

to reach out to the public. Since this is National Emergency Preparedness Month, this is an ideal time for all of us to collectively prepare for all types emergencies. Among the department's recommendations to help Americans prepare for emergencies are: Number one, get a kit. Build a disaster supply kit that includes enough supplies for each family member for 3 days and remember to check the kit every 6 months. Number two, make a plan. Every family should develop, communicate and practice their evacuation or other sheltering. Number 3, be informed about the type of disasters or emergencies that may occur where you live, work and/or play and how they can affect you, your family and community. Number 4, get involved. After preparing yourself and your family for possible emergencies by getting a kit, making a plan and being informed, take the next step in getting involved in preparing your community.

I ask my fellow colleagues to encourage their constituents to visit the Federal government's Citizen Corps website at [www.citizencorps.gov](http://www.citizencorps.gov) to learn how we can bring key community figures together to plan for, mitigate, respond to or recover from an emergency.

I am also happy to note that more than 2,200 State, local, tribal and territorial governments in all States and U.S. territories have formed Citizen Corps Councils, and that every day, new councils are formed in communities around the country.

Before I close my remarks, I would like to thank and express my gratitude to Homeland Security Chairman BENNIE G. THOMPSON and Ranking Member PETER KING for their support for this resolution and their leadership on preparedness issues.

Further, I want to thank the subcommittee chairman, HENRY CUELLAR of the Subcommittee on Emergency Communications, Preparedness and Response for sponsoring H.R. 5890, the Citizen and Community Preparedness Act. Mr. CUELLAR has championed the authorization of Citizen Corps, and he, too, encourages every citizen to get involved to improve their individual and community's preparedness. Mr. Speaker, I also want to thank my Republican colleagues for cosponsoring this resolution. After all, preparedness is not a partisan matter.

In closing, I want to honor all of the heroes and heroines who dedicate their lives to keeping Americans safe. I urge the citizens of this great Nation to visit the website, [www.ready.gov](http://www.ready.gov) so we can all learn how to be vigilant, alert and prepared for an emergency.

I urge all my colleagues to adopt this resolution.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I would urge support for this bill.

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

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

Mr. Speaker, as you have heard, H.R. 1429 encourages citizens to prepare themselves and their families on how to respond to emergencies, whether it be an act of terror, a natural disaster or other crisis. This is the fifth year the Department of Homeland Security has partnered with over 1,700 organizations, including the American Red Cross, to promote September as National Preparedness Month. With continuing threats of terrorism and increased frequency and intensity of natural disasters, Americans should prepare themselves, their families and their communities.

Everyone should do the four things we talked about. Get an emergency kit. Prepare and communicate to family and friends their evacuation and shelter plans. Be informed about the type of emergencies, and get the family and community involved.

Constituents should be encouraged to visit the following website. You have heard it twice already, [www.ready.gov](http://www.ready.gov) or [www.redcross.org](http://www.redcross.org).

In closing, H.R. 1429 enjoys broad bipartisan support. I encourage the adoption of this resolution.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in support of House Resolution 1429 which applauds the public servants at Department of Homeland Security for their outstanding dedication to securing our Nation.

More importantly, House Resolution 1429 encourages citizens to prepare themselves and their families to respond to emergencies—whether it is an act of terror, natural disaster and other crisis.

The Department of Homeland Security has partnered with over 1,700 organizations, including the American Red Cross, to promote September as the National Preparedness Month.

In fact, this is the 5th year that the Department of Homeland Security has observed September as the National Emergency Preparedness Month.

As a former volunteer firefighter, I know that lives are saved when the public takes steps to prepare for the worst.

Likewise, as the Chairman of the Homeland Security Committee, I want the people of this Nation to take the necessary steps to prepare themselves in the event of an emergency.

Constituents should be encouraged to visit the following websites to get information on how to be prepared for different types of emergencies: [www.ready.gov](http://www.ready.gov) and [www.redcross.org](http://www.redcross.org).

Among the Department's recommendations to help Americans prepare for emergencies are:

1. Get a Kit—Build a disaster supplies kit that includes enough supplies for each family member for three days and remember to check the kit every six months. Be sure that the kit includes water, food, medicine, batteries, flashlights, hygiene materials, blankets, etc.

