members who support America's troops are "the power behind the power." You can go to the America Supports You Web site which lists the hundreds of military support groups across our country. The Web site also has many

stories of dedication, hope, kindness and generosity.

Mr. Speaker, House Resolution 1200 is our way, in Congress, of honoring the commitment and the outstanding work of military support groups and their volunteers across the country for their unwavering support of America's troops and their families. We honor their selfless service to American troops and their loved ones. As a cosponsor of House Resolution 1200, I urge my colleagues to join me in support of this very important resolution.

I reserve the balance of my time.

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

Let me begin on a personal note. I just want to say what a great pleasure it is for me, Mr. Speaker, to manage this bill and the series of bills with my good friend from Guam whom I sit on the House Armed Services Committee with and the Natural Resources Committee with and whom I've been to Iraq three times with. I know of nobody that cares more about our military and men and women in uniform than my good friend from Guam, so it's wonderful to be with her in this particular venue today.

Mr. Speaker, I rise today in support of House Resolution 1200, a resolution authored by Congresswoman BETTY SUTTON of Ohio. This resolution commends a large group of selfless and dedicated people, many of whom are volunteers, in organizations that provide support to the families and children of the deployed members of the Armed Forces, as well as to servicemembers themselves.

Our military families face extraordinary demands and stresses, Mr. Speaker, and challenges related to the service of their loved ones. To ease these burdens, military support groups provide a variety of crucial services ranging from financial and employment assistance to counseling and community support.

These military support groups take on various forms, whether they be Federal, State and local government efforts, or whether they are the many nonprofit, charitable and private efforts that have continuously and unselfishly supported the members of our Armed Forces and their families ever since September 11, 2001.

Among the approximately 1.8 million family members of the 1.3 million active duty personnel, the needs are many and supporting those needs is a matter of military readiness.

The support challenge is made more complex because virtually all the families of the National Guard troops and reservists reside in civilian communities spread across this Nation. Yet numerous agencies, Mr. Speaker, and groups have taken on the challenge to provide help and support, particularly during extended periods of mobilization and deployment.

Our military forces could not have sustained the stress of repeated deploy-

ments and combat without the outstanding assistance, dedication and outstanding work over the years of these military support groups.

Let me add on a personal note, if I may, Mr. Speaker, my grandfather and father were both career military personnel. And like many people in this Chamber, I have many members of my family, uncles, cousins, my own brother, who served at various points in the military. All of them would tell you that they have received valuable support for both themselves and their families repeatedly from private and charitable groups that are designed to support the men and women that wear the uniform of the United States. Our citizens do that, not simply because it's the expedient thing to do, but because it's the right thing to do, and it's an expression of the appreciation of the American people for the men and women who sacrifice to defend them that these sorts of contributions take place. Today's resolution is a fitting way to celebrate and thank such organizations.

I urge my colleagues to support House Resolution 1200.

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

Ms. BORDALLO. Mr. Speaker, I yield such time as she may consume to my friend and colleague, the original sponsor of this important resolution, the gentlelady from Ohio (Ms. SUTTON).

Ms. SUTTON. I thank the gentlewoman for her leadership on this issue, and I thank the gentleman from Oklahoma for his eloquence in speaking to it as well.

I rise today, Mr. Speaker, in support of House Resolution 1200, a resolution I introduced to honor some of the unsung heroes of our Nation. They are our military support groups.

All across our great Nation and throughout the world, our troops and their families are making incredible sacrifices for our country. Since 2001, more than 1.7 million members of the Armed Forces have been deployed to Iraq and Afghanistan. And many of these brave men and women are being sent back for numerous tours of duty, and each time they represent our country with honor and a proud sense of duty. And we must never forget the incredible service they provide for our great Nation.

We, as Members of Congress, must do everything in our power to ease the burden their service places on them and their families.

One incredible source of support and assistance for our troops and their families are military support groups. All across our country, servicemembers and their families and friends have formed these crucial support networks.

Military support groups offer a variety of important services to members of our Armed Forces and their families. From providing financial assistance, employment assistance and tax return preparation, to offering counseling and prayer groups, sending care packages

and writing letters, support groups serve a vital purpose within the military family and within our communities.

My bill, House Resolution 1200, honors the dedication and outstanding work of military support groups across this country for their steadfast support of the members of our Armed Forces and their families.

I'm very proud, Mr. Speaker, that one of these support groups, Family and Friends Connected, is based in Akron, Ohio, in my congressional district. This group was started by one of my constituents, Saundra Hunt. With a daughter in the Air Force and a son in the Marine Corps, Saundra knows more than a thing or two about the need to support our military families. And so, on November 9, 2001, Saundra established Family and Friends Connected to bring military families together. And on the second Friday of every month, military families and friends from all over northeastern Ohio come together to support one another. They come from Akron and Barberton and Canton and Cleveland; they come from Cuyahoga Falls, and Copley and Dover and Hartville, Hudson, Stow and Tallmadge and Wadsworth. They come together to find common support.

I want to take a moment and recognize Saundra, who took her own family's experience and used it to make a positive impact on the lives of others in the same situation. Saundra dedicates a listening ear to military families, and is available to them at every hour, day or night. Because of her endless commitment and compassion, there is an obvious love for her within the group.

I've had the honor and privilege of attending one of their meetings, and I can attest firsthand to the dedication and the uplifting camaraderie of those who participate in Family and Friends Connected.

Saundra and the Family and Friends Connected are just one example of the many support groups across the country that have provided endless amounts of time, energy and compassion to our military families. These are people who truly understand what military families go through, and they provide very real comfort and support for one another.

The kindness and understanding these groups provide to our servicemembers and to each other is nothing short of inspirational. It is such an important service for our Nation's military families and yet, Mr. Speaker, they ask for nothing in return. They do it because of a love of country, a respect for service, and an understanding of the sacrifices that our military families so selflessly make. Their unwavering emotional and material support helps to fortify our military, allowing them to carry out the missions our Nation asks of them.

We, in Congress, must always honor our brave servicemen and women, in word and in deed. Likewise, we should

honor those who dedicate themselves to their support. That's why I introduced this important resolution to honor these amazing groups. They did not ask for any recognition for their service, but we can all agree that they deserve to be honored for all they do for our military families and for our country.

I ask for your support of this critical resolution honoring our military support groups.

□ 1515

Mr. COLE of Oklahoma. Mr. Speaker, I would like to yield such time as he might care to consume to my good friend from Georgia (Mr. PRICE).

Mr. PRICE of Georgia. I thank my friend from Oklahoma for his leadership on this and so many issues and for yielding me time.

This is an important issue, an important bill. So many of us have worked with groups within our districts all across this Nation who have had family members volunteer, serve, defend our liberty and freedom around the world, many of them on multiple tours of duty. So helping the families and recognizing their sacrifices is extremely important. They fight to defend our liberty, they fight to defend our freedom, they fight to defend our way of life, and yes, they fight to defend our ability to stand on this floor and debate and deliberate the major issues of the day.

Which is why it is with some significant regret that I discuss the issue that is the most important issue facing Americans today at home, and that is the issue of the economy and increasing gas prices and energy policy, and sadly say to my colleagues that the freedom and the liberty and the processes that our military men and women risk their lives to protect are sadly not being honored here on the floor of the House.

We heard with great fanfare last week the Speaker and the Democrat leadership announce to the Nation that they had reached a compromise on energy policy, an issue that we have been, on my side of the aisle, demanding an appropriate deliberative process and a fair and open debate for these many months.

But the Speaker announced they had reached a compromise. The problem, Mr. Speaker, as you well know is the compromise within their own minds, within their own caucus, which is why it saddens me to recognize that the men and women who are fighting to defend our freedom and our liberty and fighting for the ability of our democracy to long survive, and yet we have a process of democracy that's been so distorted it would not be recognized certainly by our Founding Fathers and likely not by any civics class across this Nation.

Because the way in which this energy bill supposedly—I don't know who's seen it—supposedly will be brought to

the floor in less than 24 hours is through a closed process, through a secret process behind closed doors; not an open deliberative process, not a democratic process. Dare I say, Mr. Speaker, not an American process.

This is an important bill to recognize the sacrifices of American families all across this Nation whose loved ones stand today and have continued to stand to fight for liberty and freedom. But it saddens me greatly, Mr. Speaker, to not have that process and that fight and that valor honored here on the floor of the House of Representatives in a way that recognizes the history of our Nation, the appropriateness of the deliberative process, the imperative of democracy, the recognition that each and every one of us represents the same number of Americans.

So I support this bill, but I am so saddened and distressed by what appears to be a recurrent theme among this current leadership, and that is not to recognize the imperative of democracy and debate and deliberation in this, the greatest House, the people's House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Expressions of approval or disapproval from the gallery are not allowed.

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

Mr. Speaker, I represent Guam, a small little island in the Pacific where we have today more active National Guardsmen reservists serving in Afghanistan and Iraq per capita than any other State in the Union.

Just last month I led a codel to Pakistan, Kuwait, Afghanistan, and Iraq and found 181 National Guardsmen and reservists from Guam deployed in Afghanistan serving in the most dangerous provinces in that country.

I want to speak to this bill because on Guam, because of the numerous soldiers deployed all over the world today, the support group is exceptional, made up of family and friends. I have visited their headquarters, and it's made up of housewives, families, and friends all supporting our soldiers. And I want to go on record to say that I applaud our soldiers and families on Guam for their dedicated support and loyalty, and I go on record as supporting this bill.

Mr. Speaker, at this time I have no further requests for time, and I am prepared to close after my colleague has yielded back his time.

I continue to reserve the balance of my time.

Mr. COLE of Oklahoma. Mr. Speaker, I will try to be brief.

I want to, again, commend my good friend from Guam and say in the opportunities we've had to travel abroad I notice how fervently she seeks out servicemen and women from her country and with what great warmth and gratitude she's always received. And it's a reminder of what an exceptional place she represents and what exceptional people have chosen her from amongst themselves to defend them here.

I want to also express my personal appreciation for the types of groups, again, that were singled out in this resolution by our good friend, Ms. SUTTON. Frankly, we all could sit here and name many, many groups in our respective districts that put American men and women in uniform ahead of everything else. I want to mention just one, if I might, Mr. Speaker.

In my home State of Lawton, Oklahoma, is where Fort Sill is located. It's the home base of the field artillery. And Fort Sill has a very unique organization called literally the Armed Services YMCA of Lawton/Fort Sill. It, for decades, has performed support services for family. Every year there is a huge breakfast and, frankly, a community drive to solicit private dollars to support its efforts to help men and women in uniform and service families.

And I've heard repeatedly, as I go down to these, instances where families would show up from deployment desperately needing things; you know, perhaps young families not able to furnish the apartments they were in, needing support. That support's always given generously by fellow soldiers, but more importantly, even by the men and women of Lawton, Oklahoma.

Again, I commend my colleagues for bringing this resolution. I urge its support.

I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I want to go on record to thank the co-manager of the bill today, Mr. COLE, a good friend of mine whom I've traveled with on numerous occasions, and I truly appreciate the kind words that he has noted of Guam and, of course, his own State.

And as he said, each Member going on these congressional delegation trips is always meeting with their troops, and this is one of the great pleasures, shall we say, of the trip, not only to investigate and see how we are doing and how our troops are treated, but to meet with troops from our district.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to express my gratitude to all the support groups, families, and friends of our men and women in the armed forces. By supporting those who support them, we honor the sacrifice and courage of our women who have served and are currently serving in our Armed Forces.

Since September 2001, more than 1,700,000 members of the Armed Forces have been deployed to Iraq and Afghanistan, and nearly 611,000 have been deployed more than once. More than 782,000 members of our Armed Forces deployed to Iraq and Afghanistan are parents. Sadly, nearly 35,000 troops have been separated from their children for 4 or more deployments.

Many of our men and women in the armed forces have given the ultimate sacrifice to secure the freedoms of others. As of May 3, 2008 over 4,500 died and over 32,000 wounded while deployed in support of Operation Iraqi Freedom and Operation Enduring Freedom (Afghanistan).

The members of our Armed Forces and their families deserve all the medical, financial,

education, and moral support that our Nation can provide. Our military support groups and organizations play a vital role in providing services to members of our Armed Forces and their families, including financial assistance, employment assistance, tax return preparation, counseling, prayer groups, and sending care packages.

The resolution we considered today provides an opportunity for each of us, regardless of political views, religion, ethnicity, gender, or background to come together, and to recognize and honor our nation's heroes and those that support them and their families.

Though we may be divided by our positions on the war in Iraq, we stand together to support our veterans. Our nation has a proud legacy of appreciation and commitment to the men and women who have worn the uniform in defense of this country. We must be united in seeing that every soldier, sailor, airman, and marine is welcomed back with all the care and compassion this grateful nation can bestow.

All too many of our veterans are left without the help and support they need to transition from the horrors they bravely face on the front lines of battle to successful civilian life. According to the Veterans of all ages were homeless.

The V.A. also reports 400 veterans of the wars in Iraq and Afghanistan alone have already become homeless, and this figure only takes into account those who have sought services from V.A.-sponsored programs. Experts have predicted that the trauma resulting from the extreme horrors of these modern wars could lead to a surge in homeless veterans in the coming years.

I chose to celebrate one of our heroic daughters of Texas, Specialist Monica L. Brown of the United States Army with House Concurrent Resolution 320 for her efforts earlier this year.

Spec. Brown was the first woman in Afghanistan and only the second female soldier since World War II to receive the Silver Star, the nation's third-highest medal for valor. This soldier from Lake Jackson, Texas was only 10-years-old, when on April 25, 2007, Specialist Brown as part of a four-vehicle convoy patrolling near Jani Kheil in the eastern province of Paktia that was attacked. She saw her fellow soldiers injured, she grabbed her aid bag and started running toward the burning vehicle as insurgents opened fire. All five wounded soldiers from her platoon scrambled out. Under this commotion, she assessed her patients and moved them to a safer location because they were still receiving incoming fire.

The Pentagon's official policy is to prohibit women from serving in front-line combat roles in the infantry, armor or artillery, but the nature of the wars in Afghanistan and Iraq, with no real front lines, has seen women soldiers take part in close-quarters combat more than previous conflicts.

According to the army four Army nurses in World War II were the first women to receive the Silver Star, though three nurses serving in World War I were awarded the medal posthumously in 2007. Sgt. Leigh Ann Hester, of Nashville, Tenn., was the first to receive the Silver Star in 2005 along with two fellow male soldiers for her gallantry during an insurgent ambush on a convoy in Iraq.

Though I have opposed the war in Iraq from its inception, I remain absolutely committed to

ensuring that we recognize, celebrate, and honor the service of our sons and daughters in and returning from, Iraq and Afghanistan.

I am proud to support H. Res. 1200 by my colleague, Congresswoman SUTTON. I firmly believe that we should celebrate and support our armed forces and their families, and I remain committed, as a Member of Congress, to both meeting the needs of veterans of previous wars, and to provide a fitting welcome home to those who are now serving. Current serving military personnel and veterans have kept their promise to serve our nation; they have willingly risked their lives to protect the country we all love. We must now ensure that we keep our promises to them.

Currently, there are over 25 million veterans in the United States. There are more than 1,633,000 veterans living in Texas and more than 32,000 veterans living in my Congressional district alone. I hope we will all take the time to show appreciation to those who have answered the call to duty. As Winston Churchill famously state, "Never in the field of human conflict was so much owed by so many to so few."

Mr. Speaker, I encourage my colleagues to join me in supporting our troops, their families, and those groups that are working to support them.

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 agree to the resolution, H. Res. 1200, 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. COLE of Oklahoma. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

HONORING TOBY KEITH'S COMMITMENT TO MEMBERS OF THE ARMED FORCES

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1255) honoring Toby Keith's commitment to members of the Armed Forces.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1255

Whereas thousands of celebrities have donated their time to entertain members of the Armed Forces both in the United States and abroad through the United Service Organizations (hereafter known as the "USO");

Whereas since the USO's founding in 1941, country music personalities have been an essential element of the USO's entertainment;

Whereas Oklahoma native Toby Keith made six USO tours around the world, per-

forming in such locations as Cuba, Germany, Belgium, Kosovo, Italy, and Africa; and entertaining more than 135,000 members of the Armed Forces in Middle East Operations Iraqi Freedom and Enduring Freedom;

Whereas Toby Keith has volunteered to perform at some of the most dangerous and remote locations in the Persian Gulf, which require Apache escorts and include Forward Operating Bases with total populations of not more than 50 members of the Armed Forces;

Whereas, on April 24, 2008, while performing in Kandahar, Afghanistan mortar fire disrupted his concert;

Whereas few, if any, performers have traveled to such remote and dangerous military bases with Toby Keith's frequency;

Whereas Toby Keith has acted as a valuable liaison between forward deployed troops, the USO, and the American public;

Whereas Toby Keith makes it a priority to give tickets to members of the Armed Forces here in the United States;

Whereas Toby Keith allows members of the Armed Forces to eat and drink for free in his restaurants; and

Whereas Toby Keith co-wrote and performed the hit song "American Soldier" honoring the sacrifices that America's soldiers make on a daily basis: Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors Toby Keith's commitment to our country's Armed Forces overseas;

(2) encourages other entertainers to take into consideration Toby Keith's deep commitment to boosting the morale of our Nation's Armed Forces when supporting USO operations; and

(3) a copy of this Resolution, suitably engrossed, be transmitted to Toby Keith.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Oklahoma (Mr. COLE) 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 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 gentlewoman from Guam?

There was no objection.

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

Mr. Speaker, I rise today in support of House Resolution 1255 to honor Toby Keith's commitment to strengthening the morale of our Armed Forces and working with the United Services Organizations, the USO, to accomplish this important task. I thank my colleague from Oklahoma, Mr. TOM COLE, for bringing this measure before the House.

Toby Keith has gone above and beyond his celebrity to bring members of our Armed Forces the joy and laughter of entertainment no matter where in the world they serve. From Cuba to Kosovo, Italy to Africa, and many more locations, both welcoming and dangerous, Mr. Keith has played for more than 135,000 men and women in uniform.

In April of this year, Mr. Keith performed in Kandahar, Afghanistan,

where the nervous sounds of mortar fire disrupted his concert. However, Mr. Keith continued to travel to remote and dangerous locations bringing a bit of the American spirit and character alive on stage. His travels are a testament to the importance of morale in the men and women who continue to serve our Nation abroad every day.

By working with the USO, Mr. Keith has helped bring together two very different worlds: the world of an average American who can work during the day and watch a concert at night, and the world of the military abroad who must keep constant guard both day and night.

Mr. Keith's performances and even the free meals he gives the military at his restaurants remind both Americans working at home and those serving abroad that we must keep each other in our minds and hearts and we must keep our morale high. Like Mr. Keith, we should all find something positive to contribute to each other as we face these dangerous times.

By passing this resolution, we are honoring a person who has used his talents to serve the men and women in uniform as they continue to serve our country. Toby Keith is just one of the hundreds of entertainers who have volunteered to entertain the troops with the support of the USO to generate a spirit and morale that is invaluable to this Nation.

Mr. Speaker, I urge my colleagues to support House Resolution 1255.

I reserve the balance of my time.

□ 1530

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

Mr. Speaker, I rise today to commend a great Oklahoman and American patriot, whose unceasing support for the men and women in our armed services has been a hallmark of his career. Country music star Toby Keith was born and raised in my hometown of Moore, Oklahoma, and is now a resident just south of us in Norman, Oklahoma, and has made it his mission as an entertainer to keep our troops entertained and to boost their morale as they serve this Nation in some of the most dangerous, remote places on the planet.

This resolution outlines Mr. Keith's commitment to our troops and encourages other entertainers to take into consideration Toby Keith's deep commitment to boosting the morale of our Nation's soldiers when supporting USO operations.

As many of you know, Mr. Speaker, Toby Keith is one of the most successful country music stars of the last two decades. His songs not only appeal to a wide variety of listeners but are also critically acclaimed.

On a personal note, I'll tell my friend on the other side of the aisle, he's actually a very good Democrat. But like all of us, I think he's an American and I'm proud to say an Oklahoman, far ahead

of being affiliated with any political party.

Despite his fantastic success as a performer, I'm here to highlight the work Mr. Keith has done for the United Service Organizations. Since the founding of USO in 1941, thousands of celebrities have taken time out of their lives to visit service men and women who sacrifice their lives for the cause of freedom. These shows not only help to boost morale among our troops but also help to connect our Armed Forces to America when they are far from home, Mr. Speaker.

Since before the United States entered the Second World War, the USO has been the bridge between the American public and the U.S. military. These performances also remind the troops that we are all eternally grateful for the work they do.

Today, the USO delivers its programs and services at more than 130 locations around the world. More recently, the USO opened centers in Kuwait, Qatar and Afghanistan to support service members participating in Operations Enduring and Iraqi Freedom. The organization relies on over 25,000 volunteers, and servicemembers and their families visit USO centers 5.3 million times a year, Mr. Speaker.

Country music personalities have always been an essential element of the USO's entertainment. In the early years, performers like Gene Autry, another notable Oklahoman—actually Gene Autry, Oklahoma, is in my district as well, Mr. Speaker—Patsy Cline, and many other acts from the Grand Ole Opry have traveled around the world to entertain our troops. Today, performers like Neal McCoy and Lee Ann Womack have all gone to Iraq to entertain our troops. However, few celebrities have visited our troops fighting the war on terror in Iraq and Afghanistan with as much fervor and frequency as Toby Keith.

Mr. Speaker, Toby Keith has made six USO tours, including entertaining over 135,000 U.S. service personnel in Iraq, Afghanistan, Cuba, Germany, Belgium, Kosovo, Italy, and Africa. In fact, he has volunteered to perform at some of the most dangerous and remote locations in the Persian Gulf, including forward operating bases with populations of as few as 50 servicemembers that require Apache escort helicopters to reach. In many of these cases, these places and the garrisons literally haven't had entertainment in many, many months.

The USO also noted in our discussions with them, Mr. Speaker, that Toby's brought back valuable insight from forward deployed troops, including things they would request from the USO and the American public. As a result, the USO has developed a program called USO Delivered, which includes transportable USO centers for remote areas.

On April 28, 2008, while performing in one of these dangerous locations, Kandahar, Afghanistan, mortar fire

disrupted one of Mr. Keith's concerts. Instead of packing up and going home, Toby Keith returned to the stage to finish the show. This attitude, that all troops no matter where they are stationed deserve our support, is what makes Toby Keith an exemplary patriot, and all entertainers should, and I'm sure do, take a good lesson from his dedication to our men and women in uniform.

Mr. Speaker, Mr. Keith's visits to the USO are not only places where he deserves recognition for supporting our troops. He also freely provides tickets to military personnel for all of his shows in the U.S., and servicemembers showing military ID are allowed to eat and drink for free at his restaurants. Toby Keith also reflects his deep admiration for the troops in his hit song "American Soldier" which hails the work that our Armed Forces do to protect us all on a daily basis.

Mr. Speaker, at a time when the thousands of Americans question the merits of our missions in Iraq and Afghanistan, it is essential that our service men and women know that we support their dedication to America, regardless of our political disagreements at home. Toby Keith has been a stalwart supporter of our troops throughout his career and deserves our recognition and our appreciation. Regardless of one's opinion on our involvement in Iraq and Afghanistan, supporting our men and women overseas is certainly something that all Members of this body encourage and support.

Mr. Speaker, I urge Members to vote "yes" on House Resolution 1255 and honor a true patriot.

I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, at this time I have no further requests for time. I am prepared to close after my colleague has yielded back his time. I continue to reserve the balance of my time.

Mr. COLE of Oklahoma. Mr. Speaker, I want to recognize for such time as she may consume my distinguished colleague from Washington (Mrs. McMORRIS RODGERS).

Mrs. McMORRIS RODGERS. Thank you, Mr. COLE, and Members of the House. I rise and I, too, want to applaud Toby Keith and his commitment to our troops and his efforts to encourage our troops, especially when they're serving our country overseas and away from their family and friends.

And while thanking Toby Keith and others and recognizing the important role that our military plays in our country, I rise today out of a frustration that we in Congress right now are refusing to address the important issue of energy and, especially, the Democrats' refusal to bring an up-or-down vote on the American Energy Act.

Our failure to enact a comprehensive energy policy is having real consequences on families and small businesses and especially our seniors. While I was back home last month, I heard time and time again how high energy prices are having real consequences.

For example, Frank and Bannie Bowman, they're retired and live in Walla Walla. They told me that things are so tight they're having to choose between less on groceries and other necessary items and paying their gas bills.

Seventy-one-year-old Fran Balcom in the Spokane Valley told me that she's still working. She can't retire because of high energy prices.

It's time we begin saying "yes" to American energy. We need to move away from foreign oil, produce more energy here at home, and make conservation a priority. It's time we start meeting America's energy needs with American resources, and the American energy bill does just that.

This bill is focused on increasing our American energy supply, promoting conservation, and supporting renewables like hydro, solar, and wind.

Specifically, the bill lifts the ban against offshore energy exploration; promotes safe and environmentally responsible exploration and development of ANWR; develops America's vast oil shale resources; helps expedite the production of domestic coal-to-liquid fuel; provides permanent tax credits for important renewables like solar, hydrogen, and wind energy; and promotes greater energy efficiency by increasing and extending personal and business efficiency tax credits and deductions.

Americans are concerned about energy costs, and they want us to unleash American ingenuity. We can and we must start meeting America's energy needs with American energy, and doing nothing right now is simply irresponsible.

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

Mr. COLE of Oklahoma. Mr. Speaker, I have no further speakers and simply want to thank the gentlelady from Guam for working with me on this bill. It's personally important since I have the great honor of representing Toby Keith, and he is, indeed, a great American and certainly somebody in Oklahoma we're very proud of.

Mr. Speaker, I yield back my time.

Ms. BORDALLO. Mr. Speaker, I want to thank the gentleman from Oklahoma (Mr. COLE) for co-managing the bills here. I've enjoyed it. 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. 1255.

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. COLE of Oklahoma. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further

proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

HONORING THE 28TH INFANTRY DIVISION FOR SERVING AND PROTECTING THE UNITED STATES

Ms. BORDALLO. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 390) honoring the 28th Infantry Division for serving and protecting the United States, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 390

Whereas the 28th Infantry Division was established on October 11, 1879, and is recognized as the oldest, continuously serving division in the Army;

Whereas units of the 28th Infantry Division date back to 1747, when Benjamin Franklin organized a battalion in Philadelphia;

Whereas units of the 28th Infantry Division served in the Revolutionary War, including units that served with distinction in the Continental Army under General George Washington;

Whereas the 28th Infantry Division was integral to the success of World War I campaigns in the European theater, including those in Champagne, Champagne-Marne, Aisne-Marne, Oise Marne, Lorraine, and Meuse-Argonne;

Whereas the 28th Infantry Division earned the title of "Iron Division" by General John J. Pershing for its valiant efforts during World War I;

Whereas the 28th Infantry Division contributed to military operations in Normandy, Northern France, Rhineland, Ardennes-Alsace, and Central Europe during World War II;

Whereas the 28th Infantry Division's perseverance through the harsh winter of 1944–1945 on the western front led to a decisive victory in the Battle for the Huertgen Forest, the longest single battle engaged by the Army;

Whereas soon after the Battle of the Huertgen Forest, the 28th Infantry Division withstood the onslaught of the main thrust of the last great German offensive during the Battle of the Bulge, giving time for reinforcements to arrive and defeat the Germans;

Whereas the 28th Infantry Division was activated again in 1950 to serve in Germany;

Whereas the 28th Infantry Division was folded into the Army Selective Reserve Force during the Vietnam War;

Whereas the 28th Infantry Division aided relief efforts throughout the devastating aftermath of Hurricane Agnes in 1972;

Whereas the 28th Infantry Division was called into action during the partial meltdown of the nuclear reactor of Three Mile Island Nuclear Generating Station in 1979;

Whereas the 28th Infantry Division contributed to international coalition forces to facilitate efforts in Operation Desert Storm;

Whereas the 28th Infantry Division has been part of peacekeeping missions in Bosnia-Herzegovina, the Republic of Kosovo, and the Sinai Peninsula;

Whereas the 28th Infantry Division has deployed troops for Operation Noble Eagle, securing high-profile infrastructure targets in the aftermath of the September 11, 2001, attacks;

Whereas the 28th Infantry Division has deployed troops to Operation Enduring Freedom, which ousted the Taliban regime in Afghanistan;

Whereas in Operation Iraqi Freedom, the 28th Infantry Division played a crucial role in the search for weapons of mass destruction, the invasion of Iraq, the security in post-invasion Iraq, the training of an Iraqi police force, securing transport convoys, and the safe detainment of suspected terrorists;

Whereas the 28th Infantry Division has over 2,600 soldiers who are missing in action from World War I and World War II;

Whereas the 28th Infantry Division has 127 units in 90 armories in 75 cities across the Commonwealth of Pennsylvania;

Whereas the 28th Infantry Division has been sent to aid portions of our Nation affected by harsh winter storms, flooding, violent windstorms, and other severe weather emergencies; and

Whereas 10 recipients of the Medal of Honor, 4 recipients of the Legion of Merit, and 258 recipients of the Silver Star have been members of the 28th Infantry Division: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress honors the 28th Infantry Division for serving and protecting the United States and directs the Clerk of the House of Representatives to transmit an enrolled copy of this resolution to the Adjutant General of the Pennsylvania National Guard for appropriate display.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Oklahoma (Mr. COLE) 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 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 gentlewoman from Guam?

There was no objection.

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

Mr. Speaker, I rise today in support of House Concurrent Resolution 390, honoring the 28th Infantry Division. I join my colleagues in recognition of the brave men and women who have answered the call of duty and contributed in so many ways to our Nation's safety and security.

The history of the 28th Infantry Division is truly remarkable and a testament to the dedication and sacrifice of those who have served in the division. Officially established way back in 1879, the 28th Infantry Division is one of the oldest divisions in the Army. Its roots trace back to the Revolutionary War era to units in Benjamin Franklin's battalion of Associators in Philadelphia, as well as General George Washington's Continental Army.

In World War I, the 28th Infantry Division fought in six major campaigns: Champagne, Champagne-Marne, Oise-Marne, Lorraine, and Meuse-Argonne. They paid greatly for their efforts, losing over 14,000 men. Recognizing its tough and relentless fighting prowess,

General of the Armies John J. Pershing labeled the 28th Infantry Division the Iron Division.

During the Second World War, the division fought some of the fiercest battles in the European theater. Perhaps most notably during the Battle of the Bulge, the 28th Infantry Division held its ground against overwhelming German forces until Allied reinforcements arrived. Their sacrifice will never be forgotten, and the importance of their victory as a turning point in World War II remains etched in the history of this division.

Today, the 28th Infantry Division is an active National Guard division, with armories in towns and cities across the Commonwealth of Pennsylvania. Soldiers of the 28th Infantry Division have served and are currently serving abroad in Iraq and Afghanistan, and were also recently deployed in Bosnia and Kosovo as part of the NATO peacekeeping missions. Since September 11, over 10,000 soldiers of the division have deployed overseas.

The men and women of the 28th Infantry Division serve their community selflessly while balancing full-time careers and families. Through the years, their names and faces have changed, but the commitment and the dedication with which they serve our Nation remains the hallmark of the 28th Infantry Division.

So I am very proud to join my colleagues in honoring these men and women, past and present, and to express my sincere gratitude for their sacrifice to the Commonwealth of Pennsylvania and the Nation. And I urge my colleagues to vote for the adoption of this resolution that recognizes our citizen soldiers.

I reserve the balance of my time.

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

Mr. Speaker, I rise in support of House Concurrent Resolution 390, as amended, which honors the 28th Infantry Division for serving and protecting the United States of America.

I am honored to pay tribute to the current and former members of the 28th Infantry Division, the Keystone Division, who have steadfastly and courageously defended and served this great country on our own shores and in distant lands.

□ 1545

With roots that date back to the Continental Army, the 28th Infantry Division fought valiantly in several campaigns during World War I, earning the title "Iron Division" from General John J. Pershing.

Again, during World War II, victory was won in hard-fought battles in places like the Huertgen Forest on the western front and in the Battle of the Bulge because of the tenacity and the perseverance of the brave soldiers of the 28th Infantry Division. These battles earned them another title, Bloody Buckets, this time given to them by

German forces because of the fury of the 28th Infantry Division assaults.

More recently, the 28th Infantry Division has participated in Operation Desert Storm, deployed troops to oust the Taliban in Afghanistan, and has played a vital role in the successes of Operation Iraqi Freedom. Closer to home, Mr. Speaker, the Division has responded in the aftermath of natural disasters to provide aid and comfort to fellow Americans during hurricanes, blizzards and devastating floods.

It is important to note that the soldiers of the Division have distinguished themselves by earning 10 Medals of Honor, four Legions of Merit, and 258 Silver Stars for their outstanding service to the Nation.

Sadly, Mr. Speaker, the valiant service of the 28th Infantry Division has not come without enormous sacrifice. Throughout its history, the members of the Division have paid the price to ensure our freedom. Still today there are over 2,600 soldiers from the 28th Infantry Division missing in action in both world wars of the 20th century.

Mr. Speaker, if I did not also pay tribute today to the incredible families of these brave soldiers, who waited at home while their loved ones answered our Nation's call, I would be remiss. The entire Nation owes the soldiers and veterans of the 28th Infantry Division and their families a debt of gratitude. We are all proud of their service. Therefore, Mr. Speaker, I strongly urge all Members to support this resolution.

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

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

Mr. COLE of Oklahoma. Mr. Speaker, I want to make a few brief remarks on the issue of energy because we seem to discuss that. And I have no further speakers at that point and I will be prepared to yield back to my friend from Guam.

Mr. Speaker, I think today in the discussion of three bills we've seen a terrifically orderly process of cooperation between the two sides as we have come together to honor and recognize Americans who have distinguished themselves in service to our country and in service to one another. And it's been a process that I think ought to epitomize all of our openings. Our problem, unfortunately, is we don't always have that process in this House.

We've known for many, many years that we had a very serious energy crisis. I believe former Secretary of the Treasury, John Connelly, first pointed that out as long ago as 1970 when we were importing about 24 percent of petroleum from overseas. Former President Carter called it the moral equivalent of war that we confront and deal with this crisis in the late 1970s. And there certainly have been fitful efforts by both sides of the aisle, Mr. Speaker, to try and come to grips with this problem over the years, but we all know we have not done it successfully.

And I think perhaps that's because we have not done it together.

I would point to the efforts of two of our colleagues on both sides of the aisle, Mr. ABERCROMBIE from Hawaii and Mr. PETERSON from Pennsylvania, who have tried to work together to formulate a bipartisan solution to parts of this vexing problem as an example that all of us on both sides ought to follow, Mr. Speaker. I think if we did, we would do better. And I think we could come up with legislation that would genuinely make a difference because nothing is more important, aside from our physical security, than our economic security. And I think we all recognize we're at the point, Mr. Speaker, that that security is threatened by an overdependence on foreign energy.

We can go a long way, we can do a lot together. Sometimes when we work together we do do extraordinary things. So I would challenge the House that in the coming week, when we discuss this important issue, that that's, indeed, how we proceed, we bring bills to the floor, we have open debate, and we try to find common ground with one another.

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

Ms. BORDALLO. Mr. Speaker, again I would like to go on record to thank my co-manager of the bill, the gentleman from Oklahoma (Mr. COLE).

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 390, 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. COLE of Oklahoma. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

CELEBRATING THE 120-YEAR PARTNERSHIP BETWEEN THE GOVERNMENT AND STATE VETERANS HOMES

Mr. FILNER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1335) celebrating the 120-year partnership between the Government and State veterans homes.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1335

Whereas the primary mission of the National Association of State Veterans Homes

is to ensure that each veteran receives the benefits, services, long-term health care, and respect each veteran deserves;

Whereas other goals of the National Association of State Veterans Homes are to ensure that no veteran is in need or distress and that the level of care and services provided by State homes is of the highest quality;

Whereas the year 2008 marks the 120th anniversary of the first time the Federal Government granted aid to States that had established State veterans homes;

Whereas following the Civil War, a large number of indigent and disabled veterans were no longer able to earn their own livelihood and were in need of assistance;

Whereas after the Civil War, because the Government was unable to completely meet the needs of this class of veterans, a number of States established State veterans homes;

Whereas the first State home was established in Rocky Hill, Connecticut, in 1864;

Whereas on August 7, 1888, Federal aid was authorized for the first time to alleviate the burden of States in operating these homes;

Whereas the Veterans Administration was established in 1930, which led to an expansion of State programs to include three levels of care and increased per diem payments;

Whereas in 1952, the National Association of State Veterans Homes was founded because of the collective need of all State homes to communicate with one another about the problems they faced and their experiences as well as to promote their interests in national legislation;

Whereas in 1964, the State Home Construction Grant Program was initiated, which has greatly increased the ability of State homes to meet the increasing needs of veterans;

Whereas on February 24, 1986, the Veterans Administration and the National Association of State Veterans Homes signed a Memorandum of Understanding, formalizing their mutual goal of providing quality care to veterans;

Whereas the Department of Veterans Affairs is authorized to participate in up to 65 percent of the cost of construction or acquisition of State nursing homes or domiciliaries or for renovations to existing State homes;

Whereas the Department of Veterans Affairs works to assure Congress that State homes are both financially equipped and institutionally competent to provide quality care to veterans through inspections, audits, and comparing records conducted by the VA medical center of jurisdiction;

Whereas State veterans homes are currently one of the largest long-term care providers in the United States;

Whereas in a typical year, State homes will provide veterans with nearly 7 million days of nursing home care and about 1.5 million days of domiciliary care;

Whereas currently, there are 135 State homes throughout the United States with more than 30,000 beds, which will only increase in the coming years; and

Whereas a total of \$165,000,000 has been appropriated for State homes capital projects in 2008: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the extraordinary contributions of those who have served in the Armed Forces of the Nation;

(2) recognizes that the Nation has an affirmative duty to care for the men and women of the Armed Forces who have served their country faithfully;

(3) recognizes the efforts made by the National Association of State Veterans Homes to aid the States in providing veterans with high-quality care; and

(4) commends the efforts made by State veterans homes for the past 120 years in ensuring that the honorable veterans of the Armed Forces of this Nation receive the highest quality of care worthy of the great sacrifices they have made.

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

The Chair recognizes the gentleman from California.

Mr. FILNER. Mr. Speaker, I would like to thank Congressman PAUL HODES of New Hampshire for crafting this resolution which calls for the celebration of the 120th anniversary of our Federal Government's first grant of aid to State veterans homes.

I would also like to recognize the National Association of State Veterans Homes, representing 135 State veterans homes throughout the country. They were founded to increase the State veterans home representation and help facilitate communication with one another. They have worked to improve the quality of care, the services and treatment of our Nation's veterans who reside in State veterans homes.

As you know, Mr. Speaker, the Department of Veterans Affairs is authorized to contribute up to two-thirds of the construction of State nursing homes or renovations of existing State homes. This funding helps provide quality care for our Nation's veterans. When veterans are no longer able to care for themselves, they must be given the care necessary to continue their life with dignity.

Recently, we appropriated \$165 million for 2008 to provide aid to State veterans homes to continue to provide care for our veterans. This will help alleviate some of the financial burden as the cost of veterans' care continues to rise without compromising the quality of that care.

Mr. Speaker, we must honor a servicemember's sacrifice that has been made by providing the quality of care our brave men and women deserve. It is important that we all support this resolution. With the current war on terror, there are thousands of brave servicemembers that are in the line of fire as we speak. They, too, might need this care. It is our duty, our responsibility, and our moral obligation to continue to provide them with this care.

Mr. Speaker, I stand here today in support of this resolution. I praise the great work and service that State veterans homes have provided for the past 120 years. I look forward to their continued success and for this strong partnership to continue for many years to come.

Mr. Speaker, I have a State veterans home in my district in Chula Vista, California. I visit there regularly. The morale there is very high. And I think probably one sign of their high morale is that the percentage of voting that comes out of that home is very, very high. So it shows that, not only are

they cared for, but they take an interest in the government that they have to elect. So I ask that my colleagues join me in support of this resolution.

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

Mr. STEARNS. Mr. Speaker, I'm also pleased to be here in support of this bill, H. Res. 1335, a resolution celebrating a 120-year partnership between the Federal Government and the State veterans homes.

My colleagues, following the Civil War, a number of States independently established State veterans homes in order to meet the large needs of the veterans that were indigent, a lot of them were disabled. They returned from the war, but they were unable to establish a livelihood for themselves, earn enough money. They needed care. And these were veterans who sacrificed their lives in support of their country and were severely disabled and in need of help.

While the Federal Government operated national homes for disabled Union soldiers, the total number of veterans needing care was simply overwhelmingly. So in August, 1888, Federal sharing was formally authorized to help alleviate the burden that was placed upon the States. In 1952, the National Association of State Veterans Homes was established to help move this along. Their primary mission is to ensure that each and every eligible United States veteran receives the benefits, services, long-term health care and respect which they have earned in their service to their country and their sacrifice for our country.

Working through a Memorandum of Understanding with the Department of Veterans Affairs, the organization also ensures that no veteran is in need or distress, and that the level of care and service provided by State veterans homes meet or exceed the highest standards we have in our health care system today.

Today, State veterans homes are one of the largest long-term providers in this country. In the State of Florida, for example, we currently have six State veterans nursing homes. We expect another one to open in St. Augustine in 2009. This is important because Florida is a State with ever-increasing veterans coming in, and we need to provide for them.

There are currently 135 State veterans homes throughout the United States with more than 30,000 total beds. The service these organizations provide to our Nation's veterans is obviously invaluable. And I commend the State veterans homes on their 120-year partnership with the government to provide care to our veterans community with a very high standard.

I urge my colleagues to support this wonderful bill.

Mr. HODES. Mr. Speaker, I rise today to recognize the important partnership between State Veterans Homes and the Federal Government during its 120th anniversary.

State Veterans Homes are important long-term care providers for veterans. State Homes

provide quality health care for elderly and disabled veterans across the country.

State Veterans Homes are one of the largest long-term care providers in the United States. There are 135 State Veterans Homes throughout the United States with more than 30,000 total beds. In a typical year, State Veterans Homes will furnish nearly 7 million days of nursing home care and about 1.5 million days of domiciliary care. These numbers continue to grow in order to meet the needs of our Nation's veterans.

State Veterans Homes began after the Civil War, when a large number of indigent and disabled veterans were no longer able to earn their own livelihood and needed care. 2008 marks the 120th anniversary of the State and Federal partnership in providing quality care for veterans in the State Veterans Homes.

The State Veterans Homes try to ensure that each and every eligible U.S. veteran receives the benefits, services, long term health care and respect which they have earned by their service and sacrifice.

I had the honor of visiting with veterans at the State Veterans Home in Tilton, New Hampshire. Under the dedicated leadership of Commandant Barry Conway, New Hampshire veterans have a place to receive top quality long term care in a community of fellow veterans.

The Veterans Home in Tilton has provided Concord native Dave Clark with top-quality health care. Dave is a disabled veteran with a can-do attitude, wheeling around the Veterans Home in his electric wheelchair, with a State of New Hampshire veteran's license plate that says "GROOVY."

Dave was born on September 28, 1945 in Concord, NH. He lived with his parents, his sister, and his three brothers for the first six years of his life, until his parents separated. Dave's sister was adopted, but he and his brothers spent the next 3½ years at an orphanage in Manchester. Dave was in and out of foster homes, dreaming of becoming an astronaut or attending the Massachusetts Institute of Technology.

Dave changed his course when he was called up to serve his country in the U.S. Army. Dave honorably and bravely served, spending 2 years in the States before deploying to Vietnam.

In Vietnam, Dave's vehicle was hit by enemy fire and the troops he was carrying were killed. Dave joined a small group of Marines in a firefight, and he was hit. Four of the Marines carried him to an aid station—and Dave credits these courageous Marines for saving his life. Dave was badly injured, and then spent the next 2 years in hospitals in Seattle, WA, Washington, DC, Fort Dix, NJ, and Manchester, NH.

Dave recovered, and restarted his life in New Hampshire. Dave met and married his wife Doris, with whom he lived in Penacook, New Hampshire until Doris's death. Dave worked at Franklin Regional Hospital as a crew leader in the Environmental Services Department, continuing to serve his State and his country with honor.

His new life was interrupted in March of this year when he had another stroke, leaving him paralyzed on his left side. Dave could only move his neck and his head. Dave thought he was finished after the last stroke. Dave was overwhelmed with terrible memories of the orphanage and frustrated that once again he was losing his independence.

But when Ellen Douville from the New Hampshire Veterans Home Admissions Office came to visit, Dave realized the Veterans Home could give him the support he needed. The Tilton Veterans Home's staff and residents helped Dave regain mobility in his left arm and taught Dave to control a wheelchair with his chin. After 7 months, Dave was kicking a beach ball around in "Move It or Lose It," an exercise program for residents.

Dave is active in the Writing Group and art classes and is vice-president of the Resident Council at the Tilton Veterans Home. He has a girlfriend, Mary Tucker, who works for another healthcare organization, and this week the Veterans Home van took him to Applebee's, where he and Mary had a lunch date.

Dave says that coming to the Tilton Veterans Home has been the best thing for him. But, Dave continues to be determined to get back the full use of his left side again. After he regains the use of his left side, he plans leaving the Tilton Veterans Home and marrying his girlfriend Mary in the Veterans Home gazebo down by the pond—where everyone from the State Home will be invited.

This resolution honors the contribution of veterans like Dave to his country, and recognizes the leaders and staff of the Veterans Homes, like Barry Conway and Ellen Douville, who spend each and every day with patience, friendship, and care for veterans like Dave.

I am proud to honor the contributions of the men and women who have served in the Armed Forces and recognize that we as a Nation have a duty to serve those who have served our country faithfully.

And I am proud to honor veterans like Dave and the hard working community of the Tilton Veterans Home, and State Veterans Homes across the Nation.

Mr. COURTNEY. Mr. Speaker, I rise today in strong support of H. Res. 1335, introduced by my friend and colleague Mr. HODES, which rightly celebrates the 120-year partnership between Government and State veterans homes.

State Veterans Homes are a critical part of the care our veterans receive after serving our country. In my State of Connecticut, the State Department of Veterans Affairs has provided care for Veterans and their dependents for 144 years, since the opening of Fitch's Home for Soldiers and Their Orphans in Darien, Connecticut on July 4, 1864—the first such facility in the Nation. In 1940, the Fitch home became the Connecticut State Veterans hospital and was relocated to Rocky Hill, Connecticut, where Connecticut veterans today continue to receive a spectrum of care and assistance they so urgently need from dedicated professionals and volunteers.

In just a few weeks, Connecticut veterans will benefit from the opening of the first major new facility in Rocky Hill in over 65 years. The new veterans care facility will provide modern, state of the art care for Alzheimer's and hospice patients. From the new rooms that provide patients with long-needed privacy, to expanded lounge areas and family dining facilities that allow veterans to spend time with their families in a private and comfortable setting, the new facility will ensure that Connecticut veterans receive the dignified treatment they deserve. This exciting improvement was made possible by a strong Federal commitment to the State Home Construction Grant Program, which for 44 years has helped

States like Connecticut meet the ever-increasing needs of our veterans by investing in long-term capital improvement projects.

I had the honor of visiting the Rocky Hill facility just this past weekend, where I attended Stand Down 2008. This one-day event is an annual outreach and support program that helps needy and homeless veterans to receive services and information from over 30 State, Federal and private organizations all assembled in one location. During my visit, I observed countless volunteers from organization across the State helping needy and struggling veterans receive a variety of services, including medical screenings, dental exams, legal assistance, housing referrals, assistance with Federal VA benefits and disability claims, job counseling and training, financial assistance and debt counseling; education programs and services and everyday necessities such as free haircuts, clothing and supplies.

At last year's Stand Down, 750 needy veterans came to Rocky Hill to receive assistance. This year, that number is expected to reach 900 or more, an increase largely fueled by the growing needs of veterans returning from Iraq and Afghanistan, as well as the impact of the economic downturn on our neediest veterans. Our State Commissioner of Veterans Affairs, Dr. Linda Schwartz, has helped bring new life into this yearly event, making it an effective way to ensure that veterans have access to the services and care they need. Under her leadership, Connecticut is stepping up to ensure that no veteran who has served their Nation is left behind. Yet, as gratifying as it was to see veterans being helped at Stand Down, the growth in the number of veterans taking advantage of the event is a stark reminder of how much more our Nation must do to ensure that our promise to those who have served is fulfilled.

I ask all my colleagues to join me in thanking the countless professionals at the Connecticut Department of Veterans Affairs, volunteers and organizations that came together at Connecticut's Stand Down in helping to make a difference in the lives of our veterans.

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

GENERAL LEAVE

Mr. FILNER. I ask unanimous consent, Mr. Speaker, that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Res. 1335.

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

There was no objection.

Mr. FILNER. 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. FILNER) that the House suspend the rules and agree to the resolution, H. Res. 1335.

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. STEARNS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

LIEUTENANT COLONEL CLEMENT C. VAN WAGONER DEPARTMENT OF VETERANS AFFAIRS CLINIC

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2339) to designate the Department of Veterans Affairs clinic in Alpena, Michigan, as the "Lieutenant Colonel Clement C. Van Wagoner Department of Veterans Affairs Clinic".

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 2339

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

SECTION 1. DESIGNATION OF LIEUTENANT COLONEL CLEMENT C. VAN WAGONER DEPARTMENT OF VETERANS AFFAIRS CLINIC.

(a) DESIGNATION.—The Department of Veterans Affairs clinic located in Alpena, Michigan, shall after the date of the enactment of this Act be known and designated as the "Lieutenant Colonel Clement C. Van Wagoner Department of Veterans Affairs Clinic".

(b) REFERENCES.—Any reference in any law, regulation, map, document, record, or other paper of the United States to the clinic referred to in subsection (a) shall be considered to be a reference to the Lieutenant Colonel Clement C. Van Wagoner Department of Veterans Affairs Clinic.

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

The Chair recognizes the gentleman from California.

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

I rise today, Mr. Speaker, in recognition of the brave service of LTC Clement C. Van Wagoner.

LTC Van Wagoner was Michigan's most highly decorated veteran in World War II, earning, amongst other honors, the Combat Infantry Badge, seven Bronze Stars, four Silver Stars, and five Purple Hearts.

The awarding of the Combat Infantry Badge reflects the valor of those brave men and women who serve on the front lines in defense of our Nation. The Bronze Star is the fourth highest combat decoration that can be awarded by the U.S. Armed Forces and is given for acts of heroism or meritorious achievement. The Silver Star is awarded for acts of gallantry that have been performed with marked distinction in line of duty. And the Purple Heart, of course, is awarded to members of the Armed Forces who have been injured or killed while serving our Nation. LTC Van Wagoner's attainment of these decorations, some of the highest our country has to bestow, is indicative of

the highly courageous manner in which he served.

On D-day, June 6, 1944, LTC Van Wagoner landed on Omaha Beach, along with 1,800 of his fellow members of the 1st Infantry Division, and came away as only one of 32 survivors.

□ 1600

The courage to fight on in the face of such peril speaks volumes about the strength of character LTC Van Wagoner possessed.

In the fall of 1944, while then a lieutenant, Van Wagoner served in Germany and participated in the battle for the city of Aachen as part of Company A of the 1st Battalion of the 1st Infantry Division. The battle required a fight for the heavily defended "Crucifix Hill" which was riddled with German pillboxes. As the executive officer of Company A, LTC Van Wagoner by all accounts kept his company well organized and was instrumental in the 1st Infantry taking "Crucifix Hill" despite suffering many casualties. All told, LTC Van Wagoner was in combat for 600 days and was wounded on five separate occasions.

Following the end of the Second World War, he continued to give of himself for his country by commanding a battalion of the Michigan National Guard until his retirement in 1967.

His record of accomplishments should be a reminder to us all of the heroic personal sacrifices that have been made by great Americans in the service of our Nation. That is why it is with great pleasure I bring S. 2339 to the floor today to name the U.S. Department of Veterans Affairs new Community Based Outpatient Clinic in Alpena, Michigan, in honor of LTC Van Wagoner.

The Lieutenant Colonel Clement C. Van Wagoner Department of Veterans Affairs Clinic, as it will be designated, will help to improve the lives of North Michigan veterans by allowing them to receive health services locally in their community.

Having passed away last spring at the age of 93, it is a fitting tribute for Michigan's most decorated soldier to have the new VA Community Based Outpatient Clinic designated in recognition of his valiant service.

I thank my colleagues and especially Congressman STUPAK of Michigan and Senators STABENOW and LEVIN of Michigan for introducing this important legislation.

I urge my colleagues to support its passage.

I reserve the balance of my time.

Mr. STEARNS. Mr. Speaker, I also with my colleague from California rise in support of Senate bill 2339, a bill that was brought out recently to designate the Veterans Affairs Outpatient Clinic in Alpena, Michigan as the Lieutenant Colonel Clement C. Van Wagoner Veterans Affairs Clinic.

As pointed out by Dr. Filner, this is a very exceptional individual. Serving in the Army during World War II, LTC

Van Wagoner was in combat for 600 days. He was severely wounded on five different occasions and was only one of 32 survivors of the 1,800 soldiers who landed with the 1st Infantry Division at Omaha Beach on D-day. And many of us in this body have been to Omaha Beach. I was there in the 50th anniversary and saw the number of graves there and saw the arduous task involved. And we saw the film that also showed the amount of work, the number of people that fought and the people who survived. And this is one of them.

LTC Van Wagoner continued to serve his country even after World War II in the Michigan National Guard until he retired in 1967. Now, among the honors he received for his service was the Combat Infantry Badge. That is saying something for him right there. But he also received seven Bronze Stars, seven, four Silver Stars, and obviously five Purple Hearts because being in combat for 600 days and continuing to serve his country, it is not altogether surprising that he would continue to be wounded. So this is an extraordinary individual. And this bill before us today is naming this clinic after him.

I would say to my colleague from California, perhaps in the future, under our Veterans' Affairs Committee's rules for bipartisan naming policy for facilities, it would appear that next year we perhaps should reorganize the committee for the 111th Congress and revisit the naming policy, because obviously I think this person should be named under it, but I think under the strict guidelines we've established, it is not quite clear that this would be a naming facility for him. But under the circumstances, this fellow is very well qualified. I would just remind the chairman that we need to do that.

Mr. Speaker, our actions to approve this bill today will send it to the White House for signature. I urge my colleagues to approve this measure.

I reserve the balance of my time.

Mr. FILNER. I have no further speakers, and I am prepared to yield back.

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

GENERAL LEAVE

Mr. FILNER. Mr. Speaker, I would ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on S. 2339.

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

There was no objection.

Mr. FILNER. 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. FILNER) that the House suspend the rules and pass the Senate bill, S. 2339.

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. STEARNS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

COLONEL OLA LEE MIZE
VETERANS CLINIC

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5736) to designate the Department of Veterans Affairs outpatient clinic in Gadsden, Alabama, as the Colonel Ola Lee Mize Veterans Clinic.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5736

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

SECTION 1. FINDING.

Congress finds that Colonel Ola Lee Mize, a Medal of Honor recipient, is a highly decorated veteran from the State of Alabama.

SEC. 2. DESIGNATION OF DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC IN GADSDEN, ALABAMA.

The Department of Veterans Affairs community based outpatient clinic in Gadsden, Alabama, shall be known and designated as the "Colonel Ola Lee Mize Veterans Clinic". Any reference to such community based outpatient clinic in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Colonel Ola Lee Mize Veterans Clinic.

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

The Chair recognizes the gentleman from California.

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

Mr. Speaker, I rise to offer my support for H.R. 5736, a bill to name the veterans clinic in Gadsden, Alabama, after Col. Ola Lee Mize.

It is a great honor for me to stand here before you to talk about Col. Ola Lee Mize. He received the Medal of Honor for his heroic actions during the Korean War, and he deserves our further recognition.

The Medal of Honor is awarded in the name of Congress to a person who distinguished himself conspicuously by gallantry and intrepidity at the risk of his life above and beyond the call of duty while engaged in an action against an enemy of the United States.

As a member of Company K, then Sergeant Mize courageously defended "Outpost Harry" near Surang-ni, Korea, on June 11 and June 12 in 1953. His deed was one of personal bravery. He clearly distinguished himself by exhibiting tremendous courage. He served our Nation by going beyond the call of

duty while facing the enemy and was willing to risk his own life to protect the lives of others.

Colonel Mize and his company faithfully defended a strategically valuable position when the enemy launched a heavy attack. Upon learning that a comrade on a friendly listening post had been wounded, he moved through the intense barrage accompanied by a medical aid man and rescued the wounded soldier.

On returning to his main position, he established an effective defense system and inflicted heavy casualties against attacks from determined enemy assault forces which had penetrated into trenches within the outpost area. During his fearless actions, he was blown down by artillery and grenade blasts three times, but each time he dauntlessly returned to his position, tenaciously fighting and successfully repelling hostile attacks.

When the enemy onslaughts ceased, he took his few men and moved from bunker to bunker, firing through apertures and throwing grenades at the foe, neutralizing their positions.

When an enemy soldier stepped out behind a comrade, prepared to fire, Col. Mize killed him, saving the life of his fellow soldier. After rejoining the platoon, moving from man to man, distributing ammunition and shouting words of encouragement, he observed a friendly machine gun position overrun. He immediately fought his way to the position, killing ten enemies and dispersing the remainder. Fighting back to the command post and finding several friendly wounded there, he took a position to protect them.

Later, securing a radio, he directed friendly artillery fire upon the attacking enemy's routes of approach. At dawn he helped regroup for a counter-attack which successfully drove the enemy from that outpost. Col. Mize's valorous conduct and unflinching courage reflect lasting glory upon himself and upon the noble traditions of the military service.

Besides having been awarded the Medal of Honor, Col. Mize has been awarded the Bronze Star, Good Conduct with Two Loops, National Defense Service, Korean Service with two Bronze Stars, and the United Nations Service.

Today, by passing H.R. 5736, which would designate the outpatient clinic in Gadsden, Alabama as the Colonel Ola Lee Mize Veterans Clinic, we honor his bravery and courage and of course that of all soldiers.

Mr. Speaker, I thank my colleague from Alabama, ROBERT ADERHOLT, for introducing this bill. And I urge the support of my colleagues.

I would reserve the balance of my time.

Mr. STEARNS. Mr. Speaker, I rise also in support of H.R. 5736, a bill to designate the Department of Veterans Affairs Outpatient Clinic in Gadsden, Alabama, as the Colonel Ola Lee Mize Veterans Clinic. I will shortly, as has

been pointed out by the chairman, recognize the bill's primary sponsor, Mr. ROBERT ADERHOLT of Alabama, for him to more fully discuss Col. Mize's contributions to our Nation. They are indeed very impressive.

While serving as a master sergeant during the Korean War, his company was defending an outpost when the enemy launched a heavy attack. Sergeant Mize rescued a wounded comrade at a listening post and returned to the main position where he established a defensive position and in turn inflicted many, many enemy casualties.

Taking the offensive, Sergeant Mize held off the enemy attacks. He organized an effective counterattack and directed artillery fire. He was awarded the Medal of Honor for his valorous conduct and unflinching courage, upholding the most noble traditions of our military service. Mr. Mize's military career did not end just in Korea. In the early 1960s, Mr. Mize joined the Army Special Forces, better known as the Green Berets. He spent another 20 years in the Green Berets, including time spent commanding the Special Forces School at Fort Bragg. And he served nearly 4 years of duty in Vietnam where he was shot three times.

Col. Mize retired from the military after Vietnam, having been awarded a number of decorations in addition to the Medal of Honor.

So it's altogether right that we honor one of our Nation's heroes by naming this facility in Gadsden, Alabama after him.

At this point I yield as much time as he may consume to the author of the bill, Mr. ADERHOLT of Alabama.

Mr. ADERHOLT. Mr. Speaker, I would like to thank the chairman and ranking member for their support of this piece of legislation. And of course as it has been said, we're here today to honor Ola Lee Mize by naming the veterans clinic in Gadsden, Alabama after him. Col. Mize was a soldier in the United States Army during the Korean war. And as has already been mentioned, he was awarded the Medal of Honor for his actions on June 10 and 11, 1953.

Most people may be surprised to learn that just over 100 recipients of the Congressional Medal of Honor are alive today. And only one of them lives in Alabama. And I'm honored that Ola Lee Mize resides in the district I represent, which is the Fourth District of Alabama.

Ola Lee Mize was the son of an Alabama sharecropper. He dropped out of school in 1946 after the ninth grade. And he did that so that he could take care of his mother, his brothers and his sisters. A few years later he decided he could do better. So he left a job that was paying \$15 a week and then enlisted in the United States Army.

However, when he went to apply to the Army, he was rejected because he weighed only 120 pounds. But he was persistent, and recruiters finally let him enlist. Mize's military career

would see him courageously rise to the high ranking position of colonel after the humble beginnings of a young high school drop-out who was once rejected by the Army.

Col. Mize's story is a great example to all Americans who aspire to great things in the face of challenges. The Medal of Honor is the highest military decoration awarded by the United States Government. It is bestowed on a member of the United States Armed Forces who risk their life above and beyond the call of duty while engaged in an action against an enemy of the United States. Col. Mize exemplifies this. And I think it is appropriate and fitting that he be honored again by the naming of this clinic in Gadsden, Alabama.

Colonel Ola Mize earned his Medal of Honor when he was a sergeant for the U.S. Army with Company K of the 15th Infantry Regiment of the 3rd Infantry Division.

During one particular battle in the Korean war, his company was committed to the defense of an outpost in the southern region of what is now South Korea. And at the time, the Chinese were under heavy attack of the area.

□ 1615

With all the company's officers dead or wounded, Mize worked to establish a defensive position while dragging wounded into the shelters made by timbers pulled from American bunkers destroyed by enemy fire. Over the next several hours, he assembled an impromptu patrol that went from bunker to bunker firing out of the open spaces in an effort to make the Chinese believe that they were still opposed by a vigorous force.

American counterattack forces reached Mize's position about noon on the 11th day of June, and after helping to resecure the outpost, Mize got permission to take his wounded men back to American lines. Upon reaching friendly territory, Mize, the regimental commander and the division commander, were all standing together. The two commanders did not recognize Mize, whose uniform at the time was in tatters, his flight jacket smoking, and his face badly swollen from burns. "Who are you," demanded the regimental commanders? "Sergeant Mize," he answered. "You're not Mize," the commander responded. "He's dead."

His Medal of Honor citation states that Sergeant Mize's valorous conduct and unflinching courage reflect lasting glory upon himself and upon the noble traditions of military service.

Several months later, informed that he would receive the Medal of Honor, Mize told the commanding officers that he didn't want it because it really should go to the entire platoon. Reluctantly, he was flown back to the United States so he could attend a ceremony in Denver, Colorado. He was decorated by President Dwight D. Eisenhower on September 7, 1954. In the

early 1960s, Ola Mize joined the Special Forces and did three tours in Vietnam. He retired as colonel in 1981.

Ola Mize is a great soldier that has served our country with bravery and class, and it is my pleasure today to offer this resolution in his honor.

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

GENERAL LEAVE

Mr. FILNER. 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 H.R. 5736.

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

There was no objection.

Mr. FILNER. 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. FILNER) that the House suspend the rules and pass the bill, H.R. 5736.

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. STEARNS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

MICHAEL A. MARZANO DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1594) to designate the Department of Veterans Affairs Outpatient Clinic in Hermitage, Pennsylvania, as the Michael A. Marzano Department of Veterans Affairs Outpatient Clinic.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1594

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

SECTION 1. DESIGNATION OF MICHAEL A. MARZANO DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC.

(a) DESIGNATION.—The Department of Veterans Affairs Outpatient Clinic in Hermitage, Pennsylvania, shall after the date of the enactment of this Act be known and designated as the "Michael A. Marzano Department of Veterans Affairs Outpatient Clinic".

(b) REFERENCES.—Any reference in any law, regulation, map, document, record, or other paper of the United States to the outpatient clinic referred to in subsection (a) shall be considered to be a reference to the Michael A. Marzano Department of Veterans Affairs Outpatient Clinic.

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

California (Mr. FILNER) and the gentleman from Florida (Mr. STEARNS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

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

Mr. Speaker, this bill is to name the VA Outpatient Clinic in Hermitage, Pennsylvania, after U.S. Marine Corps Sergeant Michael A. Marzano. It was brought to us by Congressman ENGLISH and Congressman ALTMIRE from Pennsylvania.

Mr. Speaker, I rise in support of H.R. 1594, a bill to name the VA Outpatient Clinic in Hermitage, Pennsylvania, after U.S. Marine Corps Sergeant Michael A. Marzano.

A native of Greenville, Pennsylvania, Sgt. Marzano courageously overcame a wrestling injury to his knee during his senior year of high school to realize his long held aspirations of becoming a United States Marine, four years after initially being denied entry for this reason. What tenacity!

In fact when called up in 1999, having won several amateur titles, he was training as a boxer in preparation for competing in the 2000 Olympics. But he sacrificed it all for his country to serve as Marine.

I think we can all agree that it takes a special kind of courage to volunteer one's self to serve in harm's way for the good of our Nation. Well, Sgt. Marzano volunteered twice to serve as a member of our military armed forces. For his last tour, Sgt. Marzano enlisted with a Marine Reserve unit with the specific intention of serving in Iraq.

During his tour of duty in Iraq, Sgt. Marzano served in Iraq with Ohio's 3rd Battalion, 25th Regiment of the 4th Marine Division, and was a leader among his fellow Marines.

According to one of the many veterans' organizations supporting the dedication of this VA clinic in his honor, "he performed his duty with honor and heroism and was a shining example to his men, to the U.S. Marine Corps and to everyone who served and continues to serve our great country."

On May 8th of 2005, Sgt. Marzano was part of a Quick Reaction Force serving in the city of Haditha in Al-Anbar province, Iraq. Sgt. Marzano and the members of his team were tasked with protecting the rest of the force as they battled several insurgents who had overrun a local hospital. The local hospital contained many workers and patients who were held captive as insurgents used them as human shields.

Sgt. Marzano and his small group heroically kept the insurgents at bay providing the platoon the time they needed to engage the enemy and turn them back. Tragically, a suicide bomber driving in a vehicle borne with an improvised explosive device detonated in the area where Sgt. Marzano's quick reaction force was operating, killing Michael and three of his fellow service members.

Because of the valiant actions and sacrifice of Sgt. Marzano, Lance Corporal Lance Graham, Sergeant Aaron Cepeda, and Petty Officer 3rd Class Jeffrey Wiener, the Marines were able to secure the area under siege and free the Iraqis trapped inside the hospital which had been set on fire by the explosion of the IED.

No doubt, Sgt. Marzano is a true hero. His good nature, leadership-by-example and love-

of-country demeanor, as well as many other fine attributes, are missed by many who knew him both inside and outside of the Marine Corps he so dearly loved.

Sgt. Marzano's family has carried on his spirit of service by becoming actively involved in programs to benefit the men and women of our Nation's Armed Services, including the Packages From Home organization which sends care and comfort packages to American troops deployed around the globe. His mother, Margy Marzano, is known as one of its best volunteers. There is also a scholarship fund established in the name of Sgt. Marzano to assist high school athletes in the Mercer County area go to college.

Dedication of this VA outpatient clinic as the 'Michael A. Marzano Department of Veterans Affairs Outpatient Clinic' would be a fitting tribute to the brave service of Sgt. Marzano. In making the ultimate sacrifice for our country, Sgt. Marzano's remarkable heroism was displayed on behalf of our country, and we must never forget his legacy.

I thank my colleagues, Congressman ENGLISH and Congressman ALTMIRE for introducing this important legislation.

I yield such time as he may consume to the gentleman from Pennsylvania (Mr. ALTMIRE).

Mr. ALTMIRE. I thank the chairman.

This legislation designates the Veterans Affairs Outpatient Clinic at Hermitage, Pennsylvania, as the Michael A. Marzano Department of Veterans Affairs Outpatient Clinic. I was pleased to join with my friend and colleague, Congressman PHIL ENGLISH, last year in introducing this legislation, which will pay tribute to the service and sacrifice of a true Western Pennsylvania hero, Marine Corps Sergeant Michael Marzano.

A native of Greenville, Pennsylvania, Michael Marzano grew up with the dream of becoming a marine. Upon graduating from Sharon High School, Marzano applied to the U.S. Marine Corps and was initially denied entry because of a knee injury he suffered his senior year in high school. Determined to fulfill his dream, Marzano underwent surgery to correct the condition and continued to reapply to the U.S. Marine Corps until he was finally accepted 4 years later in 1999.

In December 2004, now Sergeant Marzano reiterated his commitment to the Nation by volunteering for a tour of duty in Iraq. But tragically, on May 8, 2005, after serving only 2 months in Iraq, the 28-year-old Sergeant Michael Marzano was killed by a suicide bomber while taking part in an offensive against insurgents in the city of Haditha, al Anbar province, in Iraq. He was the first soldier from Mercer County, Pennsylvania, to give his life in Operation Iraqi Freedom.

Following the incident, which also claimed the lives of three other brave American servicemembers, Sergeant Marzano's commanding officer recalled Sergeant Marzano's leadership and bravery, stating, "Many more lives were saved due to their sacrifice."

Mr. Speaker, Michael Marzano is a true American hero and was a very spe-

cial individual. By renaming this outpatient clinic, we will honor Sergeant Marzano's memory and recognize his bravery and sacrifice. Sergeant Marzano is representative of all those who have worn the uniform proudly, upheld the military's tradition of courage and faithful service, and once stood ready, if duty required, to make the ultimate sacrifice.

I thank Chairman FILNER for his willingness to bring this bill to the floor, and I especially thank my friend and colleague Congressman ENGLISH for his leadership in introducing this legislation.

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

I rise today in support of H.R. 1594, a bill to designate the Department of Veterans Affairs Outpatient Clinic in Hermitage, Pennsylvania, as the Michael A. Marzano Department of Veterans Affairs Outpatient Clinic.

I appreciate the efforts of my colleague Phil English, and obviously Congressman JASON ALTMIRE who just recently spoke, and their efforts to push this legislation. Obviously this is a very important symbolic piece of legislation, and I think it reminds us of what occurred. I will defer to Congressman ENGLISH for further comments on this legislation in a few moments.

As pointed out, Marine Sergeant Michael Marzano, a servicemember from Mercer County, Pennsylvania, was killed in action on May 7, 2005, while deployed in service to his Nation in Iraq. Reports from the field indicate his bravery and leadership while protecting a hospital, and many lives were saved due to his sacrifice. Sergeant Marzano was the first marine from Mercer County to give his life for freedom in Iraq.

Mr. Speaker, this legislation has strong bipartisan support and also support from the local and State veterans communities, as well as support from the entire Pennsylvania delegation.

As pointed out, I thank Chairman FILNER and also Ranking Member BUYER for foregoing the existing criteria to move this legislation expeditiously forward. It is right that we honor the memory and service of a warrior such as Michael Marzano by naming the Department of Veterans Affairs Outpatient Clinic in his honor.

So I urge my colleagues to support the bill, which is H.R. 1594.

Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Pennsylvania (Mr. ENGLISH).

Mr. ENGLISH of Pennsylvania. Mr. Speaker, I thank the gentleman from Florida, and I particularly want to thank the chairman and my good friend and colleague, Mr. ALTMIRE, for making the timely consideration of this legislation possible on the floor today.

I arise to ask all of my colleagues to join me in supporting H.R. 1594. It does something that I think every veterans' organization in Mercer County has

asked us to do, which is to designate the Department of Veterans Affairs Outpatient Clinic in Hermitage, Pennsylvania, as the Michael A. Marzano Outpatient Clinic.

Marine Sergeant Michael Marzano, as you have heard, was killed on Saturday, the 7th of May, 2005, while on assignment in Iraq. I arise here to ask you to support this legislation with a great deal of emotion because this man was the first soldier from Mercer County to give his life in the global war on terror.

I can't express myself on this as well as his commanding officer expressed it in a letter which I was given and which I would like to read a portion of.

"On 08 May 2005, enemy insurgents fired from positions within the local hospital attacking U.S. Marines in the city of Haditha, al Anbar province, Iraq. Patients and the medical staff were forced to remain in the hospital while enemy forces triggered this attack that included a Suicide Vehicle-Borne Improvised Explosive Device. The SVBIED exploded approximately 30 feet from the hospital patient ward, killing four Marines from 3rd Battalion, 25th Marines and igniting a fire within the hospital.

"Lance Corporal Lance Graham watched his platoon from above as he always did above his machine gun. Sergeant Michael Marzano's leadership and humor rubbed off on everyone around him. Sergeant Aaron Cepeda always welcomed new members to his platoon like they were part of his family. Finally, one Sailor who we will always call 'Marine' because he continuously acted like one, Petty Officer 3rd Class Jeffrey Wiener, all gave their lives that day. They had the job of protecting the force as the Quick Reaction Force and many more lives were saved due to their sacrifice. All four gave the rest of the platoon precious minutes that allowed the Marines to return fire immediately, resulting in the insurgents going on the defensive.

"Because the bravery of the men of Mobile Assault Platoon 7, the remainder of the force of over 70 Marines and Sailors sustained the attack and protected the hospital. The members of the 3rd Battalion, 25th Marines, will always honor and remember what they did. We remember our friends fondly. The memory of our leadership, courage, and sacrifice live on in the Marines and Sailors who served with them. Even in passing, they still continued to protect their brothers."

Signed, Captain John A. Kasparian.

Mr. Speaker, on October 16th, 2006, after a lot of work by several of us in the delegation, the veterans hospital in Butler, Pennsylvania, opened a Mercer County Outpatient Clinic in Hermitage. Almost immediately, veterans from Mercer County contacted me asking to have the new clinic named for Sergeant Marzano.

My staff confirmed their tales of Sergeant Marzano's heroism, and I requested input from my veterans' advisory panel to determine if there were

other candidates for this honor. All of the respondents, including the families of other fallen soldiers, universally agreed that Michael Marzano deserved this honor. He was the first to die in Iraq from Mercer County. He epitomizes the bravery and the dedication of all of our country's best. He deserves to be remembered, as does everyone who has given their lives in that conflict.

Sergeant Marzano's friends and family have already mourned his death. But with this legislation, we will honor his courage and present his life as a worthy example for future generations of young men and women.

Mr. Speaker, I hope my colleagues will join me in this worthy honor to this remarkable soldier.

Mr. FILNER. Mr. Speaker, I thank Congressman ENGLISH and Congressman ALTMIRE for bringing this bill and letting us know about the heroism of Sergeant Marzano.

Mr. STEARNS. Mr. Speaker, I have no further speakers at this time. I do want to thank Mr. ENGLISH for his presentation, his arduous work in getting this to the floor expeditiously, and, obviously, Chairman FILNER and Chairman BUYER for their efforts too.

Mr. Speaker, I yield back my time.

GENERAL LEAVE

Mr. FILNER. 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 H.R. 1594.

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

There was no objection.

Mr. FILNER. 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. FILNER) that the House suspend the rules and pass the bill, H.R. 1594.

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. STEARNS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

□ 1630

FORMER VICE PRESIDENT
PROTECTION ACT OF 2008

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 5938) to amend title 18, United States Code, to provide secret service protection to former Vice Presidents, and for other purposes

The Clerk read the title of the bill.

The text of the Senate amendments is as follows:

Senate amendments:

On page 2, strike lines 1 through 5, and insert the following:

**TITLE I—FORMER VICE PRESIDENT
PROTECTION ACT**

SEC. 101. SHORT TITLE.

This title may be cited as the "Former Vice President Protection Act of 2008".

**SEC. 102. SECRET SERVICE PROTECTION FOR
FORMER VICE PRESIDENTS AND
THEIR FAMILIES.**

On page 3, strike line 1 and insert the following:

SEC. 103. EFFECTIVE DATE.

On page 3, after line 4, insert the following:

**TITLE II—IDENTITY THEFT
ENFORCEMENT AND RESTITUTION ACT**

SEC. 201. SHORT TITLE.

This title may be cited as the "Identity Theft Enforcement and Restitution Act of 2008".

SEC. 202. CRIMINAL RESTITUTION.

Section 3663(b) of title 18, United States Code, is amended—

(1) in paragraph (4), by striking ";" and inserting a semicolon;

(2) in paragraph (5), by striking the period at the end and inserting ";" and"; and

(3) by adding at the end the following:

"(6) in the case of an offense under sections 1028(a)(7) or 1028A(a) of this title, pay an amount equal to the value of the time reasonably spent by the victim in an attempt to remediate the intended or actual harm incurred by the victim from the offense."

**SEC. 203. ENSURING JURISDICTION OVER THE
THEFT OF SENSITIVE IDENTITY IN-
FORMATION.**

Section 1030(a)(2)(C) of title 18, United States Code, is amended by striking "if the conduct involved an interstate or foreign communication".

**SEC. 204. MALICIOUS SPYWARE, HACKING AND
KEYLOGGERS.**

(a) IN GENERAL.—Section 1030 of title 18, United States Code, is amended—

(1) in subsection (a)(5)—

(A) by striking subparagraph (B); and

(B) in subparagraph (A)—

(i) by striking "(A)(i) knowingly" and inserting "(A) knowingly";

(ii) by redesignating clauses (ii) and (iii) as subparagraphs (B) and (C), respectively; and

(iii) in subparagraph (C), as so redesignated—

(1) by inserting "and loss" after "damage"; and

(II) by striking ";" and inserting a period;

(2) in subsection (c)—

(A) in paragraph (2)(A), by striking "(a)(5)(A)(iii)";

(B) in paragraph (3)(B), by striking "(a)(5)(A)(iii)";

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

"(4)(A) except as provided in subparagraphs (E) and (F), a fine under this title, imprisonment for not more than 5 years, or both, in the case of—

"(i) an offense under subsection (a)(5)(B), which does not occur after a conviction for another offense under this section, if the offense caused (or, in the case of an attempted offense, would, if completed, have caused)—

"(I) loss to 1 or more persons during any 1-year period (and, for purposes of an investigation, prosecution, or other proceeding brought by the United States only, loss resulting from a related course of conduct affecting 1 or more other protected computers) aggregating at least \$5,000 in value;

"(II) the modification or impairment, or potential modification or impairment, of the medical examination, diagnosis, treatment, or care of 1 or more individuals;

"(III) physical injury to any person;

"(IV) a threat to public health or safety;

"(V) damage affecting a computer used by or for an entity of the United States Government in furtherance of the administration of justice, national defense, or national security; or

"(VI) damage affecting 10 or more protected computers during any 1-year period; or

"(ii) an attempt to commit an offense punishable under this subparagraph;

"(B) except as provided in subparagraphs (E) and (F), a fine under this title, imprisonment for not more than 10 years, or both, in the case of—

"(i) an offense under subsection (a)(5)(A), which does not occur after a conviction for another offense under this section, if the offense caused (or, in the case of an attempted offense, would, if completed, have caused) a harm provided in subclauses (I) through (VI) of subparagraph (A)(i); or

"(ii) an attempt to commit an offense punishable under this subparagraph;

"(C) except as provided in subparagraphs (E) and (F), a fine under this title, imprisonment for not more than 20 years, or both, in the case of—

"(i) an offense or an attempt to commit an offense under subparagraphs (A) or (B) of subsection (a)(5) that occurs after a conviction for another offense under this section; or

"(ii) an attempt to commit an offense punishable under this subparagraph;

"(D) a fine under this title, imprisonment for not more than 10 years, or both, in the case of—

"(i) an offense or an attempt to commit an offense under subsection (a)(5)(C) that occurs after a conviction for another offense under this section; or

"(ii) an attempt to commit an offense punishable under this subparagraph;

"(E) if the offender attempts to cause or knowingly or recklessly causes serious bodily injury from conduct in violation of subsection (a)(5)(A), a fine under this title, imprisonment for not more than 20 years, or both;

"(F) if the offender attempts to cause or knowingly or recklessly causes death from conduct in violation of subsection (a)(5)(A), a fine under this title, imprisonment for any term of years or for life, or both; or

"(G) a fine under this title, imprisonment for not more than 1 year, or both, for—

"(i) any other offense under subsection (a)(5); or

"(ii) an attempt to commit an offense punishable under this subparagraph.";

(D) by striking paragraph (5); and

(3) in subsection (g)—

(A) in the second sentence, by striking "in clauses (i), (ii), (iii), (iv), or (v) of subsection (a)(5)(B)" and inserting "in subclauses (I), (II), (III), (IV), or (V) of subsection (c)(4)(A)(i)"; and

(B) in the third sentence, by striking "subsection (a)(5)(B)(i)" and inserting "subsection (c)(4)(A)(i)(I)";

(b) CONFORMING CHANGES.—Section 2332b(g)(5)(B)(i) of title 18, United States Code, is amended by striking "1030(a)(5)(A)(i) resulting in damage as defined in 1030(a)(5)(B)(ii) through (v)" and inserting "1030(a)(5)(A) resulting in damage as defined in 1030(c)(4)(A)(i)(II) through (VI)".

SEC. 205. CYBER-EXTORTION.

Section 1030(a)(7) of title 18, United States Code, is amended to read as follows:

"(7) with intent to extort from any person any money or other thing of value, transmits in interstate or foreign commerce any communication containing any—

"(A) threat to cause damage to a protected computer;

"(B) threat to obtain information from a protected computer without authorization or in excess of authorization or to impair the confidentiality of information obtained from a protected computer without authorization or by exceeding authorized access; or

"(C) demand or request for money or other thing of value in relation to damage to a protected computer, where such damage was caused to facilitate the extortion;"

SEC. 206. CONSPIRACY TO COMMIT CYBER-CRIMES.

Section 1030(b) of title 18, United States Code, is amended by inserting "conspires to commit or" after "Whoever".

SEC. 207. USE OF FULL INTERSTATE AND FOREIGN COMMERCE POWER FOR CRIMINAL PENALTIES.

Section 1030(e)(2)(B) of title 18, United States Code, is amended by inserting "or affecting" after "which is used in".

SEC. 208. FORFEITURE FOR SECTION 1030 VIOLATIONS.

Section 1030 of title 18, United States Code, is amended by adding at the end the following:

"(i)(1) The court, in imposing sentence on any person convicted of a violation of this section, or convicted of conspiracy to violate this section, shall order, in addition to any other sentence imposed and irrespective of any provision of State law, that such person forfeit to the United States—

"(A) such person's interest in any personal property that was used or intended to be used to commit or to facilitate the commission of such violation; and

"(B) any property, real or personal, constituting or derived from, any proceeds that such person obtained, directly or indirectly, as a result of such violation.

"(2) The criminal forfeiture of property under this subsection, any seizure and disposition thereof, and any judicial proceeding in relation thereto, shall be governed by the provisions of section 413 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 853), except subsection (d) of that section.

"(j) For purposes of subsection (i), the following shall be subject to forfeiture to the United States and no property right shall exist in them:

"(1) Any personal property used or intended to be used to commit or to facilitate the commission of any violation of this section, or a conspiracy to violate this section.

"(2) Any property, real or personal, which constitutes or is derived from proceeds traceable to any violation of this section, or a conspiracy to violate this section".

SEC. 209. DIRECTIVE TO UNITED STATES SENTENCING COMMISSION.

(a) **DIRECTIVE.**—Pursuant to its authority under section 994(p) of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall review its guidelines and policy statements applicable to persons convicted of offenses under sections 1028, 1028A, 1030, 2511, and 2701 of title 18, United States Code, and any other relevant provisions of law, in order to reflect the intent of Congress that such penalties be increased in comparison to those currently provided by such guidelines and policy statements.

(b) **REQUIREMENTS.**—In determining its guidelines and policy statements on the appropriate sentence for the crimes enumerated in subsection (a), the United States Sentencing Commission shall consider the extent to which the guidelines and policy statements may or may not account for the following factors in order to create an effective deterrent to computer crime and the theft or misuse of personally identifiable data:

(1) The level of sophistication and planning involved in such offense.

(2) Whether such offense was committed for purpose of commercial advantage or private financial benefit.

(3) The potential and actual loss resulting from the offense including—

(A) the value of information obtained from a protected computer, regardless of whether the owner was deprived of use of the information; and

(B) where the information obtained constitutes a trade secret or other proprietary information, the cost the victim incurred developing or compiling the information.

(4) Whether the defendant acted with intent to cause either physical or property harm in committing the offense.

(5) The extent to which the offense violated the privacy rights of individuals.

(6) The effect of the offense upon the operations of an agency of the United States Government, or of a State or local government.

(7) Whether the offense involved a computer used by the United States Government, a State, or a local government in furtherance of national defense, national security, or the administration of justice.

(8) Whether the offense was intended to, or had the effect of, significantly interfering with or disrupting a critical infrastructure.

(9) Whether the offense was intended to, or had the effect of, creating a threat to public health or safety, causing injury to any person, or causing death.

(10) Whether the defendant purposefully involved a juvenile in the commission of the offense.

(11) Whether the defendant's intent to cause damage or intent to obtain personal information should be disaggregated and considered separately from the other factors set forth in USSG 2B1.1(b)(14).

(12) Whether the term "victim" as used in USSG 2B1.1, should include individuals whose privacy was violated as a result of the offense in addition to individuals who suffered monetary harm as a result of the offense.

(13) Whether the defendant disclosed personal information obtained during the commission of the offense.

(c) **ADDITIONAL REQUIREMENTS.**—In carrying out this section, the United States Sentencing Commission shall—

(1) assure reasonable consistency with other relevant directives and with other sentencing guidelines;

(2) account for any additional aggravating or mitigating circumstances that might justify exceptions to the generally applicable sentencing ranges;

(3) make any conforming changes to the sentencing guidelines; and

(4) assure that the guidelines adequately meet the purposes of sentencing as set forth in section 3553(a)(2) of title 18, United States Code.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. **SCOTT**) and the gentleman from California (Mr. **ISSA**) each will control 20 minutes.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, this bill is being returned to us from the Senate with an additional title added. The House of Representatives passed the Former Vice President Protection Act of 2008 under suspension of the rules in June, as a much-needed permanent solution to reauthorize the protection of former Vice Presidents and their families.

As amended by the Senate, the bill now also includes a new title addressing the problem of cybercrime. These additional provisions provide needed tools to law enforcement to address the growing and evolving crime of identity theft, as well as other types of cybercrimes in several critical aspects.

First, the bill allows victims of identity theft to seek restitution in Federal court for the loss of time and money spent restoring their credit and remedying the harm caused by this crime. This helps ensure that identity-theft victims will be made whole financially.

Second, the bill updates criminal laws with respect to identity theft schemes so that they reflect current technologies, and can therefore better respond to the sophisticated aspects of these crimes. For example, to address the increasing number of computer hacking crimes that involve computers that may be located within the same State, the bill removes the current proof requirement that a computer's information must be stolen through an interstate or international communication. The fact that you are using Internet will still satisfy the interstate commerce requirements of the Constitution.

In addition, the bill addresses the increasing number of attacks on multiple computers by making it a felony to employ spyware to damage 10 or more computers. The new tools provided in this bill should be of significant help to law enforcement in providing a more effective deterrent against identity theft and other computer crimes.

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

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

As my colleague said so rightfully, it is appropriate that we grant to former Vice Presidents, their spouses and children a period of time in transition of protection by the Secret Service.

For the past 30 years, it has been a common practice for former Vice Presidents to receive protections on a temporary basis, via joint resolution of Congress. This act seeks to make that, appropriately, permanent, and I join with my colleague.

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

Mr. **SCOTT** of Virginia. Mr. Speaker, I reserve the balance of my time.

Mr. **ISSA**. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. **MICA**).

Mr. **MICA**. Mr. Speaker and my colleagues, I don't rise in opposition to the Former Vice President Protection Act; I appreciate the work that has been done by the committee on this measure. I don't come here to deride any of their efforts. It's legislation that we probably need to pass.

But I do have to say that I just returned from my district in Florida that extends all the way from the suburbs of Orlando to Jacksonville city limits and has the suburbs on the south of Jacksonville through six counties, 32 cities. I spent a wonderful weekend with my constituents, more than a dozen meetings, probably saw more than 1,000

folks this past weekend, enjoyed being home, Florida sun, actually, just a beautiful weekend.

But I have to tell you, my colleagues, from one end of my district, and my house is just within a few blocks of the southern border, all the way to the Jacksonville city limits, traveling through most of those six counties, not one person came to me and said, Mr. MICA, go back to Washington, pass the Vice Presidential Protection Act. But I will tell you that everywhere I went there was one thing on people's mind, and that's the cost of energy.

With the storms, our heart-felt thoughts and prayers go to the people of Texas and all the area that was hit along the coast and up through the heartland of America this past few days. Another natural disaster, my area was hit some time ago by three hurricanes. We have had tornadoes, and we have had floods. We all have to deal with those.

From that hurricane that we saw hit the coast, that had immediate impact in that we had, unfortunately, some price adjustments, some price gouging by people taking advantage of the situation with just the slight turnoff of the refineries and delay and production of energy.

As I traveled up and down my district, some of the gas stations closed early. Many of them had plastic bags over the lower cost grade of fuel. People were concerned about energy.

I am not talking about people, and I have some very wealthy people on the south end in the suburbs and in the north end, that don't have to worry about \$4 and \$5 fuel costs per gallon. I am talking about working men and women, single parents, people struggling, retirees that are trying to pay their bills.

Again, none of them talked to me about passing a vice presidential protection act, but they said, Congressman MICA, go back to Washington, and whether the cameras and lights are on, and whether the gallery is full or empty, whether the press is here, or whatever the subject, you bring, as our elected representative to the people's House, the House of Representatives, our concern that we want our government, our Congress, our House of Representatives and the United States Senate to act to pass a comprehensive energy plan.

Now, they get it out there. They understand that Congress has that responsibility, and it has the ability to do that.

Now, I served as a leader of the Transportation Committee, and let me tell you how quickly this place can work if it wants to. I have agreed with Mr. OBERSTAR, my Democrat counterpart. He is the Chair of the Transportation Committee; I am the Republican leader. I agreed on a Friday to introduce legislation which we agreed to, again, on a Friday. On a Monday, we introduced it in the House. On a Tuesday, we passed it through the House of

Representatives. On a Wednesday we passed it through the United States Senate. On a Thursday night at 7 o'clock, the President signed it into law.

After 9/11 we came together in a national emergency. Now, we didn't have a terrorist hit, but we had a national emergency. Our people are hurting, people are hurting. It's the folks that the other side of the aisle claim to be trying to be the advocates for, and they have been standing in the way.

I have been around this place for more than two decades. I come from the most bipartisan family since 1889 to serve in the House of Representatives. I have never seen the House closed or Members denied the opportunity to discuss in a time of national crisis, and we have a crisis on our hands. Energy is not only affecting the price of gas, if you haven't been to the supermarket lately, my friends in the House, anyone who is in elected office who may not get to the supermarket, I advise you to get to the supermarket and see the sticker shock that the same folks are seeing, exorbitant prices at the fuel pump people are paying for average goods just to try to keep food on their table.

So we have a crisis. I have never seen a time when we weren't even allowed to bring an issue that would deal with a crisis, and here we know need a comprehensive approach. It's not just drilling, although I have a record way back to my days on the floor of the legislature of promoting responsible exploration, development of our domestic resources.

Sometimes it was a pretty lonely caucus that I belonged to. I was the only member from the Florida delegation, Democrat or Republican, to support us keeping energy independent in a responsible manner. Maybe I was ahead of my time, but I didn't want us to become dependent on foreign energy. That's where we are right now.

They have got us right where they want us. When you have a natural disaster, like we had this weekend, it drives speculation. It drives the cost up. It drove the availability up, because there is nothing like driving to a gas station and seeing a plastic bag over all of the pumps and no fuel available.

I am disappointed. Again, I don't want to detract, what this committee is doing is a responsible act, but no one asked me to come here to pass a Vice Presidential protection act. But I am telling you, they told me to come back to Washington to, to stay in Washington, to work in Washington, and, in a bipartisan fashion, to pass all of the above.

They get it, it's drilling, and we are not talking about the politics of drilling, and I have seen the politics of drilling in my own State of Florida for years. That was bad politics, and it got us in this bad situation.

What we need to do with extracting oil or gas or natural resources from off

our shores is use the latest technology and base our exploration and development on sound science and good practices that do not harm the environment. Don't tell me you can't do it, you can do it. We can do it. We can extract it.

Why should we be dependent on the Mid East, Nigeria, Venezuela, and other foreign sources of energy? Folks, it doesn't make sense.

But you know what? The American people got it. They have been busy out there. They are trying to raise a family. They are trying to put food on the table. They are trying to send their kids to school. They are struggling to keep their jobs in a depressed market right now, and all they want is a little help from the people they sent here to do their job.

They get it about drilling. They get it about alternative sources. You know, just drilling isn't going to do it, and just developing our resources, which we can do, and we can do it in an expedited fashion. But they know the long-term fix is to get off that, to have alternative fuels.

I submit that the proposal by the Republicans, the American Energy Act, does just that. It's all of the above. Somehow we have gotten it.

Now we can't afford a sham in coming forward, and you know, some people are looking for political cover. They have an election around the corner. We have got to have a vote on something to make it look like we are doing something. But that does not solve the problem.

I plead, on behalf of those people that I saw this weekend in the Seventh Congressional District, to do something meaningful, to do a comprehensive energy act. It will start to solve some of our problems.

We can start becoming energy independent. We can lower the price of fuel and food that people depend on to feed their families. Then we can start building this economy again. The great opportunity that I have had in the last year and a half, leading the Transportation Committee, is not just see the projects and things going on in my district, but see the magnificence of this country from sea to shining sea.

This is an incredible country, and there isn't any challenge that we have never been able to undertake and also win at. We are creative people. We can do it.

All those people out there that are working so hard, sending their money here, relying on us to do something, to be their representative in this governing body that has so much say, let's just do our job. Put the politics aside, put November aside, put these people forward. That's all they are asking is for us to do our job.

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So I stayed here when the lights went out last week until I had the opportunity to speak, and C-SPAN was turned off and the Speaker had left and

the place was closed down. I came back early today to tell you that they did not ask me, not one of them, to pass the Former Vice President Protection Act, but they did ask me, please do something about our energy, Mr. MICA. You are our Representative. Go back there and tell them that we need their help to get the economy going, to get this situation under control so we can give a great opportunity to our children, to our hopes and dreams for this great country.

I know we can do it. I know we can do it. Our predecessors have done it. I don't know why we are not doing it.

I thank the gentleman for yielding.

Mr. SCOTT of Virginia. I reserve the balance of my time to close.

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

Mr. Speaker, I say this in a bipartisan way, that in fact this body, and I know we are not allowed to talk about the other body, the Senate, and so I will only talk in terms of this bill.

Mr. Speaker, this bill came back with a very good piece of legislation attached to a very good piece of legislation; but it came back based on a fundamental problem between the two bodies, and I thought it appropriate to speak on it.

There is no germaneness to the second half of this bill. This is simply the Senate's ability under their rules to take something that is not germane and attach it. I wouldn't have a problem with that except under our rules, Mr. Speaker, even if we are in fact doing an immigration bill in committee, as we were last week, even if that immigration bill deals with the allocation of who gets to come into this country temporarily and permanently, if the bill only deals with one sub, sub-portion of a statute, that is all we are allowed to consider. That is wrong, Mr. Speaker.

And so I address you on behalf of the inequity between something completely unrelated being attached to a bill and voted out of this body. Both of these pieces of legislation are bipartisan. But if we cannot in fact even consider like information if it is ever so slightly outside of the definition of germaneness, and then we have to accept whole pieces of legislation never voted on because they were attached by the Senate, this body needs fundamental reform as to what our rules of germaneness are.

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

Mr. SCOTT of Virginia. Mr. Speaker, this bill will allow the protection of former Vice Presidents, and as the gentleman from California has indicated, the Senate under their rules, not our rules, has added another provision, an important provision, that apparently there is no controversy on addressing the problem of cyber crime. I would hope that we would accept the Senate amendment and pass the bill.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 5938, the

"Former Vice President Protection Act of 2008." I would like to thank the Chair of the Judiciary Committee, Congressman CONYERS, for introducing this bill and for providing leadership on this important issue.

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

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

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

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

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

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

To date, four presidents have been assassinated, and there have been approximately

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

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 5938.

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. ISSA. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

NATIONAL SILVER ALERT ACT

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6064) to encourage, enhance, and integrate Silver Alert plans throughout the United States, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6064

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

TITLE I—SILVER ALERT COMMUNICATIONS NETWORK

SECTION 101. SHORT TITLE.

This title may be cited as the "National Silver Alert Act".

SEC. 102. DEFINITIONS.

For purposes of this title:

(1) *STATE*.—The term "State" means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(2) *MISSING SENIOR*.—The term "missing senior" refers to any individual who—

(A) is reported to, or identified by, a law enforcement agency as a missing person; and

(B) meets the requirements to be designated as a missing senior, as determined by the State in

which the individual is reported or identified as a missing person.

SEC. 103. SILVER ALERT COMMUNICATIONS NETWORK.

The Attorney General shall, subject to the availability of appropriations under section 107, establish a national Silver Alert communications network within the Department of Justice to provide assistance to regional and local search efforts for missing seniors through the initiation, facilitation, and promotion of local elements of the network (known as Silver Alert plans) in coordination with States, units of local government, law enforcement agencies, and other concerned entities with expertise in providing services to seniors.

SEC. 104. SILVER ALERT COORDINATOR.

(a) NATIONAL COORDINATOR WITHIN DEPARTMENT OF JUSTICE.—The Attorney General shall designate an individual of the Department of Justice to act as the national coordinator of the Silver Alert communications network. The individual so designated shall be known as the Silver Alert Coordinator of the Department of Justice (referred to in this title as the “Coordinator”).

(b) DUTIES OF THE COORDINATOR.—In acting as the national coordinator of the Silver Alert communications network, the Coordinator shall—

(1) work with States to encourage the development of additional Silver Alert plans in the network;

(2) establish voluntary guidelines for States to use in developing Silver Alert plans that will promote compatible and integrated Silver Alert plans throughout the United States, including—

(A) a list of the resources necessary to establish a Silver Alert plan;

(B) criteria for evaluating whether a situation warrants issuing a Silver Alert, taking into consideration the need for the use of such Alerts to be limited in scope because the effectiveness of the Silver Alert communications network may be affected by overuse, including criteria to determine—

(i) whether the mental capacity of a senior who is missing, and the circumstances of his or her disappearance, warrant the issuance a Silver Alert; and

(ii) whether the individual who reports that a senior is missing is an appropriate and credible source on which to base the issuance of a Silver Alert;

(C) a description of the appropriate uses of the Silver Alert name to readily identify the nature of search efforts for missing seniors; and

(D) recommendations on how to protect the privacy, dignity, independence, and autonomy of any missing senior who may be the subject of a Silver Alert;

(3) develop proposed protocols for efforts to recover missing seniors and to reduce the number of seniors who are reported missing, including protocols for procedures that are needed from the time of initial notification of a law enforcement agency that the senior is missing through the time of the return of the senior to family, guardian, or domicile, as appropriate, including—

(A) public safety communications protocol;

(B) case management protocol;

(C) command center operations;

(D) reunification protocol; and

(E) incident review, evaluation, debriefing, and public information procedures;

(4) work with States to ensure appropriate regional coordination of various elements of the network;

(5) establish an advisory group to assist States, units of local government, law enforcement agencies, and other entities involved in the Silver Alert communications network with initiating, facilitating, and promoting Silver Alert plans, which shall include—

(A) to the maximum extent practicable, representation from the various geographic regions of the United States; and

(B) members who are—

(i) representatives of senior citizen advocacy groups, law enforcement agencies, and public safety communications;

(ii) broadcasters, first responders, dispatchers, and radio station personnel; and

(iii) representatives of any other individuals or organizations that the Coordinator determines are necessary to the success of the Silver Alert communications network; and

(6) act as the nationwide point of contact for—

(A) the development of the network; and

(B) regional coordination of alerts for missing seniors through the network.

(c) COORDINATION.—

(1) COORDINATION WITH OTHER AGENCIES.—The Coordinator shall coordinate and consult with the Secretary of Transportation, the Federal Communications Commission, the Assistant Secretary for Aging of the Department of Health and Human Services, the head of the Missing Alzheimer’s Disease Patient Alert Program, and other appropriate offices of the Department of Justice in carrying out activities under this title.

(2) STATE AND LOCAL COORDINATION.—The Coordinator shall consult with local broadcasters and State and local law enforcement agencies in establishing minimum standards under section 105 and in carrying out other activities under this title, as appropriate.

(d) ANNUAL REPORTS.—Not later than one year after the date of enactment of this Act, and annually thereafter, the Coordinator shall submit to Congress a report on the activities of the Coordinator and the effectiveness and status of the Silver Alert plans of each State that has established or is in the process of establishing such a plan. Each such report shall include—

(1) a list of States that have established Silver Alert plans;

(2) a list of States that are in the process of establishing Silver Alert plans;

(3) for each State that has established such a plan, to the extent the data is available—

(A) the number of Silver Alerts issued;

(B) the number of individuals located successfully;

(C) the average period of time between the issuance of a Silver Alert and the location of the individual for whom such Alert was issued;

(D) the State agency or authority issuing Silver Alerts, and the process by which Silver Alerts are disseminated;

(E) the cost of establishing and operating such a plan;

(F) the criteria used by the State to determine whether to issue a Silver Alert; and

(G) the extent to which missing individuals for whom Silver Alerts were issued crossed State lines;

(4) actions States have taken to protect the privacy and dignity of the individuals for whom Silver Alerts are issued;

(5) ways that States have facilitated and improved communication about missing individuals between families, caregivers, law enforcement officials, and other authorities; and

(6) any other information the Coordinator determines to be appropriate.

SEC. 105. MINIMUM STANDARDS FOR ISSUANCE AND DISSEMINATION OF ALERTS THROUGH SILVER ALERT COMMUNICATIONS NETWORK.

(a) ESTABLISHMENT OF MINIMUM STANDARDS.—Subject to subsection (b), the Coordinator shall establish minimum standards for—

(1) the issuance of alerts through the Silver Alert communications network; and

(2) the extent of the dissemination of alerts issued through the network.

(b) LIMITATIONS.—

(1) VOLUNTARY PARTICIPATION.—The minimum standards established under subsection (a) of this section, and any other guidelines and programs established under section 104, shall be adoptable on a voluntary basis only.

(2) DISSEMINATION OF INFORMATION.—The minimum standards shall, to the maximum extent

practicable (as determined by the Coordinator in consultation with State and local law enforcement agencies), provide that appropriate information relating to the special needs of a missing senior (including health care needs) are disseminated to the appropriate law enforcement, public health, and other public officials.