2. Make a Plan—Every family should develop and communicate with each other their evacuation or sheltering plan. The plan should correspond to the school, work and community of every member of the family. All families are encouraged to practice this plan to ensure familiarity with evacuation or meeting routes,

have cell phones charged and have a charger in the car.

It should be known that at times it may be easier to make a long-distance phone call than to call across town, so an out-of-town contact may be in a better position to communicate among separated family members.

Also every family should have a secure location of important documents such as, insurance papers, etc.

3. Be informed about the type of disasters or emergencies that may occur where you live, work and play and how they can affect you, your family and community. In other words do you live in a place prone to hurricanes, tornadoes, earthquakes, etc? Every citizen should also learn about what to do in the event of a biological, chemical, explosive, nuclear or radiological attack.

It is important to identify how authorities will notify you and how you will get important information.

You should learn what you can do to prepare for that emergency as well as first aid, CPR and disaster training.

Consider sharing what you have learned with your family, neighbors and friends.

4. Get Involved—After preparing yourself and your family for possible emergencies by getting a kit, making a plan and being informed, take the next step and get involved in preparing your community. The American public should visit the [www.citizencorps.com](http://www.citizencorps.com) website to learn about how Citizen Corps brings together community, emergency and government leaders to involve community members in emergency preparedness, planning, mitigation, response and recovery.

More than 2,200 state, local, tribal and territorial governments in all 56 states and U.S. territories have formed Citizen Corps Councils, and every day new Councils are formed in communities around the country.

These Councils assist with outreach and educational efforts to the public; training and exercises that effectively integrate emergency responders, volunteers with a response role, and the general public; and volunteer programs that support emergency response services.

I conclude by asking my colleagues to adopt this resolution.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. ETHERIDGE) that the House suspend the rules and agree to the resolution, H. Res. 1429.

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

A motion to reconsider was laid on the table.

#### NAVAL VESSEL TRANSFER ACT OF 2008

Mr. BERMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7177) to authorize the transfer of naval vessels to certain foreign recipients, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7177

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

**TITLE I—NAVAL VESSEL TRANSFER****SECTION 101. SHORT TITLE.**

This title may be cited as the “Naval Vessel Transfer Act of 2008”.

**SEC. 102. TRANSFER OF NAVAL VESSELS TO CERTAIN FOREIGN RECIPIENTS.**

(a) **TRANSFERS BY GRANT.**—The President is authorized to transfer the vessels specified in paragraphs (1), (3), and (4) of section 501(a) of H.R. 5916 of the 110th Congress, as passed the House of Representatives on May 15, 2008, to the foreign recipients specified in paragraphs (1), (3), and (4) of such section, respectively, on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(b) **GRANTS NOT COUNTED IN ANNUAL TOTAL OF TRANSFERRED EXCESS DEFENSE ARTICLES.**—The value of a vessel transferred to a recipient on a grant basis pursuant to authority provided by subsection (a) shall not be counted against the aggregate value of excess defense articles transferred in any fiscal year under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(c) **COSTS OF TRANSFERS.**—Any expense incurred by the United States in connection with a transfer authorized by this section shall be charged to the recipient (notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e))).

(d) **REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.**—To the maximum extent practicable, the President shall require, as a condition of the transfer of a vessel under this section, that the recipient to which the vessel is transferred have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of the recipient, performed at a shipyard located in the United States, including a United States Navy shipyard.

(e) **EXPIRATION OF AUTHORITY.**—The authority to transfer a vessel under this section shall expire at the end of the 2-year period beginning on the date of the enactment of this Act.

**TITLE II—UNITED STATES ARMS EXPORTS****SEC. 201. ASSESSMENT OF ISRAEL'S QUALITATIVE MILITARY EDGE OVER MILITARY THREATS.**

(a) **ASSESSMENT REQUIRED.**—The President shall carry out an empirical and qualitative assessment on an ongoing basis of the extent to which Israel possesses a qualitative military edge over military threats to Israel. The assessment required under this subsection shall be sufficiently robust so as to facilitate comparability of data over concurrent years.