(3) GEOGRAPHIC AREAS.—The minimum standards shall, to the maximum extent practicable (as determined by the Coordinator in consultation with State and local law enforcement agencies), provide that the dissemination of an alert through the Silver Alert communications network be limited to the geographic areas which the missing senior could reasonably reach, considering the missing senior’s circumstances and physical and mental condition, the modes of transportation available to the missing senior, and the circumstances of the disappearance.

(4) AGE REQUIREMENTS.—The minimum standards shall not include any specific age requirement for an individual to be classified as a missing senior for purposes of the Silver Alert communication network. Age requirements for determinations of whether an individual is a missing senior shall be determined by each State, and may vary from State to State.

(5) PRIVACY AND CIVIL LIBERTIES PROTECTIONS.—The minimum standards shall—

(A) ensure that alerts issued through the Silver Alert communications network comply with all applicable Federal, State, and local privacy laws and regulations; and

(B) include standards that specifically provide for the protection of the civil liberties and sensitive medical information of missing seniors.

(6) STATE AND LOCAL VOLUNTARY COORDINATION.—In carrying out the activities under subsection (a), the Coordinator may not interfere with the current system of voluntary coordination between local broadcasters and State and local law enforcement agencies for purposes of the Silver Alert communications network.

SEC. 106. TRAINING AND OTHER RESOURCES.

(a) TRAINING AND EDUCATIONAL PROGRAMS.—The Coordinator shall make available to States, units of local government, law enforcement agencies, and other concerned entities that are involved in initiating, facilitating, or promoting Silver Alert plans, including broadcasters, first responders, dispatchers, public safety communications personnel, and radio station personnel—

(1) training and educational programs related to the Silver Alert communication network and the capabilities, limitations, and anticipated behaviors of missing seniors, which shall be updated regularly to encourage the use of new tools, technologies, and resources in Silver Alert plans; and

(2) informational materials, including brochures, videos, posters, and web sites to support and supplement such training and educational programs.

(b) COORDINATION.—The Coordinator shall coordinate—

(1) with the Assistant Secretary for Aging of the Department of Health and Human Services in developing the training and educational programs and materials under subsection (a); and

(2) with the head of the Missing Alzheimer’s Disease Patient Alert Program within the Department of Justice, to determine if any existing material with respect to training programs or educational materials developed or used as part of such Patient Alert Program are appropriate and may be used for the programs under subsection (a).

SEC. 107. AUTHORIZATION OF APPROPRIATIONS FOR THE SILVER ALERT COMMUNICATIONS NETWORK.

There are authorized to be appropriated to the Department of Justice such sums as may be necessary to carry out the Silver Alert communications network as authorized under this title.

SEC. 108. GRANT PROGRAM FOR SUPPORT OF SILVER ALERT PLANS.

(a) **GRANT PROGRAM.**—Subject to the availability of appropriations to carry out this section, the Attorney General shall carry out a program to provide grants to States for the development and enhancement of programs and activities for the support of Silver Alert plans and the Silver Alert communications network.

(b) **ACTIVITIES.**—Activities funded by grants under the program under subsection (a) may include—

(1) the development and implementation of education and training programs, and associated materials, relating to Silver Alert plans;

(2) the development and implementation of law enforcement programs, and associated equipment, relating to Silver Alert plans;

(3) the development and implementation of new technologies to improve Silver Alert communications; and

(4) such other activities as the Attorney General considers appropriate for supporting the Silver Alert communications network.

(c) **FEDERAL SHARE.**—The Federal share of the cost of any activities funded by a grant under the program under subsection (a) may not exceed 50 percent.

(d) **DISTRIBUTION OF GRANTS ON GEOGRAPHIC BASIS.**—The Attorney General shall, to the maximum extent practicable, ensure the distribution of grants under the program under subsection (a) on an equitable basis throughout the various regions of the United States.

(e) **ADMINISTRATION.**—The Attorney General shall prescribe requirements, including application requirements, for grants under the program under subsection (a).

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) There is authorized to be appropriated to the Department of Justice \$5,000,000 for each of the fiscal years 2009 through 2013 to carry out this section and, in addition, \$5,000,000 for each of the fiscal years 2009 through 2013 to carry out subsection (b)(3).

(2) Amounts appropriated pursuant to the authorization of appropriations in paragraph (1) shall remain available until expended.

SEC. 109. SAMMY KIRK VOLUNTARY ELECTRONIC MONITORING PROGRAM.

(a) **PROGRAM AUTHORIZED.**—The Attorney General, after consultation with the Secretary of Health and Human Services, is authorized to award grants to States and units of local government to carry out programs to provide voluntary electronic monitoring services to elderly individuals to assist in the location of such individuals if such individuals are reported as missing.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section \$2,000,000 for each of the fiscal years 2009 through 2014.

(c) **DESIGNATION.**—The grant program authorized under this section shall be referred to as the “Sammy Kirk Voluntary Electronic Monitoring Program”.

**TITLE II—KRISTEN’S ACT
REAUTHORIZATION****SEC. 201. SHORT TITLE.**

This title may be cited as “Kristen’s Act Reauthorization of 2008”.

SEC. 202. FINDINGS.

Congress finds the following:

(1) Every year thousands of adults become missing due to advanced age, diminished mental capacity, or foul play. Often there is no information regarding the whereabouts of these adults and many of them are never reunited with their families.

(2) Missing adults are at great risk of both physical harm and sexual exploitation.

(3) In most cases, families and local law enforcement officials have neither the resources nor the expertise to undertake appropriate search efforts for a missing adult.

(4) The search for a missing adult requires cooperation and coordination among Federal,

State, and local law enforcement agencies and assistance from distant communities where the adult may be located.

(5) Federal assistance is urgently needed to help with coordination among such agencies.

SEC. 203. GRANTS FOR THE ASSISTANCE OF ORGANIZATIONS TO FIND MISSING ADULTS.**(a) GRANTS.—**

(1) **GRANT PROGRAM.**—Subject to the availability of appropriations to carry out this section, the Attorney General shall make competitive grants to public agencies or nonprofit private organizations, or combinations thereof, to—

(A) maintain a national resource center and information clearinghouse for missing and unidentified adults;

(B) maintain a national, interconnected database for the purpose of tracking missing adults who are determined by law enforcement to be endangered due to age, diminished mental capacity, or the circumstances of disappearance, when foul play is suspected or circumstances are unknown;

(C) coordinate public and private programs that locate or recover missing adults or reunite missing adults with their families;

(D) provide assistance and training to law enforcement agencies, State and local governments, elements of the criminal justice system, nonprofit organizations, and individuals in the prevention, investigation, prosecution, and treatment of cases involving missing adults;

(E) provide assistance to families in locating and recovering missing adults; and

(F) assist in public notification and victim advocacy related to missing adults.

(2) **APPLICATIONS.**—The Attorney General shall periodically solicit applications for grants under this section by publishing a request for applications in the Federal Register and by posting such a request on the website of the Department of Justice.

(b) **OTHER DUTIES.**—The Attorney General shall—

(1) coordinate programs relating to missing adults that are funded by the Federal Government; and

(2) encourage coordination between State and local law enforcement and public agencies and nonprofit private organizations receiving a grant pursuant to subsection (a).

SEC. 204. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title \$4,000,000 for each of fiscal years 2009 through 2019.

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

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, thousands of vulnerable older adults go missing each year as a result of dementia, diminished capacity, foul play, and other unusual circumstances.

For example, the Alzheimer’s Foundation of America estimates that more

than 5 million Americans suffer from Alzheimer’s disease. It is estimated that 60 percent of these men and women are likely to wander from their homes. If they do, the disorientation and confusion may keep many from finding their way back home. Their safe return often depends upon them being found quickly. If not found within 24 hours, roughly half risk serious illness, injury, or death.

Three Members of Congress, the gentleman from Texas (Mr. DOGGETT), the gentleman from North Carolina (Mrs. MYRICK), and the gentleman from Florida (Mr. BILIRAKIS), individually introduced legislation to address this serious problem in separate bills. H.R. 6064 combines the best parts of these bills into one.

Title I, the National Silver Alert Act, establishes a national program patterned after the successful Amber Alert program for children.

It creates a national Silver Alert coordinator responsible for developing voluntary guidelines, standards, and protocols for States to consider in the creation of their local Silver Alert plans.

It establishes the Department of Justice grant program to help States develop and implement local Silver Alert programs.

And it establishes the Sammy Kirk Voluntary Electronic Monitoring Program which will provide grants for voluntary electronic monitoring services for elderly individuals.

Title II reauthorizes the Kristen’s Act which expired in 2005. That act provides for competitive grants to both public and nonprofit private agencies for a national resource center, information clearinghouse, and database for tracking missing adults, training and other related activities.

Mr. Speaker, I commend Mr. DOGGETT, Mrs. MYRICK and Mr. BILIRAKIS for their hard work and bipartisan efforts to address this critical problem of missing adults.

I urge my colleagues to support this important legislation.

I reserve the balance of my time.

Mr. ISSA. Mr. Speaker, I too rise in support of this important piece of legislation and am pleased that a cosponsor of this bill, someone who has contributed meaningfully to the bill and to its amendments, the gentleman from Florida (Mr. BILIRAKIS) is with us, and I yield to him such time as he may consume.

Mr. BILIRAKIS. Mr. Speaker, I rise today in strong support of H.R. 6064, the National Silver Alert Act sponsored by my colleague from Texas, Congressman LLOYD DOGGETT.

I first became involved in the issue of finding missing seniors earlier this year when one of my constituents, Mary Lallucci, lost her mother, who had left her care-giving facility and could not be located. She had driven her car into the Gulf of Mexico and drowned.

This tragedy unfortunately highlighted the very real problem of older

individuals who suffer from diseases which leave them easily confused and disoriented, wandering away from their homes or care-giving facilities and meeting harm because family, friends, and authorities cannot find them in time.

The inability to find missing elderly is a problem State and Federal policymakers should address before something like this happens again. That is why I support the bill before us today which includes provisions from the Silver Alert legislation I introduced earlier this year.

The National Silver Alert Act is a bipartisan bill developed by Congressman DOGGETT, myself, and Congresswoman SUE MYRICK. It combines portions of missing persons bills that each of us have introduced.

The National Silver Alert Act includes language from my bill, the Silver Alert Grant Program Act, which creates within the Department of Justice a grant program to help States establish and operate Silver Alert notification systems to help find missing individuals who suffer from Alzheimer's disease and other dementia-related illnesses.

The measure we are considering today also establishes a national Silver Alert communications network to assist regional and local missing persons search efforts and requires an annual report to determine the effectiveness of State Silver Alert plans to help guide their establishment in other States.

The bill also reauthorizes Kristen's Act. Mrs. MYRICK's bill provides grants to public and nonprofit organizations to help them find abducted adults.

I was honored to work with these two fine Members, and pleased that we were able to combine these complementary bills.

I want to thank them for their work, as well as the willingness of the Judiciary Committee Chairman JOHN CONYERS, Ranking Member LAMAR SMITH, and Crime Subcommittee Chairman BOBBY SCOTT and Ranking Member RANDY FORBES, for moving this bill through their panels in such an expeditious manner.

I believe that all States, especially my State of Florida, should establish systems similar to the highly successful Amber Alert program to help find those suffering from dementia-related illnesses and prevent tragedies like the one that occurred in my community.

The Amber Alert system has a remarkable track record of success because necessary information is filtered so that relevant details are transmitted to appropriate authorities as quickly as possible.

The experiences of States that already have developed such Amber Alert systems suggests that these programs save lives. States have found that, just as with missing and abducted children, timely notification and dissemination of appropriate information about missing seniors greatly improves the chances that they will be found before they harm themselves.

I believe that the Federal Government can and should help States develop notification systems to prevent these all-too-frequent tragedies. This is especially important in my State which has more residents age 65 or older than any State in the Nation. My State needs Silver Alert and it needs it now.

Passage of this bill today will bring Florida and other States without these life-saving systems one step closer to improving the ability to find missing seniors in the crucial few hours after they go missing.

We have many people to thank for that, including Mary Lallucci, whose determined advocacy for Silver Alert has inspired me and serves as a loving tribute to her mother's memory.

Mr. Speaker, Mrs. Lallucci was asked whether she thought a Silver Alert system in Florida could have saved her mother. "Who knows," she said. "Unfortunately, I will never know."

I urge my colleagues to support the National Silver Alert Act to prevent another family from being forced to struggle with that same uncertainty.

Mr. SCOTT of Virginia. Mr. Speaker, I yield such time as he may consume to the author of this legislation, the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I thank the gentleman from Virginia for his help and leadership on this measure.

Mr. Speaker, I rise in support of H.R. 6064, the National Silver Alert Act, which I authored and on which we have had very good bipartisan cooperation. I appreciate the statement, the concern and cooperation of the gentleman from Florida who has recounted a very serious incident that occurred in his State, and I appreciate the leadership of the gentlewoman from North Carolina. We merged our proposals in committee and have reauthorized through this legislation the National Center for Missing Adults.

Our seniors, who have worked a lifetime building families, giving back to their communities, deserve dignity and respect in their retirement years. And when some of them are unable to care for themselves, they need our support. There is no silver bullet to providing that support, but one meaningful way of helping is through the national Silver Alert system that this measure would establish nationwide.

Silver Alert is a public notification system triggered by the report of the missing senior with dementia or other mental impairment, similar to Amber Alert which has worked so successfully to find missing children, where we rely on postings on the highways, radio, television, and various forms of media to broadcast information about missing persons, to locate them, and bring them safely home.

Sixty percent of those with Alzheimer's wander away from home at some point during their disability. If not found within 24 hours, up to half will suffer serious injury or death. Only 4 percent of those who leave home are

able to get back without some assistance. Silver Alert provides that assistance.

Responding to this need, 11 States, including my home State of Texas, have already enacted such programs, and another five States are seriously considering State legislation.

While this is successful and important, we believe that every American should have the benefits of Silver Alert and that all States can benefit from learning about best practices that are occurring around the country.

□ 1700

The National AMBER Alert law, which Congress approved in 2003, has provided the national leadership to coordinate State programs, link States to resources and best practices, and fund the technology and improvements necessary to assure the best assistance that we can provide.

National Silver Alert will do much the same, coordinating from the Justice Department with the Federal Communication Commission, the Department of Transportation and the Administration on Aging to avoid duplication of efforts. This is a voluntary program that will help States initiate Silver Alert programs and sustain those that are already underway.

In short, coordination saves lives. Reuniting missing seniors with their families requires a rapid, united response. What's missing from efforts to locate missing seniors is sufficient Federal support, and this bill closes that gap.

With National Silver Alert, communities can use and build on existing resources to help keep our seniors safe. And as the population of the United States ages, more and more seniors will need this kind of support.

Since its inception in Texas last September, Silver Alert has been invoked 52 times. Forty-eight of the missing seniors were located safely, and 13 of these recoveries were directly attributable to Silver Alert.

One of these successes involved an 85-year-old man in my district in Austin. He left his home in Austin, drove south to San Antonio, then turned around and drove back, all the way through Austin to Dallas, a total of 325 miles. If it had occurred, instead of on I-35 in Texas, if it occurred here in the Northeast, he would have traveled through seven States.

He was finally located in a parking lot at a department store late at night in Dallas. The responding officer had heard about the Silver Alert, knew there was a missing person from Austin in a dark green Buick. They were able to connect him back, after some treatment for dehydration, and get him back the next morning to his family in Austin.

A National Silver Alert program complements other existing programs like Project Lifesaver, the Missing Alzheimer's Disease Program Alert Program, and I believe that Silver Alert

will be effective with a unique “wide net” approach. The ability to broadcast the alert beyond the immediate vicinity will complement existing programs and assure more missing seniors are found within that crucial first 24 hours.

I especially want to thank two Texans, Bill Cummings and Carlos Higgins of the Texas Silver Haired Legislature, who first asked me to develop this legislation to replicate nationally the success that they experienced through Texas Silver Alert. This bill shows that it is still possible, at least on a rather occasion, for an individual citizen who has a good cause but no lobbyists to get the attention of Congress and get legislation, creative solutions adopted. Since they first proposed the bill to me it has gained the endorsement of the Elder Justice Coalition, the National Silver Haired Legislature, the Child Alert Foundation, the National Citizens Coalition for Nursing Home Reform, and the Assisted Living Federation of America.

I appreciate the cooperation of my colleagues in getting this measure approved. I urge its adoption, recognizing that by working together we can take an important step toward making our seniors safe.

Mr. ISSA. Mr. Speaker, this is a good piece of legislation hammered out on a bipartisan basis. I urge the passage of this bill. I know that the 11 States that already have a Silver Alert would greatly appreciate knowing that if someone passes from their State to an adjoining State, that that protection they provide to their citizens would be provided to their citizens in another State.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume simply to thank our colleagues for working cooperatively together. I hope we pass the legislation.

Mrs. MILLER of Michigan. Mr. Speaker, I rise today in support of the National Silver Alert Act.

As a society we are judged by how we care for our most vulnerable in our community—our young children and our senior citizens.

This legislation, the National Silver Alert Act, is replicating an issue we have had remarkable success with—the Amber Alert for missing children. The Amber Alert for missing children has allowed 420 children to return safely to their homes.

It is time we replicate this success for our seniors.

Sixty percent of people with Alzheimer’s or dementia will wander away at some point, and half of those who aren’t found in the first 24 hours will be injured or die. This statistic is all too real for those across the Nation who have experienced the fear of losing a loved one first hand.

I know full well about this—last year an elderly man near Green Bay, Wisconsin, got in his car for what was supposed to be a short trip to the convenience store. Nearly 8 hours and 490 miles later, he stopped at a local grocery store in my district, disoriented, and con-

fused. Luckily a Macomb county sheriff located this man’s son in Wisconsin and the man returned home safely.

However, for a few frantic hours, his family in Wisconsin had no idea if he was lost, in an accident, or worse.

Just imagine if this system was in place last year. Maybe a motorist or a police officer would have seen this man’s car driving along the expressway and got him assistance before he made it all the way to Michigan.

Situations like these happen across America—and it is important that we fund programs like the National Silver Alert act to properly locate our seniors who have gone missing.

By creating a national communications network to assist in efforts to locate missing senior citizens, we are improving the likelihood that they remain free of harm.

As a cosponsor of the National Silver Alert Act, I ask my colleagues to join me in protecting our senior citizens and implementing this very important program.

Mrs. MYRICK. Mr. Speaker, Today is a very important day for anyone who has ever lived through the nightmare of an adult loved one gone missing. The National Silver Alert Act will reauthorize Kristen’s Act and give these people hope. Kristen Modafferi disappeared shortly after her 18th birthday. I asked the family how I could help. After visiting with them and hearing a detailed account of their nightmare, I introduced Kristen’s Act in 1999. It was swiftly ratified in both the House and Senate before being signed into law by President Clinton in 2000.

Kristen’s Act reauthorizes funding to maintain a national clearinghouse for missing adults whose disappearance is determined by law enforcement to be foul play. As with the National Center for Missing and Exploited Children, this bill provides assistance to law enforcement and families in missing persons cases of those over the age of 17. Kristen’s Act expired in 2005. I introduced a reauthorization in the 109th Congress, unfortunately my attempts to get it passed were unsuccessful. Today, with the help of my friends from across the aisle, we honor the efforts of so many and pay tribute to mournful families by ratifying this bill.

Kristen Modafferi disappeared in 1997. She was an extremely bright, hard-working young lady and attended North Carolina State University. She had just finished her freshman year; and like so many other college students, she decided she wanted to go to another city to spend the summer and work and have a new experience. So she moved to San Francisco. She enrolled in photography class at Berkeley and got a job at a local coffee shop. She began settling in and making friends.

On Monday, June 23—which was just a mere 3 weeks after her 18th birthday—she left her job at the coffee shop and headed to the beach for the afternoon. She has not been seen since.

When her panicked parents called National Center for Missing and Exploited Children, they heard these unbelievable words, “I’m sorry—we cannot help you.” They were shocked to discover that because Kristen was 18, the Center could not place her picture and story into its national database, or offer any assistance whatsoever.

In fact, there is no national agency in the United States to help locate missing adults.

Unfortunately, the Modafferris are not alone. The families of thousands of missing adults—

50,930 cases as of last year—have found that law enforcement and other agencies respond very differently when the person who has disappeared is not a child.

Coping with the disappearance of a family member is a traumatic experience—and I know personally what the Modafferris went through. But to be forced to conduct the search on their own without any skills or resources is simply unjust. Kristen’s Act does send a message to these families that they deserve help in locating endangered and involuntarily missing loved ones.

Endangered missing adults, regardless of their age, should receive not only the benefit of a search effort by local law enforcement—but also the help of an experienced national organization.

By approving this bill, families will never again have to hear they cannot be assisted because a loved one is too old.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I support the National Silver Alert Act. I also urge my colleagues to support this bill. It is necessary.

Thousands of vulnerable older adults go missing each year as a result of dementia, diminished capacity, foul play or other unusual circumstances. The Alzheimer’s Foundation of America estimates that over five million Americans suffer from Alzheimer’s disease, and that sixty percent of these are likely to wander from their homes. Alzheimer’s disease and other dementia related illnesses often leave their victims disoriented and confused and unable to find their way home. According to the Alzheimer’s Association, up to 50 percent of wanderers risk serious illness, injury or death if not found within 24 hours. The problem can be exacerbated greatly by national disasters, such as Hurricane Katrina, that can, in a matter of hours, increase the number of missing persons by the thousands.

At least eight states, along with non-profit organizations such as the National Center for Missing Adults, Project Lifesaver International and the Alzheimer’s Foundation of America, have developed programs to address various aspects of the problem of missing adults, but the need for a coordinated national approach, similar to the Amber Alert Program for children, still exists. In addition, financial support is needed for existing and new local and state programs.

The Missing Alzheimer’s Disease Patient Alert Program, administered by the Department of Justice, is the only federal program that currently provides grant funding to locate vulnerable elderly individuals who go missing. Authorization for this program ceased in 1998, but Congress has continued to appropriate some monies for it through fiscal year 2008, when it appropriated \$940,000. Another federal law, Kristen’s Act, had authorized annual grants in the amount of \$1 million for fiscal years 2001 through 2004 to assist law enforcement agencies in locating missing adults and for other purposes. Between fiscal years 2002 through 2006, Kristen’s Act grants were made through the Edward Byrne Discretionary Grants Program, primarily to the National Center for Missing Adults, a non-profit organization. In 2006, Congress appropriated \$150,000 for this purpose.

A. H.R. 6064, THE “NATIONAL SILVER ALERT ACT”

Importantly, today I urge my colleagues to support another important piece of legislation, H.R. 6064, the National Silver Alert Act. H.R.

6064 sets forth a comprehensive national program. It directs the Attorney General to establish a permanent national Silver Alert communications program within the Department of Justice to provide assistance to regional and local search efforts for missing seniors. The bill requires the Attorney General to assign a Department of Justice officer as a Silver Alert Coordinator.

The Silver Alert Coordinator acts as a nationwide point of contact, working with states to encourage the development of local elements of the network, known as Silver Alert plans, and to ensure regional coordination. The bill requires the Coordinator to develop protocols for efforts relating to reporting and finding missing seniors and to establish voluntary guidelines for states to use in developing Silver Alert plans. The bill requires the Coordinator to establish an advisory group (1) to help States, local governments and law enforcement agencies with Silver Alert plans, (2) to provide training and educational programs to states, local governments and law enforcement agencies, and (3) to submit an annual report to congress. The bill also requires the Coordinator to establish voluntary minimum standards for the issuance of alerts through the Silver Alert communications network.

H.R. 6064 directs the Attorney General, subject to the availability of appropriations, to provide grants to States for the development and implementation of programs and activities relating to Silver Alert plans. The bill authorizes \$5 million for fiscal year 2009 for this purpose. The bill also authorizes an additional \$5 million for fiscal year 2009 specifically for the development and implementation of new technologies. The Federal share of the grant may not exceed 50 percent and amounts appropriated under this authorization shall remain available until expended.

B. MY PAST AMENDMENTS ON ELDER JUSTICE BILLS

In similar elder legislation, namely the Elder Justice Act and the Elder Abuse Victims Act, I co-sponsored amendments with Ms. MAXINE WATERS of California to provide funding to State, Local, and non-profit programs to locate missing elderly. Specifically, my amendment would allow a voluntary electronic monitoring pilot program to assist with the elderly when they are reported missing. In these particular bills, my amendment would allow the Attorney General, in consultation with the Secretary of Health and Human Services, to issue grants to states and local government to carry out pilot programs to provide voluntary electronic monitoring services to elderly individuals to assist in the location of such individuals when they are reported missing.

C. ELDER LEGISLATION IS IMPORTANT

Elder legislation such as the legislation before us today and the prior elder bills that I mentioned are important. As elder Americans enter their twilight years, we must do more to protect and ensure their safety. Nothing reminds me more of the necessity of this kind of legislation than my very own experiences in Houston, Texas. A few years ago, the family of Sam Kirk, a native of Houston, Texas, called me to help look for him. Mr. Kirk was elderly and suffered from dementia. He had wandered off and could not be located for several days. His family looked for him for many days but could not find him. In an act of desperation, they called on me to lend my services to help them find him. I helped his family look for him and we found him. When we

found Mr. Kirk, he was dehydrated and in need of medical attention. We searched for hours and days to find him. It was worth the time and effort we spent to find him alive and well. Legislation that helps America find and take care of its lost and missing elders is extremely important.

SAMMY KIRK AMENDMENT

I fought hard to get an amendment to this bill, H.R. 6064, the National Silver Alert. The amendment would authorize a voluntary electronic monitoring program to be used to assist in the location of elderly persons. Specifically, the amendment requires the Attorney General, after consultation with the Secretary of Health and Human Services, to award grants to States and units of local government to carry out programs to provide for voluntary electronic monitoring services to elderly individuals to assist in the location of such individuals in the event that such persons are reported missing. It is authorized for \$2 million for each of the fiscal years 2009 through 2014. The amendment is named after Mr. Sammy Kirk, a former constituent of the 18th Congressional District who suffered from alzheimers and was lost. I, along with his family, searched for him for three days only to find him dead near the bayou. The Sam Kirk amendment ensures that other senior Alzheimer patients do not suffer the same fate as Mr. Kirk.

I believe that my amendment and these bills help elderly people. I urge my colleagues to support this bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill, H.R. 6064, 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. ISSA. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

SCHOOL SAFETY ENHANCEMENTS ACT OF 2008

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2352) to enhance the safety of elementary schools, secondary schools, and institutions of higher education, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2352

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 "School Safety Enhancements Act of 2008".

TITLE I—ELEMENTARY AND SECONDARY EDUCATION SAFETY ENHANCEMENTS

SEC. 101. GRANT PROGRAM FOR SCHOOL SECURITY.

Section 2701 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797a) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking "Placement" and inserting "Installation"; and

(ii) by inserting "surveillance equipment," after "detectors,";

(B) by redesignating paragraph (5) as paragraph (6); and

(C) by inserting after paragraph (4) the following:

"(5) Establishment of hotlines or tiplines for the reporting of potentially dangerous students and situations.";

(2) by striking subsection (d)(1) and inserting the following:

"(1) The Federal share of the costs of a program provided by a grant under subsection (a) shall be not more than 80 percent of the total of such costs."; and

(3) by adding at the end the following:

"(g) INTERAGENCY TASK FORCE.—Not later than 60 days after the date of enactment of the School Safety Enhancements Act of 2008, the Director and the Secretary of Education, or the designee of the Secretary, shall establish an interagency task force to develop and promulgate a set of advisory school safety guidelines. The advisory school safety guidelines shall be published in the Federal Register by not later than one year after such date of enactment. In developing the final advisory school safety guidelines, the interagency task force shall consult with stakeholders and interested parties, including parents, teachers, and agencies."

SEC. 102. APPLICATIONS.

Section 2702(a)(2) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797b(a)(2)) is amended to read as follows:

"(2) be accompanied by a report, signed by the chief education officer and the attorney general or other chief law enforcement executive of the State, unit of local government, or Indian tribe, certifying that each proposed use of the grant funds will be—

"(A) an effective means for improving the safety of one or more schools;

"(B) consistent with a comprehensive approach to preventing school violence; and

"(C) individualized to the needs of each school at which those improvements are to be made."

SEC. 103. ANNUAL REPORT TO CONGRESS.

Section 2703 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797c) is amended by striking "and the activities for which those funds were used" and inserting "and a detailed itemization of how those funds were utilized".

SEC. 104. AUTHORIZATION OF APPROPRIATIONS.

Section 2705 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797e) is amended by striking "\$30,000,000 for each of fiscal years 2001 through 2009" and inserting "\$50,000,000 for each of the fiscal years 2009 and 2010".

SEC. 105. ADDITIONAL AMENDMENT.

Paragraph (5) of section 2701(b) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797a(b)) (as amended by section 101 of this Act) is further amended by inserting "including hazardous conditions" after "and situations".

SEC. 106. ADDITIONAL AMENDMENT TO THE GRANT PROGRAM FOR SCHOOL SECURITY.

Section 2701(b) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C.

3797a(b)) (as amended by sections 101 and 105 of this Act) is further amended by inserting after paragraph (4) the following new paragraph (and redesignating the succeeding paragraphs accordingly):

“(5) Development and implementation of safety measures to protect students in the event of a terrorist attack or other hazardous condition or situation.”.

TITLE II—HIGHER EDUCATION SECURITY ENHANCEMENT

SEC. 201. REQUIREMENT FOR CAMPUS SAFETY ASSESSMENTS.

Section 485 of the Higher Education Act of 1965 (20 U.S.C. 1092) is amended by adding at the end the following:

“(n) CAMPUS SAFETY ASSESSMENT.—Each eligible institution participating in any program under this title shall conduct an annual campus safety assessment that shall be prepared through consultation between the institution’s staff, including safety and security personnel, and local law enforcement officials.”.

SEC. 202. REQUIREMENT FOR CAMPUS EMERGENCY RESPONSE PLANS.

Section 485 of the Higher Education Act of 1965, as amended in section 201 (20 U.S.C. 1092), is further amended by adding at the end the following:

“(o) CAMPUS EMERGENCY RESPONSE PLAN.—Each eligible institution participating in any program under this title shall develop and implement a campus emergency response plan to address a comprehensive set of emergency situations, including the following:

- “(1) Natural disasters.
- “(2) Active shooter situations.
- “(3) Terrorist attacks.”.

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

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

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

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

There was no objection.

Mr. SCOTT of Virginia. I yield myself as much time as I may consume.

Mr. Speaker, H.R. 2352, the School Safety Enhancements Act of 2008, is a vital piece of legislation aimed at ensuring the safety of the students in our Nation’s schools.

Over the last decade we’ve seen horrific school shootings and violence in at least 27 States. Ensuring the safety of our students and teachers at all levels is obviously a priority.

Sponsored by the gentleman from New Jersey (Mr. ROTHMAN), H.R. 2352 addresses this problem by providing increased funding for improving school security and making the grant program more accessible to schools in poor communities.

Specifically, the bill raises the authorization level of Federal grants from \$30 million to \$50 million for Fiscal Years 2009 and 2010. It also de-

creases the matching non-Federal funds requirement from 50 percent to 20 percent, raising the Federal portion from 50 percent to 80 percent. This change in funding ratios brings the percentage more in line with the traditional split for school grants, and would bring much-needed help to many schools.

Finally, the bill amends the Higher Education Act to require participating institutions to conduct annual campus assessments and develop and implement a campus emergency response plan. I urge my colleagues to support the legislation.

I reserve the balance of my time.

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

Mr. Speaker, I rise in strong support of H.R. 2352, the School Safety Enhancement Act of 2008. Each day roughly 160,000 children miss school because they are afraid of violent incident: 100,000 children take a weapon to school, often a gun, more often a knife; 14,000 young people are attacked on school property each year; 6,250 teachers are threatened each day; and 260 teachers are assaulted. This has to stop.

Normally, the Federal Government doesn’t have a role in the day-to-day activities of public schools. In this case, when, in fact, a future workforce is endangered, and the widespread use of these kinds of techniques is often done by gangs and other organized crime links that, in fact, we are fighting on another front.

So, Mr. Speaker, I rise in support of this because we cannot put all of our money into fighting gangs on the street. We have to do something to secure schools. We have to make sure that gang membership is not necessary just to go to class.

Mr. Speaker, this is a bipartisan bill. This is a bill that, in fact, was first introduced by, many of the provisions were first introduced by Republicans. It is one of those bills that has transcended the change in the administration, change in leadership of the House. And I hope that we will continue to have this kind of work, finding smarter ways, better ways to stem crime on the street, including stemming crime in the classroom.

I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. ROTHMAN), the sponsor of the legislation.

Mr. ROTHMAN. I thank the gentleman from Virginia not only for the time but also for his leadership on the Subcommittee on Crime, Terrorism, and Homeland Security.

I also want to thank my friend and colleague from California (Mr. ISSA) for all his support in moving this legislation forward.

I also want to recognize the ranking member of the subcommittee, Mr. GOHMERT from Texas. I also would like to acknowledge the leadership of

Chairman CONYERS and Ranking Member LAMAR SMITH.

Mr. Speaker, we are often asked, as Members of Congress, why don’t you people do anything important? Well, today we’re about to do something very important.

Back in 2000, when I was a member of the Judiciary Committee, I received two different letters from two different young girls in two different middle schools in my district. And the letters basically said, Congressman, we’re afraid to go to school. There are gangs, there are wise guys, there are kids on drugs. We’re not sure who’s coming in and out of our school. And we’re constantly looking over our shoulders wondering if someone’s going to hurt us. Aren’t you supposed to be doing something about that? You adults, protecting us kids?

As the father of two kids then, now of two kids and three stepkids, it really did strike me very deeply. And I went to our chairman, may he rest in peace, Chairman Henry Hyde, and I told him about the situation. I told him I had an idea. I said that we should have a matching grant program so it wouldn’t be a Federal mandate, that schools that wanted to participate could, those that didn’t want to didn’t have to. But those who wanted to get metal detectors, new locks on their doors, security training for their personnel, they could apply to the Federal Government through the Justice Department for a grant, a 50/50 grant; the schools put up half, the Feds put up the other half. And if the schools were really destitute and out of money and could demonstrate that, as well as a real need, the Federal Government would pay 100 percent.

This was at the time right after Watergate, rather, after the Clinton impeachment. Needless to say, there was disagreement amongst the parties. The Republicans were in charge.

The bill passed unanimously out of the House Judiciary Committee and then came to the floor and passed unanimously. And since then, more than 3,400 schools nationwide have benefited, have added security cameras and metal detectors and new locks to limit entrances and egresses from the schools. More than 177 schools in the Garden State of New Jersey, my State. And I’ve gotten letters and phone calls and people stopping me on the street thanking me, Congressman, thank you for protecting us.

This year, 7 years after we passed the Secure Our Schools, actually we passed it in 2001, we have an improvement, the School Safety Enhancements Act.

What we found, unfortunately, was that the \$30 million authorized level wasn’t enough money to cover all the schools in the country who wanted to participate, who wanted to put up half the money for these security improvements for their schools. There wasn’t enough money to go around. So we made our case to the subcommittee and to the full committee, and they

were kind enough to work with us and introduce this bill, the School Safety Enhancements Act, to raise the dollar amount from \$30 million authorized to \$50 million authorized.

The other changes we made were to change the Federal match so that the Federal Government could provide even a larger percentage than the 50/50 percentage. We know how strapped local property taxpayers are back home, and so that's the least we could do from the Federal Government.

We also added a couple of other things, as Chairman SCOTT referred to, namely, a campus safety assessment program to implement a campus emergency response plan that would have to be established at all of our universities across the country so that parents who are sending their kids to these universities and colleges would know that, at the very least, there was a plan if, God forbid, there was a tragedy.

We worked very closely, we also established a hot line for call in for kids and others to report problems.

We worked with Senator BARBARA BOXER from the Senate who was instrumental in helping us in that body in adding some of these provisions.

Again, this has complete flexibility. This is not a Federal mandate. Schools have to make the applications on the merits of their need for these safety improvements and for the financial contribution from the Federal Government. But they're willing to kick in their own dollars to help pay for these security improvements, metal detectors, locks on doors, locks on windows and training for security personnel.

It doesn't get better than this when we can provide the money for even more schools and to protect even more students. That's our job, our responsibility as Members of Congress, to protect the people, as moms and dads, aunts and uncles, grandparents and friends of kids. My goodness, there's nothing more important than preventing harm to our children.

I urge the adoption of this bill.

□ 1715

Mr. ISSA. Mr. Speaker, I yield back my time.

Mr. SCOTT of Virginia. Mr. Speaker, I appreciate everyone working together on this legislation. Schools will be safer if the bill passes. I would hope that it would be the pleasure of the House to pass the bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I support H.R. 2353, the "School Safety Enhancements Act of 2007", which is aimed at making America a safer place. The bill under consideration addresses health and safety issues for children. I support this bill and I urge my colleagues to support this bill.

H.R. 2353 is necessary and will ensure the protection and safety of our children in a learning environment. Violence at our schools have increased at an alarming rate in states such as California, Colorado, Illinois, Louisiana, Minnesota, Missouri, Ohio, Pennsylvania, Tennessee, Vermont, Virginia, Washington, and Wisconsin over the last few years. H.R. 2352 seeks to curb that stem of violence.

H.R. 2352 increases authorized annual funding from \$30 million to \$50 million for FY 2008–2009 for the Secure Our Schools grant program, and decreases the non-federal grant participation percentage from 50 percent to 20 percent. It requires institutions of higher education to conduct annual campus safety assessments and develop and implement campus emergency response plans.

This bill seeks to address the violence in our schools. It will ensure the safety of students and teachers and will make sure that education is the paramount concern of educators.

The Act also increases the federal portion of the funding from 50 percent to 80 percent, which decreases the non-federal portion from 50 percent to 20 percent. According to the Community Oriented Policing Services (COPS) Office of the Department of Justice, which administers the Secure Our Schools grants, many of the poorer communities that need help the most have been unable to participate in the program because they cannot afford the previously required 50 percent non-federal grant match. The proposed change in non-federal funding is more in line with the COPS traditional 75/25 percent split, and should allow more participation in the program.

The Act increases the possible uses of funding to include surveillance equipment, hotlines to report potentially dangerous situations and capital improvements to make school facilities more secure. Finally, the Act requires the establishment of an interagency task force to develop and promulgate advisory school safety guidelines.

The Act amends the existing requirements for grant applications, and requires each grant application to be accompanied by a report, signed by the chief education officer and the attorney general or other chief legal officer, demonstrating that the proposed use of the grant funds is an effective means for improving school safety, is consistent with a comprehensive approach to preventing school violence, and meets the individualized needs of the particular school.

Finally, the Act amends the Higher Education Act and requires each eligible participating institution to conduct an annual campus safety assessment, and develop and implement a campus emergency response plan to address emergency situations, including natural disasters, active shooter situations, and terrorist attacks. The bill is sponsored by Mr. ROTHMAN, and has 52 cosponsors.

MY THREE AMENDMENTS THAT WERE OFFERED AND ACCEPTED

I have three amendments that I offered and that were accepted concerning this bill. The first extended the current requirement of establishing a hotline or tipline to include the reporting of hazardous conditions, including the presence of hazardous chemicals.

The second one requires schools to develop and implement safety measures to protect students in the event of a terrorist attack or other hazardous condition or situation. It would further require that no funds would be disbursed unless the school had a safety plan in place to respond to a terrorist attack or other hazardous condition or situation.

The need for schools to respond to hazardous conditions or situations is necessary because often children are confronted with hazardous conditions and they simply ignore

them. This has been a big problem in the Houston Independent School district. For example, in Key Middle School students were getting sick because they were learning in classrooms where mold was growing on the walls and ceilings. The students saw the mold and were getting sick but they did not know how to respond. These amendments would ensure that children are aware of the toxicity of these chemicals and organic substances. This is a real threat. Key Middle School was subsequently closed because of the severe health risks posed to students. My call for student awareness, training and prevention as pertains to a terrorist attack does not need much explanation. In light of the tragic events of 9/11, we can never be too cautious with schooling and protecting our children. Children need to know what to do and how to respond to dangerous situations during a terrorist threat.

My last amendment goes to the heart of administrative practice. The original bill required that a taskforce create guidelines. Because the taskforce is to be established within 30 days of enactment of this act, my amendment allows the taskforce to convene and within 60 days issue a preliminary advisory school safety guideline and after that time it should provide the public with an opportunity through notice and comment and publish a final advisory school safety guideline not later than 30 days after the preliminary guidelines. This is good administrative practice and ensures public participation by students, teachers, and parents.

I urge my colleagues to support this very important bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill, H.R. 2352, 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. ISSA. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

AUTHORIZING THE UNITED STATES SUPREME COURT POLICE TO PROTECT OFFICIALS

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6855) to extend the authority for the United States Supreme Court Police to protect court officials off the Supreme Court grounds, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6855

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

SECTION 1. EXTENSION OF THE AUTHORITY FOR THE UNITED STATES SUPREME COURT POLICE TO PROTECT COURT OFFICIALS OFF THE SUPREME COURT GROUNDS, AND FOR OTHER PURPOSES.

Section 6121(b)(2) of title 40, United States Code, is amended by striking "2008" and inserting "2013".

SEC. 2. CHANGING THE TITLE OF THE ADMINISTRATIVE ASSISTANT TO THE CHIEF JUSTICE.

Title 28, United States Code, is amended—
(1) in section 133(b)(2), by striking "administrative assistant" and inserting "Counselor";

(2) in paragraphs (1)(E) and (2)(E) of section 376(a), by striking "an administrative assistant" and inserting "a Counselor";

(3) in section 677—

(A) in the heading, by striking "**Administrative Assistant**" and inserting "**Counselor**";

(B) in the text, by striking "Administrative Assistant" each place it appears and inserting "Counselor";

(C) in the first sentence of subsection (a), by striking "an" and inserting "a"; and

(4) in the item relating to section 677 in the table of sections at the beginning of chapter 45, by striking "Administrative Assistant" and inserting "Counselor".

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

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. SCOTT of Virginia. 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 Virginia?

There was no objection.

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

Mr. Speaker, H.R. 6855 extends for 5 years existing authority for the Supreme Court Police to protect the Chief Justice and Associate Justices of the Court, as well as officers and employees of the Supreme Court who are performing official duties while they are away from the grounds of the Supreme Court building.

When the Supreme Court first moved to its own building just over 70 years ago, we sent them a small contingent of Capitol Police officers commissioned as "special policemen" for the protection of the Court. It wasn't until 1982 that Congress provided the force with statutory recognition as the Supreme Court Police. That statute also gave them authority to patrol the Supreme Court buildings and grounds, make arrests, carry firearms, and protect the Chief Justice and any Associate Justices, official guests, and employees of the Court while performing official duties.

In that statute, the Congress also expanded the Supreme Court Police force's authority in a way very similar to what we had granted the Capitol Police the previous year. In 1981, we au-

thorized the Capitol Police to provide protection to individual Members and officers of Congress, as well as their families, on or off the Capitol grounds. Likewise, in 1982 we authorized the Supreme Court Police to protect the Justices and the employees of the court while they're away from the court building anywhere in the United States.

When we first gave this authority to the Supreme Court Police in 1982, it was subject to a 3-year sunset provision. Since then, we have extended this authority 7 times, and this bill will continue that tradition.

In the 26 years since this authority was first granted, threats to all three branches, from terrorists and others who want to disrupt our government, have only increased. That is why it is imperative that we should not allow the authority of the Supreme Court Police to sunset at the end of this year.

I urge my colleagues to support the legislation so that the Supreme Court Police can continue to perform their critical mission effectively.

I reserve the balance of my time.

Mr. ISSA. Mr. Speaker, I join with my colleague in urging support for this legislation.

The Supreme Court is an independent branch of government needing to have the exact same level and should, to be honest, without any need for extension should, on a permanent basis, have a recognized ability to protect itself.

We view ourselves as independent, and we have the Capitol Police. Certainly the executive branch views itself as independent and has both the Secret Service and, of course, the Army, the Navy, and the Marines, and so on.

So I certainly believe that this is important for us to do today to extend the authority of the United States Supreme Court Police. But I would happily work with my colleague on the other side of the aisle to recognize that in fact this is a permanent need, and although we would have to fund it on an annual basis as we do the Secret Service, the Army, the Navy, the Marines, and so on, that we should never let the Supreme Court have any doubt but that its independence, its autonomy, its ability to do its constitutional duty without any question, but that they and those who they need to protect along with them would be protected, we should do that through a funding mechanism and never again need to do what we're doing here today. Having said that, this is a body that takes what it gets and does what it can with what it gets.

Today we're considering an extension. I move with my colleague on the other side to do that, and I urge all of my colleagues to pass this. I believe this is going to be passed unanimously today. But long before 2013, we should, in fact, make this a permanent authorization.

I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I have no further requests for time and

am prepared to close if the gentleman will yield.

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

Mr. SCOTT of Virginia. Mr. Speaker, I would be willing to work with the gentleman to make it permanent. But this is what we have at this point for 3 years. So I would hope we pass this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill, H.R. 6855.

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. ISSA. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

RECOGNIZING THE FBI ON THEIR 100TH ANNIVERSARY

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 410) recognizing the FBI on their 100th anniversary.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 410

Whereas the Federal Bureau of Investigation (FBI) was founded by President Theodore Roosevelt and United States Attorney General Charles Bonaparte on July 26, 1908, as a Federal investigative agency;

Whereas it was first named the Bureau of Investigation to provide a force of Special Agents to investigate crimes across State lines and Federal crimes in its initial days, and later expanded to the Federal Bureau of Investigation reflecting the growth our Nation's need to protect its people;

Whereas in the face of foreign threats during two World Wars and the Cold War, the FBI's jurisdiction was expanded to investigate espionage and sabotage against the United States of America;

Whereas when over the course of our Nation's history the civil rights of Americans have been challenged, the FBI has been called upon to protect those civil rights and has brought violators to justice, and remains the primary Federal law enforcement agency for investigating civil rights violations;

Whereas the men and women of the FBI have come to meet the challenges of violent criminal elements and gangs, working in partnership with State, local, and tribal law enforcement to provide safe streets in our communities around the country;

Whereas when the Nation's financial markets were threatened by white collar criminals, organized criminal enterprises, and international fraud schemes, the FBI's efforts to protect our economy were reflected in major investigative achievements;

Whereas the world has expanded through the creation of the World Wide Web, the FBI has been called to protect against cyber-based attacks and high-technology crimes through investigations of computer fraud, child exploitation, theft of intellectual property, and worldwide computer intrusions;

Whereas the threat to public safety posed by extremists groups, both domestic and international has grown, and the FBI has tirelessly worked to prevent acts of terrorism against Americans at home and abroad;

Whereas the FBI provides law enforcement services through its disaster response team, identification services and Laboratory to further the cause of justice through science throughout the United States;

Whereas since its inception, 34 FBI special agents have given their full measure of duty in laying down their lives in the service of their country; and

Whereas for a century the men and women of the FBI have pledged to preserve, protect, and defend the Constitution of the United States and, with such, exemplified their motto "Fidelity, Bravery and Integrity": Now, therefore, be it

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

(1) congratulates the men and women of the Federal Bureau of Investigation (FBI) on the occasion of its 100th Anniversary;

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

(3) gives heartfelt thanks to all the men and women of the FBI for their past and continued efforts to protect and defend the American people from threats both domestic and foreign, and their dedication to the pursuit of justice through the rule of law.

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

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. SCOTT of Virginia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extent their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. SCOTT of Virginia. I yield myself such time as I may consume.

Mr. Speaker, House Concurrent Resolution 410 recognizes the great accomplishments, sacrifices, and service of the men and women of the Federal Bureau of Investigation on the occasion of the Bureau's 100th anniversary.

In 1908, President Theodore Roosevelt and Attorney General Charles Bonaparte established a new Federal investigative agency consisting of a small force of special agents to assist States in combating crimes occurring across State lines. Little could they have envisioned that their idea would have evolved into one of the most foremost investigative agencies in history. It is fitting that we honor the men and women who have brought the FBI that stature.

Over the course of its existence, the Bureau's men and women have proven time and again that when the Nation calls upon them, they are ready to meet any challenge. They have worked tirelessly to stem foreign threats against the United States during two world wars and the Cold War by investigating espionage and sabotage on American shores. The FBI helped to keep our Nation safe, and over the course of time became one of the foremost professional espionage investigative agencies in the world.

The FBI's been called upon on numerous occasions to protect the civil rights of Americans and to bring justice to those who violate them. Today, the FBI remains the foremost Federal law enforcement agency for investigating serious civil rights violations.

The FBI has been called upon to investigate various types of violent crime, organized criminal enterprises, international fraud schemes, and financial and other forms of white-collar crime.

Today, as the Internet has so vastly expanded and transformed the world communication and commerce, we have tasked the FBI with protecting us against cyber-based attacks and high technology crimes. The Bureau, for example, investigates computer fraud, child pornography, theft of intellectual property, and worldwide computer intrusions.

The FBI has responded to threats to public safety posed by violent extremist groups, both domestic and international, tirelessly working to prevent crimes of terrorism against Americans at home and abroad. Their accomplishments are nothing less than extraordinary.

Sadly, Mr. Speaker, these accomplishments have not been without a tragic cost. Since its inception, 34 FBI special agents have made the ultimate sacrifice: giving their lives in the line of service. Every day, FBI special agents face the risks and endure the hardships to make our Nation safe. They truly personify the Bureau's motto: Fidelity, Bravery, and Integrity.

So it is fitting that we congratulate the men and women of the FBI on the 100th anniversary of the Bureau. We honor their heroic commitment and sacrifices and thank them for their past and continued efforts to keep America safe.

Mr. Speaker, I want to thank my colleagues, the ranking member of the subcommittee, Mr. GOHMERT, the sponsor of the resolution, the committee chairman, Mr. CONYERS, and the committee ranking member, Mr. SMITH, for their leadership on this measure.

I reserve the balance of my time.

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

Mr. Speaker, I join with my colleague on a bipartisan basis to recognize that in the 100 years since President Theodore Roosevelt created the FBI out of basically an assemblage of

Secret Service agents and detectives, what we have done is we have grown 1,000-fold in the number of agents. Clearly today with 30,000 employees, you ask how large has the task of the FBI grown. It has grown 1,000-fold.

Whether in fact it was taking on public corruption throughout this last 100 years or taking on racketeering, white collar crime, taking on the rubble of the Oklahoma City bombing and finding out who the true perpetrators were and bringing them to justice, or going after wrongdoing by the most hidden and most influential of corporate America, the FBI has spread out to do its job and do it well.

The Bureau, in fact, has taken the next step since September 11 when its primary task became protecting us from another terrorist attack like the one we experienced in New York, in Washington, and Pennsylvania. Those attacks made it very clear that this elite agency had to do more.

Today more than ever the FBI agents who are spread throughout the world in every embassy and in locations not even known to this body, they deal with counterterrorism in a way that no other agency can. Working hand-in-hand with overseas entities who have the charge for that, they make it their business to ensure that that foreign terrorism doesn't become an American tragedy.

No other group is so prepared to recognize the needs of America and the civil rights of America. The FBI has been a critical tool for President after President to enforce our civil rights laws often against the powerful, even against governors and other elected officials who chose not to recognize the importance of the U.S. Constitution.

The FBI has never been a partisan organization and has, in fact, served each and every administration in a way that we today commemorate and appreciate so much.

Once again, Mr. Speaker, for the first 90-plus years, the FBI was important. After September 11, 2001, the FBI's expanded role is vital.

With that, I urge the passage of this bill.

I yield back the balance of my time.

Mr. SCOTT of Virginia. 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 Virginia (Mr. SCOTT) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 410.

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. ISSA. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

□ 1730

HONORING THE LIFE AND MUSIC OF THE LATE ISAAC HAYES

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1425) honoring the life and music of the late Isaac Hayes, a passionate humanitarian, whose music laid the foundation for many musical styles, including R&B, disco, and rap.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1425

Whereas Isaac Hayes was a true renaissance man who achieved success in vocal performances, songwriting, humanitarian work, and television and motion picture endeavors, and as a radio show host, pianist, saxophone player, restaurateur, and cookbook author;

Whereas Isaac Hayes greatly influenced contemporary music, and his style still resides in the music of today;

Whereas Isaac Hayes was born on August 20, 1942, in Covington, Tennessee, and, orphaned in infancy, was raised by his maternal grandparents;

Whereas Isaac Hayes spent his childhood and formative years in Memphis, Tennessee, years that shaped his future success as a songwriter, singer, and actor, working in cotton fields while going to school, and even shining shoes on the famous Beale Street;

Whereas Isaac Hayes graduated from Manassas High School in Memphis in 1962 at the age of 21, having returned to school after dropping out;

Whereas Isaac Hayes began singing at the age of 5 at his local church and soon after taught himself to play the piano, electronic organ, flute, and saxophone;

Whereas Isaac Hayes began playing in local bands, and at age 21 worked as a backup musician for Stax Records, for which he eventually became a noted music producer and in-house songwriter;

Whereas Isaac Hayes became a prolific songwriter who, in partnership with his Stax Records songwriting and production partner, David Porter, wrote many classic hits for other artists, including "Hold On, I'm Comin'", "B-A-B-Y", and "Soul Man";

Whereas the partnership of Isaac Hayes and David Porter composed some 200 songs;

Whereas Isaac Hayes created the groundbreaking musical score and theme song for the movie "Shaft";

Whereas Isaac Hayes was the recipient of an Academy Award, a Golden Globe, the Edison Award, the NAACP Image Award, and two Grammy Awards;

Whereas Isaac Hayes was inducted into the Rock and Roll Hall of Fame in 2002;

Whereas Isaac Hayes, a BMI songwriter, received 5 BMI R&B Awards, 2 BMI Pop Awards, and 2 BMI Urban Awards, and was honored as a BMI Icon in 2003;

Whereas Isaac Hayes was inducted into the Songwriters Hall of Fame on June 9, 2005;

Whereas Isaac Hayes generated more than 12 million performances from his songs throughout his life;

Whereas Isaac Hayes was instrumental in staging the 1972 Wattstax concert performed at the Los Angeles Coliseum in the summer of 1972, an event that was a great source of pride for the African-American Los Angeles community of Watts and that focused world-

wide attention on issues of social and economic justice for that beleaguered community, while also highlighting the great Memphis Stax sound;

Whereas Isaac Hayes was a television and film actor, appearing in countless television shows and three dozen movies, including roles in "The A-Team", "The Fresh Prince of Bel Air", "Girlfriends", and "Miami Vice";

Whereas Isaac Hayes started the Isaac Hayes Foundation, whose mission is to globally promote literacy, music education, nutritional education, and innovative programs to raise self-esteem among the underprivileged;

Whereas Isaac Hayes was strongly devoted to promoting literacy through the world and was named the international spokesman for the Applied Scholastics' World Literacy Crusade;

Whereas Isaac Hayes, through his Isaac Hayes Foundation, built an 8,000 square foot educational facility in Ghana, West Africa, and was a strong advocate for the education and well-being of the children of Ghana;

Whereas Isaac Hayes donated thousands of dollars, through grants from his Isaac Hayes Foundation, to schools in Memphis, Nashville, and Washington, DC for the purpose of improving the musical education programs of those schools and for the purchase of musical instruments;

Whereas the State of Tennessee issued a proclamation on August 18, 2008, honoring Isaac Hayes and his contribution to the State of Tennessee and the entire Nation;

Whereas Isaac Hayes was a loving father of 12 children, 14 grandchildren, and 3 great grandchildren; and

Whereas, with the passing of Isaac Hayes on August 10, 2008, at his Memphis, Tennessee home, the Nation has lost a talented and influential humanitarian, actor, artist, radio show host, and singer-songwriter: Now, therefore, be it

Resolved, That the House of Representatives—

- (1) honors the life of Isaac Hayes;
- (2) recognizes Isaac Hayes for his invaluable contributions to American culture;
- (3) recommits itself to ensuring that artists such as Isaac Hayes receive fair protection under the copyright laws for their creative endeavors; and
- (4) extends condolences to his family on the death of this talented and beloved man.

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

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. SCOTT of Virginia. 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 Virginia?

There was no objection.

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

Mr. Speaker, today we honor the life and musical legacy of Isaac Hayes, a passionate humanitarian, whose prolific songwriting and distinctive baritone were loved across generations and around the world.

He overcame humble beginnings and personal obstacles to make excellent

contributions in many endeavors. He was a true Renaissance man, an extraordinary singer, songwriter and music producer who also achieved success as a pianist, saxophone player, cookbook author, radio show host, and television and motion picture actor.

Born in Covington, Tennessee, tragically orphaned as an infant, and raised by his maternal grandparents, Isaac Hayes came to know the pleasures of country life but also the hardships of rural poverty.

Shortly after his family moved to Memphis for the greater opportunities in the "big city," his grandfather passed away. To help his family survive, Isaac Hayes worked in cotton fields, cut lawns, and cleaned bricks at two cents apiece, all while going to school. He even shined shoes on Memphis' famous Beale Street.

Despite experiencing rural, and then urban, poverty, he found ways to bring music into a central role in his life. At the age of five, he began singing in his local church and before long had also taught himself to play the piano, electronic organ, flute and saxophone.

He dropped out of high school for a time, but never lost sight of the critical role that education plays in improving one's life. He returned to school and proudly graduated at the age of 21.

After graduating, he played piano for Floyd Newman, a saxophonist bandleader. This work led to his becoming a studio musician for a new label called Stax Records, where his first paid sessions were with Otis Redding. These sessions were so successful that he became a ubiquitous presence at Stax.

While at Stax, he met David Porter, who became a long-standing friend and collaborator. As a result of their collaboration as songwriters and producers, they made more than 200 songs, including such classics as "B-A-B-Y," "Soul Man," and "Hold on, I'm Comin'."

Perhaps the musical accomplishment that Isaac Hayes is best known for is the groundbreaking score and theme song that he wrote for the movie "Shaft." His smooth baritone vocals and iconic style carried that song to the top of the charts, nationally and internationally.

During his life, he received an Academy Award, a Golden Globe Award, two Grammy Awards, the NAACP Image Award, and the Edison Award, which is Europe's highest musical honor. He was inducted into the Rock and Roll Hall of Fame in 2002 and the Songwriters Hall of Fame in 2005.

He was not content to rest on his musical laurels, probably because of his roots in both rural and urban poverty. A passionate humanitarian concerned about the underprivileged throughout the world, he saw education and literacy as the keys to freedom and prosperity.

Based on that belief, he founded the Isaac Hayes Foundation, whose mission

it is to promote literacy and education and other programs throughout the world.

The foundation, among other endeavors, built an 8,000-square-foot education facility in Ghana, West Africa, and supported education efforts in Tennessee. In recognition of his humanitarian work and educational and economic contributions, in 1994 Isaac Hayes was crowned a king in Ghana.

Last year, Isaac Hayes and David Porter came to Capitol Hill to speak to Senators and House Members about the importance of protecting the intellectual property rights of their fellow songwriters and performing artists.

He was an excellent advocate for his fellow songwriters and vocal artists. He was humble, well-spoken, and passionate about protecting creative works, not just for the benefit of artists, but also for the benefit of our national economy.

There is so much more that I could say about this man, but for time's sake, I'll just end with this observation.

Isaac Hayes' achievements and influence made him a cultural icon, and his humanitarian work also made him a great human being. With the fatal stroke that took his life at the age of 65, Isaac Hayes leaves behind a legacy of monumental significance.

Mr. Speaker, I commend my colleagues from Tennessee, Mrs. BLACKBURN and Mr. COHEN, for their leadership on this measure.

I reserve the balance of my time.

Mr. ISSA. Mr. Speaker, it's my great honor to introduce the author of this piece of legislation, someone who understands the importance of Isaac Hayes to Tennessee and to the music world, Congresswoman MARSHA BLACKBURN. I yield her 5 minutes.

Mrs. BLACKBURN. Mr. Speaker, I thank the gentleman from California for yielding, and I must first thank my colleague and cosponsor from Tennessee, Congressman COHEN. This resolution would not be possible without his hard work. Vital business in Tennessee has delayed his arrival on the floor today, and I know that if he were here with us that he would speak better than most about his constituent and his good friend Isaac Hayes.

Mr. Speaker, it is a great honor for me to share the representation of Memphis, Tennessee, with Congressman COHEN. We are honored to represent its people and its proud traditions. Memphis has contributed so much to our State and indeed to our country, and perhaps the greatest contribution that there is is that "Memphis Sound." The Memphis Sound really is the soundtrack for America. It captures the rhythm of the region, as well as the hopes, the frustrations, and the aspirations of so many Americans.

We do stand on the floor today to celebrate the life of the man who gave so much of that music its soul, Isaac Hayes. Isaac was one of the driving forces behind the legendary Stax

Records that created and amplified the Memphis Sound. Collaborating with David Porter, Isaac wrote some of our most famous songs: "Soul Man," "Hold on, I'm Comin'," and his own hits like "Walk on By" and that groundbreaking musical score and the theme song from the movie "Shaft."

I first came to know Isaac when I was at the Tennessee Film, Entertainment and Musician Commission, heading that body, working on issues that were so important to our songwriters. And I found that Isaac was fiercely proud of the Memphis sound that he had helped to give birth to and the different genres that had been spawned by that, and I know that all of Tennessee today is fiercely proud of Isaac and his work.

Isaac was more than a great musician. He was also a noble humanitarian, as we have just heard from the gentleman from Virginia. I found the Isaac Hayes Foundation and their work to be something extraordinary. It was founded by Isaac Hayes, and it was done so to promote literacy and music education. He constructed an educational facility in Ghana.

I last saw him and visited with him at a ceremony in Memphis this spring. He was being honored not only for his contributions to Memphis music but also his contributions and his humanitarian work for the City of Memphis. He grew up in Memphis. He graduated from Mannassas High School in 1962, and even after he achieved worldwide acclaim, he always remained loyal to the Memphis community.

You know, I didn't know it then, but I am saddened now that that was going to be the last visit that we had. But I will tell you, Isaac Hayes and David Porter were still talking about intellectual property, protecting songwriters, and making certain that songwriters were paid.

Indeed, Memphis has lost a champion and an inspiration, but they still have his music and his soul.

As co-chair for the Congressional Songwriters Caucus, I am honored to bring this resolution to the floor of the House today, and on behalf of Isaac's family, the songwriting community in Tennessee and for listeners worldwide who have been touched by the Isaac Hayes sound, I urge all Members to join me in supporting this resolution.

Mr. ISSA. Mr. Speaker, if I might inquire of the gentleman, does he have any additional speakers?

Mr. SCOTT of Virginia. Mr. Speaker, I have no additional speakers.

Mr. ISSA. Then I would close briefly by supporting this bipartisan legislation, recognizing the life of Isaac Hayes. Additionally mentioning that Chairman CONYERS and Ranking Member SMITH support this and support recognizing this inspirational man, his inspirational life, and his fine music and work he did well into the last days of his life.

I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself as much time as I may

consume just to thank our colleagues from Tennessee for working together on this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and agree to the resolution, H. Res. 1425.

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. ISSA. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

PRIVILEGED REPORT ON RESOLUTION RECOMMENDING THAT THE HOUSE OF REPRESENTATIVES FIND KARL ROVE IN CONTEMPT OF CONGRESS FOR REFUSAL TO COMPLY WITH A SUBPOENA DULY ISSUED BY THE COMMITTEE ON THE JUDICIARY

Mr. SCOTT of Virginia, from the Committee on the Judiciary, submitted a privileged report (Rept. No. 110-847) on the resolution (H. Res. 1433) recommending that the House of Representatives find Karl Rove in contempt of Congress for refusal to comply with a subpoena duly issued by the Committee on the Judiciary, which was referred to the House Calendar and ordered to be printed.

ENSURING CONTINUED ACCESS TO STUDENT LOANS ACT EXTENSION

Mr. HINOJOSA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6889) to extend the authority of the Secretary of Education to purchase guaranteed student loans for an additional year, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6889

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

SECTION 1. EXTENSION OF STUDENT LOAN PURCHASE AUTHORITY.

Section 459A of the Higher Education Act of 1965 (20 U.S.C. 1087i-1) is amended—

(1) by striking "July 1, 2009" each place it appears in subsections (a)(1) and (f) and inserting "July 1, 2010"; and

(2) in subsection (e)—

(A) by striking "September 30, 2009" each place it appears in paragraphs (1)(A) and (2) and inserting "September 30, 2010";

(B) by striking "February 15, 2010" in paragraph (2) and inserting "February 15, 2011"; and

(C) by striking "2009, and 2010" in paragraph (3) and inserting "2009, 2010, and 2011".

SEC. 2. EXTENSION OF AUTHORITY TO DESIGNATE LENDERS FOR LENDER-OF-LAST-RESORT PROGRAM.

Section 428(j) of the Higher Education Act of 1965 (20 U.S.C. 1078(j)) is amended—

(1) in paragraph (6), by striking “June 30, 2009” and inserting “June 30, 2010”;

(2) in paragraph (7), by striking “June 30, 2009” and inserting “June 30, 2010”;

(3) in paragraph (9)(A)—

(A) in clause (ii), by striking “June 30, 2010” and inserting “June 30, 2011”;

(B) in clause (ii)(III), by striking “June 30, 2009” and inserting “June 30, 2010”;

(C) in clause (iii), by striking “July 1, 2010” and inserting “July 1, 2011”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. HINOJOSA) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HINOJOSA. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H.R. 6889 into the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 6889, legislation to extend the Ensuring Continued Access to Student Loans Act for an additional year.

We are all united in our commitment to provide every assurance to students and families that there will be no disruption in the Federal student loans program regardless of what is happening in the financial markets.

In May, the President signed the Ensuring Continued Access to Student Loans Act. This law is providing much-needed liquidity to the student loan marketplace by authorizing the Secretary on a temporary basis to purchase student loans so that lenders have the funds to make new loans.

As a result of our swift action, there has been no disruption in students' and families' access to loans for the 2008–2009 academic year.

The Department of Education, the lenders, secondary markets, guaranty agencies, and institutions of higher education are to be commended for their efforts to get new financing systems in place and operational for the start of this academic year.

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Their cooperation has ensured continued access to college loans.

Come spring, students and families will be making their plans for the next academic year. Given the ongoing turmoil in our financial markets, it is critical that we extend the authority for the Secretary to purchase student loans to avoid any uncertainty about the access to this critical source of student financial aid. It would be a tragedy for a student to decide to forego or postpone college because of a fear of not being able to get a Federal student loan.

This legislation has no budgetary cost. It will simply extend the Secretary's authority under the Ensuring Continued Access to Student Loans Act for an additional year.

Mr. Speaker, students and families will be able to rest assured that we will have the mechanisms in place to make sure that there is sufficient capital for student loans even if the current credit crisis continues or worsens.

This Congress has taken unprecedented steps to make college more accessible and more affordable. We enacted the largest increase in student aid with the College Cost Reduction and Access Act, a \$20 billion investment in human capital. In August, the President signed the Higher Education Opportunity Act into law.

The legislation takes significant steps to improve our student aid delivery system, ensure the integrity of our student loan programs, and provide students and families with the tools that they need to make informed choices about which college to attend and how to finance it. These are complex issues, and on a bipartisan, bicameral basis, we came together with some practical solutions.

Today's legislation is another example of our bipartisan commitment to college access. I would like to thank our committee chairman, GEORGE MILLER, and our senior Republicans on the full committee and the Higher Education Subcommittee, Representative BUCK MCKEON and Representative RIC KELLER from Florida, for their leadership in quickly moving this legislation forward. We stand united in our goal of ensuring continued access to student loans.

I urge all my colleagues to support H.R. 6889.

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

Mr. BISHOP of Utah. Mr. Speaker, I rise today in support of H.R. 6889, a bill to extend the authority of the Secretary of Education to purchase guaranteed student loans for an additional year. And I do want to thank my friends, the senior Republicans, Mr. MCKEON and Mr. KELLER, as well as the two significant chairmen, Mr. MILLER and Mr. HINOJOSA, who introduced this extension.

We have been reading about the instability that still exists in the credit markets, and, in fact, it has gotten worse. Through this extension, Congress is assuring students and families that they will be able to receive the Federal assistance they need to pay for school.

The steps in the underlying bill are modest, but they make a real difference for students and families. I appreciate that this bill carries no cost to taxpayers, proving that we can use a creative approach to respond to economic difficulties without bloated spending that will drive up taxes.

Since the implementation of H.R. 5715, we have seen at least 10 lenders take advantage of the program that

has been put in place. Without this relief, these lenders could have dropped out of the program altogether. Up until this point, we have seen over 6,000 employees laid off as a result of the cutbacks lenders have had to make. In addition, 106 lenders have suspended their lending service as a result of the credit crunch and the cuts made in the College Cost Reduction and Access Act. Without this extension, students could attend college this year without knowing whether the financing would be there to attend college next year.

In difficult economic times, many Americans turn to higher education. That's because a college degree continues to be one of the single best investments an individual, and our Nation, can actually make. College graduates have higher lifetime earnings, lower unemployment rates, greater civic involvement, and exhibit numerous other qualities that help enrich our society and keep our Nation competitive.

With all the benefits of higher education, it's concerning that amid these economic uncertainties many current and prospective students are worried about whether they will be able to access student loans. And as more and more students look to higher education to help get them through these difficult economic times, we cannot allow market turbulence to limit college access.

This extension signals our unwavering support for the Nation's largest source of financial aid, the Federal Family Education Loan Program. It is a crucial step that will help protect students and families and restore market confidence.

Mr. Chairman, I know how important it is that higher education be made affordable and accessible. This is particularly important in our turbulent economy. For the same reason, it's important that we come together to pass an all-of-the-above energy reform package that will help bring down prices and free us from our costly dependence on foreign oil.

Mr. Speaker, I believe that stabilizing our loan program will have an economic positive yield, just as solving the real problems of energy will have an economic yield. Our energy prices and energy problems are not just affecting those who stop at the pump, they affect those who will be trying to heat their homes this winter; they affect those who will be trying to buy food; they affect not just commuters, but all of us. Students as well as parents need real solutions to the energy crisis that is confronting us. They need to be able to make the commute. They need to be able to make those heating payments. They need to realize the cost of food will not keep spiraling upwards simply because farmers cannot afford energy to put into their tractors to grow the food and truckers cannot afford the energy to take that produce and send it to the markets where we can then buy it and enjoy it.

We have to realize that the solution to this problem has to be an all-of-the-above approach, that we are not doing enough to encourage conservation by small business or by citizens. But even if we did the maximum amount of conservation efforts, that still does not solve the entire problem. It's estimated that if the most stringent efforts of conservation were put in place, only about half of the foreign imports that we bring into this country would be eliminated; the other half would still have to be there.

We also have not done enough over the last few years to put in infrastructure so that we can move energy from one part of this country to the other. There are bottlenecks all over this country in which energy cannot take place. There is plenty of pipeline for natural gas going from the Gulf of Mexico up north, but it cannot get to New England because there is a bottleneck that we have yet to solve in that particular problem. That infrastructure problem needs to be addressed. The lack of refinery capacity needs to be addressed. The lack of electrical corridors needs to be addressed.

We also have to recognize that we do not have a successful payment plan for alternative energies for the future, not only for our immediate problems, but for the long-term problems of this particular country. We need to recognize that this is a supply and demand issue, and that that supply can only be satisfied if we have an all-of-the-above strategy.

There is not a single source of energy that does not have some detractor. I was amazed to read in the local paper the other day about a detractor from a wind farm who said that the noise of the blades kept him up at night, and that they chopped up too many birds, which violates our Migratory Bird Treaty. I was amazed to find out that somebody was opposed to a solar energy plant down in New Mexico because it would consume too much of the desert land.

There is not a source of energy that doesn't have someone who will jump up and complain about it and potentially bring a lawsuit about it. That is why if we start to take any of those resource potentials off the table, we might as well take them all off because everything drops one after the other. The only way to be fair and the only way to be equitable and the only way to make sure that we have a real solution is to make sure that every source of energy known to this country, every source of energy in this country is on the table and is part of the real solutions.

Our students, for their future, require that. The parents, for the present, require that. The citizens of this country demand an all-of-the-above approach and that it be talked about in committees, in public hearings, and here on the floor. Nothing else solves the problem. And our goal and responsibility should be to come to this Congress to solve the problem, not

try to create a political atmosphere so that we can take credit for what may or may not happen, but simply to solve the problem.

If we do not fulfill our responsibility, the students who will benefit from these extensions will have a short-lived benefit and will not look at us in kindness for the generosity when we help them get their education, but refuse to allow this economy to sustain them post-education.

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

Mr. HINOJOSA. Mr. Speaker, I want to thank Congressman BISHOP from the State of Utah for his support of this student loan extension, H.R. 6889. And let me reassure him that this week, if our friends and colleagues from the great State of Texas and the State of Louisiana are able to get back because of the devastation that occurred with Hurricane Ike, we will be able to address the energy bill that he was referring to. And I am sure that the Speaker of the House, NANCY PELOSI, and others in leadership position are prepared to give us the opportunity to take care of this great need that we have throughout our country on the lack of energy.

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

Mr. BISHOP of Utah. If I may, once again; I appreciate the remarks that have been given. I am fully supportive of this particular piece of legislation, I urge my colleagues to do so as well. But I also realize that, in the words of the Broadway song, "It's a fine, fine line between reality and pretend."

I certainly hope that when we come to this floor and actually deal with the issue of energy once and for all, we have the ability of dealing with the reality of the situation for a real solution. That's the crying need.

Mr. PETRI. Mr. Speaker, I rise in opposition to H.R. 6889, which would extend the authority of the Secretary of Education to purchase Federal guaranteed loans previously made under the Federal Family Education Loan, FFEL, Program and advance funds for lender-of-last resort loans. I believe this bill is premature and is merely a response to alarms raised by an industry that has continually benefited from government subsidies.

Earlier this year, the lending community expressed serious concerns that unstable credit markets would affect their ability to provide Federal student loans for the upcoming school year. In response, Congress approved the Ensuring Continued Access to Student Loans Act of 2008, which put in place several provisions to ensure that students and families had continued, uninterrupted access to Federal loans, regardless of what is happening in the credit markets. That measure gave the Secretary of Education the temporary authority to buy back loans from lenders participating in the FFEL program.

However, now almost four months after the emergency provisions were signed into law and one month into the fall semester, it has become clear that despite the credit crunch students are having little trouble securing Federal student loans. The New England Board of

Higher Education and the New England Council recently released a survey of its region's financial aid officers that revealed "students and parents experienced little or no problems accessing Federal student loans for this fall." Schools in my own State of Wisconsin have told me that students are encountering few difficulties in securing Federal student loans, and in fact, any disruption has simply resulted in some students to switching lenders. Recently, the State of Massachusetts called off a plan to provide public financing to a State nonprofit lender because only a small percentage of students were still looking for a lender. Over 2,000 lenders continue to participate in the FFEL program.

Furthermore, this year hundreds of schools, including Penn State, Michigan State and Indiana, decided it was in the best interests of their students to leave the Federal Family Education Loan Program, FFEL, and enroll in the Direct Loan Program because it is immune to the effects of the credit crunch and provides the exact same Federal loans to their students. In fact, the Direct Loan Program has seen a 47 percent increase over last year in the amount of loans originated. Schools are reporting they are happy with the transition to the program, and the Education Department has continually asserted that the Direct Loan Program is capable of handling the increased capacity.

Therefore, I find it alarming that just four months after passing the Ensuring Continued Access to Student Loans Act of 2008, and with widespread agreement that there currently is no student loan crisis, we have decided to extend until 2010 these authorities that provide government liquidity and financing to private lenders. While it is impossible to say these authorities did not help avoid a crisis, it's equally impossible to say private sector funds will not be available next year for student loans. I find it curious that today's action coincides with reports from the lending community that, despite the fact that there is no real crisis this year, one may exist in the 2009–10 school year.

While there is no doubt that the financial markets remain unsettled, the current authority for these powers runs through July 31, 2009. Washington is once again eager to extend temporary authorities. Instead of rushing to react to the "alarms" sounded by the lending community, I believe it would be more prudent for Congress to continue to monitor the situation in the student loan markets to determine if more action is really necessary before we extend another handout to an industry that has continually proven to work in the interests of their own pocketbooks and not for students and taxpayers.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 6889, which will extend the authority of the Secretary of Education to ensure the continued access to Federal student loans for one more year, introduced by my distinguished colleague from California, Representative GEORGE MILLER. This significant piece of legislation provides greater access to colleges and universities, making higher education affordable for all Americans, not just the wealthy.

A quality education continues to be the best pathway to social and economic mobility in this country. Earlier this year, we passed H.R. 5715 (now Public Law 110–227), the Ensuring Continued Access to Student Loans Act of 2008.

FACTS ON ENSURING CONTINUED ACCESS TO STUDENT
LOANS ACT

This legislation amended under the Higher Education Act of 1965 (HEA) by:

Increasing annual and aggregate borrowing limits for unsubsidized Stafford Loans to undergraduate students;

delaying the start of repayment for parent borrowers of PLUS Loans;

extending eligibility for individuals with adverse credit to borrow PLUS Loans, under extenuating circumstances;

revising procedures for ensuring the availability of lender-of-last-resort, LLR, loans under the FFEL program;

temporarily authorizing the Secretary to purchase loans previously made under the FFEL program at no net cost to the Federal Government; and

expanding eligibility for aid provided through American Competitiveness, AC, Grants and Science and Mathematics Access to Retain Talent, SMART, Grants.

The Ensuring Continued Access to Student Loans Act of 2008 also expresses a sense of Congress that institutions such as the Federal Financing Bank, the Federal Reserve, and Federal Home Loan Banks, in consultation with the Secretaries of Education and the Treasury, should consider using available authorities to assist in ensuring continued access to Federal student loans for students and their families; and that any action taken by these entities should not limit the Secretary's authority with regard to the LLR program, nor the Secretary's authority to purchase loans previously made under the FFEL program.

It also requires the Government Accountability Office, GAO, to evaluate the impact that increases in Federal student loan limits may have on tuition, fees, room and board, and on the borrowing of private, non-federal, student loans.

CONCLUSION

In this time of economic downturns, costly natural disasters, rising food and gas prices—families are focused on meeting their basic needs and having a hard time saving for educational expenses. Often times Federal loans are all families have to help their children go to college.

We cannot allow our institutions of higher learning to be inaccessible for the vast majority of our youth. This important piece of legislation gives our young people and their families the opportunity to not only dream of attending college but actually realize that dream. I urge my colleagues to join me in supporting H.R. 6889.

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

Mr. HINOJOSA. 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 Texas (Mr. HINOJOSA) that the House suspend the rules and pass the bill, H.R. 6889.

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. HINOJOSA. 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.

CELEBRATING THE 100TH ANNI-
VERSARY OF THE UNIVERSITY
OF NEBRASKA AT OMAHA

Mr. HINOJOSA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1372) celebrating the 100th anniversary of the University of Nebraska at Omaha and recognizing the partnership between the city of Omaha, its citizens, and the university to build a vibrant and dynamic community, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1372

Whereas the citizens of Bellevue and Omaha, Nebraska, worked together with vigor and determination during the early years of the 20th century to create a non-sectarian university where local high school graduates could receive a college education;

Whereas due to the fortitude of the Board of Trustees and the generosity of donors, the first student body consisting of 26 students gathered on September 14, 1909, in what was formerly the old Redick mansion at 24th and Pratt Streets to begin their college education at the University of Omaha;

Whereas in spite of numerous financial challenges, the University of Omaha never wavered from its commitment to its founders to produce well-rounded and informed students by offering coursework in foreign languages, history, ethics, sacred history, science, and other traditional subjects;

Whereas the University of Omaha's substantial and respected curriculum prompted the University of Nebraska to announce in the spring of 1910 that it would accept credits from the University of Omaha as equivalent to its own;

Whereas the Board of Trustees, realizing the need for expanded facilities and programs would not be met through voluntary donations, voted in 1929 to turn over the University of Omaha to the City of Omaha to establish a municipal university;

Whereas the World War II years were turbulent for the Nation and required many sacrifices, and students and faculty at the Municipal University of Omaha unselfishly united to support the war effort and their fellow students on active duty with a variety of activities, including replacing the traditional Homecoming bonfire with a scrap drive rally;

Whereas the Municipal University of Omaha, under the leadership of President Milo Bail, responded to the need for expansion due to a postwar boom in student enrollment that threatened to stress facilities and programs by erecting a number of buildings to accommodate the quickly increasing student population, including a field house, library, and student center;

Whereas the Municipal University of Omaha further responded to the needs of returning members of the military by participating in the Bootstrap Program, initiated by the Air Force in 1951, to encourage military personnel to finish degrees that had been started before the War;

Whereas the University Regents, with the goal of strengthening financial solvency as well as offering affordable tuition, agreed to merge with the University of Nebraska beginning July 1, 1968, a decision that has since been lauded as the greatest educational gain in the City's history;

Whereas the University continued to increase program offerings to students, including the development of doctoral programs such as a cooperative program in psychology and joint program in educational administration with the University of Nebraska at Lincoln, independent programs in public administration and criminal justice, and through the generous support of individual donors, the Alumni Association, and the NU Foundation, the creation of numerous named professorships;

Whereas when a need arose for off-campus classrooms and a conference site to accommodate the business community, the University of Nebraska at Omaha worked diligently in both the public and private sectors to secure funding for the establishment of the Peter Kiewit Conference Center in downtown Omaha in 1980;

Whereas the University of Nebraska at Omaha, in partnership with private donors, demonstrated a continued commitment to providing outstanding facilities with the opening of the Durham Science Center in 1987, the Weber Fine Arts Building in 1992, and expansion of the Thompson Alumni Center in 2006;

Whereas the University of Nebraska at Omaha provides valuable resources and expertise to the State of Nebraska through the Nebraska Business Development Center, which produces an annual economic impact of \$350,000,000 and serves 200 communities;

Whereas the University of Nebraska at Omaha established a Teacher's College in 1908 that produces educators who teach in all 50 states, the District of Columbia, and 73 other countries;

Whereas the University of Nebraska at Omaha worked with business leaders to establish the Peter Kiewit Institute of Information Science, Technology and Engineering to help meet the employment needs of the Nation's technology and engineering firms, as well as offer students a premiere educational opportunity;

Whereas the Peter Kiewit Institute of Information Science, Technology, and Engineering has received accolades from many organizations, including the National Science Foundation and Carnegie Mellon; and

Whereas 2008 is the 100th anniversary of the founding of the University of Nebraska at Omaha, with commemorations beginning October 8, 2008: Now, therefore, be it

Resolved, That the House of Representatives—

(1) requests that the President issue a proclamation recognizing the 100th anniversary of the founding of the University of Nebraska at Omaha and calls upon citizens to observe such an anniversary with appropriate ceremonies and activities; and

(2) encourages State and local governments to recognize the partnership among the City of Omaha, its citizens, and the University of Nebraska at Omaha to build a vibrant and dynamic community.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. HINOJOSA) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HINOJOSA. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H. Res. 1372 into the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise today in full support of H.R. 1372, which celebrates the University of Nebraska at Omaha's 100 years of service and partnership between the City of Omaha and its citizens.

Founded in 1908, Omaha, Nebraska and Bellevue citizens worked together to create a nonsectarian university where local high school residents could receive a college education.

Starting with only 26 students in their first class, the University of Nebraska at Omaha has blossomed into an esteemed university. Today, the University enrolls almost 14,000 students and offers a diverse range of academic courses.

□ 1800

With only 71 undergraduate majors, 45 masters degree programs, 17 graduate certificates and six doctoral programs, UNO possesses a wide array of courses for its students. The school makes a tremendous social and financial impact on its students and city. Students receive a quality college education, and the school generates \$350 million per year for the community.

UNO's unique history speaks to its accepting and inclusive culture. UNO started off as the University of Omaha. Due to financial difficulties and the high number of students who wanted to attend, in 1929 the board of trustees voted to establish a municipal university. The newly named Municipal University of Omaha prospered and relocated to its final location on 60th and Dodge Streets in the fall of 1936.

Later the university regents agreed to merge with the University of Nebraska. As a result, University of Nebraska at Omaha was born. That merger created a more sustainable and affordable college education, a principle the school lives by today.

Mr. Speaker, once again, I express my full support for the University of Nebraska at Omaha.

I urge my colleagues to support this resolution.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I wish to yield as much time as he may consume to the gentleman who is the sponsor of House Resolution 1372 and an alumnus of the University of Nebraska at Omaha, as opposed to the University of Nebraska at New Orleans or something, such time as he may consume for this particular issue.

Mr. TERRY. I thank the gentleman, and I thank the committee leadership for bringing this resolution to the floor. I, of course, as the author, rise in support of H. Res. 1372, a resolution celebrating the 100th anniversary of the University of Nebraska at Omaha. I do want to start off at the beginning to tell my friend from Texas (Mr. HINOJOSA) that this is not the University of Nebraska-Lincoln Huskers. This

is the number-sixth-rated-in-the-Nation University of Nebraska at Omaha Division II football. That is a distinction that, once made, garnered a lot more supporters. So when it comes to voting, I want to make that distinction.

In October of 1908, 26 students gathered to form the first class at the University of Omaha, achieving the goal the city fathers decreed to create a nonsectarian university where local high school graduates could receive a college education. Over the tumultuous years ahead, the University of Omaha grew in size and reputation, outgrowing its original buildings and then relocating to its current home near Memorial Park in what was then the far west edge of the town and now known as "Midtown."

In time, the University of Omaha would be known as the Municipal University of Omaha and in 1968 would become part of the University of Nebraska system, developing doctoral programs in conjunction with the flagship campus in Lincoln, as well as a number of independent programs in the field of public administration and criminal justice. UNO, as it then would become to be known, would become known for its remarkable programs in engineering, IS&T, and technology fields that are housed in the Peter Kiewit Institute as well as the university's renowned aviation program.

Today the University of Nebraska at Omaha has a significant impact on eastern Nebraska and western Iowa, serving over 250 communities and contributing nearly \$300 million in economic impact to that area. With a current enrollment of nearly 15,000 students, the University of Nebraska at Omaha has grown significantly and in measurable ways. It has bettered the lives of the citizens of Omaha and has taken its place among some of the finest public universities of its size in the region.

Mr. Speaker, I urge my fellow Members to vote in favor of this resolution in recognition of a truly unique and outstanding educational institution as it celebrates its 100th anniversary in October of this year. And go Mavericks!

Mr. HINOJOSA. Mr. Speaker, I have no other speakers on this bill. But before I give up my time, I want to say to Congressman LEE TERRY that there's no doubt in my mind that the University of Nebraska is certainly one to be reckoned with, and the University of Texas Longhorns always have to think very, very hard and be very well prepared to be able to take those Nebraska Cornhuskers.

With that, I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I would also like to say a few words in support of this particular resolution that congratulates the University of Nebraska at Omaha in its 100th anniversary of its founding, which will be 100 years on September 19 of this year.

I would like to thank my colleague, Mr. TERRY, for introducing this resolution. I also have to clarify that he was not the alumnus. His wife is the alumna of this institution. And I want to recognize the contributions the University of Nebraska at Omaha has made to the education of the citizens of this Nation.

It was founded with just 26 students and now serves over 14,000. In the 2006-2007 academic year, the university awarded over 2,400 degrees to its students. The University of Nebraska at Omaha is nationally recognized for a strong academic program. Last year alone, the university was honored as one of the Best Colleges 2007 list, and the Best Midwestern College 2007 list and the Best Graduate Schools 2009 list, as published by "U.S. News & World Report." In addition, the College of Business Administration's masters in business in administration students rank in the top 5 percent nationally, while the undergraduate students ranked in the top 15 percent on the most recent standardized exam on business topics.

University of Nebraska at Omaha has graduated such notable alumni as Marlin Briscoe, Peter Fonda, and a couple of Senators. Despite that fact, it is still a good school. I would like to congratulate all of the students, the alumni, and past and present employees on all they have accomplished over the last 100 years at the University of Nebraska at Omaha.

While I urge my colleagues to support this resolution, our efforts to help these college students will still be incomplete if we don't recognize the factors that all colleges are facing. Our higher education system is being squeezed by the high energy costs, just as the rest of society is. Schools are being forced to limit their operations, to reduce the number of school days just to save on utility costs and save their students the price of a day's commute. I know in both regular education as well as secondary education that the budgets for those particular institutions are written very narrowly and that whenever there is an unusual spike in something like the cost of electricity and the cost of fuel, that it is taken out primarily either in the short term or the long-term from the funds that are available for the faculty and for teachers for their salaries. It is simply a fact of life that if we do not get control of this energy crisis that is burgeoning, every school district in this Nation, whether it be a secondary, elementary, public or private or university level, every one of those schools is going to have the costs that will be borne by the teachers either in suppressed salaries at the current time or suppressed salaries into the future. That is the price we are paying for our failure to try to grasp this particular concept.

The majority has been meeting behind closed doors to craft a bill to offer what seems to be, at least from leaks

coming out, more political cover than actual reform. I am reminded of the U.S. Senate. The U.S. House has always had galleries so that people could watch what is taking place. But at the very beginning of the United States, the Senate convened in a closed room and no one could see what was taking place in that particular Chamber. The first employee of the United States Senate was actually the Senate secretary, a protege of John Adams who held the job for 25 years. The second employee of the Senate was the doorkeeper whose responsibility was to make sure that the public and House Members did not enter into the Chamber of the United States Senate. In fact, the Senate went on at that time to establish a funding schedule that would pay all Members of Congress \$6 a day and Members of the Senate \$7 a day. They also established a rule that a secretary could take any communication to the House, but at least two House Members had to be responsible for taking any communication to the Senate.

Well, the doorkeeper turned into the Sergeant of Arms as time went on. And eventually the Senate broke down and decided to actually allow people to watch the proceedings on the floor. Yet once again we find ourselves in an amazingly similar situation where the most important issue of our time is what we do with this energy crisis, and yet the bill that is supposed to be debated this day, this week on the floor, supposed to be being heard in Rules Committee as we speak, has yet to be heard in any public forum, has not had any kind of public hearing, and has not had any kind of committee work. And my bets are still that there won't be a heck of a lot of amendments that will be allowed to that particular procedure, all of it done in secret and private and then unveiled on the floor.

That is not the way of good regular order. Regular order should allow public process and open vetting so that all ideas are explored and the best ideas are those that surface to the top. We are not doing that this week. And we vitally and desperately need to do that, or just go back to the days where we keep a couple of doorkeepers around so the wrong people are not allowed to participate in the process of the policy of the United States.

We need to do that. We need a real energy policy that looks good not on paper, but keeps vital American resources viable and usable, not under lock and key. The students of this college need that for their future. All students need that for their future. Teachers need that if their retirement and their salaries are going to be kept intact. All of us need that if this economy is going to be vibrant and move forward.

Mr. Speaker, I do not have other speakers at this time, and I would yield back the balance of my time.

Mr. HINOJOSA. Mr. Speaker, I have no other speakers, and I wish to yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HINOJOSA) that the House suspend the rules and agree to the resolution, H. Res. 1372, 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. BISHOP of Utah. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

FORMER VICE PRESIDENT PROTECTION ACT OF 2008

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on suspending the rules and concurring in the Senate amendments to the bill, H.R. 5938.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 5938.

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

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 6 o'clock and 14 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. CUELLAR) at 6 o'clock and 31 minutes p.m.

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. 1200, de novo;

H. Con. Res. 390, de novo;

H.R. 6889, 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.

HONORING MILITARY SUPPORT GROUPS

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 1200, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Guam (Ms. BORDALLO) that the House suspend the rules and agree to the resolution, H. Res. 1200, 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. LEWIS of California. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 374, nays 0, not voting 59, as follows:

[Roll No. 589]

YEAS—374

| | | |
|---------------|----------------|---------------|
| Abercrombie | Cannon | Drake |
| Ackerman | Cantor | Duncan |
| Aderholt | Capito | Edwards (MD) |
| Akin | Capps | Edwards (TX) |
| Alexander | Capuano | Ellsworth |
| Allen | Cardoza | Emanuel |
| Altmire | Carnahan | Emerson |
| Andrews | Carney | Engel |
| Baca | Carson | English (PA) |
| Bachmann | Carter | Eshoo |
| Bachus | Castle | Etheridge |
| Baird | Castor | Everett |
| Baldwin | Cazayoux | Fallin |
| Barrow | Chabot | Farr |
| Bartlett (MD) | Chandler | Fattah |
| Barton (TX) | Childers | Feeney |
| Bean | Clarke | Ferguson |
| Becerra | Clay | Filner |
| Berkley | Cleaver | Flake |
| Berman | Clyburn | Forbes |
| Berry | Coble | Fortenberry |
| Biggert | Cohen | Fossella |
| Bilbray | Cole (OK) | Poster |
| Bilirakis | Conaway | Fox |
| Bishop (GA) | Conyers | Frank (MA) |
| Bishop (NY) | Cooper | Franks (AZ) |
| Bishop (UT) | Costa | Frelinghuysen |
| Blackburn | Courtney | Gallegly |
| Blumenauer | Cramer | Garrett (NJ) |
| Blunt | Crenshaw | Gerlach |
| Boehner | Crowley | Giffords |
| Bono Mack | Cuellar | Gilchrest |
| Boozman | Cummings | Gillibrand |
| Boren | Davis (AL) | Gingrey |
| Boswell | Davis (CA) | Gohmert |
| Boucher | Davis (IL) | Gonzalez |
| Boyd (FL) | Davis (KY) | Goode |
| Boyda (KS) | Davis, David | Goodlatte |
| Braley (IA) | Davis, Lincoln | Gordon |
| Broun (GA) | Deal (GA) | Granger |
| Brown (SC) | DeFazio | Graves |
| Brown-Waite, | DeGette | Grijalva |
| Ginny | Delahunt | Hall (NY) |
| Buchanan | DeLauro | Hall (TX) |
| Burgess | Dent | Hare |
| Burton (IN) | Dicks | Hastings (FL) |
| Butterfield | Dingell | Hastings (WA) |
| Buyer | Doggett | Hayes |
| Calvert | Donnelly | Heller |
| Camp (MI) | Doolittle | Hensarling |
| Campbell (CA) | Doyle | Herger |

Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis (SC)
Inslie
Israel
Issa
Jackson (IL)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
Lamborn
Langevin
Larsen (WA)
Larson (CT)
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McCarthy (NY)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh

NOT VOTING—59

Arcuri
Barrett (SC)
Bonner
Boustany
Brady (PA)
Brady (TX)
Brown, Corrine
Costello
Cubin
Culberson
Davis, Tom
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Ehlers
Ellison
Green, Al
Green, Gene
Gutierrez
Harman
Hodes
Hooley
Hulshof
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Kind
LaHood
Lampson
Lewis (KY)
Lipinski
Maloney (NY)
McCarthy (CA)
McCauley (TX)
McNerney
Miller, George
Murphy, Patrick
Neal (MA)
Neugebauer
Paul
Payne
Pitts
Poe
Pryce (OH)
Regula
Reichert
Reynolds
Rohrabacher
Sanchez, Linda T.
Sanchez, Loretta
Saxton
Shuler
Shuster
Space
Taylor
Udall (CO)
Udall (NM)
Walberg
Watson

□ 1857

Mr. SIMPSON changed his vote from “nay” to “yea.”

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.

MOMENT OF SILENCE FOR HURRICANE VICTIMS ALONG THE GULF COAST

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

Mr. ORTIZ. Mr. Speaker, as everybody knows, the Gulf Coast has been battered by numerous hurricanes this summer, including Dolly, Gustav and, this past weekend, Ike. Let us keep those affected by these storms, as well as our local and State officials, our brave search and rescue workers and our first responders, in our thoughts and prayers.

On behalf of my colleagues, many who are back home, serving their constituents during this time of need, please join me in observing a moment of silence for those who lost their lives all along the Gulf Coast in these storms.

The SPEAKER pro tempore. Members will rise, and all guests of the House will rise for the observance of this moment of silence.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

HONORING THE 28TH INFANTRY DIVISION FOR SERVING AND PROTECTING THE UNITED STATES

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 390, as amended.

The Clerk read the title of the concurrent resolution.

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 concurrent resolution, H. Con. Res. 390, 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.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 374, nays 0, not voting 59, as follows:

[Roll No. 590]

YEAS—374

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggart
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Braley (IA)
Broun (GA)
Brown (SC)
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
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
Costa
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Duncan
Edwards (MD)
Edwards (TX)
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Fox
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
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Gingrey
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Hobson
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis (SC)
Inslie
Israel
Issa
Jackson (IL)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones (NC)
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| Roskam | Skelton | Van Hollen | [Roll No. 591] | Ruppersberger | Smith (NJ) | Visclosky |
| Ross | Slaughter | Vélázquez | | Rush | Smith (TX) | Walden (OR) |
| Rothman | Smith (NE) | Visclosky | YEAS—368 | Ryan (OH) | Smith (WA) | Walsh (NY) |
| Roybal-Allard | Smith (NJ) | Walden (OR) | | Ryan (WI) | Snyder | Walz (MN) |
| Royce | Smith (TX) | Walsh (NY) | | Salazar | Solis | Wamp |
| Ruppersberger | Smith (WA) | Walz (MN) | Abercrombie | Sali | Souder | Wasserman |
| Rush | Snyder | Wamp | Ackerman | Sarbanes | Speier | Schultz |
| Ryan (OH) | Solis | Wasserman | Aderholt | Scalise | Spratt | Waters |
| Ryan (WI) | Souder | Schultz | Akin | Schakowsky | Stark | Watson |
| Salazar | Speier | Waters | Alexander | Schiff | Stearns | Watt |
| Sali | Spratt | Watson | Altmire | Schmidt | Stupak | Waxman |
| Sarbanes | Stark | Watt | Andrews | Schwartz | Sullivan | Weiner |
| Scalise | Stearns | Waxman | Baca | Scott (GA) | Sutton | Welch (VT) |
| Schakowsky | Stupak | Weiner | Bachmann | Scott (VA) | Tancredo | Weldon (FL) |
| Schiff | Sullivan | Welch (VT) | Bachus | Sensenbrenner | Tanner | Weller |
| Schmidt | Sutton | Weldon (FL) | Baird | Serrano | Tauscher | Westmoreland |
| Schwartz | Tancredo | Weller | Baldwin | Sessions | Terry | Wexler |
| Scott (GA) | Tanner | Westmoreland | Barrow | Sestak | Thompson (CA) | Whitfield (KY) |
| Scott (VA) | Tauscher | Wexler | Bartlett (MD) | Shadegg | Thornberry | Wilson (NM) |
| Sensenbrenner | Terry | Whitfield (KY) | Barton (TX) | Shays | Tiahrt | Wilson (OH) |
| Serrano | Thompson (CA) | Wilson (NM) | Bean | Shea-Porter | Tiberi | Wilson (SC) |
| Sessions | Thompson (MS) | Wilson (OH) | Becerra | Sherman | Tierney | Wittman (VA) |
| Sestak | Thornberry | Wilson (SC) | Berkley | Shimkus | Towns | Wolf |
| Shadegg | Tiahrt | Wittman (VA) | Berman | Simpson | Tsogas | Woolsey |
| Shays | Tiberi | Wolf | Berry | Sires | Turner | Wu |
| Shea-Porter | Tierney | Woolsey | Biggart | Skelton | Upton | Yarmuth |
| Sherman | Towns | Wu | Bilbray | Slaughter | Van Hollen | Young (AK) |
| Shimkus | Tsogas | Yarmuth | Bilirakis | Smith (NE) | Velázquez | Young (FL) |
| Simpson | Turner | Young (AK) | Bishop (GA) | | | |
| Sires | Upton | Young (FL) | Bishop (NY) | | | |
| | | | Bishop (UT) | | | |
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and the people who work in, reside in, or visit the District of Columbia and does not undermine the efforts of law enforcement, homeland security, and military officials to protect the Nation's capital from crime and terrorism, which was referred to the House Calendar and ordered to be printed.

**REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 6384**

Mr. HELLER of Nevada. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 6384.

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

There was no objection.

**REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 3995**

Ms. SHEA-PORTER. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor to H.R. 3995.

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

There was no objection.

**ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE**

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

**MISSING ALZHEIMER'S DISEASE
PATIENT ALERT PROGRAM RE-
AUTHORIZATION OF 2008**

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6503) to amend the Violent Crime Control and Law Enforcement Act of 1994 to reauthorize the Missing Alzheimer's Disease Patient Alert Program.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6503

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 "Missing Alzheimer's Disease Patient Alert Program Reauthorization of 2008".

SEC. 2. REAUTHORIZATION OF THE MISSING ALZHEIMER'S DISEASE PATIENT ALERT PROGRAM.

Section 240001 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14181) is amended—

(1) by amending subsection (a) to read as follows:

“(a) GRANT.—Subject to the availability of appropriations to carry out this section, the Attorney General, through the Bureau of Justice Assistance and in consultation with the Secretary of Health and Human Services,

shall award competitive grants to nonprofit organizations to assist such organizations in paying for the costs of planning, designing, establishing, and operating locally based, proactive programs to protect and locate missing patients with Alzheimer's disease and related dementias and other missing elderly individuals.”;

(2) in subsection (b)—

(A) by inserting “competitive” after “to receive a”; and

(B) by adding at the end the following new sentence: “The Attorney General shall periodically solicit applications for grants under this section by publishing a request for applications in the Federal Register and by posting such a request on the website of the Department of Justice.”;

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

“(c) PREFERENCE.—In awarding grants under subsection (a), the Attorney General shall give preference to national nonprofit organizations that have a direct link to patients, and families of patients, with Alzheimer's disease and related dementias.”; and

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

“(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$5,000,000 for each of the fiscal years 2009 through 2015.”.

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

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. SCOTT of Virginia. 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 Virginia?

There was no objection.

Mr. SCOTT of Virginia. I yield myself such time as I may consume.

Mr. Speaker, H.R. 6503, the Missing Alzheimer's Disease Patient Alert Program Reauthorization of 2008, helps to address the serious problem of seniors who go missing each year as a result of dementia.

The Missing Alzheimer's Disease Patient Alert Program was created in 1994. While Congress has continued to support and fund it, its formal authorization expired in 1998. This legislation, sponsored by the gentlelady from California (Ms. WATERS), will reauthorize the program.

It authorizes the Attorney General to award competitive grants to nonprofit organizations for the planning, establishing, and operating locally based programs to protect and locate missing persons with Alzheimer's disease, dementia, or other problems.

This is an excellent measure that responds to a critical problem. Accordingly, I urge my colleagues to support the legislation.