(b) **USE OF ASSESSMENT.**—The President shall ensure that the assessment required under subsection (a) is used to inform the review by the United States of applications to sell defense articles and defense services under the Arms Export Control Act (22 U.S.C. 2751 et seq.) to countries in the Middle East.

**(c) REPORTS.—**

(1) **INITIAL REPORT.**—Not later than June 30, 2009, the President shall transmit to the appropriate congressional committees a report on the initial assessment required under subsection (a).

(2) **QUADRENNIAL REPORT.**—Not later than four years after the date on which the President transmits the initial report under paragraph (1), and every four years thereafter, the President shall transmit to the appropriate congressional committees a report on the most recent assessment required under subsection (a).

(d) **CERTIFICATION.**—Section 36 of the Arms Export Control Act (22 U.S.C. 2776) is amended by adding at the end the following:

“(h) **CERTIFICATION REQUIREMENT RELATING TO ISRAEL'S QUALITATIVE MILITARY EDGE.**—

“(1) **IN GENERAL.**—Any certification relating to a proposed sale or export of defense articles or defense services under this section to any country in the Middle East other than Israel shall include a determination that the sale or export of the defense articles or defense services will not adversely affect Israel's qualitative military edge over military threats to Israel.

“(2) **QUALITATIVE MILITARY EDGE DEFINED.**—In this subsection, the term ‘qualitative military edge’ means the ability to counter and defeat any credible conventional military threat from any individual state or possible coalition of states or from non-state actors, while sustaining minimal damages and casualties, through the use of superior military means, possessed in sufficient quantity, including weapons, command, control, communication, intelligence, surveillance, and reconnaissance capabilities that in their technical characteristics are superior in capability to those of such other individual or possible coalition of states or non-state actors.”

**(e) DEFINITIONS.—In this section:**

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) **QUALITATIVE MILITARY EDGE.**—The term “qualitative military edge” has the meaning given the term in section 36(h) of the Arms Export Control Act, as added by subsection (d) of this section.

**SEC. 202. IMPLEMENTATION OF MEMORANDUM OF UNDERSTANDING WITH ISRAEL.**

(a) **IN GENERAL.**—Of the amount made available for fiscal year 2009 for assistance under the program authorized by section 23 of the Arms Export Control Act (22 U.S.C. 2763) (commonly referred to as the “Foreign Military Financing Program”), the amount specified in subsection (b) is authorized to be made available on a grant basis for Israel.

(b) **COMPUTATION OF AMOUNT.**—The amount referred to in subsection (a) is the amount equal to—

(1) the amount specified under the heading “Foreign Military Financing Program” for Israel for fiscal year 2008; plus

(2) \$150,000,000.

**(c) OTHER AUTHORITIES.—**

(1) **AVAILABILITY OF FUNDS FOR ADVANCED WEAPONS SYSTEMS.**—To the extent the Government of Israel requests the United States to provide assistance for fiscal year 2009 for the procurement of advanced weapons systems, amounts authorized to be made available for Israel under this section shall, as agreed to by Israel and the United States, be available for such purposes, of which not less than \$670,650,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development.

(2) **DISBURSEMENT OF FUNDS.**—Amounts authorized to be made available for Israel under this section shall be disbursed not later than 30 days after the date of the enactment of an Act making appropriations for the Department of State, foreign operations, and related programs for fiscal year 2009, or October 31, 2008, whichever occurs later.

**SEC. 203. SECURITY COOPERATION WITH THE REPUBLIC OF KOREA.**

(a) **FINDINGS.**—Congress makes the following findings:

(1) Close and continuing defense cooperation between the United States and the Republic of Korea continues to be in the national security interest of the United States.

(2) The Republic of Korea was designated a major non-NATO ally in 1987, the first such designation.

(3) The Republic of Korea has been a major purchaser of United States defense articles and services through the Foreign Military Sales (FMS) program, totaling \$6,900,000,000 in deliveries over the last 10 years.

(4) Purchases of United States defense articles, services, and major defense equipment facilitate and increase the interoperability of Republic of Korea military forces with the United States Armed Forces.