I reserve the balance of my time.

Mr. PENCE. Mr. Speaker, I rise in support of this legislation and yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 6503, the Missing Alzheimer's Disease Patient Alert Program Reauthorization of 2008, and I would ask unanimous consent to yield the balance of the time on our side to a member of our conference who, while not a member of the Judiciary Committee of the House, Congressman TIM MURPHY of Pennsylvania is a man who possesses a Ph.D. in psychology, has a deep personal interest and background in this area and it seems to us to be altogether fitting if he'd carry our support for this important and bipartisan legislation.

So by unanimous consent, I would like to yield the balance of our time to Mr. MURPHY to carry that legislation.

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

There was no objection.

Mr. TIM MURPHY of Pennsylvania. Mr. Speaker, I thank the gentleman from Indiana for allowing me to participate in this particular bill to help not only our seniors but everyone who is afflicted, the 5 million Americans who suffer from Alzheimer's disease or dementia. Of these, nearly 3 million, or 60 percent, will become lost from their families or loved ones or caretakers. If not found within 24 hours, up to half will become seriously injured or die.

H.R. 6503, the Missing Alzheimer's Disease Patient Alert Program, will increase the chance of locating missing persons suffering from this disease within the critical first 24 hours. H.R. 6503 authorizes funds for grants for nonprofit organizations to assist in paying for the costs of establishing and operating programs to protect and locate missing patients with Alzheimer's disease.

With police departments now being called upon to find missing elderly, these community organizations are critical in assisting law enforcement officials with their searches. Tips from family and people in the community often lead to the whereabouts of any missing person, including the elderly.

Each year, thousands more Americans are being diagnosed with Alzheimer's disease and other forms of dementia. The symptoms of these diseases often leave their victims feeling disoriented, lost, and vulnerable. H.R. 6503, the Missing Alzheimer's Disease Patient Alert Program, provides support to those local programs working everyday to offer these patients protection and their loved ones some peace of mind.

I might add here that just this weekend I found out a dear friend of mine was recently diagnosed with Alzheimer's. He's been a long-distance runner for all of his adult life, and ironically enough, he's still able to go out and find trails and run on them, but it is something that his doctors are concerned about for him that one day will he, too, become one who is perhaps lost as he tries to negotiate his community and his neighborhood.

Certainly for folks like my friend and others around the country who are suffering from dementia, early states or later, we have to recognize the value and importance of this bill. I might note this passed the Judiciary Committee unanimously, and I certainly urge all of my colleagues to support this legislation.

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

Mr. SCOTT of Virginia. Mr. Speaker, I will yield the balance of the time to the gentlelady from California (Ms. WATERS), a member of the Judiciary Committee and the author of the bill.

Ms. WATERS. I would first like to thank the gentleman from Virginia, Mr. BOBBY SCOTT, for the time. And I thank him for making sure that this bill come to the floor tonight.

I rise in strong support of my bill, H.R. 6503, the Missing Alzheimer's Disease Patient Alert Program Reauthorization Act. The Missing Alzheimer's Disease Patient Alert Program is a Department of Justice program that helps local communities and law enforcement officials quickly identify persons with Alzheimer's disease who wander or who are missing and reunite them with their families.

Since its inception more than 10 years ago, this program has funded a national registry of more than 172,000 individuals at risk of wandering and has reunited over 12,000 wanderers with their families.

It is a highly successful program whereby 88 percent of registrants who wander are found within the first 4 hours of being reported missing. A total of 1,288 wandering incidents were reported to the program in 2007. The program has a 98 percent success rate in recovering enrollees who are reported missing.

There also are technology-based options to address wandering that should be considered for funding under the Missing Alzheimer's Patient Program. For example, personalized wristbands that emit a tracking signal can be used to locate wanderers. These wristbands, when combined with specially trained search and rescue teams, can reduce search times from hours and days to minutes.

Congress originally authorized \$900,000 in appropriations for the Missing Alzheimer's Patient Program for 3 years, that is 1996 through 1998, but never reauthorized or updated the program. Since then, the program has continued to receive funding on a year-to-year basis, but funding has remained virtually flat since its inception.

H.R. 6503 reauthorizes updates and expands the Missing Alzheimer's Patient Program. The program authorizes up to \$5 million per year in appropriations for fiscal years 2009 through 2015, a modest increase over the current appropriation of \$1 million in fiscal year 2008.

The bill expands the program so as to allow the Department of Justice to award multiple competitive grants to

nonprofit organizations. Preference would be given to national nonprofit organizations that have a direct link to patients and families of patients with Alzheimer's disease and related dementias.

Finally, the bill specifies that the program will be operated under the Department of Justice's Bureau of Justice Assistance. Currently, the program is operated under the Office of Juvenile Justice, which is obviously not the most appropriate agency for a program serving the elderly.

H.R. 6503 has 25 bipartisan cosponsors, including the coauthors of the Congressional Alzheimer's Task Force, Congressmen EDWARD MARKEY and CHRISTOPHER SMITH. The bill is also supported by the Alzheimer's Foundation of America and Project Lifesaver.

Furthermore, on May 14, a diverse group of over 85 national State and local organizations sent a letter to the members of the House Judiciary Committee supporting this approach to the reauthorization of the Missing Alzheimer's Patient Program.

The Missing Alzheimer's Patient Program is a critical resource for first responders. It saves law enforcement officials valuable time, allowing them to focus on other national and local security concerns. It is critical that we reauthorize and expand this small but effective program.

I urge my colleagues to support H.R. 6503. And with that, I thank all of those who have worked to bring this bill to the floor.

Ms. JACKSON-LEE of Texas. Mr. Speaker, thank you for your leadership in bringing this bill to the floor. I support H.R. 6503, to amend the Violent Crime Control and Law Enforcement Act of 1994 to reauthorize the Missing Alzheimer's Disease Patient Alert Program. I urge my colleagues to support this bill.

Thousands of vulnerable older adults go missing each year as a result of dementia, diminished capacity, foul play or other unusual circumstances. The Alzheimer's Foundation of America estimates that over five million Americans suffer from Alzheimer's disease, and that 60 percent of these are likely to wander from their homes. Alzheimers diseases and other dementia related illnesses often leave their victims disoriented and confused and unable to find their way home. According to the Alzheimers Association, up to 50 of wanderers risk serious illness, injury or death if not found within 24 hours. The problem can be exacerbated greatly by national disasters, such as Hurricane Katrina, that can, in a matter of hours, increase the number of missing persons by the thousands.

H.R. 6503 reauthorizes the existing Missing Alzheimer's Disease Patient Alert Program. The bill authorizes \$5 million for each fiscal year through 2015 for competitive grants to nonprofit organizations. The money may be used to pay for the "costs of planning, designing, establishing, and operating locally based, proactive programs to protect and locate missing patients with Alzheimers disease and related dementias and other missing elderly individuals." The bill states a preference for "national nonprofit organizations that have a direct line to patients, and families of patients,

with Alzheimers disease and related dementias."

When I consider the necessity of this bill, I am reminded about the time when I was personally called upon by a constituent in the 18th Congressional District in Texas. A few years back, the family of Mr. Sammy Kirk, enlisted my help in searching for Kirk. Mr. Kirk was an elderly man, suffering from Alzheimers and he had wandered away from his family in Houston. He was lost. His family called me to help search for him. I, along with his family, searched many hours and many days. In total, I searched for three days for Mr. Kirk. Finally, Mr. Sammy Kirk was found. He was found and he was dead. He wandered many miles away from his family and was found dead along the bayou. It would have been so much easier, and his life could have been spared if there was an electronic monitoring service that could have been used to help keep Mr. Kirk close to his and family and it would have certainly aided in our search for Mr. Kirk. An innocent, yet vulnerable, life could have been saved. This bill is necessary and I encourage my colleagues to support it.

□ 1930

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill, H.R. 6503.

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. TIM MURPHY of Pennsylvania. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

JUSTICE FOR VICTIMS OF TORTURE AND TERRORISM ACT

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5167) to amend the National Defense Authorization Act for Fiscal Year 2008 to remove the authority of the President to waive certain provisions, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5167

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 "Justice for Victims of Torture and Terrorism Act".

SEC. 2. FINDINGS.

The Congress finds the following:

(1) During the Gulf War against Iraq in 1991, Americans serving in the United States Armed Forces were captured, became Prisoners of War (POWs), and were subsequently tortured, beaten, starved, hooked to electrical shock devices, and subjected to other horrendous acts by Saddam Hussein's regime.

(2) CBS News reporter Bob Simon and cameraman Roberto Alvarez were kidnapped while on

assignment during the 1991 Gulf War and were held and tortured, along with the American POWs.

(3) Following the Iraqi invasion of Kuwait in August 1990, many United States citizens were detained by Iraq, beaten, subjected to cruel, inhumane and degrading treatment, confined under deplorable conditions, and used as "human shields" for the avowed purpose of preventing the United States and its coalition allies from using military force to liberate Kuwait.

(4) At the time these acts occurred, the Department of State had classified Iraq as a state sponsor of terrorism.

(5) The brave American POWs and American civilian hostages have suffered long-term physical, emotional, and mental damage as a result of this brutal, state-sponsored torture and terrorism.

(6) When the American POWs returned home after the Gulf War ended, they were given a hero's welcome by then Secretary of Defense Dick Cheney, who told them, "Your country is opening its arms to greet you".

(7) During the Gulf War, the Congress unanimously passed resolutions condemning the brutal treatment by the Government of Iraq of captured United States service members, demanding that the Government of Iraq abide by the Geneva Convention regarding the treatment of prisoners of war, and stating an intention to hold Iraq accountable for the torture of American POWs.

(8) In 1996, Congress passed an amendment to the Foreign Sovereign Immunities Act (FSIA) provisions of title 28, United States Code, so that torture victims like the American POWs and the American "human shield" victims from the Gulf War could seek compensation for their injuries from terrorist countries, including Iraq.

(9) On April 4, 2002, 17 Gulf War POWs and their families filed claims in the United States District Court for the District of Columbia seeking compensation for damages related to their torture and abuse by the Government of Iraq. The POWs included Colonel Clifford Acree, USMC (Ret.); Lieutenant Colonel Craig Berryman, USMC (Ret.); Former Staff Sergeant Troy Dunlap, US Army; Colonel David Eberly, USAF (Ret.); Lieutenant Colonel Jeffrey D. Fox, USAF (Ret.); Chief Warrant Officer 5 Guy Hunter, USMC (Ret.); Sergeant David Lockett, US Army; Colonel H. Michael Roberts, USAF; Colonel Russell Sanborn, USMC; Captain Lawrence Randolph Slade, USN (Ret.); Major Joseph Small, USMC (Ret.); Staff Sergeant Daniel Stamaris, US Army (Ret.); Lieutenant Colonel Richard Dale Storr, Air National Guard; Lieutenant Colonel Robert Sweet, USAF; Lieutenant Colonel Jeffrey Tice, USAF (Ret.); Former Lieutenant Robert Wetzel, USN; and Former Commander Jeffrey Zaun, USN.

(10) In 2003, after the Government of Iraq repeatedly refused to participate in arbitration on the damage claims, and after hearing evidence of how the former POWs had been repeatedly tortured, a judge awarded them a judgment for damages, stating that "detering torture of POWs should be of the highest priority".

(11) Despite this ruling, the POWs and their families have not received payment, and are unable to further pursue their claims in United States courts because of the waiver that was granted for Iraq by the President under authority established in the National Defense Authorization Act for Fiscal Year 2008.

(12) In December 2001, after conducting an evidentiary hearing, the United States district court held, in *Hill v. Republic of Iraq*, that Iraq was liable for having taken United States citizens hostage following the Iraqi invasion of Kuwait and subsequently awarded 180 of those former hostages and their spouses a judgment for damages.

(13) On March 20, 2003, on the eve of Operation Iraqi Freedom, the President of the United States directed that all of the judgments that had been awarded in *Hill v. Republic of Iraq* be

paid from moneys held in blocked Iraqi accounts.

(14) On that same date, the President issued an Executive order confiscating all remaining blocked assets of Iraq and ordering them to be deposited into the United States Treasury to be used for Iraq reconstruction.

(15) The claims of more than 200 United States citizens who, at the same time and in the same manner as the *Hill* plaintiffs, were held hostage in territory occupied by Iraq are currently pending in a United States district court in the case of *Vine v. Republic of Iraq*.

(16) The plaintiffs in *Vine v. Republic of Iraq* have not been compensated and are unable to enforce any judgment they may obtain in United States courts because of the waiver that was granted for Iraq by the President under authority established in the National Defense Authorization Act for Fiscal Year 2008.

(17) Article 131 of the Third Geneva Convention relative to the Treatment of Prisoners of War (August 12, 1949) prohibits the United States as a party to that treaty from absolving the Government of Iraq of any liability incurred due to the torture of prisoners of war, such as the American POWs referred to in this section.

(18) The United States has a moral obligation to protect its past, present, and future members of its Armed Forces, and all United States citizens, from torture and hostage-taking, and the Congress is committed to holding state sponsors of terrorism accountable for such horrendous acts.

SEC. 3. RESOLUTION OF CERTAIN CLAIMS AGAINST IRAQ.

(a) RESOLUTION BY IRAQ OF CERTAIN CLAIMS.—

(1) IN GENERAL.—Unless the President, before the end of the 90-day period beginning on the date described in paragraph (2)(A), certifies to the Congress that the Government of Iraq has adequately settled the claims in the cases referred to in subsection (b), then, upon the expiration of that 90-day period, the waiver authority granted to the President in section 1083(d) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 343), and any waiver granted before the end of that 90-day period under such authority, shall terminate.

(2) DATE DESCRIBED.—

(A) IN GENERAL.—The date described in this paragraph is—

(i) 30 days after the date of the enactment of this Act, unless the President has certified to the Congress, before the end of that 30-day period, that—

(I) the Government of Iraq has not, before, on, or after the enactment of this Act, compensated any foreign persons or entities for claims or liabilities incurred by or under the control of the Saddam Hussein regime, including, but not limited to, commercial or financial claims, and claims for acts against individuals similar to those described in section 1605A(a)(1) of title 28, United States Code; or

(II) negotiations are ongoing with the Government of Iraq to settle the claims in the cases referred to in subsection (b), and the President believes that those negotiations are being conducted in good faith and could lead to a satisfactory settlement of those claims; or

(ii) if a certification is made under clause (i), the day after the date on which that certification terminates or, if a subsequent certification is in effect under subparagraph (B), the day after the date on which the last such certification terminates.

(B) DURATION OF CERTIFICATIONS.—A certification under subclause (I) or (II) of subparagraph (A)(i) terminates 180 days after it is made. The President may make subsequent certifications under subclause (I) or (II) of subparagraph (A)(i) for periods of not more than 180 days each.

(b) CASES.—The cases referred to in subsection (a)(1) are cases numbered 99:00CV03346 (TPJ),

1:01CV02674 (HHK), CIV.A. 02-632 (RWR) (July 7, 2003), 1:03CV00691 (HHK), and 1:03CV00888 (HHK), in the United States District Court for the District of Columbia.

(c) ADEQUATE SETTLEMENT.—For purposes of subsection (a)(1), adequate settlement means payment by the Government of Iraq of, or an unqualified and unconditional guarantee made by a United States depository institution to pay within 30 days after the end of the 90-day period described in subsection (a)(1), at least the following amounts to the following persons:

(1) To any person—

(A) whose claim in the applicable case referred to in subsection (b) arose from an act of hostage taking or from being held in hostage status, and

(B) who has not obtained a judgment on the claim before the date of the enactment of this Act,

\$150,000, plus \$6,000 for each day the person was held as a hostage, but in no event more than \$900,000.

(2) To any person—

(A) whose claim in the applicable case referred to in subsection (b) arose from an act of hostage taking or from being held in hostage status,

(B) who, while a hostage, was subjected to torture, and

(C) who has not obtained a judgment on the claim before the date of the enactment of this Act,

\$2,500,000, plus \$6,000 for each day the person was held as a hostage.

(3) To a plaintiff in the applicable case referred to in subsection (b) who is the spouse or child of any person who qualifies for receipt of payment under paragraph (1) or (2), one third of the amount that such person qualifies for receipt under such paragraph.

(4) To any person who, before the date of the enactment of this Act, obtained a judgment for compensatory damages in a case referred to in subsection (b) (regardless of whether such judgment was subsequently vacated)—

(A) payment of the unsatisfied amount of such judgment, in an amount that is the lesser of \$1,000,000 or the unsatisfied amount of the award; and

(B) if the amount of the judgment exceeds \$1,000,000, one third of the unsatisfied amount of such excess.

(d) ADDITIONAL CONDITION IN CASE OF GUARANTEE OF PAYMENT.—If the claims in the cases referred to in subsection (b) are adequately settled for purposes of subsection (a)(1) because of a guarantee of payment by a depository institution within the 30-day period specified in subsection (c), and such payment is not made within that 30-day period, then upon the expiration of that 30-day period, the waiver authority described in subsection (a)(1), and any waiver granted before the end of that 30-day period under such authority, shall terminate.

(e) DEFINITIONS.—In this section:

(1) FOREIGN PERSON OR ENTITY.—The term "foreign person or entity" means—

(A) an individual other than a national of the United States; and

(B) a person or entity, other than an individual, that is organized under the laws of a country other than the United States.

(2) HOSTAGE.—The term "hostage" means an individual in hostage status or an individual seized or detained in the commission of an act of hostage taking.

(3) HOSTAGE STATUS.—The term "hostage status" has the meaning given that term in section 599C(d)(1) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991 (Public Law 101–513).

(4) HOSTAGE TAKING.—The term "hostage taking" has the meaning given that term in section 1605A(h)(2) of title 28, United States Code.

(5) NATIONAL OF THE UNITED STATES.—The term "national of the United States" has the meaning given that term in section 1605A(h)(5) of title 28, United States Code.

(6) *TORTURE.*—The term “torture” has the meaning given that term in section 3 of the *Torture Victim Protection Act of 1991* (28 U.S.C. 1350 note).

(7) *UNITED STATES.*—The term “United States” means the several States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

(8) *UNITED STATES DEPOSITORY INSTITUTION.*—The term “United States depository institution” means a depository institution organized under the laws of any State, the District of Columbia, or the United States, including a branch or agency of a foreign depository institution.

SEC. 4. LIMITATION ON CERTAIN CLAIMS.

No funds of the United States Government may be used to pay any claim—

(1) that is cognizable under section 1605A of title 28, United States Code, as added by section 1083 of the National Defense Authorization Act for Fiscal Year 2008, for money damages against Iraq for personal injury or death that was caused by acts committed by an official, officer, or employee of the Iraqi Government under Saddam Hussein; and

(2) with respect to which the waiver authority under section 1083(d) of the National Defense Authorization Act for Fiscal Year 2008 has been or may be exercised.

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

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

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

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

There was no objection.

Mr. SCOTT of Virginia. I yield myself such time as I may consume.

Mr. Speaker, the Justice and Victims of Torture and Terrorism Act, introduced by the gentleman from Iowa (Mr. BRALEY) and the gentleman from Pennsylvania (Mr. SESTAK), will enable American POWs and civilians to hold the Government of Iraq liable for the physical and emotional injuries they sustained while held captive by Iraqi officials during the Gulf War.

During the Persian Gulf War, American pilots captured by Iraq were brutalized in horrendous ways. They were starved, exposed to extreme temperatures, severely beaten, and subjected to mock executions.

Because Iraq believed that these pilots had more sensitive information, they were subjected to especially brutal treatment. They sustained long-lasting physical and emotional injuries.

American civilians who had the misfortune of being held in Iraq at the time it invaded Kuwait were held hostage as “human shields,” used as leverage to interfere with the campaign to liberate Kuwait and defeat the Iraqi forces. These civilians were held in cruel and degrading conditions and forced to live in constant fear.

While Congress has supported giving terrorism victims the right to obtain

effective relief, the executive branch has allowed State Department sensitivities to overshadow the fundamental rights of these victims to fair redress.

In amending the Foreign Sovereign Immunities Act in 1996, Congress intended to create a Federal statutory cause of action for American victims of terrorism, so that they could hold foreign States that commit or provide material support for terrorist acts accountable in United States courts.

Congress reaffirmed that intent last December in the National Defense Authorization Act. Unfortunately, the President vetoed the bill on that basis and insisted that the Congress give him waiver authority for Iraq, which he promptly exercised, once again placing relief out of reach for these victims.

In its introduced form, the bill simply rescinded that waiver authority. It has now been amended, with the assistance of the sponsors, as well as the gentleman from California (Mr. ISSA), working with the victims and their families.

The bill we are considering today would give the Iraqi Government 90 days after enactment to satisfactorily settle the claims of American victims to prevent the waiver authority from being rescinded.

The waiver authority would also survive if the President certifies that Iraq has no settlement claims of non-Americans that are similar to the claims of the POWs and human shields and has not settled commercial debts to foreign corporations.

The amended bill also specifies limits on the damage awards, to remove any argument about potentially open-ended liability. The specified amounts are a fraction of the outstanding judgment awards and pending claims.

Under this proposal, the Iraqi Government would be required to pay approximately \$415 million. The amount of recovery sought is de minimis relative to the 20 to \$32 billion in commercial claims that Iraq has reportedly settled with the corporations in Japan and Korea. It also amounts to perhaps 1 percent of the Iraqi Government assets held in United States banks.

I believe that holding Iraq accountable is an essential element in its full rehabilitation in the community of nations. This holds true to well-settled international law, as well as the Geneva Convention.

I commend my colleagues, Mr. BRALEY and Mr. SESTAK, for their leadership and unwavering dedication in bringing this important legislation forward. I also commend the Judiciary Committee ranking member, Mr. SMITH, and the gentleman from California (Mr. ISSA) for their leadership in making this a bipartisan effort.

I urge my colleagues to support this important legislation.

I reserve the balance of my time.

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

Mr. Speaker, I rise in support of this piece of legislation. I was not aware of

it in its earliest authorship. I became aware of it, in addition to the issue which I was aware of, only when it began to move toward our committee. As I looked at both the legislation and those affected, who had worked so valiantly for 17 years to try to bring justice to an unjust occurrence in the history of Iraq, I discovered that we had a large group of men and women who had been used as human shields, a relatively small group of people who had been tortured at Saddam's hands, Americans.

But what I also discovered was that these people had no other way to focus the injustice of what had happened to them than by seeking a remedy in the courts, and that had been denied them for so long. Now they have that remedy from the courts, and they're being denied the opportunity to avail themselves of it.

Mr. Speaker, if this were just about money, I wouldn't be standing here. This is not. This is about a much larger cause. Throughout our history, we have endeavored to compensate our men and women when we send them to war. We've endeavored to compensate them when they're prisoners of war, but we will never be able to compensate them for the torture that they've received at the hands of barbarians.

The very barbarian who ordered this misconduct, Saddam Hussein, has been executed by the new government of Iraq. The new government of Iraq every day is seeking to reenter the world of justice and civilized nations. They're doing so in a myriad of ways, including settling the wrongful acts of the Saddam regime. This is no different.

The amendments that I asked for, and on a bipartisan way were granted, in the Judiciary Committee sought to make it clear America wants no compensation from the new Iraq government unless it is consistent with other compensation for similar acts of the Saddam Hussein regime. As Mr. SCOTT has already said, the administration of Iraq is making those efforts today, and I know they will negotiate in good faith with the victims of torture if, in fact, they have standing to do so.

That's why we're working on a bipartisan basis to grant the President the ability, if there are not similar settlements, to withhold this capability until or unless there are. I don't want this to be about every past war, but it wouldn't be fair to ask for this if we hadn't previously seen Libya make settlements finally but only after the State Department had withdrawn their objections.

And to most people here on the House floor, World War II is but a memory or a piece of history they've read about. The men and women who were taken at Bataan and other places were tortured. Most of them died. Then, too, we felt that we shouldn't burden the new Japanese Government with the sins of the past government. I think that's a bad precedent.

I believe that the making whole of people for whom you have done more

than just conduct war is, in fact, the responsibility on an ongoing basis of a government if they have the ability and certainly if they grant similar compensation to people from other countries or, in the case of Japan, Libya and post-Saddam Iraq, if they grant money damages to companies who often lost nothing but money.

So, Mr. Speaker, I'm going to support this legislation wholeheartedly. I know my Republican colleagues will. I note that this is, in fact, a good message to the administration to facilitate the settlement rather than to stand aside on it.

Mr. Speaker, many members of our armed forces faced horrible abuse and torture at the hands of Iraq's former dictator, Saddam Hussein, during the first Gulf War. We owe those members of the armed forces not only our sympathy, but our deepest thanks for enduring immense pain and suffering for a larger cause that helped keep all of us safe here at home. We also owe those members of the armed forces justice. And that's why we're here today to pass H.R. 5167, the Justice for Victims of Torture and Terrorism Act.

In the closing hours before the most recent House recess, I was very pleased to see the House, and the Senate, send legislation to the President that statutorily approved an agreement that was reached between the State Department and Libya regarding the compensation of Americans injured by Libyan-sponsored terrorism. That legislation was passed by both bodies under unanimous consent. It not only approved the negotiated agreement, which provides for hundreds of millions of dollars in compensation, but it also protected the agreement from being undone by lawyers and judges who would have otherwise interfered with its implementation.

The agreement with Libya shows that State-to-State negotiations for the compensation of victims of terrorism can work. It is a far more effective means of compensating victims than lawsuits, as domestic court judgments are always difficult to enforce, and foreign entities have many ways of moving their funds offshore to avoid collection. Negotiations worked to provide fair compensation for the victims of Libya, and they can work to provide fair compensation to the victims of the torture and terrorism perpetrated by Saddam Hussein's former regime.

I was very pleased to have been able to craft a bill with Chairman CONYERS that not only facilitates, but encourages, State-to-State negotiations with the new democracy in Iraq that is the surest means of providing ultimate compensation for deserving victims. An amendment I offered at committee with Chairman CONYERS, and which is now part of this bill, provides that the negotiations process will be allowed to continue as long as "the President has certified to the Congress . . . that . . . negotiations are ongoing with the Government of Iraq to settle the claims in the [covered] cases . . . and the President believes that those negotiations are being conducted in good faith and could lead to a satisfactory settlement of those claims . . ."

Under this provision, the President must, on a regular basis, provide Congress with a status report attesting to the continuing good faith negotiations between the parties, and to the prospect that those negotiations could lead to

a satisfactory settlement. That provision is necessary to help balance several worthy goals.

One of those goals is the maintaining of a stable, free, and democratic Iraq that will help ensure horrors the likes of which were seen under Saddam Hussein will not be seen again. To that end, earlier in this Congress, Congress passed H.R. 4986, which authorized the President to waive lawsuits against the new democracy in Iraq if the President determined that the waiver is in the national security interest of the United States; that the waiver will promote the reconstruction of, the consolidation of democracy in, and the relations of the United States with, Iraq; and that Iraq continues to be a reliable ally of the United States and partner in combating acts of international terrorism. On the day the President signed that provision into law, he signed a waiver and issued a statement justifying the exercise of the waiver authority.

But H.R. 4986 also included a Sense of Congress that provides as follows:

"[T]he President, acting through the Secretary of State, should work with the Government of Iraq on a state-to-state basis to ensure compensation for any meritorious claims based on terrorist acts committed by the Saddam Hussein regime against individuals who were United States nationals or members of the United States Armed Forces at the time of those terrorist acts and whose claims cannot be addressed in courts in the United States due to the exercise of the waiver authority."

It is now time to provide the statutory requirements necessary to implement that Sense of Congress. We do that here today by passing H.R. 5167, which gives our policy of encouraging good faith negotiations to provide fair and tangible compensation to victims of torture the force of statutory law. I urge all my colleagues to support it.

Mr. Speaker, I would reserve the balance of my time while again urging support for the bill.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 7 minutes to one of the sponsors of the bill, the gentleman from Iowa (Mr. BRALEY).

Mr. BRALEY of Iowa. Mr. Speaker, I want to thank Mr. SCOTT and the chairman of the committee, as well as Ranking Member SMITH and my friend from California, for their support for this important bill.

I rise today because preventing torture of U.S. prisoners of war and citizens should be our highest priority as a Nation. This bill, H.R. 5167, is a bipartisan compromise that will finally, after 17 long years, provide justice for American POWs and civilian hostages who were tortured and terrorized by Saddam Hussein's regime.

And to put a human face on this, Mr. Speaker, these are some of the faces of tortured POWs that this bill is designed to address.

My friend Cliff Acree, a colonel in the United States Marine Corps, aviation, and Commander Jeffrey Zaun from the United States Navy were visible faces of the Gulf War invasion and what was happening to our troops in Iraq.

This photograph shows what happens when we put our young men and

women in harm's way and subject them to brutal regimes like what we found when Saddam Hussein invaded Kuwait, and the country of Iraq was labeled as a State sponsor of terrorism which is a necessary predicate to this claim in first place.

Immediately after these captured POWs started showing up on television, this Congress, including the House of Representatives which was under Republican control at that time, passed multiple resolutions condemning the brutal treatment of our prisoners of war, demanding that Iraq abide by the Third Geneva Convention concerning POWs and stated Congress' intention to hold Iraq accountable for tortured POWs.

Why is that important? Because the United States, along with Iraq, are part of the signatory nations to the Third Geneva Convention, and one of the most important articles for the purpose of this bill was article 131, which says no country—and this would include Iraq—shall be allowed to absolve itself or any other country of any liability related to the prohibited treatment of prisoners of war.

It wasn't just our POWs, though. There were civilian hostages taken by the Saddam Hussein regime, including famous CBS news reporter Bob Simon and his cameraman Roberto Alvarez who were kidnapped while on assignment in the Gulf War and were being held and tortured along with the POWs.

There were also numerous civilians who were captured by Saddam Hussein in Kuwait, including children, and were kept and held as human shields and subject to abusive treatment and torture along with our U.S. military forces. That is one of the reasons why this bill came about in the first place.

When these tortured POWs came home—and just so that we can put this into context, these POWs were subjected to cruel physical and mental torture. They were beaten, they were starved, they were hooked to electronic devices and shocked, and subjected to other horrendous acts.

Cliff Acree, the person whose picture is on this chart, had his nose broken on multiple occasions and his skull fractured in addition to being subjected to multiple other forms of abuse.

When these POWs came home, their Secretary of Defense, who was at that time DICK CHENEY, said your country is opening its arms to greet you.

And this body, Congress, acted promptly to address these crimes that were committed in violation of international law by passing amendments to the Foreign Sovereign Immunities Act and, in 1996, provided that Americans tortured and terrorized in Iraq could seek compensation for their injuries from those terrorist countries, including Iraq.

□ 1945

Now, these Gulf War POWs have been through hell, and they waited a long

time for their opportunity to get justice. So in 2003, after the Government of Iraq repeatedly refused to negotiate these claims with them and refused to accept service, a judge awarded these 17 POWs a judgment for damages and stated in his ruling that deterring the torture of POWs should be of the highest priority of this government.

But shortly after that award was entered, this administration, which at that time was engaged in Operation Iraqi Freedom, decided that, even though one group of human shield plaintiffs had been compensated by the Government of Iraq, that they were going to seize the assets that were held in U.S. banks that could have been used to satisfy the payment to these tortured American POWs and instead applied them to the reconstruction of Iraq. And Scott McClellan, who was a White House spokesman, on November 6 said, "The United States condemns, in the strongest terms, the brutal torture to which these Americans were subjected. However, no amount of money can truly compensate these brave men and women for the suffering they went through at the hands of Saddam Hussein's brutal regime, so that's why we're going to extinguish their claims."

There is a problem, and this problem was mentioned by my friend Mr. SCOTT, and also by Mr. ISSA; that is, that this argument is hollow when you look at what our government has done to help Iraq resolve \$20 billion of commercial debt that are outstanding to companies like Mitsubishi of Japan and Hyundai of Korea. And if you look at the fact that in this fiscal year the Government of Iraq will probably generate somewhere in the neighborhood of \$100 billion in oil revenues, this small liability to these tortured American citizens clearly should be a higher priority than settling the commercial debts of Japanese and Korean corporations.

That's why the Justice for Victims of Torture and Terrorism Act requires the Government of Iraq to resolve the claims of American victims who are willing to give up all of their punitive damage award that they've already been awarded by the court and two-thirds of their compensatory damages to try to get this matter resolved and allow Iraq to move forward as a nation that belongs to the international community. And the waiver is only eliminated if Iraq does not pay the victims within the time period allotted. And this time period has been part of the Defense Authorization bill since the President's veto last December and since we came back with a new Defense Authorization bill that passed in early January.

In closing, Mr. Speaker, why does this matter? It matters because preventing the torture of current U.S. citizens and troops should be one of our highest priorities in this body.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield the gentleman an additional minute.

Mr. BRALEY of Iowa. Upholding our international treaty obligations not to absolve sponsors of terrorism and deterring other countries from engaging in the same type of state-sponsored terrorism that Iraq engaged in should be the message that this legislation sends.

This is a bipartisan agreement. We want to work with the administration to see that these deserving heroes finally get the justice they deserve after 17 years.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania (Mr. SESTAK), an original sponsor of the legislation.

Mr. SESTAK. Mr. Speaker, I would like to speak in support of this bill from a different perspective. My colleagues from Iowa and California spoke very well about this bill and its purpose.

For 31 years, I served in the military under laws that this Congress passed. We knew that we were allowed to kill, but we also knew that this Congress of ours, under the advising and consent agreement in the Senate, had passed a contract with me that I was not to torture. That contract was one that, if I did, I would stain this Nation, and that this Nation then would be held liable, as had been pointed out under the international law that we have accepted for my act of torture. But at the same time, I always knew that I had a contract with this Nation, a Nation of laws, not of men, and that if I were to be tortured, that this Nation would be there for me, that it would uphold its end of this law that we agreed to internationally in 1949—and that was that we would hold another country liable for that act of torture against me, someone who wore the cloth of this Nation for 31 years.

That contract—that this Nation is actually a Nation of laws and not of men—is what is beat into us day after day in the military. In 1996, one administration passed a law, the Foreign Sovereign Immunities Act, and said, you men, you can sue. Another administration in 2008 passed another law, the Terrorism Risk Insurance Act, and said, you men, you can, under law, sue. That someone, for whatever reason, decided that this contract with our military members would not be upheld I think is a stain on the institution of the Presidency and upon this institution of Congress if we do not uphold that contract with our warriors.

The best picture in the Pentagon is one across from the Secretary of Defense's office. It is of a young service-member kneeling in church and beside him is his young spouse and a young child. And under it you can tell this individual is about to deploy again into harm's way. And there is then noted that wonderful inscription from the

Bible where God has turned to Isaiah and says, "Whom shall I send? Who shall go for us?" And Isaiah said, "Here am I, send me."

We don't serve a man, we serve a Nation of laws. And that's what this is really about today. I urge everyone in this Congress, both sides, and our President, who represents us as our Commander in Chief, to support this bill.

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

Mr. Speaker, this is drawing to a close. I think that so much has been said, not nearly enough. I appreciate my colleagues on the other side of the aisle who have done such a good job of making this a bipartisan piece of legislation.

Additionally, I would like to echo the last speaker because the gentleman from Pennsylvania, rightfully so, reminded us that the men and women in our Armed Forces, in which he served and in which I served, know the rules; they know the rules that we operate under, and we know the penalty if we break those rules. We know that if our country were to, in fact, torture somebody, we would both punish those who did it and compensate those who were treated in any inconsistent way with the rule of law. We only ask that the post-Saddam Iraq, if they're paying compensation and apologizing to others, they do the same to the men who suffered at their hands.

So I think that for all the men and women serving in the Armed Forces today and those who have served in the past, this Congress, on a bipartisan basis, is taking a giant step toward saying we will hold others accountable as we have always held our own accountable.

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

Mr. SCOTT of Virginia. Mr. Speaker, I want to thank the gentleman for his cooperation in this bipartisan effort, and I hope that we pass the bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I support H.R. 5167, the "Justice for Victims of Torture and Terrorism Act." This bill was sponsored by Representative BRALEY of Iowa. The bill's purpose is to amend the National Defense Authorization Act for Fiscal Year 2008 to remove the authority of the President to waive certain provisions. I support this bill and I urge my colleagues to support this bill.

H.R. 5167, the Justice for Victims of Torture and Terrorism Act, responds to harms suffered by U.S. nationals under the Government of Iraq during the 1991 Gulf War and their efforts to hold Iraq, then a designated foreign state sponsor of terrorism, liable for their injuries. H.R. 5167 presents a new proposal to facilitate the settlement of these claims.

This bill is important and necessary. I was shocked when I found out that the President was going to veto the Defense Authorization bill on Christmas Eve. The President vetoed the \$3.5 billion authorization package that would have provided resources for military members, their families, and veterans, because it contained a provision that would have allowed Operation Desert Storm Prisoners of

War, POW, to continue their case against the Hussein regime.

In 2002, 17 American ex-prisoners of war were brutally tortured in Iraq during the first Persian Gulf War sued Saddam Hussein's regime. The veterans eventually won a judgement against Hussein. But shortly after the invasion of Iraq, the Bush administration stepped in and had the judgement overturned.

According to a Dec. 28 report in Congressional Quarterly, President Bush issued his veto after lawyers for the Iraqi Government threatened to withdraw \$25 billion worth of assets from U.S. banks if the provisions was allowed to become law. The American POWs were granted damages by a U.S. district court in July 2003. The court awarded \$959 million in compensatory and punitive damages to the 17 POWs—some of whom remain on active duty today and are serving in Iraq.

But earlier in 2003, after signing a bill that allowed Americans to collect court-ordered damages from the frozen assets of terrorist states—a list that included Iraq at that time—President Bush had confiscated what was then \$1.7 billion in Iraqi assets held in private banks. He allowed the payment of two judgments including one for so-called “human shield” hostages held in Iraq in 1990, but none for the Americans taken prisoner in the 1991 Gulf War.

The President chose to respect corporate interests over human interests and corporate rights over human rights. This is something that the American people have seen from this administration in the past in unrelated matters.

This bill, H.R. 5167, the “the Justice for Victims of Torture and Terrorism Act” restores a provision in the previously vetoed Defense bill that would allow American veterans and victims of torture to pursue legal claims against their torturers.

Simply put, American veterans tortured as prisoners of war do not deserve to be left behind by a presidential policy that keeps them from seeking justice. We need to hold countries accountable for torturing American troops so it never happens again. We need to get our priorities straight. Protecting American veterans and POWs should come before protecting a country's assets.

We must act today to correct this problem. I urge my colleagues to act with me, and support this bill. A strong bipartisan message of support needs to be displayed by this body to right the wrongs and send a message to the President that American soldiers deserve better. The message is clear: American soldiers deserve the right to bring torturers to justice. I invite my colleagues to stand with me today and support this important legislation.

Mr. SCOTT of Virginia. 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 Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill, H.R. 5167, 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 terminate the authority of the President to waive, with regard to Iraq, certain provisions under the National Defense Authorization Act for

Fiscal Year 2008 unless certain conditions are met.”

A motion to reconsider was laid on the table.

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:

HOUSE OF REPRESENTATIVES,
Washington, DC, September 11, 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 September 11, 2008, at 4:25 p.m.:

That the Senate passed S. 3406.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. CAZAYOUX). Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. REYES) is recognized for 5 minutes.

(Mr. REYES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HONORING TINA ALLEN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WATSON) is recognized for 5 minutes.

Ms. WATSON. Mr. Speaker, it was with great sorrow that I learned of the passing of my dear friend and constituent, Tina Allen. Tina dedicated her life to documenting the spirit of black Americans through her sculptures.

Each of her subjects, famous or not, were her way of writing our history in bronze. As an artist, she was an inspiration. As a person, she was a beacon of life as she brought to life the features of great people.

She often said that “great people should have great monuments.” Her work includes abolitionist Frederick Douglass at the African American Museum of Birmingham and featured in the movie, “Akeelah and the Bee”; Rev. Martin Luther King in Las Vegas, Nevada; botanist George Washington Carver at the St. Louis Botanical Garden; Sojourner Truth, City Hall Park, Battle Creek, Michigan; and more recently, entertainer Sammy Davis, Jr.

□ 2000

Tina worked on projects big and small. She was best known for her

monumental statue of “Roots” author, Alex Haley, which was installed at Haley's Heritage Park in Knoxville, Tennessee in 1998. Her hands were able to create life-like images from simple mounds of clay. As a result of her work, Tina was interviewed as a featured artist on the “Best of CBS Sunday Morning.”

Ms. Allen was a child prodigy in sculpture and at age 11 was taken under the wing of internationally renowned abstract sculptor, William Zorach. After earning her BFA from the University of South Alabama in Mobile, she continued her studies in New York and also in Italy.

To her family and friends, I extend my sincerest condolences on their loss. Her sculptures will live on as a testament and inspiration to others. She will be sorely missed, but forever remembered.

And Mr. Speaker, I would like to yield the remaining part of my time to the distinguished Congresswoman from California, MAXINE WATERS.

Ms. WATERS. Mr. Speaker, I would like to thank Congresswoman WATSON for taking time out this evening to honor and recognize Tina Allen. Tina Allen was a friend. As a matter of fact, she was a friend to so many of us women in the greater Los Angeles area. We held her in such high esteem. She was such a talented artist who is famous for the many works that were just identified by Congresswoman WATSON. I have one of her sculptures in my home. And as I took another look at it, this weekend thinking about Tina, it's hard for me to reconcile that she has passed.

She was a very vibrant woman who was just full of life. She was so involved in the community. And she had been commissioned to do a bust of a community activist in my district, Ms. Lillian Mobley. And we were so looking forward to that. And so I joined with Congresswoman WATSON and others in basically saying farewell to Tina and extending my sympathy to her children and to her family. She was a great artist who will be missed by us all.

I yield back and thank you for yielding time to me, Congresswoman WATSON.

Ms. WATSON. Thank you, Ms. WATERS.

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.)

NATIONAL SECURITY INTERAGENCY REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Kentucky. Mr. Speaker, I rise today to share my perspective

on an essential reform to ensure the security of our Nation. We must reform our national security system to ensure effective interagency operations. As a member of the House Armed Services Committee and co-chair of the House National Security Interagency Reform Working Group, implementing reform of the national security system is one of my highest priorities. Our current interagency process is broken. There are regulatory, legislative, budgetary, resource and culture impediments to effective interagency operations. These problems are independent of personalities, policies and particular presidential administrations. In order to protect the United States interests and its citizens, it is critical that reform to executive and legislative processes be allowed to better the integration among currently stove-piped departments.

A successfully integrated interagency process will empower the United States to more effectively employ our nonmilitary instruments of power abroad. This ability will allow us to more effectively fulfill our interest while reserving the use of lethal force as a last resort. In fact leaders and policy makers need two things; first, an overarching national strategy that frames the intent of all policy on national security; second, a toolbox of resources that can be configured, hopefully in a preventive way, to fulfill our strategic objectives.

The current interagency system was devised over 60 years ago for a different era and is based on a very specific national security strategy when security was primarily a function of military capabilities wielded by one department in overseas missions. At the time, major combat operations and nuclear deterrence were the principal focus of U.S. national security strategy. This strategy required limited coordination of activities between vertically structured military and civilian departments and agencies.

Today, national security involves a much wider array of issues that can be addressed only with a broader set of capabilities that are highly synchronized and carefully calibrated.

Many agencies are not conscious of or prepared to act in their national security roles. Many civilian departments and agencies do not believe they have a role in the national security system, and the cultures of these organizations produce few, if any, incentives for staff to participate in national security missions. These agencies often lack "expeditionary" capabilities. Even if they have the desire to help, they may be prevented from doing so by a combination of factors including personnel shortages, lack of resources, lack of statutory authorizations and regulatory constraints.

Additionally, interagency operations are not governed by standard concepts and procedures. Without common processes, interagency operations tend to be very ad hoc. For example, Paul

Bremer, head of the Coalition For Provisional Authority in postwar Iraq believed that he reported to the President through the Secretary of Defense and did not want to be bogged down by "the interagency process." National Security Adviser Rice's senior deputies, simply to get information, were relegated to checking the CPA website every day to see what new orders Bremer had issued. Such arrangements are enormously inefficient and liable to produce erratic outcomes.

We must ensure that civilian agencies have the resources required for effective integration with the Department of Defense. Think what could have been done to deter the growth of criminal militias in Iraq if the Department of Treasury had been able to assist in the rapid implementation of simple electronic banking systems to get money and payroll to the people of Iraq during the post conflict stabilization period.

A new National Security Act is needed to update the organization and procedures created by the National Security Act of 1947. We need to codify an adaptive approach that flattens, simplifies and integrates the agencies of the executive branch and the committees of Congress. We must ensure all departments and agencies that have national security roles have specific objectives, responsibilities and operational planning capabilities so they can protect America's interests.

Second, we should require that personnel who are selected for the Senior Executive Service in departments and agencies with national security roles have professional development via institutional training and operational assignments in agencies other than their own to better understand the national security interagency system. Third, we should strive to build regional expertise across the departments and agencies to ensure a bench of personnel with the knowledge and skills required to accomplish departmental and agency missions in all regions of the world. For example, we should consider better regional alignment between DOD and the State Department.

As my colleagues and I undertake the challenge of crafting reform legislation, I welcome the opportunity to work with all agencies to gain their insights on the way ahead for reform.

THE ADMINISTRATION HAS LEFT THE HOMELAND VULNERABLE TO ATTACK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, for a long time now, we've been waiting for the administration to make an announcement about troop withdrawals from Iraq. Well the big day came last week, and it went over like a lead balloon. The President said that he is going to leave troop levels basically steady.

Mr. Speaker, the administration's decision to "stay the course" in Iraq is absolutely unacceptable. The American people know that invading Iraq was a mistake in the first place. And they want to bring all of our troops out, not just token forces.

The President said that he can withdraw a handful of troops without the surge because the surge has been a success. But when he leaves office, troop levels will actually be higher than it was before the surge. That leads me to ask a simple question. If the surge has been so successful, why do we need more troops after the surge than before it?

The President also said that normal life is returning to Iraq. Try telling that to the 4 million Iraqis who are still refugees and not able to return. Half of them are children.

The President also told us that civilian deaths are down. Try telling that to the relatives of the 1,200 civilians who were killed in Iraq this summer.

And what is an acceptable number of civilian deaths? This summer, an average of 13 Iraqi civilians were killed every day. If that happens in any State or any city in America, we would call it a crime wave. But if it happens in Iraq, the administration seems to think it's something to celebrate.

The administration has also been telling us for a long time that the occupation of Iraq is making America safer. But that claim doesn't hold up, either. The independent and bipartisan Partnership For a Secure America issued a report last week which says that America is still "dangerously vulnerable to chemical, biological and nuclear attacks." It also said that "the threat of a new, major terrorist attack on the United States is still very real."

And a joint report issued last week by the House Foreign Affairs Committee and the House Committee on Homeland Security found that the administration has not delivered on a myriad of critical homeland and national security mandates. It is clear, Mr. Speaker, that the administration's single-minded obsession with the occupation of Iraq has left our homeland open to another attack, an attack that could be much worse than 9/11.

Today we commemorate the terrible anniversary of that terrible day—not today, last week we did. It is outrageous that after 7 years we can't say that our citizens are safer than they were that day. And the administration's decision to stay the course in Iraq will only continue to make things worse.

The only solution is to set a firm timetable for the safe redeployment of our troops out of Iraq. Giving the Iraqi people back their sovereignty will allow us to work with the international community to rebuild that shattered country. Iraq needs electricity, schools, roads, hospitals and water. And America needs to invest in

health care, renewable energy, education and jobs. Those aren't just domestic needs. They are critical parts of our national security.

The administration, Mr. Speaker, has tried to solve all of our problems with military force alone. That strategy has been a miserable failure. We cannot bomb or torture our way to victory in the fight against terrorism. We must work to end the poverty and the despair that caused it. The sooner we learn that lesson, the safer America will be.

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 addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

AMERICA'S EPIDEMIC OF HEALTH CARE-ACQUIRED INFECTIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. TIM MURPHY) is recognized for 5 minutes.

Mr. TIM MURPHY of Pennsylvania. Mr. Speaker, it seems like every day in this House floor we call for a moment of silence to recognize some tragic loss of life across our country. And it is fitting that we do so.

If we were to recognize with a moment of silence those who die in hospitals from avoidable infections, we would be stopping House business many times each day.

So I am here to express my concern that we continue to ignore the increasing problem and potentially fatal epidemic of health care-acquired infections. Another week goes by and more and more patients are becoming infected with preventable infections. And instead of tackling this issue head-on, we continue to let the number of cases rise. And the costs strains our health care system, and more lives are lost.

Well enough is enough. This year alone, up to today, there have been 1,243,835 cases of health care-acquired infections. There have been a total of 61,562 deaths. And the total cost on our health care system has been \$31 billion 95 million 999,420.07. By the end of this year, that estimate will be \$50 billion and 100,000 lives lost.

Something must be done. We must put self-interests aside and work together to improve the safety of our hospitals. And I am committed to making sure this happens. That is why I introduced legislation last year that saves lives and money, H.R. 1174, the Healthy Hospitals Act. And it has received strong bipartisan support and support from consumer groups.

This legislation offers a simple solution to lower the costs associated with health care-acquired infections. It is not expensive. It simply requires hospitals to publicly disclose their infection rates and let the public see this transparently.

□ 2015

Hospitals should be taking commonsense measures, like washing hands, sterilizing equipment between uses, testing patients and giving antibiotics at the right time. It is, after all, people's lives we are trying to save.

How can a hospital or health care system argue that they don't want to report their infection rates if reporting is shown to save lives? How can hospitals complain that they don't want patients to know about patient safety and patient quality? Aren't hospitals supposed to be in the business of saving lives?

Hospitals need to be held accountable for opposing legislation, for opposing legislation, that would require reporting, because evidence shows it makes a difference. In my home State of Pennsylvania, there are shining examples of what happens when hospitals are held accountable for reporting.

Hospitals in Pennsylvania are required by State law to make their infection rates public, and we have seen the infection rates drop dramatically. Some hospitals were able to get to a zero infection rate, no lives lost. And here is the mortality statistic. According to the Pennsylvania Health Care Cost Containment Council, the average charge of hospitalization for a patient who became infected with a hospital-acquired infection was \$185,000 each, while the average charge for a patient without an infection was \$31,000. Reporting infections is proven to save money and lives.

Hospitals say "it will cost us more to keep track of it." That simply is not true. Isn't this enough to get our hospitals on board? Isn't this enough proof to save lives? Our health care system is in need of repair, not just simply saying it is too expensive, let's let government take it over. It needs to be fixed.

While we continue to talk about reforming government, cutting costs and eliminating funding for infrastructure projects back home, I hope my colleagues in the health care industry will support commonsense legislation that will save money and lives.

Public reporting of health care acquired infections is exactly what it sounds like, but the benefits of this simple action are far reaching. I hope that patients and their families will speak up to Members of Congress about the need for this transparency and demand such legislation be enacted.

Mr. Speaker, I encourage all my colleagues and hospitals around the country, especially those hospitals that know this saves lives and money, to support public reporting of hospital-acquired infections. Let's do this right. Let's save lives. After all, the families of so many Americans are at stake here. We can act on this. We can make a difference. We can save lives and save money.

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

IMPROVING ACCESS TO HEALTH CARE FOR ALL AMERICANS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maine (Mr. ALLEN) is recognized for 5 minutes.

Mr. ALLEN. Mr. Speaker, we have a health care crisis in America. Rising health care costs are overwhelming individuals, families and businesses, large and small. We have a staggering 41 million individuals, nearly one in six Americans, without health insurance. In America, that is just not fair.

Millions more Americans have only catastrophic coverage, with \$5,000 to \$15,000 deductibles. Others have policies with copays so high that basic health care needs, including preventive and diagnostic service, are not met. Many families are literally one serious illness away from bankruptcy.

To fix our broken economy, we have to fix our broken health care system. We must build a stronger, more effective health care system before it is too late. The future of our country and our ability to compete in the global economy depend on it. I believe that every American has a right to quality, affordable health care that doesn't blunt the competitive edge of employers or unduly burden taxpayers. It is time for bold action.

I have created the Healthy Americans Plan to relieve the strain on families and individuals, ease the burden on businesses and nonprofits and drive down costs. It builds on the strengths of the existing American health care system, but provides new and better choices for businesses, the self-employed, families and individuals.

My plan will offer quality, affordable health insurance choices like those available to Members of Congress. My plan will help small businesses offer employee health coverage by providing them with a refundable tax credit. It also improves access to medical care in rural areas and provides relief for middle-class families and individuals who are struggling to afford health insurance.

The key elements of my plan include the following:

All Americans, including the self-employed and owners and employees of small businesses, will be guaranteed the freedom to purchase a quality plan that is affordable and right for them.

Americans who like their current health care coverage will have the security of knowing they can keep it.

Insurers will have to compete for business on the basis of cost and quality, not by profiting from and discriminating against people because of age or preexisting conditions.

National choices will include private plans as well as a nationwide option, a

nationwide public option. Employees enrolled in the national plan will be able to keep their plan even if they change jobs, move to a different State or have changes in their medical condition.

Costs will be driven down, with comprehensive measures designed to improve quality and promote efficiency, including investing in health information technology.

Under my plan, people aged 55 to 65 will be allowed to buy into Medicare to provide security to early retirees, who are often charged higher premiums based on their age and risk of incurring higher medical costs.

My plan ensures that all children have access to health insurance by expanding the SCHIP program and improving outreach and enrollment.

It eliminates barriers so parents can cover their children up to age 25 under their family insurance plan.

Middle-class Americans deserve a health care system with affordable insurance premiums and access to the best possible care. Small business owners need a system that allows them to stay competitive and provide good coverage for their employees.

Older Americans and younger Americans, two of our most vulnerable populations, need a system that guarantees access to necessary care, regardless of income level.

We need experienced, dedicated leadership to address the fundamental shortcomings of our existing health care system. My Healthy Americans Plan will make the system more efficient and cost-effective and will improve access to quality, affordable health care for all Americans.

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.)

IN MEMORY OF CONGRESSWOMAN STEPHANIE TUBBS JONES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. LEE) is recognized for 5 minutes.

Ms. LEE. Mr. Speaker, it is with a heavy heart that I rise to pay tribute to the life and legacy of a great woman, my friend and colleague, Congresswoman Stephanie Tubbs Jones.

First, I would like to offer my deepest condolences to Stephanie's entire family, her son Merv and her sister Barbara. I also want to offer my condolences to the constituents of Ohio's 11th Congressional District, to all of Stephanie's many friends and colleagues, and, of course, to her staff here in Washington, DC and in Ohio.

On August 20th, the people of Cleveland, this Nation and the world lost a

giant in the fight for equality and justice when we lost our beloved Congresswoman Stephanie Tubbs Jones. When I walked on to the floor tonight, I looked for Stephanie. She wasn't in the Speaker's Chair presiding. She wasn't on the floor moving around, energizing and inspiring our deliberations. It is hard to accept the fact and to believe that her physical presence won't be with us anymore.

So many knew Stephanie Tubbs Jones for her exceptional work on behalf of her constituents and for the many barriers she broke and trails she blazed as the first African American woman elected to Congress from Ohio, as the first African American woman to serve on the Ways and Means Committee, and the first to chair the House Ethics Committee.

Congresswoman Tubbs Jones and I came to Congress about the same time. We worked closely together for a decade, and she was one of the most remarkable persons I have ever known. Whether it was standing up for Ohio voters and fighting for election reform, or fighting to end the unjust war and occupation of Iraq, she was always on the right side of history. And, like for many, Stephanie Tubbs Jones was a very, very good friend.

Friendship means different things to different people. Stephanie's friendship for me meant trust. She was my confidante. Stephanie's friendship for me meant support. Stephanie Tubbs Jones' friendship meant spending girl time, shopping, eating, traveling, talking about matters of the heart, like her man-child son Merv, who was her heart and her soul. Stephanie's friendship to me meant being for real in discussions about political and legislative issues. And Stephanie's friendship for me meant a lot of love.

I always remember last year when my father passed away, the love and concern for me and my family that she displayed. With the loss of her husband, her mother, her father and her sister, she assured me that I needed to grieve, and she called me day and night to make sure I wasn't planning on coming right back to work after the funeral. And, oh, how right she was.

From attending events together, to just grabbing dinner or an occasional down moment, we spent a great deal of time together throughout the years. Stephanie was my traveling partner. We shared magnificent experiences in Israel and in Cuba. I will always cherish those times and memories.

It was during some of our travel together and our work together for the Congressional Black Caucus Foundation that I got the chance to know her husband, Mervyn Jones, whom she loved dearly and tragically lost in October of 2003. In the wake of his death, Stephanie created two very successful Golf and Bid Whist Tournaments in his memory through the Congressional Black Caucus Foundation. And she insisted that her friends and her colleagues participate with her.

She loved young people, and made sure that these annual events helped raise money for countless scholarships. I know she would be pleased that a scholarship now has been established in her memory.

Some have spoken of Stephanie's culinary experiences and skills. She would bring some of her fabulous chili here to share with us, and always loved to it share her recipes, especially her mustard-based fried catfish and her mother's fried corn recipe.

I can remember calling her on her cell one day. She was in a meeting in Cleveland while I was preparing her fried corn recipe. Of course, I didn't quite get it right, so she stepped out of this meeting and she walked me through this recipe, step by step.

We all have so many Stephanie stories. She was a woman for all seasons, a devoted mother, a devoted sister, a brilliant legislator, a dedicated representative of Ohio's 11th Congressional District, and she was a history maker, as the first African American woman to break many glass ceilings. And, yes, she was my trusted friend, a true friend, and a fabulous woman whose smile lifted us all up and forced us to be positive, even on days when we were down. Stephanie was my gym partner, as we both tried to get our physical fitness regimen back on track.

Yes, the Honorable, and that she was, Mr. Speaker, the Honorable Stephanie Tubbs Jones, was a great congressperson, and she never lost the common touch. She would help people find their seats on the airplane, she mentored young people, and she would constantly remind us to be strong advocates for working men and women. Recalling her father's work as a sky-cap, she never forgot who she was, and she used her positions to help those shut out and those underrepresented.

So, yes, we owe Stephanie Tubbs Jones a debt of gratitude. I thank her son Mervyn and her sister Barbara and her entire family for sharing this brilliant and beautiful woman with us. Her spirit is smiling tonight on us. It continues to move around this floor, nudging us to do the right thing.

May God's grace and His love undergird her family during these difficult days, and may we redouble our efforts in Stephanie's memory, our efforts for justice and peace and equality and to make this a better world for all.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. BOOZMAN) is recognized for 5 minutes.

(Mr. BOOZMAN 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 Iowa (Mr. BRALEY) is recognized for 5 minutes.

(Mr. BRALEY of Iowa 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 Wisconsin (Mr. KAGEN) is recognized for 5 minutes.

(Mr. KAGEN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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FINANCIAL MARKETS TODAY

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, I wish to associate myself with the remarks of the gentlelady from California, our dear colleague, Congresswoman BARBARA LEE, and thank her very much for her remarks on Congresswoman Stephanie Tubbs Jones. We share your feelings and your warmth and affection toward her, and I know that your remarks are of comfort to her son, to her sister, to her family, to all those who are associated with her and, of course, her staff, who must carry on. We thank you so much for that.

I rise this evening to do my part to offer the American people a point of view about the financial markets today and their unsteadiness. We know that the Dow Jones dropped over 500 points. We can all question how Wall Street and its actions have placed our country in this position with such high risk, high-leverage practices with no accountability.

I can remember back to 1999 when some of us fought very hard against the Securities Reform Act, so called, of that year, when, for the first time since 1935, this Congress passed the turning back of the Glass-Spiegel Act, threw it out the window, actually, where in our country we separated banking from commerce. We said, no, all those years, prior to 1999, we didn't want to be like the European banks, we thought it was very risky to allow Wall Street to undertake some of these practices that have now led to this great instability.

Many citizens are calling our office, and people bump into you and say, well, what are we supposed to do? We are concerned about the future? I guess one word would be, one phrase would be, don't panic.

Short-term advice to families would be to take a look at, if you have savings, where they are deposited, make sure they are in accounts that are federally insured by the Federal Deposit Corporation. This Congress will do whatever it must to make sure that those accounts are insured up to a level of \$100,000, which is the current law. People can look at their bank accounts, they can look at their credit-union accounts and make sure that they are within those boundaries.

People can take a look at safe investments like U.S. Treasury bills, and U.S. Savings Bonds. Yes, they don't pay as much. Sometimes their matu-

rity periods are much longer, but people have to be thinking about the long term, not just the short-term. Sometimes, I guess there is an old expression, sometimes when something looks so good, it's too good to be true, it probably isn't true. So one ought to be very prudent in these times.

Of course, having a hard asset like a home or a piece of land, or something that is very tangible and can hold value in the future, is something to think about in order to protect yourself for the future in view of some of what we are experiencing.

I would advise families to avoid payday loans to make sure they don't lock themselves into these never-ending loans with interest rates that push you into the poorhouse so fast you can hardly believe it.

I would encourage citizens to avoid high risk. Again, if it sounds to good to be true, it probably is. What has happened as a result of all this so-called banking deregulation, there are a lot of mailings that go out to people asking them to get hooked on credit, and they don't tell people how much that interest rate is going to be down the road.

There are many, many phone calls that come into families' homes now from places far away, where there is no accountability. You don't really know who the people are. You can't even see who is talking to you over the telephone.

I would urge families to be very, very cautious and to get good sound financial advice. Look locally to one of your certified, not-for-profit consumer counseling agencies. There is a network of those around the country. You can call your Member of Congress in your own region, and you can find out who the certified not-for-profit counselor is in your area.

Many times credit unions, even if you are not a member of the credit union, they do great. Consumer counseling, that's what they are established for under the laws of our country, and you can really try to protect yourself in the markets that we are facing today. It's a little bit dicey out there, so you have to be careful.

Congress, again, must meet its responsibilities to protect the deposits of the American people. We certainly will do whatever is necessary there. But people can do a lot for themselves as well.

I always tell people if you can't afford a fancy car, get one for transportation. Why do you have to prove to somebody that you can buy the most expensive car in the world? You don't really need that if you are lucky to have a job in the economy of today.

If you can't afford the gasoline, use the bus system. Use the bus maybe 2 days a week, drive 3 days a week. Find a way to use the dollars you have wisely. Think creatively.

Communities, and I know our mayors are struggling with this around the country, how do they really hedge against an uncertain future? My advice

is to make decisions and think about how do we use the dollars in this community wisely, to create wealth, and wealth is more than money, wealth, our assets that grow over time.

Money sometimes is fungible. It can disappear off a balance sheet. But, in fact, if you have a set of farmers around your community, who can help your region become more financially and food self-sufficient, communities ought to exercise that power.

We ought to help our citizens become energy self-sufficient in their own households. There are many things communities can do.

As I close this evening, I would urge communities across this country to think about creating wealth, not just pushing money around, and getting the best financial advice you possibly can in these difficult times.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. HOLT) is recognized for 5 minutes.

(Mr. HOLT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Ms. CLARKE. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

HAITI

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentlewoman from New York (Ms. CLARKE) is recognized for 60 minutes as the designee of the majority leader.

Ms. CLARKE. Mr. Speaker, on behalf of the chairwoman of the Congressional Black Caucus and its members, we are presenting this evening during our message hour a call to action, that is Haiti, country in crisis.

We have witnessed this year, so far in the hurricane season, tremendous distress, death and destruction. I want to start by expressing the sympathies of myself and the members of the Congressional Black Caucus, our condolences and support for the people of Texas and the Gulf Region, who have been toiling under storm after storm after storm and dealing with the destruction that comes from nature's wrath, as some would place it.

In this context, I wanted to speak a bit this evening with my colleagues and with the public about the need to actually look at what happens, not at the point at which the hurricane ends on our shores, but also its path and the

death and destruction that it leaves in the wake of its path.

I am speaking of the Caribbean region in our hemisphere, and the many nations in those waters that have been devastated by the series of hurricane activity this year, be it the island nation of Turks and Caicos or the island nation of Jamaica, the island nation of the Dominican Republic, the island nations in the Caribbean region have been rocked by this year's hurricane season thus far. I have had the opportunity to join with Congressman KENDRICK MEEK and Congresswoman DONNA EDWARDS from Maryland on an emergency codel to destination, Haiti.

The devastation that we witnessed firsthand on that nation is truly a call to action. As you can see here, this year we have had a number of storms from Category 1 to Category 5 in their strength. The nation of Haiti in just 3 weeks was struck by four storms, Tropical Storm Fay, which hit on August 16; Hurricane Gustav, which hit on August 26; Tropical Storm Hanna, which hit on September 1; and then Hurricane Ike, which hit on September 7.

It is estimated that over 850,000 people have been affected by this storm on the island nation of Haiti, and almost half of those affected were children. It is estimated that over 500 people have been killed and rescuers and aides are only beginning to reach some of the hardest-hit areas, as I speak to you right now. It is also estimated that over 150,000 people are internally displaced, and only about half of those people are in shelters.

You will notice that I have been saying, as has been estimated, and this is the case, because Haiti has lost its ability to communicate across its island. The destruction that has rocked that nation has eight of Haiti's 10 geographic departments, which have been flooded. All of the major roads and bridges granting access to many of the hardest-hit areas have been washed away.

Haiti's prime minister says that 1 million people or more may be homeless. The storms have crippled Haiti's already delicate infrastructure, and most of the City of Gonaives, which is the second-largest city on the island, is damaged so badly that it cannot be repaired. Local officials are considering moving the entire city to another part of the island that is on higher ground.

We had an opportunity to meet with President Rene Preval on our codel, and he said to us, this is the Katrina of an entire nation, but we are suffering without a fraction of the means that Louisiana had. A lot of infrastructure that was destroyed by Hurricane Jean in 2004 was recently rebuilt and recently destroyed by this latest series of storms.

This includes the hospital in Gonaives. Radio NPR reports that in the Grand Ravine neighborhood of Port-au-Prince, 700 people are living in a school where there is no running water, no electricity, no beds and often

no food. People have been packed in there for weeks, but all is not lost. I was proud to see that, very swiftly, the United States has moved into action to aid our neighbors and our friend known as the island nation of Haiti.

Upon arriving in Port-au-Prince, we saw a lot of helicopter activity and were informed that the USS *Kearsarge* is in port in Port-of-Spain providing needed humanitarian assistance and aid.

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As I said earlier in my presentation, all of the major roads and bridges have collapsed. That has isolated many of the communities and the cities that have historically been connected in commerce and in bringing foods and goods and services across the island. So the only way that people can be fed, can be given water, can be administered medicine is through the air, and we are proud to know that our aircraft carrier is there, as we speak, administering that much needed aid and support.

I want to thank the young men and women I met there who sought not robbery but, rather, to change their mission, to move along with their admiral and captain and crew into the Caribbean Sea from Latin America and over to Haiti where they're working night and day to try to preserve as much life as possible. I can tell you that, from my observations, this is a mammoth task. The mammoth task exists because Haiti remains flooded out.

In Gonaive, we did a flyover, and we were able to see in the streets where people live. There was rushing water, like rivers, flowing past people's homes, flowing over all of their planting grounds, and making it so that people were actually risking their lives in simply trying to get from point A to point B. Many of the residents have taken to their rooftops to live. In other areas, we witnessed the levels of mud that have accumulated as the waters have receded. In some areas, there are as much as 2 to 4 feet of mud before people's homes, in the roadways, in the byways of the communities in which people live.

We had an opportunity to pass over Haiti's breadbasket, an area in Haiti where new harvesting was taking place—the planting of rice. That entire area is completely flooded out, having basically killed off this planting season for Haiti, and so we have a nation in crisis. The crisis is one of a magnitude that I, personally, have never witnessed before. The circumstances become more and more dire with each passing moment.

Haiti is the poorest country in our hemisphere, and it is one of our closest neighbors, just a little over 700 miles away from Miami, Florida. Many in Haiti were looking forward to the harvest of rice crop. Unfortunately, much of it, if not all of it, has been destroyed by these storms just as the food crisis in that country was beginning to abate.

The USAID has moved in. They are providing as much as they possibly can in terms of response. They have allocated \$7.5 million in humanitarian assistance. The total value of U.S. Government humanitarian assistance is currently \$20 billion. According to the USAID, Haitian Government officials have stated that these recent storms have caused an estimated \$265 million in damage, particularly affecting their housing stock, agriculture, public infrastructure, and education.

In meeting with the newly installed Prime Minister for Haiti, Madam Michele Pierre-Louis, we were informed that the children's school has been postponed until the month of October, somewhere around October 3. My observations are that we will have to move with all deliberate speed to help and to assist in the recovery and in the rescue of those people in the various departments residing in the nation of Haiti in order for that part of their lives to be resumed.

We are not in this alone. I was very glad to see that the international community has responded as well. The U.N. troops and peacekeepers are on the ground, helping with the civil society, and the embassies of many of their partner nations—namely Canada, France and Brazil—are also collaborating with their local relief NGOs to bring as much to bear in this forward movement to get Haiti back on its feet, and it's going to take a coordinated effort to make sure that this is done in a timely and in a coordinated manner.

It is my hope that, through tonight's discussion, through tonight's presentations, we will see the need as a Nation to respond and to keep our response going and that when the TV cameras and the press crews have left Haiti that we will remember that this is a nation that is struggling to stand on its feet and that its civil society is extremely fragile. These storms have compounded what has been an ongoing challenge for Haiti to feed its own people.

So, this evening, I wanted to just share some of what I witnessed in the emergency codel commission by the Congressional Black Caucus, and I want to express gratitude to Speaker PELOSI and to Congressman KENDRICK MEEK for being so expedient in putting this codel together so that we could bring back the relevant facts to this body and to make sure that we're able to do all that we can do as we rebuild here in our own Nation and to make sure that, as to the hemisphere that we reside in, we are good neighbors and that, for our own sakes and for the sakes of the people who reside in Haiti, we do all that we can to make sure that they are on a safe road to recovery.

Having said that, I'm joined by a number of my colleagues this evening, all of whom have had longstanding ties to the nation of Haiti, all of whom have worked very hard in this body to make sure that we remain true to our

values as a Nation. They have been there throughout many crises in Haiti.

I'd like to acknowledge Congresswoman DONNA EDWARDS of Maryland, Congresswoman BARBARA LEE of California and Congresswoman MAXINE WATERS of California to make their statements.

Ms. EDWARDS of Maryland. Mr. Speaker, I rise today to share with this body and with the American people the images and accounts that I witnessed on a recent trip to the hurricane ravaged island of Haiti with my colleagues Mr. KENDRICK MEEK of Florida and Congresswoman YVETTE CLARKE of New York.

The damage is just devastating. From the rice fields that you can see here in these pictures that I took, they are covered with water and mud. It is unlikely that these fields will be ready for planting for a very, very long time. The topsoil has been washed away, replaced by mud and water. As we flew over, we could see the damage of the hurricanes, and we could see animal carcasses in the fields, with people walking through them and the standing water. Haiti is a place that is ripe right now for disease and for further destruction without intervention.

I do want to express and to join in the remarks of my colleague YVETTE CLARKE of New York and express the grave concern and our thoughts and prayers for the people of our own Gulf Coast, who at this moment are in a stage of recovery themselves from the hurricane damage of Hurricane Ike, which started in the Caribbean and made its way and strengthened to hit our own coast. This is the same storm.

For the people of Haiti, it was not just one storm; it was four—first Fay, then Gustav, then Hanna, and now Ike. An area might be able to absorb one storm and may be able to rebuild, but now more than 75 percent of the country has been under water, and the people in remote areas are unable to get from one location to the next location because of the damage to bridges and to roadways.

So we can't forget the pain of our southern neighbors in Haiti because these storms have made their way through the Caribbean, and we're only at the beginning of the hurricane season. I'm not sure how much more Haiti can take, but we know that it's time for us to intervene.

In addition to the rice fields, we saw firsthand the homes and the foundations washed away—even a place of worship filled with mud and standing water in places. In some areas, the hurricane damage was so devastating that it took away entire roadways and bridges. Eight bridges at least have been destroyed, leaving people stranded and isolated. President Preval very accurately, I think, described the blow to the country's infrastructure, likening it to a blow that would occur at a time of war, where the first thing that happens is that you take out all communications. That's what has happened in Haiti.

Communications and linkages from one area of the country to the next area of the country are entirely devastated. We saw people on the roadways, walking from one direction to the other direction, only to meet at a place where the road had been washed away so they couldn't even cross. We saw people bathing in water that contains rotten animal carcasses. We saw basic utilities—water, sewer and the power infrastructure—completely devastated, destroyed.

Now, there are early estimates—and we have to remember that they really are only early estimates—that there are, maybe, 600 people dead. Well, we know that those who are doing the estimates can't even reach the most remote areas of the country, and so we know that the devastation will climb over time, and that's why it's really important to intervene now.

The people of Haiti are in desperate need of food and shelter, of medical supplies and drinking water. You can see the pictures on the streets where the water is like a river rushing through the towns. There is moving water through the towns in Gonaive, and it's unclear when that water will recede and what will be left once the water has receded. We saw people camped out on the roofs of their homes, looking down at the destruction beneath and at the water in their homes.

Yet, in the face of all of this overwhelming devastation, what we also saw were the young men and women of the United States Armed Services. I want to offer a very special salute to the men and women of the USS *Kearsarge* and to Rear Admiral Joseph Kernan and to Captain Walter Towns, who are leading, really, the most heroic effort. It's so clear to us from all of our meetings and from what we witnessed that were it not for the efforts of the servicemembers on the USS *Kearsarge* in air-dropping medical supplies, food supplies and drinking water that those regions would not be touched at all. It is incredibly important that the USS *Kearsarge* remain in its mission off the coast of Port-au-Prince until that mission is done, until we can find replacement food supplies, until we can replace the bridges with temporary bridges so that the Government of Haiti can have access to the communities and so that the nongovernmental organizations can have access to communities. This is extremely important because, unless those temporary bridges are put in place, then almost the entire country will remain inaccessible for services and supplies to be delivered.

□ 2100

And we're in that very fragile window in Haiti in which we know that without intervention, disease will begin to set in. And so it's a very important time to begin to gain accessibility so that our medical teams on the USS *Kearsarge* and other medical teams

throughout the U.N. agencies and other missions can get to these remote areas and supply basic needs.

And let me say a bit about the efforts of our U.S. mission that right now is playing an amazing and important coordinating role in Haiti with other missions, with the nongovernmental organizations, with the U.N. relief organizations and mission on the ground trying to make certain that there's coordination among all of these folks of goodwill; that we're not duplicating efforts, and that our assessments about what needs to be done next make sense.

Now, I've joined in, along with many other Members, in support of an effort by Congresswoman MAXINE WATERS to try to spur up additional support and resources for the country of Haiti. I think that we're only at the beginning of knowing what the real need is, and so we need to look at this as a first step toward the recovery of Haiti, but not the only step that this country and the international community will need to make.

I really strongly applaud the efforts of Ambassador Janet Sanderson, who is doing an amazing job of working with the newly installed prime minister Michelle Pierre-Louis, who's only been on the job 9 days or so, barely has staff, but is on the ground now trying to respond to the needs of these most needy communities. And we need to do all that we can in this country and in the international community to make sure that the government of Haiti has the ability to make decisions for itself about its future and about the important needs for rebuilding infrastructure and support and services for the people of Haiti. And we can be in there providing the kind of guidance that we do on the ground and making sure that the resources are available so that communities don't remain further devastated.

Now, I'm concerned because it's very clear to me that if we don't act immediately to increase our assistance, the situation in Haiti will really only worsen and possibly threaten not just internal stability but external security as well. And so we have an opportunity for that not to happen, and that is by encouraging the international community and our own resources to step up efforts in Haiti.

But the danger of disease and the impending threats to food security are apparent, and we know that the food supply was already very fragile because of the food crisis earlier in the year, so we have another window, a window of maybe 2 weeks to a month to make sure that these resources come to Haiti in a meaningful way. And I know that in my congressional district in Maryland and throughout the country, people of this country are stepping forward too, offering donations to the American Red Cross and other international relief organizations, and so there needs to be a coordinated effort here in the United States to make sure that, as volunteers, we're providing the

kind of resources that Haiti can use and needs in order to rebuild.

Mr. Speaker, I join with my congressional colleagues in calling for those additional funds to help bring immediate relief to the people of Haiti, and for us to consider that this one storm impacted an entire region from the Caribbean all the way through the Gulf Coast. And we have to remember that, indeed, it was one storm that wreaked its havoc in this hemisphere, and treat it like that. And as we stand with the people of Texas and Louisiana and the gulf coast, we should stand with the people of Haiti.

Ms. CLARKE. I want to thank the gentlelady from Maryland, our newest member in the Congressional Black Caucus, Ms. DONNA EDWARDS, for her courage and her nimbleness. She rearranged her schedule very quickly to heed the call for her expertise and her ability. DONNA has come to us with a background and expertise in the philanthropic world, and she shared that with the prime minister, with the Ambassador to Haiti, and so I know that she will be called upon in the future as Haiti rebuilds to bring that expertise to bear.

I want to thank you for being my traveling partner, and I look forward to working further with you and the CBC and our colleagues to make things happen for the Nation of Haiti.

I'd like to acknowledge someone who really doesn't need an introduction, but has been one of the foremost experts on the island nation of Haiti, has been an outstanding, outspoken advocate for the people of that island nation, none other than the honorable MAXINE WATERS. She's being acknowledged for 5 minutes, or as much time as she may consume.

Ms. WATERS. I'd first like to thank my colleagues, YVETTE CLARK, DONNA EDWARDS and KENDRICK MEEK, for taking the time to go to Haiti to be able to document and identify devastation that has taken place, and to bring that information back to the House of Representatives, to the Congress of the United States of America, so that all of us public policymakers can understand in the most profound way what is needed, what has taken place there, and what we can do to be of immediate assistance.

I would also like to take a moment to say to FEMA and to the elected officials in the gulf coast, who too, have been involved in dealing with the ravages of the recent hurricanes and storms, that we appreciate that you have demonstrated that you have learned so much from Katrina, and that you have done a great job in giving assistance to the victims of the recent storms in the gulf coast. I say that with all sincerity, because it is important for us to know and understand that magnificent work was done in giving assistance to the victims of the gulf coast. And I've watched very carefully what has been taking place in not only Galveston and in parts of

Texas, but also as far as in Bay City of Mississippi.

So our hearts are with the people who have been the victims of the storms in that area, and we're very proud, and I'm very proud and pleased that the United States of America is able to do what it does and have learned so much from Katrina and are able to be of assistance in the way that they have been.

And having said that, we're generous people. We're people who not only have learned to deal with devastation in our own country, but we are a people who are forever ready to give a helping hand in other parts of the world. And certainly, what we have demonstrated in recent weeks right here in our own hemisphere in the Western Hemisphere for one of the poorest nations in the Western Hemisphere is to be commended. But we've got to do more.

As I understand it, and having listened to my colleagues and having followed as closely as I possibly can, what has been taking place, we have spent about \$20 million just from USAID alone. And then to listen to the stories about the armed services and the help that they're giving and the work that they're doing, I'm proud of my country. I'm proud of the assistance and the hand that we're extending to Haiti as we wrestle with the work that we must do in our own country and in the Gulf Coast.

Having said that, I have spent much of my time in the Congress of the United States paying attention to Haiti. I paid attention to Haiti because I know the history of Haiti, and I understand what the people of Haiti have been through historically. I have spent a lot of time in Haiti. I was there for the bicentennial and I flew up to Gonaives, where I watched a people who have been through so much celebrate its history and its independence, and I know the price that has been paid for that independence.

I also know that this is a people who have had to survive the dictatorships of Papa Doc and Baby Doc, and I know that this is a people who have seen a democratically elected president removed, and I know the history of our own country as we have restored the leadership to Haiti in recent history. And I also know the history of a coup d'etat, and a history of a people who have wrestled and fought and tried very hard to stabilize their country, despite all of the political unrest.

But, you know, we're at a time when it doesn't matter what position you took, whether some people thought that the democratically elected government of President Aristide should have remained or not. It's not about partisan politics at this time. This is about the people of Haiti.

It is not about even remembering what happened under Papa Doc and Baby Doc and La Tortue, none of that. This is about a people who have suffered far too much. My heart just goes out to the people of Haiti, people who

work very hard, who get up every day and just scuffle and work hard to survive, a people who are not very literate. Only 53 percent of the people in this country can read or write. But they work hard. And whenever they are confronted with one more disaster, with one more disruption, and you think they possibly just cannot make it, they just keep going and they keep going.

Over the past month Haiti has been devastated by four deadly storms in rapid succession, Tropical Storm Fay, Hurricane Gustav, Tropical Storm Hanna and Hurricane Ike. And over 15,000 houses have been damaged or destroyed. And as of a week ago, they already documented that over 154 people had been killed. And today, I hear my colleague say that number may be up to about 600. And as the flood waters begin to recede, additional bodies continue to be found and buried. And tragically, the real death toll just may never be known.

According to the United Nations Office for the Coordination of Humanitarian Affairs, up to 800,000 people in Haiti are in dire need of humanitarian assistance. As of September 6, more than 100,000 people had taken refuge in temporary shelters, and this was before the onslaught of Hurricane Ike. Many roads and bridges were damaged or destroyed, and crops have been lost. There is now a desperate need for food and water and health services.

And I'm so sorry to hear about what has happened to the rice fields. Haiti, at one time, grew rice for its people. They exported rice that was grown in Haiti. They lost that over the years for a lot of reasons. Some of it was political. But to know that they had gotten back on the road to raising and growing rice again was extremely important. And to have these pictures that were shown to us today where now all of that has been destroyed is just almost too much to take, too much to endure.

I immediately asked my colleagues to join with me in requesting at least \$300 million in appropriations for disaster assistance for Haiti following these devastating hurricanes. I did not know what the assessment would be, and we still don't know how much will be needed. But I knew immediately that it was going to be massive and that we needed to move very quickly, and that we need to appropriate substantial sums for Haiti.

□ 2115

And we will probably have an assessment in the very near future, but we need to get started right away to not only support Haiti through USAID, as is being done, but we have to add to it. You heard about the devastation. You heard about the destruction. I am just hopeful and prayerful that Haiti can survive as an island nation. The destruction is mammoth. And I believe that everything that we do and everything that we can think of doing must be done.

I know that the people of Haiti will get up every day, people who are sleeping on those rooftops, and they will fight to survive, they will fight to stay alive, and they believe, no matter what happens between the United States and Haiti, that we're their friends and that we will do whatever we can do to be of assistance to them.

So I would just, again, thank my colleagues for taking time to go there and to do this documentation and this eyewitness of what has taken place.

I would like to thank our ambassador there. Sanderson is a wonderful representative who has worked very hard. I would like to thank President Preval because he has been handed a task just as President of putting that nation back together and to stabilizing that government and to reorganizing and building that infrastructure. It's an awesome task even without experiencing these hurricanes.

So my prayers and my heart go out to President Preval and the government, and I would hope that we move very quickly to appropriate additional dollars.

And I will yield back the balance of my time.

Thank you very much.

Ms. CLARKE. I thank the gentle lady from California for sharing with us her resolve to be a problem solver, to be a leader in this body in making sure that we can do all we can on behalf of the people of the island nation of Haiti.

I would like to acknowledge at this time another powerhouse coming out of California, a member of the Congressional Black Caucus, our vice chair, none other than the Honorable BARBARA LEE.

Ms. LEE. Thank you very much. And let me thank you, Congresswoman CLARKE, a daughter of the Caribbean, for your leadership and for having the vision and the tenacity to put everything aside and go to Haiti this past weekend. And I want to thank you for that presentation because hopefully the rest of the country is watching and will have some sense of the tragedy that is taking place in Haiti. And because of your leadership, Congressman KENDRICK MEEK, and Congresswoman DONNA EDWARDS, I think this Congress will have a better handle now on what we need to do and what has taken place, which is beyond our imagination. So thank you, again, for stepping up to the plate and for your leadership.

Yes, four tropical storms and hurricanes in 4 weeks, Fay, Hanna, Gustav, and Ike. These storms left Haiti devastated. Also other Caribbean islands have been devastated as well as, of course, the gulf coast in our own Nation. So tonight our thoughts and our prayers, first of all, go out to the families and the residents of all of these communities in all of these countries that have been devastated by these storms.

And I will also just say that we have to do something and we have to do it quickly. And I want to thank Congress-

woman MAXINE WATERS for right away asking that we sign on to making this request of \$300 million. And as a member of the Appropriations Committee, I know that all of us are going to work very hard to try to make sure that at least the \$300 million is there.

And also thank you, Congresswoman WATERS, for your leadership and for tonight, your presentation, putting all of this really in a historical context because we have to remember that Haiti is a vulnerable country and has been for many, many years. And we can't separate out our work now in terms of emergency assistance and relief from the work that we have to do long-term because of many of the issues that we have to address as it relates to infrastructure, job creation, health care, helping to develop water systems. All of those issues that you have been working on for so many years. So thank you very much for reminding us of the long-term work that still remains to be done.

This year, I believe it was in May, Congresswoman KILPATRICK and I led a congressional delegation to Haiti; and we were looking then at the conditions on the ground as it related to the soaring food prices. But our questions and what we wanted to know was what if our worst fears would come true, and that is what if another hurricane hits when the process of rebuilding and developing the agriculture sector and helping the emergency food assistance, while all of this is taking place, we said what if another hurricane hits this summer. And we didn't even want to ask that question because we were worried and we knew that we would have to face now, and the people of Haiti would have to face, the enormous, enormous tragedy now that they have to deal with.

So tonight I think it's important for us to recognize the fact that we have to do more.

Our own country I want to commend for doing everything we can do that we have done. It is remarkable to hear what you all have said you saw down there taking place and what our ambassador has done and what our armed services' young men and women are doing. I know our Peace Corps is engaged. I have a cousin in Haiti, and they're working very hard with the NGO community to develop a response.

But also we have to remember now what you pointed out in terms of the transportation system. We have to be creative in how we help deliver this emergency assistance and this humanitarian assistance because this is a devastating hurricane that is of enormous proportions that will require new ways of doing things, new ways of delivering assistance, new ways of helping to save lives.

Five hundred people. Let's hope it stays at 500 people who have died. Of course our prayers go out to the families of the 500 people. It's hard to imagine what else the—what other deaths have occurred as a result of this, but

let's pray it stays at 500, unfortunately. There are 70,000 people in shelter now, 250,000 and more in need of assistance. Many of the cities under water. It's hard for us to imagine.

But thank you for those charts and those photographs tonight because I think now we're coming to grips with the reality of what has happened and what has set in and how we have to redouble our efforts with a sense of urgency.

And we have to work on all fronts. I know Congressman ENGEL and myself, we're working on a briefing with the ambassadors with the region. Hopefully, the entire congressional body, both Members' staff, both sides of the aisle, will come out for those meetings later on this week.

We've got to provide more than the \$20 million. Twenty million, yes. That's a decent amount for relief efforts, but much more will be needed. We've got to have much more than \$20 million; \$300 million in assistance, which Congresswoman WATERS has asked for, may or may not be enough, but thank you again for asking for \$300 million. We've got to start somewhere.

And so, again, as the world leader, the United States I think is stepping up to the plate and has to show the rest of the world that we can lead, we can help our neighbors, and we can help not only in the most immediate and necessary emergency assistance that's required, but also with the long-term sustainable development assistance that we must begin to look at and provide for Haiti. So tonight we're sounding the alarm.

Congressman MEEK, Congresswomen CLARKE and EDWARDS went to Haiti. They came back. And they didn't have to do this. They could have been in their districts. They could have been doing other things this weekend, but they stopped and took their time so that they could come back and make sure that all of us were on the same page and that all of us heard that alarm. And we may see it on the TV, we may hear it from our friends in the community, but until it's real and it's made real and we have these meetings and discussions and forums here in Washington where the funding, hopefully, will come from, that's where I think this debate needs to be right now in terms of what we can do as Members of Congress.

So I have to thank you again for your leadership and giving us the opportunity to pull together and do something. Because I think to do nothing would really put us on the side of history that we would be ashamed of in the future. I think we all want to be on the right side of history at this moment in terms of how we respond to a country that is vulnerable, that has been under attack, that has been poor forever, that regardless of how poor, has resilient people who continue to be proud, who continue to get up, who continue to want to work, who continue to want a better day. We have to

be on the side of those people of Haiti now and show them that we are their friends and their allies and will continue to work to support their efforts.

There's a slogan that we use, I know, in my district in our community when we talk about Haiti. We say, "Let Haiti live." Let Haiti live. Now we're talking about let Haiti survive. I think Congresswoman WATERS and EDWARDS and CLARKE talked about how vulnerable and fragile Haiti is right now. So before Haiti can live, it's got to survive.

So tonight we're saying let Haiti survive; let's find the will and the way and the means to do everything we can do to make sure that the people of Haiti receive the type of humanitarian and emergency assistance, but also the type of long-term assistance that they deserve and that we definitely intend to provide.

Thank you again.

Ms. CLARKE. Thank you very much, Congresswoman BARBARA LEE, for your leadership, your commitment as a member of the CBC, and a Member of the House of Representatives. You have been very outspoken and a real leader in addressing these challenges that are before our international community, our friends, and our allies.

So this evening, if I didn't see it for myself, I would not believe it. Haiti is in crisis. As we stand here today, lives are tenuous. And what Haiti needs immediately we've been able to identify. Haiti needs as much support as we can give from this body, as much as we can orchestrate through our Department of Defense.

There is a need for watercraft that can travel across the waters to get to very remote areas that have been cut off by land; there's a need for assessment to take place as quickly as possible about the structural soundness of the infrastructure that currently exists, any modern technology that can be utilized to pump waters back into the seas to help dry out those areas.

Certainly food products are very important. We see a hunger crisis coming down the pike of a magnitude that I don't think we every witnessed in this hemisphere. We need clean water. The waterways of Haiti have been contaminated by the death and destruction around them, the death of humankind, the death of livestock. They need clean drinking water, they need medication and medical support because we are anticipating and trying to get ahead of any outbreaks of airborne diseases, of mosquito-borne diseases.

□ 2130

They need support for those who are struggling with their own health conditions currently.

We've asked the President of the United States to move forward with temporary protected status for Haitians, to halt the deportation of Haitians from the U.S. To send individuals into that environment right now is cruel and unusual punishment. We hope that the administration will heed this call at this time.

There are immigration issues, but there's an unprecedented international relief effort going on right now in Haiti, and the last thing that the Nation can do right now is provide for those who are returning deportees.

Despite the frequent report of drowning caused by unsafe refugee boats collapsing, the current conditions and crisis in Haiti may trigger an exodus of Haitian immigrants to the United States. Desperate times call for desperate measures. You have desperation climbing each and every day.

Since fiscal year 1998, the Coast Guard has interdicted well over 1,000 Haitians each year. Over 1,000 Haitians have already been interdicted in 2008.

Temporary protected status is the most inexpensive, immediate form of aid the President can single-handedly provide, and we ask that he make this possible as soon as possible.

There are currently six countries that are protected under TPS provisions: Nicaragua, Honduras, El Salvador, Burundi, Somalia and Sudan. And while other countries under similar circumstances have been afforded relief through TPS, Haiti has been overlooked time and time again.

Remittances are currently one-third of Haiti's gross national product. If we indeed want to underpin and undergird this country in its recovery, it is critical that we look at every vehicle and instrument we have at our disposal to help the people of the island nation of Haiti.

So we've put some recommendations forward. We look forward to further debate and conversation here in the House of Representatives. Haiti is a country in crisis. I've seen it. I know it. It is our time now to act upon it.

Mr. Speaker, I thank you for giving us this time as the Congressional Black Caucus. I want to thank our chairwoman, CAROLYN KILPATRICK, for her vision and leadership and her insistence upon us traveling on this emergency code.

I'd like to thank again my colleagues Congressman KENDRICK MEEK for his leadership in this code and his ability to get things moving and done through his affiliation and work as a member of the Armed Services Committee.

And I'd like to thank our newest Member, DONNA EDWARDS, for her leadership. She is a rising star. She is a part of making things happen here on the Hill, and it's just a source of pride and inspiration to work with her on this very important endeavor.

THE DEMOCRAT ENERGY BILL

The SPEAKER pro tempore (Mr. ALTMIRE). Under the Speaker's announced policy of January 18, 2007, the gentleman from Indiana (Mr. PENCE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PENCE. Mr. Speaker, I will be joined this evening on the floor by a number of distinguished colleagues, and we're going to take the oppor-

tunity on what we believe, Mr. Speaker, is the eve of a historic debate on energy legislation in the House of Representatives, to talk about the issue that is most bearing upon the American family. It is most bearing upon American business. It is most bearing upon our schools and our seniors and our standard of living, and that is, the high cost of fuel and gasoline.

The American people are hurting, and Republicans here on the House floor are delighted that this Congress is back in session, that the lights are back on and the cameras are back on because, all through the month of August, while the House Democrats took a 5-week paid vacation, Republicans stayed here because we simply believe that there's no issue of greater import to working Americans, small business owners or family farmers than the cost of gasoline and the high price of oil.

I will say to you that the disappointing economic news in August, Mr. Speaker, can be explained with one phrase: The high cost of energy is costing American jobs, and the American people know this.

As I traveled the four corners of my eastern Indiana district this past weekend, I did not hear about the bowling scores of Presidential candidates. I didn't even hear about lipstick very much. But I heard one Hoosier after another saying to me, please, get Congress to do something real about lessening our dependence on foreign oil and lowering the price of gasoline at the pump. And that's why we're here tonight, to talk about this issue.

It's an issue on the front page of my hometown newspaper, the largest newspaper in my district, I should say, the Muncie Star Press. After Ike hit shore, gasoline prices went to \$4.29 a gallon. In parts of my district, they were reported to be well over \$5 a gallon in the Midwest.

The headline tells the tale: Hoosiers are helpless. Millions of American people are helpless, Mr. Speaker, as they see a Congress that has over the last two years of this Democrat majority twiddled its thumbs while gasoline prices rose and rose and rose, and then they took their 5-week paid vacation.

But as I said, Republicans never left. As newspapers reported and radio reported all throughout the course of this summer, we stayed on this floor even though the lights were dimmed and the microphones were off, and we kept demanding that Speaker NANCY PELOSI would bring this Congress back into session and would bring a bill to the floor of this House that would give the American people more access to our own domestic reserves through drilling and include all of the other strategies long-term energy independence, more conservation, more fuel efficiency, solar, wind, nuclear.

A lot of people are looking at Congress this week with the word that we're going to be debating an energy bill that newspapers are reporting includes drilling and they're saying,

Mike, what's your problem? It seems to me you were one of those people arguing in the dimmed lights of the House Chamber for the whole month of August, demanding that Congress come back. They came back. Demanding that they bring an energy bill to the floor with drilling. And it looks like they are.

Well, I want to say, Mr. Speaker, to you and anyone looking in, it only looks that way. The energy legislation that will be brought to this floor, according to the best information we have, will do virtually nothing to lessen our dependence on foreign oil. If they have their way and take them at their word, it will still leave more than 80 percent of our domestic reserves forever off limits.

Now, we are going to gather tonight with some of the most distinguished and eloquent voices in the House Republican caucus to talk about this bill, to talk about the Democrat energy bill.

But I want to frame this debate, because as near as we can tell, Mr. Speaker, the Democrat majority's going to file a bill tonight with this 21st century energy crisis underway that sounds like they're going to debate for a whole day, maybe a day and a half, and then we're being told we'll be voting by the middle of the week.

Now, I don't want to get lost in the weeds of boring the American people who are looking on tonight with talking about subcommittees and committees and things we call markups, but the American people deserve to know that this bill, if it's filed tonight, we're being told the Democratic energy bill hasn't been written in any committee by people elected by the people of the United States of America. It hasn't been written in any normal process. It's been written in the back rooms of the Speaker's office.

Ironically, in the middle of August this year, as many of us were clamoring on this House floor with the lights dimmed, calling on the Democrat majority to come back and debate energy, we learned that an environmental group known as the Sierra Club had endorsed their bill. Well, we'd never seen the bill. In fact, we still haven't seen the bill. But it's coming.

And so what we are going to do tonight is we're going to do our level best to use the franchises that we have on this floor to inform the American people about what's going on here, and I'm going to use, Mr. Speaker, the Whip Pack that's put out by the office of the distinguished majority whip, the Honorable JAMES E. CLYBURN, and it's about five or six pages of, you know, what people in the political business call talking points about the Democrat legislation.

And let me be clear, I know I and the distinguished legislators on the floor tonight, we would love to be debating the bill but we don't have it. The Democrat majority is about to bring an energy bill that they're calling the Comprehensive American Energy Security

and Consumer Protection Act, and the title of the bill is all I really know at this point. It will likely be hundreds, if not thousands, of pages long, but we'll talk about the talking points tonight.

But I want to make two points before I yield to my colleagues. Number one, the American people deserve to know that the Democrats have made rhetorical progress in this battle. The truth is that Speaker NANCY PELOSI, a San Francisco liberal Democrat and a distinguished Member of this body, who I respect as a person, has been accurately described in the media as a zealous opponent of offshore drilling since the 1980s.

Speaker NANCY PELOSI of San Francisco has, like many liberals in California, been an ardent opponent of offshore drilling throughout her public career and was an ardent opponent of even taking a vote on offshore drilling until I think last week.

Let me give you the tale of the tape here. As recently as July 11, Speaker NANCY PELOSI told the New York Times, "This call for drilling in areas that are protected is a hoax." She said, "It's an absolute hoax." This is this last July. Speaker of the House said, and I quote her with respect, "It's an absolute hoax on the part of the Republicans and this Bush administration."

In an interview on July 17 on CNN, an interview with Wolf Blitzer, he said, "So let me get—will you allow the issue, offshore oil drilling, to come up for a vote on the floor of the House?"

Speaker PELOSI, "We're going to exhaust other remedies in terms of increasing supply in America . . ."

Wolf Blitzer, "So the answer is no?"

Speaker NANCY PELOSI, "I have no plans to do so."

In fact, many of us remember on August 3, a couple of days after that Congress adjourned for a 5-week paid vacation, a memorable and, in my opinion, a workmanlike journalistic job by George Stephanopoulos on ABC's "This Week" Sunday morning program where he must have asked Speaker PELOSI five different times whether she would ever allow a vote on drilling. And she said no about as we say south of highway 46, different ways from Sunday, no, no, no, no.

In other settings, Speaker PELOSI, has said, and I quote that she's, quote, trying to save the planet, presuming that allowing the American people to environmentally, responsibly take advantage of our own natural resources on the Outer Continental Shelf in the gulf or in Alaska would endanger the earth.

And let me say, that's entirely her right to hold that view. It's just not the view of the overwhelming majority of the American people, and it is certainly not the view of the majority of the Members elected to Congress. All the Republicans and many Democrats are prepared today to vote to lift the moratorium on offshore drilling that's been in place for decades.

So I guess that my first point to make today, Mr. Speaker, to you and

those looking on is, is first and foremost, let's understand our context here, that throughout the course of this newly minted Democrat majority, Speaker NANCY PELOSI has made it crystal clear until very recently that she was categorically opposed to this Congress ever voting on drilling. I think we ought to evaluate the Democratic proposal in the context of her sincerely held views up to a week ago.

□ 2145

And I would say with that, allowing for a belief in the sincerity of all of my colleagues, I think we ought to trust, but verify. I think we ought to look at the detail. Someone who has been, throughout her public career, a vociferous opponent of offshore drilling now allowing what we're being told is a bill that would allow offshore drilling, you know, we probably ought to read the fine print. And that's what we're going to try to do tonight. I can assure my countrymen who may be looking on, we will be trying to do that in the whole day we will be debating this energy proposal. A day.

You know, I worked on legislation that passed the House this year by 398 votes, a bipartisan measure; I have currently been working on it for 4 years. It has been debated through committees, it has been debated through the House, it has been considered in the Senate. And that's pretty typical in legislation. But this bill is going to be introduced tonight, and we may debate it for a day.

I yield to the gentleman from Arizona.

Mr. SHADEGG. Let me just ask you a question; I thought that when the Democrats took control, they promised the most open process in the history of the United States Congress. You've told us here in these remarks tonight that we're going to debate this for a whole day—a whole day. I thought those rules said that, in this open Congress, Members would get 24 hours to see a bill before it was voted on. I think our colleague, Mr. WESTMORELAND, brought that to our attention. And yet you mentioned that this bill has not gone to Rules yet and wasn't written in subcommittee or full committee or ever marked up in subcommittee or full committee. And it's in Rules in the dark of the night as we approach 10 o'clock here on the east coast. You can't really mean they're not going to give us 24 hours. You can't really mean they're going to write this bill in a back room and yet bring it to the floor still tomorrow, with less than 24 hours in this, the most open Congress in history?

I would be happy to yield back the gentleman's time.

Mr. PENCE. I yield to the gentleman from Georgia.

Mr. WESTMORELAND. I thank my friend from Indiana. But to the gentleman from Arizona, let me point out that that was only a promise.

Mr. SHADEGG. Oh, okay.

Mr. WESTMORELAND. Yes. A Congress working for all Americans is the Democratic promise. And what the Democratic promise says is, "bills should be developed following full hearings and open subcommittee and committee markups with appropriate referrals to other committees. Members should have at least 24 hours to examine a bill prior to consideration at the subcommittee level. Bills should generally come to the floor under a procedure that allows open, full and fair debate, consisting of a full amendment process that grants the minority the right to offer its alternatives, including a substitute. Members should have at least 24 hours to examine a bill and conference report text prior to floor consideration. Rules governing floor debate must be reported before 10 p.m. for a bill to be considered the following day."

It also says that the suspension calendar should be restricted to non-controversial legislation. I would like to remind my friend from Indiana that all the legislation that we've had thus far in the 110th Congress that dealt with energy has either, number one, been brought up under a closed rule or under a suspension rule. The closed rule means no amendments. The suspension rules mean no subcommittee, no committee, no amendments, just a straight 20 minutes for each side.

And I've got some other points I want to bring up, but I'll let you talk about these empty promises that has come about.

Mr. PENCE. Reclaiming my time, and I thank the gentleman from Arizona and the gentleman from Georgia. And in the few minutes that I'm going to take before I yield to my colleagues, Mr. Speaker, if anyone senses a bit of incredulity in our voices, it is borne of profound frustration, the profound frustration that the American people are hurting. And they don't want backroom deals coming to the floor of this Congress; they want a fair and open debate that lets the Congress work its will and develop a bipartisan strategy that achieves energy independence in the 21st century. We cannot do that in 24 hours. We cannot do that with backroom deals that are done in the dead of night with no amendments allowed on the floor, one-size-fits-all. That smacks more of politics than the kind of bipartisan accomplishment that the American people expect from the people's House.