(5) Congress has previously enacted important, special defense cooperation arrangements for the Republic of Korea, as in the Act entitled “An Act to authorize the transfer of items in the War Reserves Stockpile for Allies, Korea”, approved December 30, 2005 (Public Law 109-159; 119 Stat. 2955), which authorized the President, notwithstanding section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), to transfer to the Republic of Korea certain defense items to be included in a war reserve stockpile for that country.

(6) Enhanced support for defense cooperation with the Republic of Korea is important to the national security of the United States, including through creation of a status in law for the Republic of Korea similar to the countries in the North Atlantic Treaty Organization, Japan, Australia, and New Zealand, with respect to consideration by Congress of foreign military sales to the Republic of Korea.

(b) **SPECIAL FOREIGN MILITARY SALES STATUS FOR REPUBLIC OF KOREA.**—The Arms Export Control Act (22 U.S.C. 2751 et seq.) is amended—

(1) in sections 3(d)(2)(B), 3(d)(3)(A)(i), 3(d)(5), 21(e)(2)(A), 36(b), 36(c), 36(d)(2)(A), 62(c)(1), and 63(a)(2), by inserting “the Republic of Korea,” before “or New Zealand” each place it appears;

(2) in section 3(b)(2), by inserting “the Government of the Republic of Korea,” before “or the Government of New Zealand”;

(3) in section 21(h)(1)(A), by inserting “the Republic of Korea,” before “or Israel”; and

(4) in section 21(h)(2), by striking “or to any member government of that Organization if that Organization or member government” and inserting “, to any member government of that Organization, or to the Governments of the Republic of Korea, Australia, New Zealand, Japan, or Israel if that Organization, member government, or the Governments of the Republic of Korea, Australia, New Zealand, Japan, or Israel”.

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

The Chair recognizes the gentleman from California.

**GENERAL LEAVE**

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

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

There was no objection.

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

Mr. Speaker, this bill reflects the bipartisan text agreed by the other body that incorporates several provisions from H.R. 5916, the Berman/Ros-

Lehtinen/Sherman/Manzullo Security Assistance and Arms Export Control Reform Act of 2008 that the House passed in May.

It authorizes the Department of the Navy to transfer surplus U.S. Navy vessels to friendly countries which Congress does on an annual basis. It strengthens the vital security relationship with our close friends and allies, South Korea and Israel. Building on the work of Representative ROYCE, U.S. law will now add South Korea to the list of countries in the Arms Export Control in the same way as NATO, Australia, New Zealand and Japan. This is a significant symbolic recognition of the critical importance of South Korea to U.S. national security and to peace and stability throughout East Asia.

It also requires the administration to empirically assess on an ongoing basis the State of Israel's "Qualitative Military Edge," we call it QME, against conventional or nonconventional security threats, to report that assessment to Congress every 4 years, and to use that assessment when reviewing arms exports to other countries in the Middle East.

Every President since Lyndon Johnson has affirmed the U.S. commitment to Israel's Qualitative Military Edge against potential enemies. But unfortunately it has become clear the administration uses subjective judgment when evaluating Israel's QME. The State and Defense officials have admitted there is no objective empirical method for evaluating this critical measure of whether or not Israel maintains a qualitative superiority over potential threats to its security.

It is also clear that by such subjective evaluations are performed sale by sale and country by country without clear, overall consideration of the balance of capabilities possessed throughout the region that conceivably affect Israel's security.

This provision would remedy this glaring lack of a robust mechanism to make security and export decisions that could undermine the security of one of the most important friends and allies that we have in the Middle East. The bill also authorizes security assistance to Israel, including implementing the recent U.S.-Israel Memorandum of Understanding Regarding Security Assistance.

It is fitting that on the 60th anniversary of Israel, the U.S. renews and strengthens its relationship with a most important friend in the region. It deserves all the support we can muster.

I urge my colleagues to support this legislation.

I reserve the balance of my time.

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

Mr. Speaker, first of all, I would like to thank my good friend, the chairman of our committee, HOWARD BERMAN. It is a delight to work with him in a bipartisan manner, and I appreciate the close cooperation that we've enjoyed in these months.