Now let me give a few details about what we know about the bill that has not yet even been filed in the Congress and could be voted on the day after tomorrow.

The Democrat energy bill. Let me just give you 10 ways the Democrat energy bill fails the American people.

The Democrats' energy bill, number one, permanently locks up 80 percent of American oil reserves on the Outer Continental Shelf; 80 percent. If it passes intact, 80 percent of our reserves will be off limits forever.

Number two, the Democrats' "no energy" bill, as we know it now, permanently locks up more than a trillion barrels of oil from oil shale in the inner mountain West.

Number three, the Democrats' "no energy" bill permanently locks up more than 10 billion barrels of oil on Alaska's remote North Slope, an area where energy production and wildlife have been safely coexisting for decades.

Number four, the Democrats' "no energy" bill blocks more nuclear power production, efficient, less costly production than nations like France have been using for decades.

Number five, the Democrats' "no energy" bill does nothing to construct new clean coal energy production.

Six, there is an enormous tax increase in the Democrat energy bill, something they've been talking about ever since they took over the Congress, raising taxes on oil companies. Well, after the holocaust that struck with Hurricane Ike and Hurricane Gustav and Katrina a few years hence, the American people know we need more refineries in this country.

Congress passed tax breaks for oil companies to encourage the construction of more refineries, and they want to repeal those breaks and now raise taxes more. I've got to tell you, the biggest laugh line I have in eastern Indiana is when I look at people at town hall meetings and at town squares and I say, who among you thinks that by raising taxes on oil companies you will lessen the price of gasoline at the pump? It's a laugh-out-loud line, but it's what passes for the Democrats' energy policy.

Quickly then. The Democrats' "no energy" bill, as we know it, permanently prevents Federal agencies from using alternative sources of fuel. It increases electricity costs on families, seniors and small businesses through new heavy-handed electricity mandates. It includes plans for exactly zero new refineries as I mentioned before. And it ultimately defies the will of the American people who want this Congress to work together, who want this Congress to take an up-or-down vote on lifting the moratorium on offshore drilling, who want this Congress to bring all-of-the-above strategies—wind, solar, nuclear—and vote them up or down. But instead, we get a backroom deal, brought, soon to be, I assume, in the dead of night with no opportunity or meaningful opportunity for debate or amendment.

With that, I'm pleased to yield to the Policy chairman of the Republican Conference. THADDEUS MCCOTTER of Michigan is a colleague who spent more time on this floor during the August recess than any single Member of Congress. And I yield to him to speak about this legislation and its flaws.

Mr. MCCOTTER. I thank the gentleman from Indiana.

As you know, a fellow midwesterner, we, in the Great Lakes State, have suffered gravely from the high cost of en-

ergy. We've seen our manufacturing sector hard hit; we've seen our tourism industry hard hit; and across the board, we've seen our residents hard hit by the high cost of energy. And they have taken exception to the fact that the Congress, which they elect to work for them—and the Democratic majority in particular—chose to take a 5-week paid vacation while they suffered, while their family budget shrank, and while there was time for politics, but no time to bring a vote on this floor for an all-of-the-above energy strategy.

Now, let us make one thing clear: You will hear much from the majority Democrats that this is a drilling bill. This fails on two accounts. First, this is a political bill. All statements by the majority party have been phrased in the context of a political decision to provide them cover with the electorate they have so ill served over the course of the last 18 or 19 months. So when you say that we have incredulity on our side of the aisle, it is more than that; we have indignation at the way the process has been abused to prevent help going to our constituents through a sane, sound, all-of-the-above strategy.

Secondly, what we are most concerned about is the fact that the Democratic majority seems to believe its own myth that all the Republicans care about is drilling. This is not the case. Drilling is a technique. What the Republican Party has been about is the maximization of American energy production. It is not the technique, it is the goal.

We have focused on an all-of-the-above strategy that requires maximum American energy production, commonsense conservation, and free market green innovation so we can have a responsible transition to American energy security and independence. And when we see a bill come forward that says we are going to allow some drilling, we are going to somehow continue the government rationing of America's energy and provide you with maybe 20 percent relief by allowing you access to those precious materials and fossil fuels—which are yours, the American people—we not only strain credulity, we not only raise indignation, but what we have done is we have insulted the intelligence of the American people that somehow help will be on the way.

So when this bill comes forward in the manner that you and the gentleman from Arizona and the gentleman from Georgia have talked about, this is surely proof positive that this is a political ploy. It is not an energy policy suitable for the United States in the 21st century. And we have no doubt that while some on the majority side in the Democratic Party may have the witty talking line that Republicans will not take yes for an answer, I have no doubt that the American people will not mistake the Democratic Party's "no" for a solution.

I yield back to the gentleman from Indiana.

Mr. PENCE. I thank the Policy Committee chairman for his remarks.

I am informed, Mr. Speaker, that I stand corrected; that the legislation that I said had not been filed was filed during my opening remarks. And so anyone looking in should be aware that at 9:45 p.m. Eastern tonight, or thereabouts, the Democrat majority's plan for achieving energy independence in the 21st century was filed. We do not know the contents of the bill; we do not know the length of the bill. We are attempting to receive a copy of it and will attempt to report on that as much as we can before we adjourn tonight.

The Secretary of the Republican Conference, the distinguished gentleman from Texas, JOHN CARTER, is recognized for 5 minutes.

Mr. CARTER. I thank you very much for recognizing me on this issue.

You know, tonight, as we gather here, a bunch of Texans have just weathered a pretty rough storm down there in our part of the world. And it brought to the forefront something that Americans have already experienced in Indiana, and that is, when one-fifth of the refining capacity of the United States is hit by a hurricane because it is concentrated on the gulf coast, then we're going to see gas prices and diesel prices go up.

And even though tonight there are double shifts working in every refinery—and we were blessed that those refineries were not damaged more than just slightly—to bring that production back up is just like any other factory you shut down, you have to bring it back up to get to full production. And it will take days, and maybe even weeks, to where we're back. And the market knows that, and the market fears that. Just look at what happened when one refinery burned outside of Chicago partially, that's the first jump in gas prices, if Americans will think back to when the first jump in gas prices occurred.

Now, the reason why I bring this up, not only do I think about my neighbors back home and all the pain and suffering that they're going through, and then I think about the neighbors around the country that are going to suffer as a result of this natural disaster down there with the prices, and then I think about the fact that Republicans on this House floor have been trying to get something done about refining capacity for 30 years. And for 30 years, it has been the policy of the Democrats to say "no more refineries."

And as the gentleman mentioned, we finally got at least an incentive package to try to get refineries to start building new refineries. And quite frankly, if you're putting together an energy plan and you're talking about just refineries, shouldn't you maybe think about putting them someplace else besides the Texas and Louisiana and Mississippi gulf coast, seeing as we know what happens there all the time when it comes to hurricanes? We should be having a plan for just the

simple matter of having some gasoline and diesel produced in this country.

Now, Americans have common sense. Things don't have to be complicated for them. They look at an issue and say, are you telling me that this bill was written by the Speaker of the House and her folks with really no input from anybody? What makes them experts? And do I want them planning my life and my energy needs for the next 20 years in the back room of the Speaker's office?

□ 2200

Now I think the American people say no.

And I think the American people would say that this is an issue that should have some concentrated effort. Maybe they should have been here for the 5 weeks that the Republicans were here. I think the people back home were saying maybe we should have been meeting, which they seem to talk a lot about, in a bipartisan method to come up with a real all-of-the-above energy solution the Republicans started talking about 6, almost 7 weeks ago on a Friday afternoon when they shut off the lights, shut off the mics and ran off the press in this very House. But we Republicans stayed. And we talked. And we said this is a crisis. And then we've had another natural disaster which has enhanced that crisis. It's time that we wake up and realize, quit playing politics with that long distance trucker who is going to have to pay maybe \$6 or \$7 for diesel and not make a dime on his load. Or I had a rancher tell me that today, if you sell a calf at the auction in central Texas and you get \$90 for him, \$45 of that is in energy costs. It's time for us here in this Congress to wake up and instead of cramming eleventh hour pieces of legislation that look like the Fort Worth phonebook down our throats, maybe we should have that bipartisan discussion.

It's a shame that this type of legislation, and I can see it in your hand there, has come here in the last, it's 10 o'clock, in the last 20 minutes. It's time we get to work as Americans and pass a comprehensive energy plan that we all participate in.

Mr. PENCE. Thank you, Congressman CARTER.

The gentleman from Texas just made reference to what I have in my hand, which is the bill, Mr. Speaker. It was filed just a few short moments ago. We will be debating it tomorrow because what is known as the Rules Committee is meeting tonight to outline the parameters of debate. And it looks like some of us are going to be up late. It's 290 pages. And for those who might be looking in, you're looking realtime at what passes for legislating in the Democrat majority in Congress. It's 290 pages filed tonight. And we're voting on it tomorrow. And I assume the committee is meeting tonight and can move quickly because there will be apparently no, if any, amendments allowed.

Now let me say before I yield to the distinguished gentleman from Arizona on this issue, when I said earlier that this legislation locks off permanently 80 percent of our domestic oil and natural gas reserves on the Outer Continental Shelf, let me explain that to you because I have confirmed it now in the bill. This bill permits leasing and drilling for oil between 50 and 100 miles if States opt in. Of course it offers absolutely no revenues to the States for opting in the way that current law does with States along the gulf coast and the way that the Republican bill offers States, I think 39 percent of revenues go to States. And 10 percent goes to the Federal Government in the Republican bill, and then 50 percent of the revenue goes into developing new alternative energy strategies. But when I say that it permanently locks it off, there is no drilling here permitted between the current 3-mile threshold and 50 miles. None whatsoever. It's banned permanently.

And to give you an idea of what kind of resources we're talking about, eastern seaboard 3.8 billion barrels estimated, 3.7 billion in the eastern gulf of Mexico, 11 billion barrels in the Pacific coast. And most experts say most of it's between 3 and 50 miles. The Speaker of the House called plans to drill a hoax. And I'm not in the name-calling business, but the American people should know that this so-called energy bill which includes so-called drilling actually bans the American people from the overwhelming majority of our domestic reserves on the Outer Continental Shelf forever.

Let me yield to the gentleman from Arizona, JOHN SHADEGG, for 5 minutes.

Mr. SHADEGG. I want to thank the gentleman for conducting this Special Order. I think it's vitally important. I want to thank all of my colleagues, the chairman of the Policy Committee, my colleague, Mr. WESTMORELAND from Georgia, and each of my colleagues who have spoken before me. It is I think a particularly sad moment. Kids grow up in schools in America today believing that legislation is written in a committee process allowing people across the Nation, quite frankly, to have input either directly themselves to that legislation or through their Member of Congress. And so they get out a textbook when they grow up that says "How a Bill Becomes a Law." And it shows that a citizen has an idea, and they take it to a legislator. And that legislator says that is a good idea, and they write it into a bill. And then they bring that bill to this floor and they introduce it. And the bill gets assigned to a committee, and from the committee to a subcommittee. And it goes through a subcommittee hearing and a subcommittee markup and a full committee hearing and a full committee markup. And then here in our body it might go to a second committee. And ultimately it goes through Rules Committee.

I suggest that in America we need to amend our textbooks because under the

current regime under Speaker PELOSI, that does not happen. Bills get written. This bill of huge moment and of huge importance to the American people was not ever written or introduced or seen in a subcommittee, never seen in a full committee, never had a chance for input. And that is shocking. But let me point out why that matters.

It matters because the Nation believes this week in Washington we're going to do something important. The Nation believes this week in Washington we're going to take up the drilling issue. I want to suggest to you, and I know my colleague understands this, that nothing that happens this week will have any legal meaning, any practical impact at all. I don't mean to be harsh. But it is a charade. It is, quite frankly, a hoax on the American people. And let me tell you why. Not one of these bills, not the bill you just held up, not any of the three bills that will be debated in the House and Senate this week, will produce a drop of oil. And if Americans sitting across the country are saying, well finally we're going to draft a bill that will produce some oil, they need to sit down. They need to listen carefully. They're about to be shocked. Not one drop of oil will be produced.

I will tell you why. Because the bill didn't go through a committee markup process. All of these bills are silent on legal challenges. I asked the gentleman in the chair to listen. He is a thoughtful Democrat. He knows that these things matter. I ask him to listen. Not one of these bills contains language dealing with legal challenges. And without that language, there won't be a drop of oil. Let me tell you why. This Nation has got people in it who will file lawsuits challenging whatever we do, and not a drop of oil will be produced.

Back that claim up, Congressman SHADEGG. Well let me tell you the story. Here are the facts. Radical environmentalists, the Center for Biological Diversity, the Natural Resources Defense Council, the Sierra Club and numerous others, Earth First, have filed lawsuits blocking every single oil lease issued in this country and all future oil leases already.

Let me give you some shocking statistics. In February of this year, the Bush administration issued 487 oil leases in the Chukchi Sea, which is the coast off the west side of Alaska. Radical environmental groups, the Center for Biological Diversity, the Natural Resources Defense Council, the Sierra Club and others challenged not 80 percent of those leases, not 90 percent of these leases, they challenged with a lawsuit, pending right now, stopping those leases from going forward, all 487 leases. They didn't let one go forward.

The government decided to issue a 5-year plan for oil leases in Alaska and in the lower 48. And so in July of 2007, the Federal Government issued a plan to allow oil leasing over the next 5 years. Radical environmentalists, the Center for Biological Diversity and

others, already filed lawsuits challenging every existing oil lease and every future oil lease. In Alaska there are a grand total of 748 oil leases. How many do you think have been challenged? I will yield to the gentleman. How many do you think have been challenged if there are 748?

Mr. PENCE. I would speculate 748.

Mr. SHADEGG. The gentleman is precisely correct. That is to say whatever bill we pass today, whatever oil leases come from that bill, if Joe back in Texas or Sarah in Washington State or Jill in my State of Arizona or Jack in Utah believe that that bill will in fact lead to drilling on the Outer Continental Shelf, they are wrong. It will lead to nothing because radical environmentalists will sue every single oil lease. This year in the Chukchi Sea, we issued 487. They sued to block 487. In all Alaska including the Chukchi and Beaufort Seas, we issued 748, and they filed to block 748.

The Minerals Management Service this year approved an exploration plan for 12 leases in the Beaufort Sea. That is to say an oil company came in and said we've got a lease. We now want to go forward. Here is our exploration plan that they have to file with the government under current law. There were 12 of those that were approved this year by the Minerals Management Service of the Federal Government. How many of the 12 were challenged? All 12. You got it right.

There is another lawsuit under the Freedom of Information Act going after every single lease in the country. But it is not just in the Outer Continental Shelf. Let's talk about here in the United States. On July 16, 2008, the Bureau of Land Management, New Mexico State office, auctioned off 78 oil leases, some in New Mexico, some in Kansas, some in Oklahoma, some in Texas, the gentleman who just spoke. Out of 78 leases they issued in New Mexico, Kansas, Oklahoma and Texas, along comes a group called the Western Environmental Law Center and Wild Earth Guardians, and they filed suit against not 80 percent of them, not 85 percent of them, not 92 percent of them, they filed a lawsuit against 100 percent of the leases in New Mexico, Kansas, Oklahoma and Texas. The government issued 78 leases. Radical environmentalists sue 78 leases.

This is I think a really sad day because the Democrats are holding themselves out, and tomorrow on this floor, they will say they are addressing drilling in this country. They will say they are going to allow drilling to go forward. And it is a charade. It won't happen because they know that the Center For Biological Diversity, Natural Resources Defense Council, and friends like Wild Earth Guardians will file suit and stop not some of these leases, not most of those leases, but every single one of them.

That makes me sad because it has the Congress deceiving the people of Arizona, the people of America. They

are deceiving the people of my home State of Arizona too, and it shocks me. This is amazing. And somebody might say well, Congressman, that is the norm. People can always file suit. That is not true. When we did the Alaska pipeline, we wrote a provision into the law that said, if you want to file suit, you have to file it in this court and it has to be done in this amount of time. All of us on the floor here were here when we passed the legislation to build fencing along the southern border of the United States to keep out illegals. In that legislation, we said that if you want to file a legal challenge, the government can get you past that legal challenge.

I want to suggest, as I conclude here, that if Speaker PELOSI really wants to produce oil, if the Democrats on the other side in the Senate, the other body, really want to produce oil, if our friends, our good Republican friends who are a part of the original gang of 10, now maybe it's the gang of 16 or the gang of 20, if they really believe they want to produce oil and they want to contribute to this, it's easy.

□ 2215

You can write language into the bill that says we are going to allow lawsuits. Everybody believes in the process of law. I call myself a recovering lawyer. I don't want to preclude all lawsuits. But we can write reasonable language to block dilatory lawsuits, language that says you must file any legal challenge to this bill within 180 days, and it takes priority over any other litigation, and it must be resolved within that 180 days, and then you get a period of time of maybe another 180 days for appeal.

If we pass a bill here in the Congress, in the House or the Senate, which says to the American people we are going to allow drilling to occur, and it is silent, as that bill you are holding is, it is silent on expediting legal challenges, the bill is meaningless and we will have played a nasty, mean-spirited trick on the people at home who want us to do something about oil.

I call on my colleagues on the other side of the aisle. If they care about solving the problem of drilling, if they really mean yes, I am willing to allow some compromise on drilling, then it has got to have language expediting lawsuits.

I thank the gentleman for yielding.

Mr. PENCE. I thank the gentleman from Arizona for his extraordinary insight on this issue. It really does beg the question, Mr. Speaker, for anybody looking in. This is the Democrat energy bill. It was filed we think about 30 minutes ago. It is 290 pages long, so I can't speak with authority about what is in it, because I haven't had a chance to read it.

But what we know is not in it is any expedited litigation reform that would prevent environmental organizations or radical, leftist groups from tying up our domestic oil reserves in the courts,

as they are doing in existing leasing areas. Also what is not in it is any revenues at all to drill in that 50 miles out to 100 miles out.

Mr. Speaker, if you think we are suggesting that that is more important than it really is, I would quote to you Democrat Senator MARY LANDRIEU, who in her hometown newspaper this weekend urged House Democrats to oppose the House Democrat bill. Democrat Senator MARY LANDRIEU said because the bill offered the States no money to drill off their shores, that it was “dead on arrival in the Senate.” She said, “It most certainly won’t see the light of day in the Senate.”

So as I prepare to yield to the distinguished gentlewoman from Minnesota, no one wants to see a bipartisan compromise on comprehensive energy legislation more than me.

I spent a good chunk of my August recess talking in a darkened chamber. I would love to see the Congress come together this week and figure it out and share all the credit. But it has to be a serious effort to say yes to solar, yes to wind, yes to nuclear, yes to conservation, and it has to be a serious effort to say yes to giving the American people more access to American oil. And when one hears the gentleman from Arizona and one hears people like the Democrat Senator from Louisiana, one comes to the conclusion this is not a serious effort to give the American people more access to American oil.

I yield to the gentlewoman from Minnesota, MICHELE BACHMANN.

Mrs. BACHMANN. I thank the gentleman from Indiana for yielding, and I hear the frustration that is in your voice, because you are echoing the frustration that the American people are feeling all over this country. Right now, they are taking their pencils and breaking them, they are taking their shoe and throwing it across the room, because they can’t believe that for the 21 months that the Democrats have held the gavel in this Chamber, they have only now tonight, for the first time in 21 months, had the guts to put on this floor their “commonsense energy plan.”

From what we know of this bill so far, this “commonsense energy plan” doesn’t have a lot of energy in it. If you take about 80 percent of the Outer Continental Shelf and make it illegal, permanently off limits to energy production, how can you with a straight face before the American people say that you want to get serious about solving this problem?

This isn’t a bill. As our colleague Representative SHADEGG said, this is a charade purported upon the American people. So what we are saying is, whose side are you on? Whose side are you on? Do you want a pro-American energy bill? That is what we want. We want to be truly energy independent.

I want to piggyback back on what Representative SHADEGG said. He talked about the lawsuits that have been filed. Every single lease that has

come up for sale has had a lawsuit filed.

I just want you to know, in my district we have the longest-running unfinished bridge project in the history of the United States of America. Why? Because we have lawsuits filed by the Sierra Club. We still don’t have a bridge coming on line, because the Sierra Club now has run up the tab so that people in my district will be paying over \$400 million to build a bridge because we have lawsuits filed against this bridge.

Why do we even allow lawsuits at all? If the United States Government certifies that land is available for leasing, shouldn’t the United States Government certify that this land should be truly available for leasing? We don’t need these outside groups to come in and file these lawsuits, because, after all, if there is a problem with the environment, if there is a problem with laws being violated, don’t we have the Minerals Management Service that could issue a fine, that could issue a temporary restraining order, that could prohibit that company from drilling at all and pull that lease back? Certainly they could.

Why do we allow these leases at all? We are in a serious situation in this country. We just saw financial firms, Bear Stearns has had a problem. They have needed a government bailout. We have seen Fannie Mae, Freddie Mac. They needed the Federal government to come in and take them over. Just this week, Lehman Brothers is filing bankruptcy. We are seeing Morgan Stanley being bought out by Bank of America.

What are the American people worried about tonight, Mr. Speaker? They are worried about if they are going to have a job tomorrow morning. They are worried if they will have enough money in their bank account to put gas in the tank so they can go to their job. This is serious, Mr. Speaker. This is no joke. That is why I think this is an insult to the American people.

This is 290-some pages, as the gentleman from Indiana said. But this is a joke on the American people. If this won’t produce one drop of oil, then why are we wasting our time?

Let’s face it: We have got now nine days before adjournment, nine days before the end of the year. Nine days. So we are going to, what, dance around a little bit and have a charade a little bit? We don’t even know if we can file an amendment on this bill. We don’t even know what we will be allowed to do.

But the one thing I guarantee, Mr. Speaker, is we will not remain silent. For the next nine days, the Republicans in the House on this floor will not remain silent before the American people, because we are going to tell the truth. We are going to tell the truth that under the last 21 months of Democrat-controlled Congress, we have seen post offices renamed. We have seen Federal buildings renamed. In fact, we

have seen monkeys saved from being transported across State lines. We have even seen \$25 million of American taxpayer money go to foreign countries in the form of foreign aid to pay for foreign cats and foreign dogs. We have seen this come off of the floor of this body.

But only tonight, at a quarter to 10, did we see an energy bill come before this body, which we believe will not produce one drop of energy, while the American people tonight are paying \$4 a gallon for gasoline. If we don’t get serious and really produce energy, come this November, the American people are going to have a choice: Do they want to pay \$2 a gallon for gasoline under a commonsense Republican plan, or do they want to pay \$6 or \$8 or \$10 a gallon for gasoline? That will be the reality, because under a President Obama, we won’t have drilling, and under a Democrat-controlled Congress, we know we won’t have drilling. That is the choice before the American people, Mr. Speaker: \$2 a gallon for gasoline, or \$6 or \$8 or \$10.

That is why I am so grateful to the gentleman from Indiana tonight, because he has pegged it. He has pegged it. He has said that this bill is nothing more than an insult to the American people. And that is why we are here tonight, as the precursor for the debate that will occur tomorrow.

Mr. PENCE. I thank the gentlewoman from Minnesota, and would recognize the gentlewoman from North Carolina, VIRGINIA FOXX, one of the most passionate, eloquent advocates of American energy independence in the Congress.

Ms. FOXX. I thank the gentleman from Indiana for leading this. I want to say it is a tough act to follow, MICHELE BACHMANN from Minnesota. She did such a wonderful job of synthesizing this.

I want to add just a couple of comments to what she has said. The Democrats took over control of the House and the Senate in 2006 by making a lot of promises. They have broken every one of those promises, and this bill is a culmination of the promises that they have broken.

As you all have pointed out, it is a 290-page bill. The Rules Committee is meeting now. We got it 45 minutes ago. They are going to come out, there will be no amendments offered for the bill. It is just a sham. It deserves the “Emperor’s New Clothes Award.” That is what I want to give it.

I think we need to point out, why are we allowing lawsuits? That was a question our colleague just asked. Let’s just say it straight, folks. The Democrats in this Congress are being controlled by three groups of people: The trial lawyers, the unions, and the radical environmentalists. Again, this bill is a good indication of how they are being controlled by those three groups.

The other thing I would say is that from the first of August of this year

until the end of December, the Democrats will have kept the House in session for 14 working days. That is all. Talk about a slam against the American people. We are letting the American people suffer with high gas prices while the Congress, led by the Democrats, and it needs to be said 3,000 times every day, the Democrats are in charge.

I want to say why we are going to have this vote, because I am quoting from today's Congressional Quarterly, so it isn't just coming from us as Republicans. This is an objective piece of journalism. The Democrats need to provide political cover to moderate members of their caucus who could suffer on election day unless they can show constituents they voted for an expansion of drilling.

They don't expect this to become law. There is no expectation. But they are giving cover to a few of their members who can say, oh, I went home and voted for this, this sham of a bill.

The American people are becoming more and more cynical. There is a 9 percent approval rating for the Congress. I hope that those who are watching know again the Democrats are in charge. If you want a Congress that is not going to leave you cynical, that is not going to walk away from its job, that is not going to leave you paying \$4 a gallon for gas, then you need to pay attention to who is representing you.

Mr. PENCE. I thank the gentleman from North Carolina for her passion and candor.

If I can yield to each of our last two speakers, then we will be able to clear the baffles. I think those that might be looking in, Mr. Speaker, can sense the frustration, not of the opposite political party, not of a frustrated minority, but what you are hearing here is the frustration of public men and women that know the American people are hurting. Seniors, small business owners, family farmers, school systems are struggling under the weight of record gasoline and diesel prices, and we ought not to be on this floor playing politics with this issue. We ought to be compromising. We ought to throw open the windows, open the blinds, have the debate, take the votes and let the cards fall where they may. That is mostly certainly not what is happening this week.

I yield to the distinguished gentleman from Texas on the Energy and Commerce Committee, Mr. BURGESS.

Mr. BURGESS. I thank the gentleman from Indiana. It just strains credulity. I sit on the Subcommittee on Energy and Air Quality of the Energy and Commerce Committee, and it strains credulity that I come to the floor of the House tonight and find that this bill has been filed by the Rules Committee.

We have had tons of hearings over the last 18-20 months in our subcommittee, and fact is, we never got a chance to look at this bill in subcommittee. We never got a chance to

mark it up in subcommittee or full committee. Why even bother having congressional committees, when this stuff is going to spring from whole cloth in the Speaker's Office? It makes no sense.

I need to say a word about refineries, because we have tried for the last 3 years since Hurricane Katrina roared ashore to get siting for new gasoline refineries in this country.

We passed an Energy Policy Act in August of 2005. It became obsolete in September when Hurricane Katrina came ashore. In October 2005, we as Republicans tried to pass legislation that would allow for siting of new refineries on closed military bases.

□ 2230

It's come up in various forms again and again over the last 3 years. Most recently, at the end of July, I tried to add an amendment onto the military construction appropriations bill, the only appropriations bill we have had in the Congress this year, and I was denied. I was told that the military service organizations wanted a clean bill. It was important to them to get this done quickly, but the bill had passed out of committee on May 24, and it was July 31 that we were hearing it here on the floor of the House. We had plenty of time to arrange these things and allow for amendments.

I would just have to add, if we want to talk about, for our members, the men and women of the military, we ought to be working too on the Department of Defense appropriations bill, because their pay raises are going to be in that bill. If we kick the can down to road to an omnibus bill at the end of the year, we are asking our men and women, who are serving, to protect us this very evening to delay receiving those benefits that they so richly deserve.

This bill is a travesty. I have been going through it here in the back here while we have been talking. You have credits in here to Freddie and Fannie, for crying out loud. Is that a good idea for with what we have just been through?

There are earmarks in this bill. There are very specific targeted pieces of legislation contained within this bill. This bill is not a good idea. We would fix those things in committee if we only had the chance.

Mr. PENCE. I thank the gentleman from Texas very much for those thoughtful insights.

The gentleman from Georgia (Mr. BROUN) is recognized for 1 minute.

Mr. BROUN of Georgia. I thank the gentleman for yielding.

We hear this bill called a sham, a charade, a travesty. Let's make it clear to the American people, this bill is a bald-faced lie. It's a bald-faced lie because the Democratic majority that controls this House is going to say they are for drilling, they are for producing oil. They are not.

We have heard from Mr. SHADEGG. There is nothing in there to stop the

lawsuits, the endless lawsuits that are going to keep us from producing oil. We don't know what oil is in this bill, but we know in submission that are aren't in this bill. There's nothing about nuclear.

It won't come to a floor controlled by NANCY PELOSI that has anything dealing with nuclear energy. We won't have new refineries. It's a sham, it's a travesty. It is a charade, but is it a lie?

It's a lie to the American people that's being put forth by the Democratic majority, by NANCY PELOSI and STENY HOYER, and the American people need to know that. It's not about trying to produce energy. It's about a line to the American people, giving cover to some of their folks so that they can go home and say I voted for a drilling bill.

Now we need a drill to bill, but we need a bill to produce oil, and this is not it. So I encourage my Democratic colleagues to oppose this bill.

Mr. PENCE. I thank the gentleman for Georgia and all my colleagues who are here and those that offered to come here.

I just say from my heart, and I have been passionate on the floor tonight, but it's a passion that is borne of a desire to solve this problem.

But seeing a bill 290 pages long dropped on to the floor of this Congress less than 24 hours before it is to be debated does not represent a serious effort to bring about bipartisan compromise in this Congress. My colleagues of goodwill know this.

The truth is the American people want this Congress to come together in an open, fair debate and take and develop a comprehensive energy strategy that says yes to conservation, yes to solar, yes to wind, yes to nuclear, yes to greater fuel efficiency standards, and takes a bipartisan vote to lift the moratorium and let the American people have access to our vast domestic reserves on the Outer Continental Shelf and in Alaska.

Wherever those votes fall, let the cards fall where they may. But that's the process the American people want to see happen, and that is the basis upon which we can build a long-term strategy to achieve American energy independence. We have just begun this battle. It will continue tomorrow.

HONORING CONGRESSMAN JOHN SEIBERLING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the Chair recognizes the gentleman from Ohio (Mr. RYAN) for half the time remaining before midnight, which is approximately 43 minutes.

Mr. RYAN of Ohio. Mr. Speaker, we appreciate the opportunity to be here.

Tonight we rise to honor one of the great Members of Congress that has ever stepped foot into this Chamber, and that has ever served in the United States Congress, and that's John Seiberling. Mr. Seiberling passed away a

few weeks ago. We rise today, I am joined by my colleague, and I join my colleague, Congresswoman BETTY SUTTON. We split the Congressman's old district in Akron and Kent, her particular district goes up to Lorraine, but Ms. SUTTON has to leave us, because she is going to go into the Rules Committee room and actually put forth some comprehensive energy legislation that we just heard so much that we weren't doing, that's going to be here on floor of this week addressing all of the issues that the American people want us to address.

With that, Ms. SUTTON, I will yield to you.

Ms. SUTTON. I thank the gentleman. I thank you for putting together this hour that we have to honor Congressman John Seiberling. I do rise with a deep sense of humility and appreciation to speak about this great man.

Congressman Seiberling was an extraordinary public servant and humanitarian who gave countless years of humble service to the people of northeast Ohio and our country. His unflinching commitment to the rule of law and the pursuit of social justice have inspired so many. Through selfless service, John Seiberling and his extraordinary wife, Betty, have given those of us in the Akron community, Ohio and this Nation, far more than we can adequately pay tribute to here tonight.

But for all that you have given us so generously in service, we thank you.

Though I am almost certain he would argue this point, John Seiberling was a great man, and the fact that he would, with humility, object to such praise, would only prove the point. Congressman Seiberling, together with Congressman RALPH REGULA, worked to create the Cuyahoga Valley National Park, a gift for the ages, bettering the lives of people throughout our area, our country and our world. From near and far, people visit the Cuyahoga Valley National Park, making it among the most visited national parks in this country.

Congressman Seiberling was a special soul, one who traveled a path of common good. He touched so many lives throughout this Nation and beyond, and I, like others, like TIM and others here today, were so fortunate to have him touch ours.

I shall never forget the occasion that I became aware of John Seiberling. I was blessed with an opportunity to visit Washington, D.C., as a high school student.

As fate would have it, on the day that I came to this, the United States House of Representatives, I sat in the gallery, and the distinguished gentleman from Ohio, Congressman John Seiberling, rose to the floor to speak to an issue of the day.

Though I will always recall this amazing experience, I could not tell you the subject matter of his remarks. It was not the subject that struck me that day, it was his passion, his un-

abashed resolve. It was the heart with which he spoke on behalf of those he so clearly served.

After leaving Congress, Representative Seiberling returned home to Akron and continued his service to our community as a teacher and a scholar.

Fate again brought me to his presence. As a law student at the University of Akron School of Law, I had the privilege to be his student. My fellow law students and I were blessed to witness his humble strength and his enduring belief in public service as a pursuit of a high calling.

As he taught us about the legislative process, which was the subject of the course, we learned about the work and perseverance that went into the creation of the Cuyahoga Valley National Park and also into passage of the Alaska Lands Act of 1980, which was an achievement of historic proportion.

But amazing though his achievements were, Congressman Seiberling never bragged of his accomplishments. He was far too modest for such things.

Instead, he focused on teaching us about how to make the legislative process work, even against long odds. For the knowledge that he shared, I will always be grateful.

Though his modesty precluded him from bragging, make no mistake. The Alaska Lands Act of 1980 was historic, and as its author, Congressman Seiberling deserves our admiration and appreciation.

Describing the importance of this immense contribution to the country, in 2001, when President Clinton presented Congressman Seiberling with the Presidential Citizens Medal, Clinton said, "With that legislation, John Seiberling single-handedly saved more of our wilderness than any previous American, a legacy that will last for generations."

Congressman Seiberling, with his vision, perseverance and courage, with his heart and mind combined, he made our community and our country and our world a better and more just place, leaving us with a legacy and inspiration that shall long endure.

Thank you, Congressman Seiberling, for the life that you lived and the example you set.

Betty, thank you and your family for all that you have given so generously. I thank you for the time.

Mr. RYAN of Ohio. Good luck up in rules. I know we are going to do the right thing. I know Congressman Seiberling would be proud of the efforts we have been making on behalf of the environment, on behalf of alternative energy.

I just had the opportunity to kind of peruse through some of my old staff, was his old staff, had an opportunity to peruse, as you were talking the Plain Dealer Magazine from 1986 when Congressman Seiberling retired, and they did a full spread. Just looking through here, I had prepared remarks, but this is a heck of a lot better than what I was going to say.

As you go through, and you talk, as Congresswoman SUTTON was talking

about the Cuyahoga Valley and the park, which basically, for those who don't know the area, Cleveland and Akron would have just grown together, and they would have just been this huge, you know, megacity.

Because of the vision of John Seiberling and RALPH REGULA, who is just retiring from Congress now, there is this huge Cuyahoga Valley National Park that is one of the beautiful landscapes in Ohio, has separated Akron and Cleveland and provided this gorgeous scenic area. But that's the kind of vision that Congressman Seiberling had.

I am trying to find the quote here from Mr. REGULA, if I can find it, the newspaper is sticking together because it's 22 years old, but there is a great quote in here from Mr. REGULA, just talking about how this is John Seiberling's legacy, is that the Cuyahoga Valley National Park.

To have the vision and the foresight that Congressman John Seiberling had is something that I think all of us who serve in Congress aspire to, because it's not about dealing with, necessarily, the problems that we have today, but as we deal with those problems, figure out how we put the country in a good position 10, 15, 20 years from now. When this gentleman was talking about the Cuyahoga Valley National Park 30 years ago, almost 40 years ago, and when he was talking about preserving the wilderness and the natural landscape of our country, not just historic buildings, but historic landscape, and the natural landscape that we have in this country, he was a man ahead of his time.

I also had an opportunity to look through one of his old pieces of campaign literature. As we hear the rhetoric, and I know Congressman Seiberling wouldn't in the least bit mind me incorporating some of what the Democrats are doing today into his kind of memorial here, he wouldn't mind that in the least bit, I was looking through his campaign literature.

I just want to share with everyone some of the things he was saying in his election in 1970, 38 years ago, when the Vietnam War was going on, issues on the economy, I will give you an example here. On the economy, "I oppose the economic policies of the Nixon administration. Instead of ending the war and massive military space spending, Nixon has chosen to squeeze the little guy with high prices and unemployment."

On pollution, "Facing the greatest environmental crisis of our history, we must move as fast as possible to end the major causes of pollution. I favor a system of fees to be charged against polluters in proportion to the amount of pollution they create."

This is a guy who was in northeast Ohio and not too far from coal country, standing up saying this is what I believe in. This is what I believe, and this is where I think the country needs to go.

□ 2245

On cities, "Our Nation's priorities are out of whack. The urban crisis is the result. We must cut spending for extravagant military projects and start spending more on health care, crime control, education, housing, recreation areas, public transportation, and other pressing human needs."

He was extremely involved in the impeachment of Richard Nixon because he sat on the Judiciary Committee. He was obviously involved in interior projects and in making sure that the natural beauty of the United States was preserved. I believe that, as Ms. SUTTON stated earlier, he partnered with Congressman Mo Udall and led the way to adding more than 100 million acres to our national parks—wildlife refuges, wild rivers, wilderness areas. He successfully moved to enact the Alaska National Interest Lands Conservation Act in 1980, protecting 56 million acres in Alaska's parks, wilderness areas and forests and, as I mentioned earlier, with Congressman REGULA, 34,000 acres of the Cuyahoga Valley National Park, which is now one of the Nation's most visited.

This is just a great guy, I mean just a class act. His lineage comes from the Goodyear Tire Company, which his grandfather started. He just goes back from that kind of stock—Harvard, Columbia stock—that kind of ivy league stock, but he never, ever lost that common touch.

We were talking about Stephanie Tubbs Jones earlier and how you can be on stages with Presidents and can be passing key pieces of legislation, but when you run into them at the grocery store, they're the same people that you always knew. John Seiberling was just like that.

Mr. Speaker, we've been joined by the dean of the Ohio delegation, the gentlewoman from Toledo (Ms. KAPTUR).

I don't know. Did you have an opportunity to serve with Mr. Seiberling for a few years?

Ms. KAPTUR. Congressman RYAN, I just want to thank you for your leadership in assembling this Special Order this evening. Every member of the delegation joins you in extending our deepest sympathy to Betty, to John's family, to all of his friends, not just in Akron but across this country. I know how proud he would be of you and of your service to have this very intelligent force here inside the Congress.

I had the great joy of serving with John Seiberling. One can offer many plaudits and memories of his great work, and I am flooded with memories as I speak this evening, but one word comes to mind. That word is "integrity." John Seiberling was absolutely an honest, decent, patriotic American. I recall many of his great works. I think he had these beige Chuck-A Boots, these Chuck-A Boots. Do you remember when those were in style? He always wore them. You knew when John had the Chuck-A Boots on that

he'd either been up in Alaska or that he'd just come back from trying to get the Cuyahoga National Recreation Area designated or that he'd been out west in some park or on some mountain somewhere. He always had like a tweed jacket, and he had a cut about him where you knew that he had been raised in a family of wealth. He didn't spend a lot of money on clothes, but he dressed a certain way. There was a certain cut of the man that helped to define him, and when he looked at you, he looked at you straight, and you always knew where John Seiberling stood. There was a certain way he held himself. It was as though he held up the honor of the office by the way he held his spine.

I remember the day that Betty sat in the gallery when those of us who were here honored his legacy and his last day of service here in the Congress. I can't believe it was that many years ago, because he was such a force here within the Congress, itself, such a force for integrity of the institution. In fact, in my office, I have a plaque that I had made because of a plaque he had hung in his office, which said that this office belongs to the people of his congressional district in Ohio. I was so impressed that, outside my office, I had a sign made: "This office belongs to the people of the 9th Congressional District." John Seiberling always held us to a higher standard.

I have to tell you that I had an experience. When I was first elected, there were only two eagles left on Lake Erie, which is in the western part of Ohio, the region that I represent, and John had just started on the Cuyahoga National Recreation Area. This past year, something really wonderful happened. We've increased the number of eagles to 12 times what used to exist. We have 144 nesting pairs now, but a year and a half ago, two of those critters flew over to the Cuyahoga National Recreation Area, and they took nest, and they've now had three baby eaglets. Every time I think of that, I say, "Thank you, John Seiberling, for what you did," as we give rebirth to this region of America.

When he grew up, the Cuyahoga River became a national disgrace as it burned, and people still remember that image today, but John knew it had to be healed. He began doing just what Congressman RYAN and what Congresswoman SUTTON have said, working here in the House and, of course, with our dear friend Congressman RALPH REGULA as well, to put into place these green emeralds, these jewels of parklands that have now been placed, expanded and improved to a point where our western basin of Lake Erie can touch the eastern side of Ohio in a way that helps to raise up the symbol of this country, the bald eagle.

If it would be all right with the gentleman, I have remarks I would like to place in the RECORD.

Mr. RYAN of Ohio. Of course.

Ms. KAPTUR. I don't know if it was noted that John was born in 1918, in

this month of September, to Lieutenant John Frederick Seiberling and Henrietta McBrayer Buckler. Like his father, John went on to serve his country in the Armed Forces. While fighting in World War II while in the United States Army, he was awarded the Legion of Merit in the recognition of his role in planning motor transport for the D-day invasion of Normandy.

When you think back to what he did as a young man and from his military service on, he never stopped fighting for his country. He was such a patriot. Congressman RYAN talked about his ivy league education and his roots, his scion from the Goodyear Tire and Rubber Company. He could have come here, and he could have represented Wall Street, but John Seiberling never did that. He represented the best interests of this country. He never tried to clean up for himself. I remember, after he retired, he sent me this beautiful, beautiful book about flowers in the Akron area and about the ecosystem of the northeastern part of Ohio. He was always teaching; he was always contributing, and he made this institution sparkle.

Now, was he a telegenic figure? We seem to be in an age of television and media where everybody has got to have the right makeup and the right glasses. Are you telegenic? Are you TV ready? Are you camera ready? You know, John Seiberling didn't care about that. Sometimes his tweed suit would be a little bit ruffled. I wish for more Members with ruffled suits whose hair isn't exactly combed. John was always very neat—don't get me wrong—but he was there for the country, and he trudged it from coast to coast.

I think that his service on the House Judiciary Committee, history will note, took great courage as he drafted the Articles of Impeachment brought against former President Richard Nixon. Imagine the courage and the scholarship and the acumen that that effort entailed. He was a man to be dealt with, and you knew exactly where he stood, and when he was in your corner, he never wavered.

I wanted to mention his devotion to his family, to Betty. They were a team. I remember one time, Congressman RYAN, when for whatever reason I ended up in Akron, Ohio, at this big event in the city. I walked in this room, and I was meeting buckeyes whom I'd never met before. All of a sudden, there came this man down the aisle, to be seated with his wife. He had retired from Congress, and his vision wasn't that good at that point. They brought John Seiberling in, and the audience just applauded wall to wall until he took his seat with his wife's next to his. He was present for the program, and he heard every word. His mind was quick, and he absorbed everything that happened. When I went up to him afterwards, he knew exactly who I was; he knew exactly what had happened, and he was there to try to change America for the better in that particular election year.

To their sons John, David and Stephen, all I will say is thank you from the Kaptur family for allowing us to know your father because, to this day, he has an influence inside this institution. I learned so much from him, and he was so kind to me as a new Member and as the first woman from my region of Ohio ever to be elected here. He welcomed me. He helped to tutor me. He made me feel very much a part of this institution from day one. I shall always be grateful to him. I never forget him. He is a standard that I hold and is someone to whom I still look up in my own work. As I look at that plaque every day, I think of him. I can't tell you how many people have commented on it, and I always say, "That's from Congressman Seiberling." His life still resonates here and across our country. We loved him, too.

Now, he wasn't exactly a lovable figure in a way. There was a certain circumstance about him. I suppose, because of his lawyerly training, you sort of felt like you were meeting a judge in a way and that he was judging every person and every event at which he was present, but there was also a great strength, and you wanted to know him better. You wanted him to teach you. You wanted to learn from him. The country is better served by individuals like him.

I doubt that John took millions of dollars away from here in any way, personally or politically. He wasn't that kind of guy. He served our country. Oh, we would be so much better if we could have more John Seiberlings in this institution.

So I say to Congressman RYAN thank you so much. You know in whose footsteps you walk. Congresswoman SUTTON knows in whose footsteps she walks.

I just feel very fortunate to have been able to serve here long enough to have known John Seiberling. His perseverance, I think, has inspired us all.

I would say to the gentleman I have other remarks to make, but I'm sure that you have other material there that you would like to place in the RECORD. I just know John is watching over us and is wanting us to do better, to do better for the Republic because he did better for the Republic, and we hope to make him proud.

Mr. RYAN of Ohio. I appreciate the gentleness of your coming. We thank you for your personal recollections. Those of us who came a few years after had to hear the stories, but you were here for a lot of that and for a lot of those fights.

You know, even until the last few weeks of his life, until the last few months of his life, at any time I talked to him, he wanted to talk about what was going on in the country. He wanted to talk about what the President was doing and how he was doing it wrong. He wanted to talk about alternative energy. I mean, as you said, his mind was always working on how we can fix the country, on how the country can do

better and on how we can move in a new direction.

I want to share an article. Tom Diemer from the Plain Dealer wrote this article and did a great job, which he always does, about Mr. Seiberling's reflecting on his accomplishments with the Cuyahoga Valley National Park. He is quoting Mr. REGULA as saying:

"Without John Seiberling, there would never, never have been a Cuyahoga Valley National Park." The Canton area lawmaker and an original co-sponsor of the parks bill said, "Not a chance. This is going to be a lasting monument to John Seiberling."

Against strong odds and Gerald Ford in '74 to try to get this greenbelt together, Mr. Seiberling said, "That is one I am most satisfied with. Saving the beautiful valley was a real joy. I get letters every week from people who say, 'I just drove through the Cuyahoga Valley, and I'm just so grateful to you for taking action to preserve this beautiful area, and it means a lot to me and my children.'"

□ 2300

"When I get letters like that," Mr. Seiberling went on to say, "it brings tears to my eyes because I realize that those people have the same feelings that I do."

And that was him right there. I mean, that's him in a nutshell, that he understood what the people wanted, and he knew that he was down here to execute those values and those ideas, and he did it. And just a wonderful guy.

So I would also like to extend my condolences to Betty and the three sons and the big family on behalf of me and all the constituents from the 17th district, how great it is when we walk around and talk to MARK UDALL and he talks about his dad's relationship with Mr. Seiberling and all the battles that they had.

In closing here, I would like to just share and ask, Mr. Speaker, that this article be submitted for the RECORD. And I'll make a copy. And this is John Seiberling's political philosophy and legislative philosophy summed up in this article by Mr. Diemer. "What we are trying to do is maintain a livable world." Think how appropriate this is for today. "What we are trying to do is maintain a livable world free of nuclear disaster, a world that we have not polluted to the point where we can't breathe, and where we preserve some natural beauty so that we can have the solace and the experiences of being out in God's world. I feel basically it is all part of the same effort to preserve part of our heritage for our children."

Peace, a clean environment, pristine national parks and wildlife areas, and how urban sprawl has eaten a lot of it up in our time. And I think for those of us who fill his shoes here, it's now our obligation to go in and talk about urban redevelopment, to talk about preserving these natural spaces.

But more importantly, as the debate on energy has heated up over the past

few weeks and few months, for us to present a comprehensive energy policy here, and to fund the investments in alternative energy.

He would be all over this. He would be at the cutting edge of biodiesel and solar and wind, and I think in some ways we're honoring his legacy as we move into the alternative energy areas.

And just think what he would be thinking today, as Merrill Lynch is getting bought out, Lehman Brothers is going bankrupt. When you think of all the problems in the housing market, because the government failed to regulate the markets properly, he would be at the forefront of every single one of these fights.

So you and I and Betty and those of us who need to honor him by coming down here and making sure that this standard that he set for us gets met every day here.

Ms. KAPTUR. You know what is really interesting Congressman RYAN, is that coming from the background that he did, he could have been an unceasing voice for business as usual. But John took that background and he grew from it and he became something beyond his own heritage in a way, and he wanted to make America a better place.

Having seen some of what happened in industry run amuck, he believed in industry, but he knew it could be done in a better way and he set a different path for America. And his family has every right to feel blessed and gratified, as we do, for having known him. And Ohioans and every American really has a right to consider themselves very, very fortunate for having had a man like John Seiberling in our lives, if only for a time.

And I know that his family will miss him deeply. We certainly have missed him from the day that he left here, and we hope that the strength that he gave to all of us and to his family in life will comfort them now.

And we know that John Seiberling made his mark, and we feel very fortunate to have counted him among our most beloved colleagues.

Mr. RYAN of Ohio. And in closing, I would just like to say, from one of his old, a couple of his older pieces of campaign literature, he had the tag line, "The Guts To Do What's Right." And that was John Seiberling.

RECESS

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

Accordingly (at 11 o'clock and 5 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2359

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro

tempore (Mr. CARDOZA) at 11 o'clock and 59 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 6899, COMPREHENSIVE AMERICAN ENERGY SECURITY AND CONSUMER PROTECTION ACT

Mr. WELCH of Vermont, from the Committee on Rules, submitted a privileged report (Rept. No. 110-853) on the resolution (H. Res. 1433) providing for consideration of the bill (H.R. 6899) to advance the national security interests of the United States by reducing its dependency on oil through renewable and clean, alternative fuel technologies while building a bridge to the future through expanded access to Federal oil and natural gas resources, revising the relationship between the oil and gas industry and the consumers who own those resources and deserve a fair return from the development of publicly owned oil and gas, ending tax subsidies for large oil and gas companies, and facilitating energy efficiencies in the building, housing, and transportation sectors, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ARCURI (at the request of Mr. HOYER) for today on account of travel problems.

Mr. ELLISON (at the request of Mr. HOYER) for today on account of business in the district.

Mr. GENE GREEN of Texas (at the request of Mr. HOYER) for September 11 and today on account of a weather emergency in the district.

Ms. JACKSON-LEE of Texas (at the request of Mr. HOYER) for September 11 on account of hurricane preparations in district.

Mr. KIND (at the request of Mr. HOYER) for today on account of travel delays.

Mr. LAMPSON (at the request of Mr. HOYER) for September 11 on account of hurricane dangers in district.

Mr. NADLER (at the request of Mr. HOYER) for September 11 on account of September 11 ceremony in district.

Mr. ORTIZ (at the request of Mr. HOYER) for September 11 on account of important business in district.

Mr. POE (at the request of Mr. BOEHNER) for September 11 through today on account of preparations and recovery efforts in regards to Hurricane Ike.

Mr. REICHERT (at the request of Mr. BOEHNER) for today on account of personal reasons.

Mr. BRADY of Texas (at the request of Mr. BOEHNER) for today and September 16 on account of recovery efforts in regards to Hurricane Ike.

Mr. CULBERSON (at the request of Mr. BOEHNER) for September 11 through

September 16 on account of preparations and recovery efforts in regards to Hurricane Ike.

Mr. DREIER (at the request of Mr. BOEHNER) for today on account of the death of his mother.

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. WATSON) to revise and extend their remarks and include extraneous material:)

Mr. REYES, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. WATSON, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. ALLEN, for 5 minutes, today.

Ms. LEE, for 5 minutes, today.

Mr. BRALEY of Iowa, for 5 minutes, today.

Mr. KAGEN, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. HOLT, for 5 minutes, today.

(The following Members (at the request of Mr. DAVIS of Kentucky) to revise and extend their remarks and include extraneous material:)

Mr. DAVIS of Kentucky, for 5 minutes, September 18 and 22.

Mr. POE, for 5 minutes, September 18 and 22.

Mr. JONES, for 5 minutes, September 18 and 22.

Mr. BURTON of Indiana, for 5 minutes, today, September 16, 17, 18 and 19.

Mr. WOLF, for 5 minutes, September 16 and 17.

Mr. TIM MURPHY of Pennsylvania, for 5 minutes, today.

Mr. BOOZMAN, for 5 minutes, today.

ENROLLED BILL SIGNED

Ms. Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 6532. An act to amend the Internal Revenue Code of 1986 to restore the Highway Trust Fund balance.

ADJOURNMENT

Mr. WELCH of Vermont. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at midnight), under its previous order, the House adjourned until today, Tuesday, September 16, 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:

8301. A letter from the Administrator, Risk Management Agency, Department of Agriculture, transmitting the Department's final

rule — Common Crop Insurance Regulations; Coverage Enhancement Option Provisions (RIN: 0563-AC15) received September 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8302. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Almonds Grown in California; Order Amending Marketing Order No. 981 [Docket No. AO-214-A7; AMS-FV-07-0050; FV07-981-1] received September 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8303. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Amendment of General Regulations for Federal Milk Marketing Agreements and Marketing Orders; Addition of Supplemental Rules of Practice for Amending Formal Rulemaking Proceedings [Doc. No. AMS-DA-07-0069; DA-08-04] received September 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8304. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Dried Prunes Produced in California; Decreased Assessment Rate [Docket No. AMS-FV-08-0060; FV08-993-1 IFR] received September 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8305. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Brucellosis in Cattle; State and Area Classifications; Texas [Docket No. APHIS-2008-0003] received September 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8306. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Linuron; Pesticide Tolerance for Emergency Exemptions [EPA-HQ-OPP-2008-0491; FRL-8379-6] received September 2, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8307. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Department's final rule — Hexythiazox; Pesticide Tolerance [EPA-HQ-OPP-2007-0507; FRL-8378-8] received September 2, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8308. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fludioxonil; Pesticide Tolerances [EPA-HQ-OPP-2007-0940; FRL-8379-9] received September 2, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8309. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Chlorantraniliprole; Pesticide Tolerances for Emergency Exemptions [EPA-HQ-OPP-2008-0549; FRL-8378-2] received September 2, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8310. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Uniconazole-P; Pesticide Tolerances [EPA-HQ-OPP-2007-1199; FRL-8376-6] received September 2, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8311. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Tebuconazole; Pesticide Tolerances [EPA-HQ-OPP-2005-0097; FRL-8376-7] received September 2, 2008, pursuant

to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8312. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pyraflufen-ethyl; Time-Limited Pesticide Tolerances [EPA-HQ-OPP-2007-0366; FRL-8377-6] received September 2, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8313. A letter from the Director, Defense Procurement, Acquisition Policy, and Strategic Sourcing, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Acquisitions in Support of Operations in Iraq or Afghanistan [DFARS Case 2008-D002] (RIN: 0750-AG02) received September 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

8314. A letter from the Director, Defense Procurement, Acquisition Policy, and Strategic Sourcing, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Security-Guard Functions [DFARS Case 2006-D050] (RIN: 0750-AF64) received September 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

8315. A letter from the Director, Defense Procurement, Acquisition Policy, and Strategic Sourcing, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Limitation on Service Contracts for Military Flight Simulators [DFARS Case 2008-D013] (RIN: 0750-AG04) received September 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

8316. A letter from the Administrator, Rural Housing Service, Department of Agriculture, transmitting the Department's final rule — Direct Single Family Housing Loans and Grants (RIN: 0575-AC69) received September 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8317. A letter from the Associate General Counsel for Legislation and Regulations, Department of Health and Human Services, transmitting the Department's final rule — Eligibility of Students for Assisted Housing Under Section 8 of the U.S. Housing Act of 1937; Conforming Amendment To Include Students With Disabilities Receiving Assistance as of November 30, 2005 [Docket No. FR-5226-F-01] (RIN: 2501-AD43) received September 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8318. A letter from the Acting Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Exemption From Registration Under Section 12(g) of the Securities Exchange Act of 1934 for Foreign Private Issuers [Release No. 34-58465; International Series Release No. 1309; File No. S7-04-08] (RIN: 3235-AK04) received September 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8319. A letter from the Under Secretary Food Nutrition, and Consumer Services, Department of Agriculture, transmitting the Department's final rule—Final Rule, Management of Donated Foods in Child Nutrition Programs, the Nutrition Services Incentive Program, and Charitable Institutions-Briefing Sheet—received September 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

8320. A letter from the Director, Regulations Policy and Mgmt. Staff, Department of Health and Human Services, transmitting the Department's final rule — Medical De-

vices; Radiology Devices; Reclassification of Bone Sonometers [[Docket No. FDA-2005-N-0346] (formerly Docket No. 2005N-0467)] received September 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8321. A letter from the Director, Regulations Policy and Mgmt. Staff, Department of Health and Human Services, transmitting the Department's final rule — General and Plastic Surgery Devices; Reclassification of the Tissue Adhesive for Topical Approximation of Skin Device [[Docket No. FDA-2006-P-0140] (formerly Docket No. 2006P-0071)] received September 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8322. A letter from the Director, Regulations Policy and Mgmt. Staff, Department of Health and Human Services, transmitting the Department's final rule — Current Good Manufacturing Practice and Investigational New Drugs Intended for Use in Clinical Trials [[Docket No. FDA-2005-N-0170] (formerly Docket No. 2005N-0285)] received September 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8323. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Priorities List, Final Rule [EPA-HQ-SFUND-2008-0086, EPA-HQ-SFUND-2008-0085, EPA-HQ-SFUND-2008-0081, EPA-HQ-SFUND-2008-0082, EPA-HQ-SFUND-2007-0690, EPA-HQ-SFUND-2008-0084; FRL-8710-8] (RIN: 2050-AD75) received September 2, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8324. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Modifications of the West Coast Commercial and Recreational Salmon Fisheries; Inseason Actions #5 and #6 [Docket No. 080428611-8612-01] (RIN: 0648-XJ22) received September 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8325. 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; Atlantic Mackerel, Squid, and Butterfish Fisheries; Amendment 9; Correction [Docket No. 070717340-8451-02] (RIN: 0648-AP60) received September 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8326. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch for Trawl Catcher Vessels Participating in the Rockfish Entry Level Fishery in the Central Regulatory Area of the Gulf of Alaska [Docket No. 071106671-8010-02] (RIN: 0648-XJ35) received September 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8327. 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; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No. 071106671-8010-02] (RIN: 0648-XJ66) received September 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8328. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oce-

anic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Greenland Turbot in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No. 071106673-8011-02] (RIN: 0648-XJ58) received September 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8329. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel Lottery in Areas 542 and 543 [Docket No. 071106673-8011-02] (RIN: 0648-XJ73) received September 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8330. 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; Greenland Turbot in the Aleutian Islands Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No. 071106673-8011-02] (RIN: 0648-XJ81) received September 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8331. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Wilkes-Barre, PA [Docket No. FAA-2008-0130; Airspace Docket No. 08-AEA-11] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8332. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Emporium, PA [Docket No. FAA-2007-0275; Airspace Docket No. 07-AEA-15] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8333. 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 August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8334. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; New Stuyahok, AK [Docket No. FAA-2007-29008; Airspace Docket No. 07-AAL-11] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8335. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Waynesburg, PA [Docket No. FAA-2007-0022; Airspace Docket 07-AEA-07] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8336. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Canon, GA. [Docket No. FAA-2008-0154; Airspace Docket No. 08-ASO-10] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8337. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Legal Descriptions of Multiple Federal Airways in the Vicinity of Farmington, NM [Docket No. FAA-2008-0186; Airspace Docket No. 08-ANM-2] (RIN: 2120-AA66) received August 19, 2008, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8338. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Lexington, OK [Docket No. FAA-2008-0003; Airspace Docket No. 08-ASW-1] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8339. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Bettles, AK [Docket No. FAA-2007-0342; Airspace Docket No. 07-AAL-20] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8340. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Proposed Establishment of Class E Airspace; Huntsville, AR [Docket No. FAA-2008-0004; Airspace Docket No. 08-ASW-2] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8341. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Phillipsburg, KS [Docket No. FAA-2006-25943; Airspace Docket No. 06-ACE-13] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8342. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Phillipsburg, KS [Docket No. FAA-2006-25943; Airspace Docket No. 06-ACE-13] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8343. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; New Albany, MS [Docket No. FAA-2007-0161; Airspace Docket No. 07-ASO-25] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8344. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class D Airspace; Independence, KS [Docket No. FAA-2007-28635; Airspace Docket No. 07-ACE-7] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8345. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Pagosa Springs, CO [Docket No. FAA-2007-29164; Airspace Docket No. 07-ANM-14] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8346. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Restricted 2204; Oliktok Point, AK [Docket No. FAA-2008-0257; Airspace Docket No. 08-AAL-7] (RIN: 2120-AA66) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8347. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Removal of Class E Airspace; Hawesville, KY [Docket No. FAA-2008-0334; Airspace Docket No. 08-ASO-11] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8348. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of

Class E Airspace; Allakaket, AK [Docket No. FAA-2008-0141; Airspace Docket No. 08-AAL-4] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8349. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Low Altitude Area Navigation Routes (T-Routes); Sacramento and San Francisco, CA [Docket No. FAA-2008-0037; Airspace Docket No. 07-AWP-6] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8350. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revocation of Area Navigation Jet Routes J-888R and J-996R; Alaska [Docket No. FAA-2008-0180; Airspace Docket No. 08-AAL-6] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8351. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Restricted Areas R-5314A, B, C, D, E, F, H, and J; and Revocation of Restricted Area R-5314G; Dare County Range, NC [Docket No. FAA-2008-0519; Airspace Docket No. 08-ASO-6] (RIN: 2120-AA66) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8352. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; St. Mary's, AK [Docket No. FAA-2008-0134; Airspace Docket No. 08-AAL-3] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8353. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330 and A340 Airplanes [Docket No. FAA-2007-0347; Directorate Identifier 2007-NM-253-AD; Amendment 39-15437; AD 2008-06-25] (RIN: 2120-AA64) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8354. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Model AS 355 N Helicopters [Docket No. FAA-2008-0041; Directorate Identifier 2007-SW-16-AD; Amendment 39-15599; AD 2008-14-04] (RIN: 2120-AA64) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8355. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Viking Air Limited Models DHC-6-1, DHC-6-100, DHC-6-200, and DHC-6-300 Airplanes [Docket No. FAA-2008-0367 Directorate Identifier 2007-CE-089-AD; Amendment 39-15574; AD 2008-13-11] (RIN: 2120-AA64) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8356. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca S.A. Arrius 2F Turbo-shaft Engines [Docket No. FAA-2007-28053; Directorate Identifier 2007-NE-18-AD; Amendment 39-15590; AD 2008-13-27] (RIN: 2120-AA64) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8357. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lockheed Model 382, 382B, 382E,

382F, 382G, and 382J Series Airplanes [Docket No. FAA-2008-0740; Directorate Identifier 2008-NM-077-AD; Amendment 39-15605; AD 2008-14-10] (RIN: 2120-AA64) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8358. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-600, -700, -700C, -800 and -900 Series Airplanes [Docket No. FAA-2007-27740; Directorate Identifier 2006-NM-290-AD; Amendment 39-15256; AD 2007-23-10] (RIN: 2120-AA64) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8359. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No. FAA-2008-0363; Directorate Identifier 2008-NM-020-AD; Amendment 39-15553; AD 2008-12-10] (RIN: 2120-AA64) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8360. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 777 Airplanes [Docket No. FAA-2007-0393; Directorate Identifier 2007-NM-183-AD; Amendment 39-15548; AD 2008-12-05] (RIN: 2120-AA64) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8361. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Aircraft Company Model 525 Airplanes [Docket No. FAA-2008-0306; Directorate Identifier 2008-CE-014-AD; Amendment 39-15544; AD 2008-12-01] (RIN: 2120-AA64) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8362. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Black River Falls, WI [Docket No. FAA-2008-0024; Airspace Docket No. 08-AGL-4] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8363. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; La Pointe, WI [Docket No. FAA-2008-0025; Airspace Docket No. 08-AGL-3] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8364. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Wilkes-Barre, PA [Docket No. FAA-2008-0130; Airspace Docket No. 08-AEA-11] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8365. 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 August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8366. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Lady Lake, FL [Docket No. FAA-2008-0072; Airspace Docket No. 08-ASO-03] received August 19, 2008, pursuant to

5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8367. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Marienville, PA. [Docket No. FAA-2007-0162; Airspace Docket No. 07-AEA-13] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8368. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Cranberry Township, PA. [Docket No. FAA-2007-0278; Airspace Docket No. 07-AEA-18] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8369. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class D Airspace; Brunswick, ME [Docket No. FAA-2008-0203; Airspace Docket No. 08-ANE-99] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8370. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Low Altitude Area Navigation Route T-209; GA [Docket No. FAA-2007-28161; Airspace Docket No. 07-ASO-6] (RIN: 2120-AA66) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8371. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Jacksonville NAS, FL [Docket No. FAA-2007-29057; Airspace Docket 07-ASO-20] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8372. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and E Airspace; Jacksonville Cecil Field, FL [Docket No. FAA-2007-29055; Airspace Docket 07-ASO-19] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8373. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Jacksonville Whitehouse NOLF, FL [Docket No. FAA-2007-29058; Airspace Docket 07-ASO-21] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8374. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class D Airspace; Brunswick, ME [Docket No. FAA-2008-0203; Airspace Docket No. 08-ANE-99] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8375. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class D Airspace; Georgetown, Texas [Docket No. FAA-2007-29373; Airspace Docket No. 07-ASW-10] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8376. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Deutschland Ltd. & Co. KG. (RRD) TAY 650-15 Turbofan Engines [Docket No. FAA-2007-0037; Directorate Identifier 2007-NE-41-AD; Amendment 39-15521; AD 2008-10-14] (RIN: 2120-AA64) received August 19, 2008, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8377. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lockheed Model L-1011 Series Airplanes [Docket No. FAA-2008-0181; Directorate Identifier 2007-NM-180-AD; Amendment 39-15524; AD 2008-11-02] (RIN: 2120-AA64) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8378. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767-200, -300, -300F, and -400ER Series Airplanes [Docket No. FAA-2007-28388; Directorate Identifier 2006-NM-163-AD; Amendment 39-15523; AD 2008-11-01] (RIN: 2120-AA64) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8379. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-100, -200, and -200C Series Airplanes [Docket No. FAA-2007-29069; Directorate Identifier 2007-NM-176-AD; Amendment 39-15525; AD 2008-11-03] (RIN: 2120-AA64) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8380. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A310 and A300-600 Series Airplanes [Docket No. FAA-2008-0048; Directorate Identifier 2007-NM-276-AD; Amendment 39-15527; AD 2008-11-05] (RIN: 2120-AA64) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8381. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-100, -200, -200C, -300, -400, and -500 Series Airplanes [Docket No. FAA-2007-0024; Directorate Identifier 2007-NM-086-AD; Amendment 39-15526; AD 2008-11-04] (RIN: 2120-AA64) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8382. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Allakaket, AK [Docket No. FAA-2008-0141; Airspace Docket No. 08-AAL-4] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8383. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; St. Mary's, AK [Docket No. FAA-2008-0134; Airspace Docket No. 08-AAL-3] received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8384. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Air Tractor, Inc. AT-400, AT-500, AT-600, and AT-800 Series Airplanes [Docket No. FAA-2007-0258; Directorate Identifier 2007-CE-090-AD; Amendment 39-15518; AD 2008-10-12] (RIN: 2120-AA64) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8385. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 757 Airplanes [Docket No. FAA-2006-26710; Directorate Identifier 2006-NM-147-AD; Amendment 39-15517; AD 2008-10-11] (RIN: 2120-AA64) received

August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8386. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-600, -700, -700C, -800, and -900 Series Airplanes [Docket No. FAA-2007-28384; Directorate Identifier 2006-NM-165-AD; Amendment 39-15516; AD 2008-10-10] (RIN: 2120-AA64) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8387. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-100, -200, -200C, -300, -400, and -500 Series Airplanes [Docket No. FAA-2007-28383; Directorate Identifier 2006-NM-180-AD; Amendment 39-15515; AD 2008-10-09] (RIN: 2120-AA64) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8388. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-200F, 747-300, 747-400, and 747-400D Series Airplanes [Docket No. FAA-2007-0045; Directorate Identifier 2007-NM-169-AD; Amendment 39-15501; AD 2008-09-20] (RIN: 2120-AA64) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8389. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Model Mystere-Falcon 50 Airplanes [Docket No. FAA-2008-0118; Directorate Identifier 2007-NM-289-AD; Amendment 39-15502; AD 2008-09-21] (RIN: 2120-AA64) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8390. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-400, -400D, and -400F Series Airplanes [Docket No. FAA-2007-28386; Directorate Identifier 2006-NM-162-AD; Amendment 39-15512; AD 2008-10-06] (RIN: 2120-AA64) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8391. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model 717-200 Airplanes [Docket No. FAA-2007-0214; Directorate Identifier 2007-NM-224-AD; Amendment 39-15528; AD 2008-11-06] (RIN: 2120-AA64) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8392. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A318, A319, A320, and A321 Airplanes [Docket No. FAA-2008-0014; Directorate Identifier 2007-NM-249-AD; Amendment 39-15456; AD 2008-08-04] (RIN: 2120-AA64) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8393. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited Model BAe 146 and Model Avro 146-RJ Airplanes [Docket No. FAA-2007-0371; Directorate Identifier 2007-NM-269-AD; Amendment 39-15511; AD 2008-10-05] (RIN: 2120-AA64) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8394. A letter from the Program Analyst, Department of Transportation, transmitting

the Department's final rule — Airworthiness Directives; Boeing Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200C, 747-200F, 747-300, 747SR, and 747SP Series Airplanes [Docket No. FAA-2007-28385; Directorate Identifier 2006-NM-181-AD; Amendment 39-15513; AD 2008-10-07] (RIN: 2120-AA64) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8395. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sikorsky Aircraft Corporation Model S-16A, S-61D, S-61E, and S-61V Helicopters [Docket No. FAA-2007-0284; Directorate Identifier 2004-SW-06-AD; Amendment 39-15510; AD 2008-10-04] (RIN: 2120-AA64) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8396. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135 Airplanes; and Model EMB-145, -145ER, -145MR, -145LR, -145XR, -145MP, and -145EP Airplanes [Docket No. FAA-2008-0516; Directorate Identifier 2008-NM-026-AD; Amendment 39-15514; AD 2008-10-08] (RIN: 2120-AA64) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8397. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; EADS SOCATA Model TBM 700 Airplanes [Docket No. FAA-2008-0527; Directorate Identifier 2008-CE-027-AD; Amendment 39-15520; AD 2008-10-13] (RIN: 2120-AA64) received August 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 or rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Filed on September 15, 2008]

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 6627. A bill to authorize the Board of Regents of the Smithsonian Institution to carry out certain construction projects, and for other purposes (Rept. 110-842, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. WAXMAN: Committee on Oversight and Government Reform. H.R. 6842. A bill to require the District of Columbia to revise its laws regarding the use and possession of firearms as necessary to comply with the requirements of the decision of the Supreme Court in the case of *District of Columbia v. Heller*, in a manner that protects the security interests of the Federal government and the people who work in, reside in, or visit the District of Columbia and does not undermine the efforts of law enforcement, homeland security, and military officials to protect the Nation's capital from crime and terrorism; with amendments (Rept. 110-843). Referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. CONYERS: Committee on the Judiciary. H.R. 5167. A bill to amend the National Defense Authorization Act for Fiscal Year 2008 to remove the authority of the President to waive certain provisions; with amendments (Rept. 110-844). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRANK of Massachusetts: Committee on Financial Services. H.R. 5772. A bill to amend section 811 of the Cranston-Gonzalez National Affordable Housing Act to improve the program under such section for supportive housing for persons with disabilities; with an amendment (Rept. 110-845). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on the Judiciary. H.R. 6503. A bill to amend the Violent Crime Control and Law Enforcement Act of 1994 to reauthorize the Missing Alzheimer's Disease Patient Alert Program (Rept. 110-846). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on the Judiciary. Recommending that the House of Representatives find Karl Rove in Contempt of Congress for Refusal to Comply with a Subpoena Duly Issued by the Committee on the Judiciary (Rept. 110-847). Referred to the House Calendar.

Mr. BRADY of Pennsylvania: Committee on House Administration. H.R. 998. A bill to direct the Librarian of Congress and the Secretary of the Smithsonian Institution to carry out a joint project at the Library of Congress and the National Museum of African American History and Culture to collect video and audio recordings of personal histories and testimonials of individuals who participated in the Civil Rights movement, and for other purpose; with an amendment (Rept. 110-848). Referred to the Committee of the Whole House on the State of the Union.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 6460. A bill to amend the Federal Water Pollution Control Act to provide for the remediation of sediment contamination in areas of concern, and for other purposes; with an amendment (Rept. 110-849, Pt. 1). Ordered to be printed.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. S.J. Res. 35. An act to amend Public Law 108-331 to provide for the construction and related activities in support of the Very Energetic Radiation Imaging Telescope Array System (VERITAS) project in Arizona. (Rept. 110-850). Referred to the Committee of the Whole House on the State of the Union.

Mr. BRADY of Pennsylvania: Committee on House Administration. H.R. 6625. A bill to require the Secretary of Veterans Affairs to permit facilities of the Department of Veterans Affairs to be designated as voter registration agencies, and for other purposes; with an amendment (Rept. 110-851, Pt. 1). Ordered to be printed.

Mr. MCGOVERN: Committee on Rules. H. Res. 1434. A resolution providing for consideration of the bill (H.R. 6842) to require the District of Columbia to revise its laws regarding the use and possession of firearms as necessary to comply with the requirements of the decision of the Supreme Court in the case of *District of Columbia v. Heller*, in a manner that protects the security interests of the Federal government and the people who work in, reside in, or visit the District of Columbia and does not undermine the efforts of law enforcement, homeland security, and military officials to protect the Nation's capital from crime and terrorism (Rept. 110-852). Referred to the House Calendar and ordered to be printed.

Ms. SLAUGHTER: Committee on Rules. H. Res. 1433. A resolution providing for consideration of the bill (H.R. 6899) to advance the national security interests of the United States by reducing its dependency on oil through renewable and clean, alternative fuel technologies while building a bridge to the future through expanded access to Federal oil and natural gas resources, revising the relationship between the oil and gas industry and the consumers who own those re-

sources and deserve a fair return from the development of publicly owned oil and gas, ending tax subsidies for large oil and gas companies, and facilitating energy efficiencies in the building, housing, and transportation sectors, and for other purposes (Rept. 110-853). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the following actions were taken by the Speaker:

[The following actions occurred on September 12, 2008]

The Committee on Oversight and Government Reform discharged from further consideration. H.R. 5350 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

The Committee on Education and Labor discharged from further consideration. H.R. 2352 referred to the Committee of the Whole House on the State of the Union.

[The following actions occurred on September 15, 2008]

The Committee on Science and Technology discharged from further consideration. H.R. 6460 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

The Committee on Veterans' Affairs discharged from further consideration. H.R. 6625 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

TIME LIMITATION OF REFERRED BILLS

Pursuant to clause 2 of rule XII the following actions were taken by the Speaker:

[The following actions occurred on September 12, 2008]

H.R. 2343. Referral to the Committee on Armed Services extended for a period ending not later than September 19, 2008.

H.R. 948. Referral to the Committee on Ways and Means extended for a period ending not later than September 26, 2008.

H.R. 5577. Referral to the Committee on Energy and Commerce extended for a period ending not later than September 26, 2008.

H.R. 554. Referral to the Committees on Agriculture and the Judiciary extended for a period ending not later than September 26, 2008.

H.R. 1717. Referral to the Committee on Energy and Commerce extended for a period ending not later than September 26, 2008.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GEORGE MILLER of California (for himself, Mr. McKEON, Mr. HINOJOSA, and Mr. KELLER):

H.R. 6889. A bill to extend the authority of the Secretary of Education to purchase guaranteed student loans for an additional year, and for other purposes; to the Committee on Education and Labor, considered and passed.

By Mr. MELANCON (for himself, Mr. GEORGE MILLER of California, Mr. JEFFERSON, Mr. ALEXANDER, Mr. BOUSTANY, Mr. CAZAYOUX, and Mr. MCCREARY):

H.R. 6890. A bill to extend the waiver authority for the Secretary of Education under section 105 of subtitle A of title IV of division B of Public Law 109-148, relating to elementary and secondary education hurricane

recovery relief; to the Committee on Education and Labor.

By Mr. MCCRERY:

H.R. 6891. A bill to authorize the closure of a municipal airport in Pollock, Louisiana, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. MOORE of Wisconsin (for herself, Mr. CONYERS, Mr. BRADY of Pennsylvania, Mr. HASTINGS of Florida, Mr. OBERSTAR, Mr. LANGEVIN, Mr. KENNEDY, Mr. ELLISON, Mr. THOMPSON of Mississippi, Mr. FATTAH, and Mr. MEEK of Florida):

H.R. 6892. A bill to authorize funds to the Local Initiatives Support Corporation to carry out its Community Safety Initiative; to the Committee on the Judiciary.

By Mr. MCDERMOTT (for himself and Mr. WELLER):

H.R. 6893. A bill to amend parts B and E of title IV of the Social Security Act to connect and support relative caregivers, improve outcomes for children in foster care, provide for tribal foster care and adoption access, improve incentives for adoption, and for other purposes; to the Committee on Ways and Means.

By Mr. GUTIERREZ (for himself, Mr. BACHUS, and Mr. FRANK of Massachusetts):

H.R. 6894. A bill to extend and reauthorize the Defense Production Act of 1950, and for other purposes; to the Committee on Financial Services.

By Mr. PEARCE:

H.R. 6895. A bill to provide for accelerated approval by the Nuclear Regulatory Commission of certain licenses for nuclear power plants, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Natural Resources, and 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. DAVIS of Alabama (for himself, Mr. BRADY of Texas, Mr. MCDERMOTT, Mr. GOHMERT, Mr. LEWIS of Kentucky, Mr. BONNER, Mr. SMITH of Washington, Mr. REICHERT, Mr. BOREN, Mr. ALEXANDER, Mr. MARCHANT, Mrs. BLACKBURN, Mr. DICKS, Mr. BAIRD, Ms. BERKLEY, Mr. JONES of North Carolina, Mr. DEFAZIO, Mr. DAVIS of Kentucky, Mr. WU, Mr. YOUNG of Alaska, Mrs. MCMORRIS RODGERS, Mrs. MUSGRAVE, Mr. WALDEN of Oregon, Mr. INSLEE, Mr. HASTINGS of Washington, Mr. SCOTT of Georgia, Mr. LARSEN of Washington, Mr. OBERSTAR, Mr. HERGER, Mr. SPRATT, and Mr. ROSS):

H.R. 6896. A bill to amend the Internal Revenue Code of 1986 to make permanent the reduction in the rate of tax on qualified timber gain of corporations, and for other purposes; to the Committee on Ways and Means.

By Mr. FILNER:

H.R. 6897. A bill to authorize the Secretary of Veterans Affairs to make certain payments to eligible persons who served in the Philippines during World War II; to the Committee on Veterans' Affairs.

By Mr. STARK (for himself, Ms. SCHWARTZ, Mr. MCDERMOTT, Mr. McNULTY, Mr. LEVIN, Mr. EMANUEL, Mr. NEAL of Massachusetts, Mr. PASCRELL, and Mr. LEWIS of Georgia):

H.R. 6898. A bill to promote the adoption and meaningful use of health information technology, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and 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. RAHALL (for himself, Mr. GENE GREEN of Texas, Mr. GEORGE MILLER of California, and Mr. DINGELL):

H.R. 6899. A bill to advance the national security interests of the United States by reducing its dependency on oil through renewable and clean, alternative fuel technologies while building a bridge to the future through expanded access to Federal oil and natural gas resources, revising the relationship between the oil and gas industry and the consumers who own those resources and deserve a fair return from the development of publicly owned oil and gas, ending tax subsidies for large oil and gas companies, and facilitating energy efficiencies in the building, housing, and transportation sectors, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce, Ways and Means, Oversight and Government Reform, the Judiciary, Financial Services, Transportation and Infrastructure, the Budget, Rules, Science and Technology, and Foreign Affairs, 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. CAZAYOUX:

H.R. 6900. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to clarify that Federal disaster assistance may be provided to provide reimbursement for certain amounts paid in insurance deductibles, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. HOOLEY (for herself and Mrs. CUBIN):

H.R. 6901. A bill to amend the Public Health Service Act to provide for the establishment of a drug-free workplace information clearinghouse, to support residential methamphetamine treatment programs for pregnant and parenting women, to improve the prevention and treatment of methamphetamine addiction, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DAVIS of Kentucky (for himself, Mr. ROGERS of Kentucky, Mr. LEWIS of Kentucky, Mr. WHITFIELD of Kentucky, Mr. YARMUTH, and Mr. CHANDLER):

H.R. 6902. A bill to designate the facility of the United States Postal Service located at 513 6th Avenue in Dayton, Kentucky, as the "Staff Sergeant Nicholas Ray Carnes Post Office"; to the Committee on Oversight and Government Reform.

By Mr. GENE GREEN of Texas (for himself, Ms. MCCOLLUM of Minnesota, Ms. SOLIS, Mrs. CAPPS, Ms. BALDWIN, Mr. BUTTERFIELD, Ms. SCHAKOWSKY, Ms. MATSUI, and Mr. COHEN):

H.R. 6903. A bill to amend the Toxic Substances Control Act to reduce the health risks posed by asbestos-containing products, and for other purposes; to the Committee on Energy and Commerce.

By Ms. HOOLEY (for herself and Mr. WU):

H.R. 6904. A bill to designate the facility of the United States Postal Service located at 1706 NW 24th Avenue in Portland, Oregon, as the "Vera Katz Post Office"; to the Committee on Oversight and Government Reform.

By Mr. TERRY:

H.R. 6905. A bill to amend the Public Health Service Act to improve the Nation's surveillance and reporting for diseases and conditions, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WEINER:

H.R. 6906. A bill to amend the Social Security Act and the Public Health Service Act

to provide for sex education, substance abuse treatment and prevention, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WELCH of Vermont:

H.R. 6907. A bill to prohibit any golden parachute payment for executives and directors of Fannie Mae and Freddie Mac unless specifically authorized by law; to the Committee on Financial Services.

By Ms. LEE (for herself, Ms. WATERS, Mr. WAXMAN, and Mrs. CHRISTENSEN):

H. Con. Res. 413. Concurrent resolution expressing the sense of Congress on the need for a national AIDS strategy; to the Committee on Energy and Commerce.

By Mr. SKELTON:

H. Con. Res. 414. Concurrent resolution commending veterans of the Korean Constabulary for their outstanding sacrifice and service and urging the Government of the Republic of Korea to recognize the service and sacrifice made by the Korean Constabulary; to the Committee on Foreign Affairs.

By Mr. PORTER (for himself, Mr. ENGLISH of Pennsylvania, Mr. BRADY of Texas, and Mr. CAMP of Michigan):

H. Res. 1432. A resolution supporting the goals and ideals of National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children in foster care awaiting families, celebrating children and families involved in adoption, recognizing current programs and efforts designed to promote adoption, and encouraging people in the United States to seek improved safety, permanency, and well-being for all children; to the Committee on Ways and Means.

By Mr. HODES (for himself, Mr. WAXMAN, Mr. WEXLER, Mr. HASTINGS of Florida, Ms. SCHWARTZ, Mr. MCGOVERN, Mr. WEINER, Mr. KLEIN of Florida, Mr. McNULTY, Mr. JOHNSON of Georgia, Mr. COHEN, Mr. BURTON of Indiana, Ms. MOORE of Wisconsin, Ms. BERKLEY, Mrs. CAPPS, Mrs. MALONEY of New York, Mr. LOBIONDO, Mr. KIRK, Mr. CROWLEY, Mr. BERMAN, Mr. KAGEN, Ms. LEE, Mr. CARNAHAN, Mr. VAN HOLLEN, Mr. ELLISON, Mr. SIREN, Ms. WASSERMAN SCHULTZ, Mr. MILLER of North Carolina, Mr. RAMSTAD, Mr. MARSHALL, Ms. SCHAKOWSKY, Mr. FRANK of Massachusetts, Mr. PENCE, Mrs. DRAKE, Mr. KUCINICH, Mr. NADLER, and Mr. MITCHELL):

H. Res. 1435. A resolution recognizing the 70th anniversary of the 1938 occurrence of Kristallnacht, The Night of Broken Glass; to the Committee on Foreign Affairs.

By Mr. ABERCROMBIE (for himself, Ms. HIRONO, Mr. PETERSON of Pennsylvania, Mr. FALCOMAVAEGA, and Ms. BORDALLO):

H. Res. 1436. A resolution congratulating the Waipio Little League baseball team for winning the 2008 Little League World Championship; to the Committee on Oversight and Government Reform.

By Mr. BERRY (for himself, Mr. MORAN of Kansas, Mrs. MCMORRIS RODGERS, and Mr. WEINER):

H. Res. 1437. A resolution expressing support for designation of the month of October as "American Pharmacists Month" and expressing the sense of the House of Representatives that all people in the United States should join in celebrating our Nation's pharmacists for their contributions to the health and well-being of our citizens; to the Committee on Energy and Commerce.

By Mr. NUNES (for himself, Mr. COSTA, Mr. CARDOZA, Mr. KENNEDY, Mr. FRANK of Massachusetts, Mr. MCGOVERN, Mr. BERMAN, Mr. HONDA, Ms. JACKSON-LEE of Texas, Mr. PAYNE, Mr. RADANOVICH, Ms. ROS-LEHTINEN, and Mr. SIREN):

H. Res. 1438. A resolution commemorating the 50th anniversary of the Azorean Refugee Act of 1958 and celebrating the extensive contributions of Portuguese-American communities to the United States; to the Committee on the Judiciary.

By Mr. RUPPERSBERGER (for himself, Ms. GRANGER, and Mr. GONZALEZ):

H. Res. 1439. A resolution expressing support for designation of the month of September 2009 as "National Atrial Fibrillation Awareness Month" and supporting efforts to educate the public about atrial fibrillation; to the Committee on Energy and Commerce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 89: Mr. SHULER.
 H.R. 245: Mr. PAYNE.
 H.R. 303: Mr. ISRAEL.
 H.R. 661: Mr. LYNCH and Mr. DOGGETT.
 H.R. 758: Mr. ROSKAM.
 H.R. 1014: Mr. BLUMENAUER and Mr. TIM MURPHY of Pennsylvania.
 H.R. 1022: Ms. MATSUI.
 H.R. 1110: Mr. SCALISE and Mr. UPTON.
 H.R. 1279: Mr. FOSTER and Mr. KIND.
 H.R. 1280: Mr. WEINER, Mrs. GILLIBRAND, Mr. COURTNEY, Mr. MCNERNEY, Mrs. CAPPs, and Ms. DELAURO.
 H.R. 1322: Mr. HOLT.
 H.R. 1542: Mr. INSLEE, Mr. SHERMAN, and Ms. SHEA-PORTER.
 H.R. 1618: Mr. HELLER.
 H.R. 1820: Mr. RUSH, Mr. KUCINICH, Mr. CARNAHAN, Mr. LYNCH, Mr. JACKSON of Illinois, and Ms. CLARKE.
 H.R. 1843: Mr. SCOTT of Virginia and Mr. LUCAS.
 H.R. 1881: Mr. COURTNEY.
 H.R. 2038: Mr. BOSWELL.
 H.R. 2221: Mr. RUSH, Ms. SPEIER, Mr. MOORE of Kansas, and Mr. COURTNEY.
 H.R. 2335: Mr. LINCOLN DIAZ-BALART of Florida.
 H.R. 2493: Mr. LATTA.
 H.R. 2596: Mr. KUCINICH.
 H.R. 2652: Mr. MCCOTTER.
 H.R. 2706: Mr. COLE of Oklahoma.
 H.R. 2994: Mrs. DAVIS of California.
 H.R. 3016: Mr. BISHOP of New York.
 H.R. 3019: Mr. HINOJOSA and Mrs. CAPITO.
 H.R. 3232: Mr. DEAL of Georgia, Mr. FALEOMAVAEGA, Mr. STUPAK, Ms. RICHARDSON, and Mr. TIM MURPHY of Pennsylvania.
 H.R. 3326: Mr. PRICE of North Carolina, Mr. DICKS, Mr. TIERNEY, Mr. JACKSON of Illinois, Mr. SIRES, Mr. MURPHY of Connecticut, and Ms. CORRINE BROWN of Florida.
 H.R. 3334: Mr. BISHOP of New York.
 H.R. 3622: Mr. MOLLOHAN, Mr. CARNAHAN, and Mr. CHABOT.
 H.R. 3652: Mr. COURTNEY, Mr. BROWN of South Carolina, and Mr. CARSON.
 H.R. 3697: Mr. MCCOTTER.
 H.R. 4113: Mr. SMITH of Washington.
 H.R. 4544: Mr. BOUCHER, Mr. HERGER, Mrs. MILLER of Michigan, and Mr. SHERMAN.
 H.R. 4899: Ms. SCHAKOWSKY.
 H.R. 4900: Mr. HODES.
 H.R. 5167: Mr. SAM JOHNSON of Texas.
 H.R. 5174: Mr. ALTMIRE.
 H.R. 5180: Mr. PATRICK MURPHY of Pennsylvania.
 H.R. 5268: Mr. COURTNEY, Mr. FOSTER, and Mr. HINOJOSA.
 H.R. 5454: Mr. WITTMAN of Virginia.
 H.R. 5469: Mr. HINCHEY.
 H.R. 5532: Mr. BUYER.
 H.R. 5611: Mr. COURTNEY.
 H.R. 5615: Mr. FORTUÑO.
 H.R. 5721: Mr. PEARCE.

H.R. 5748: Mr. BUTTERFIELD.
 H.R. 5762: Mr. LYNCH and Mr. DOGGETT.
 H.R. 5804: Ms. MOORE of Wisconsin.
 H.R. 5827: Mr. SHAYS.
 H.R. 5833: Mr. CARNAHAN.
 H.R. 5838: Ms. BALDWIN.
 H.R. 5840: Mr. FRANK of Massachusetts.
 H.R. 5868: Mr. PUTNAM.
 H.R. 5924: Mr. PORTER.
 H.R. 5946: Mr. ROTHMAN.
 H.R. 5984: Mr. GOODLATTE.
 H.R. 6045: Ms. SLAUGHTER.
 H.R. 6078: Mr. ISRAEL and Mr. MICHAUD.
 H.R. 6138: Mr. HELLER.
 H.R. 6166: Mr. CANTOR.
 H.R. 6198: Mr. MEEKS of New York and Ms. NORTON.
 H.R. 6205: Mr. ROTHMAN.
 H.R. 6217: Mr. SCHIFF.
 H.R. 6258: Mr. TIM MURPHY of Pennsylvania.
 H.R. 6259: Ms. ZOE LOFGREN of California.
 H.R. 6328: Mr. FILNER.
 H.R. 6353: Mr. SOUDER.
 H.R. 6380: Mr. BUTTERFIELD.
 H.R. 6381: Mr. NADLER.
 H.R. 6438: Mr. LYNCH, Mr. GRIJALVA, Mr. BISHOP of New York, Ms. SHEA-PORTER, and Mr. ROSS.
 H.R. 6462: Mr. MURTHA.
 H.R. 6485: Mr. BUCHANAN, Mr. CARNEY, Ms. MATSUI, Mr. SARBANES, Mr. MITCHELL, Mr. SCOTT of Virginia, and Mr. LANGEVIN.
 H.R. 6496: Mr. MCDERMOTT.
 H.R. 6533: Mr. SIMPSON.
 H.R. 6548: Ms. CASTOR, Mrs. CAPPs, Ms. WOOLSEY, Mrs. BLACKBURN, and Mr. FILNER.
 H.R. 6562: Mr. KENNEDY.
 H.R. 6567: Mr. TIERNEY and Mr. PRICE of North Carolina.
 H.R. 6569: Ms. BORDALLO, Mr. GRIJALVA, and Mr. MCGOVERN.
 H.R. 6573: Ms. LEE, Mr. SCHIFF, and Mr. KAGEN.
 H.R. 6587: Mr. CARNAHAN.
 H.R. 6591: Ms. DEGETTE and Mr. UDALL of Colorado.
 H.R. 6594: Ms. SCHAKOWSKY, Mr. BISHOP of Georgia, and Mr. KUCINICH.
 H.R. 6595: Mr. ARCURI, Mr. FOSTER, and Mr. BRALEY of Iowa.
 H.R. 6597: Mr. MOORE of Kansas and Ms. WOOLSEY.
 H.R. 6598: Mr. LEVIN, Mrs. LOWEY, Mr. MITCHELL, Mr. MOLLOHAN, Mr. DEFazio, Mr. LYNCH, and Ms. SHEA-PORTER.
 H.R. 6614: Mr. BARRETT of South Carolina.
 H.R. 6632: Mr. SHAYS.
 H.R. 6643: Mr. BERMAN, Mr. INSLEE, Mr. FILNER, and Mr. REICHERT.
 H.R. 6659: Mr. BACHUS.
 H.R. 6694: Mr. SIRES, Ms. MATSUI, Mr. TERRY, Mr. CARDOZA, Ms. LEE, Mr. TIBERI, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WILSON of Ohio, Mr. CLAY, Mr. CLEAVER, Mr. CARSON, Mr. ROTHMAN, and Mr. PASCRELL.
 H.R. 6695: Mr. CARNAHAN.
 H.R. 6702: Mr. HINCHEY and Mr. HINOJOSA.
 H.R. 6731: Mr. GRIJALVA.
 H.R. 6763: Mr. BOREN and Mr. CARNAHAN.
 H.R. 6798: Ms. SCHAKOWSKY.
 H.R. 6820: Mr. HINCHEY, Mr. BLUMENAUER, Ms. LEE, and Mr. FILNER.
 H.R. 6831: Ms. BERKLEY and Ms. BORDALLO.
 H.R. 6844: Mr. MARIO DIAZ-BALART of Florida and Mr. SOUDER.
 H.R. 6846: Mr. MCGOVERN, Ms. WATERS, and Mr. PAYNE.
 H.R. 6850: Mr. SHULER and Mr. BRADY of Pennsylvania.
 H.R. 6856: Mr. KLEIN of Florida.
 H.R. 6860: Mrs. MYRICK and Mrs. DRAKE.
 H.R. 6864: Mr. REHBERG, Mr. MORAN of Virginia, Mr. BURTON of Indiana, Mrs. BACHMANN, Mr. PLATTS, Mr. PUTNAM, Mr. SALI, Mr. MITCHELL, Mr. BOOZMAN, Mr. HENSARLING, and Mr. LATTA.
 H.R. 6867: Mr. LEVIN, Mr. GEORGE MILLER of California, Mr. DINGELL, and Mr. KUCINICH.

H.R. 6873: Mr. FARR, Mr. ALLEN, Mr. CHANDLER, Mrs. MALONEY of New York, Ms. SUTTON, Ms. DELAURO, Mr. MCNULTY, Mr. WILSON of Ohio, Ms. BERKLEY, Mr. HINOJOSA, Mr. HOEKSTRA, and Mr. SNYDER.
 H. Con. Res. 360: Mr. KUCINICH.
 H. Con. Res. 371: Mr. NADLER.
 H. Con. Res. 378: Mr. KIND, Ms. HERSETH SANDLIN, and Mr. BISHOP of Utah.
 H. Con. Res. 388: Mr. KLINE of Minnesota and Mr. FORBES.
 H. Con. Res. 393: Mr. GOODE and Mr. LEVIN.
 H. Con. Res. 411: Mrs. EMERSON and Mr. CASTLE.
 H. Res. 227: Ms. WATERS.
 H. Res. 373: Ms. LORETTA SANCHEZ of California.
 H. Res. 620: Ms. Loretta Sanchez of California.
 H. Res. 644: Mrs. WILSON of New Mexico.
 H. Res. 671: Mr. BOREN, Mr. KLEIN of Florida, Mr. WEINER, Mr. SCHIFF, Mr. KENNEDY, Mr. BRALEY of Iowa, Mr. HINCHEY, Ms. SCHAKOWSKY, Mr. ACKERMAN, and Mr. CRAMER.
 H. Res. 758: Ms. SCHWARTZ and Mr. ISRAEL.
 H. Res. 799: Mr. FILNER.
 H. Res. 906: Mrs. GILLIBRAND, Mr. ABERCROMBIE, Mr. DAVIS of Kentucky, and Mrs. WILSON of New Mexico.
 H. Res. 988: Mr. BRADY of Pennsylvania.
 H. Res. 1042: Mrs. WILSON of New Mexico, Mr. REYNOLDS, Mr. MOORE of Kansas, Mr. REICHERT, Mrs. CUBIN, Mr. UPTON, Mr. CANTOR, Mr. LUCAS, and Mr. MCHENRY.
 H. Res. 1055: Ms. EDDIE BERNICE JOHNSON of Texas.
 H. Res. 1200: Mr. ALTMIRE, Mr. SPACE, Mr. BARTLETT of Maryland, and Mr. ROSS.
 H. Res. 1232: Mr. BISHOP of New York.
 H. Res. 1272: Mrs. CAPPs and Ms. SCHAKOWSKY.
 H. Res. 1303: Mr. HOLT and Mr. MCDERMOTT.
 H. Res. 1314: Mr. DAVIS of Illinois.
 H. Res. 1326: Mr. OLVER.
 H. Res. 1328: Mr. DAVIS of Illinois, Ms. JACKSON-LEE of Texas, Mr. TANNER, Mr. SMITH of New Jersey, Mr. BRADY of Pennsylvania, and Mr. FILNER.
 H. Res. 1335: Mr. GARRETT of New Jersey and Mr. BOREN.
 H. Res. 1352: Mr. ACKERMAN, Mr. HINCHEY, Mr. CROWLEY, Mr. ISRAEL, Mr. KUHL of New York, and Mrs. LOWEY.
 H. Res. 1354: Mr. FILNER.
 H. Res. 1356: Mr. FERGUSON.
 H. Res. 1364: Mrs. GILLIBRAND, Mr. FORBES, Mr. MILLER of Florida, Mr. LAMBORN, and Mrs. DAVIS of California.
 H. Res. 1375: Mr. ROSKAM, Ms. BERKLEY, Mr. CHABOT, Mr. BERMAN, Mr. JOHNSON of Illinois, Mr. RUSH, Mr. KIRK, Mr. SHIMKUS, Mr. HINOJOSA, Mr. LOEBSACK, Mr. SHAYS, Mr. HIGGINS, Mr. MANZULLO, Mr. LEWIS of Georgia, Mr. CRAMER, Mr. GRIJALVA, Mr. CHANDLER, Mr. MOORE of Kansas, and Mr. PUTNAM.
 H. Res. 1381: Ms. DELAURO, Mr. GORDON, Mr. GRIJALVA, Ms. SUTTON, Mr. BISHOP of Georgia, Ms. BORDALLO, Mr. BOSWELL, Mr. WAXMAN, Mrs. CAPPs, Mr. UPTON, and Mr. MCNULTY.
 H. Res. 1386: Mr. SHULER, Ms. DEGETTE, Mr. MILLER of North Carolina, Mr. GORDON, Mr. PRICE of Georgia, Mr. UDALL of Colorado, and Mr. SESSIONS.
 H. Res. 1390: Mrs. EMERSON and Mr. HINOJOSA.
 H. Res. 1395: Mr. WAXMAN, Ms. EDDIE BERNICE JOHNSON of Texas, and Ms. LEE.
 H. Res. 1401: Mr. MARIO DIAZ-BALART of Florida and Ms. ROS-LEHTINEN.
 H. Res. 1409: Ms. BALDWIN.
 H. Res. 1411: Ms. HOOLEY and Ms. SCHAKOWSKY.
 H. Res. 1416: Mr. WESTMORELAND, Mr. WHITFIELD of Kentucky, Mr. KAGEN, Mr. ROSS, Mr. PRICE of Georgia, and Mr. KINGSTON.

H. Res. 1421: Mr. FORBES, Mr. MCGOVERN, Ms. GIFFORDS, and Mr. MARSHALL.

H. Res. 1427: Mr. CARTER, Mr. PUTNAM, Mr. BROUN of Georgia, Mr. HALL of Texas, and Mrs. BLACKBURN.

H. Res. 1428: Ms. ROYBAL-ALLARD, Mr. MOORE of Kansas, Mr. WESTMORELAND, Mr. RUPPERSBERGER, Ms. NORTON, Mrs. McMORRIS RODGERS, and Ms. WASSERMAN SCHULTZ.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. FRANK OF MASSACHUSETTS

The provisions that warranted a referral to the Committee on Financial Services in H.R. 6899, the Comprehensive American Energy Security and Consumer Protection Act, do 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.

OFFERED BY MR. RAHALL

The provisions that warranted a referral to the Committee on Natural Resources in H.R. 6899, the Comprehensive American Energy Security and Consumer Protection Act, do 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.

OFFERED BY MR. DINGELL

The provisions that warranted a referral to the Committee on Energy and Commerce in H.R. 6899, the Comprehensive American Energy Security and Consumer Protection Act,

do 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.

OFFERED BY MR. RANGEL

The provisions that warranted a referral to the Committee on Ways and Means in H.R. 6899, the Comprehensive American Energy Security and Consumer Protection Act, do 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.

OFFERED BY MR. WAXMAN

The provisions that warranted a referral to the Committee on Oversight and Government Reform in H.R. 6899, the Comprehensive American Energy Security and Consumer Protection Act, do 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.

OFFERED BY MR. CONYERS

The provisions that warranted a referral to the Committee on the Judiciary in H.R. 6899, the Comprehensive American Energy Security and Consumer Protection Act, do 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.

OFFERED BY MR. OBERSTAR

The provisions that warranted a referral to the Committee on Transportation and Infrastructure in H.R. 6899, the Comprehensive American Energy Security and Consumer Protection Act, do 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.

OFFERED BY MR. SPRATT

The provisions that warranted a referral to the Committee on the Budget in H.R. 6899,

the Comprehensive American Energy Security and Consumer Protection Act, do 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.

OFFERED BY MS. SLAUGHTER

The provisions that warranted a referral to the Committee on Rules in H.R. 6899, the Comprehensive American Energy Security and Consumer Protection Act, do 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.

OFFERED BY MR. GORDON OF TENNESSEE

The provisions that warranted a referral to the Committee on Science and Technology in H.R. 6899, the Comprehensive American Energy Security and Consumer Protection Act, do 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.

OFFERED BY MR. BERMAN

The provisions that warranted a referral to the Committee on Foreign Affairs in H.R. 6899, the Comprehensive American Energy Security and Consumer Protection Act, do 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.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3995: Ms. SHEA-PORTER.
H.R. 6384: Mr. HELLER.