Mr. Speaker, I rise in support of H.R. 7177, a measure to authorize certain naval vessel transfers, to strengthen U.S. security assistance to Israel and to upgrade the foreign military sale status of our allies in the Republic of Korea. Mr. Speaker, this bill contains many provisions identical or similar to those contained a bill previously passed by this House this spring, H.R. 5916, the Security Assistance and Arms Export Control Reform Act of 2008.

The bill before us strengthens the U.S. commitment to the security of our dear friends in Israel by requiring an objective analysis of Israel's military capability with respect to conventional and unconventional threats while authorizing an increase in U.S. foreign military financing that is consistent with the August 2007 U.S.-Israel memorandum on military assistance. These provisions are of vital importance because as we all know, Israel is surrounded by a number of threats which threaten its very survival.

Thus, the provisions in this bill enhancing our relationship with Israel are critical to Israel's security but also to our vital interests in the region.

This legislation also upgrades the Foreign Military Sales status of our staunch ally, the Republic of Korea. Elements of this provision were included in H.R. 5443 which passed the House earlier this week. This upgrade is an important symbol of a renewed and transformed U.S.-ROK alliance. It reaffirms that South Korea continues to be a close and a much-valued strategic ally of the United States in a relationship that is, and must remain, a bedrock of stability in Northeast Asia.

Mr. Speaker, our actions here tonight will help to advance a new strategic framework for the alliance, not only for the purpose of managing a range of North Korea contingencies, but also to cement a common, democratic partnership for the 21st century.

Finally, Mr. Speaker, this bill authorizes the grant of surplus Navy vessels. According to our Secretary of the Navy, these proposed transfers would improve our political and military relationship with these countries.

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The United States would also incur no cost in transferring these vessels, as the recipients would be responsible for all costs associated with the transfers.

I urge support for this important measure, Mr. Speaker.

I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I have no further requests for time. I simply want to express my deep appreciation to my ranking member. We have been working together now for 7 or so months. We are not always perfect in our dealings, but it is a lot more good than bad, and getting better. I am grateful for her support and understanding of all the different shifts in these kinds of things, and I am glad to have her support for this bill.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I would also like to reiterate the warm friendship and great cooperation that we have gotten from our chairman, both as Members and as members of our staff coordinate these sometimes thorny bills, controversial measures, and we are able to compromise and come to an agreement and understanding and help the House develop a good foreign policy for this greatest nation in the world, the United States of America. It is an honor for me to work with Chairman BERMAN.

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. BERMAN) that the House suspend the rules and pass the bill, H.R. 7177.

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

A motion to reconsider was laid on the table.

#### WEBCASTER SETTLEMENT ACT OF 2008

Mr. BERMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7084) to amend section 114 of title 17, United States Code, to provide for agreements for the reproduction and performance of sound recordings by webcasters, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7084

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Webcaster Settlement Act of 2008".

#### SEC. 2. AGREEMENTS ON BEHALF OF WEBCASTERS.

Section 114(f)(5) of title 17, United States Code, is amended—

(1) in subparagraph (A)—

(A) by striking "small commercial" each place it appears and inserting "commercial";

(B) by striking "during the period beginning on October 28, 1998, and ending on December 31, 2004" and inserting "for a period of not more than 11 years beginning on January 1, 2005";

(C) by striking "a copyright arbitration royalty panel or decision by the Librarian of Congress" and inserting "the Copyright Royalty Judges"; and

(D) in the second sentence, by striking "webcasters shall include" and inserting "webcasters may include";

(2) in subparagraph (B), by striking "small commercial" and inserting "commercial";

(3) in subparagraph (C)—

(A) by striking "Librarian of Congress" and inserting "Copyright Royalty Judges";

(B) by striking "small webcasters" and inserting "webcasters"; and

(C) by adding at the end the following: "This subparagraph shall not apply to the extent that the receiving agent and a webcaster that is party to an agreement entered into pursuant to subparagraph (A) expressly authorize the submission of the agreement in a proceeding under this subsection.";

(4) in subparagraph (D)—

(A) by striking "the Small Webcasters Settlement Act of 2002" and inserting "the Webcaster Settlement Act of 2008"; and