

under which small projects are permitted to proceed based on estimates. The bill increases the ceiling for small projects to \$100,000, an increase from the current level of \$55,000. Finally, S. 2382 requires FEMA to expeditiously report back to Congress on the status of its recovery efforts from these storms.

S. 2382, as amended, also includes a provision from H.R. 3247, as reported by the Senate Committee on Homeland Security and Government Affairs, that authorizes FEMA to provide case management services to citizens impacted by Hurricanes Katrina and Rita. It is unfortunate that some citizens still require these services as they struggle to recover three years after these storms.

The bill further requires FEMA to review, update, and revise, through rulemaking, the factors considered in making recommendations for the assistance to individuals and families under the Stafford Act as provided in 44 CFR 206.48. State and local governments have expressed concerns about the lack of clarity in these regulations, which they use to gauge when to seek assistance from the Federal Government.

I thank the gentleman from Florida (Mr. MICA), Ranking Member of the Committee on Transportation and Infrastructure, for working with me on this bipartisan amendment to S. 2382, and I strongly support its passage.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HONORING THE HERITAGE OF THE COAST GUARD

Mr. RAHALL. Madam Speaker, I ask unanimous consent to take from the Speaker's table House Resolution 1382 and ask for its immediate consideration.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 1382

Whereas the Coast Guard, including its predecessor organizations, has a long and distinguished heritage dating back to the very first Congress in 1789;

Whereas the Coast Guard is now in its 219th year of protecting the coast, saving life and property, protecting the environment, and ensuring the safety of life and property at sea;

Whereas the Coast Guard and its predecessor organizations have been responsible for safe navigation since Congress—

(1) authorized “the necessary support, maintenance and repairs of all lighthouse, beacons, buoys”, and specifically authorized the construction of the first Federal lighthouse at the mouth of the Chesapeake Bay, on August 7, 1789; and

(2) established the Lighthouse Board on October 9, 1852;

Whereas the Coast Guard and its predecessor organizations have, since September 1, 1789, been responsible for registering (documenting) vessels of the United States;

Whereas the Coast Guard and its predecessor organizations have protected the

coast since Congress authorized the President to build and equip ten revenue cutters, on August 4, 1790, which were to be paid for from “duties on goods, wares and merchandise, imported into the United States, and on the tonnage of ships or vessels”;

Whereas the Coast Guard and its predecessor organizations have inspected vessels since Congress adopted, on July 7, 1838, an Act “to provide better security of the lives of passengers on board of vessels propelled in whole or in part by steam”, thus beginning the Steamboat Inspection Service;

Whereas the Coast Guard and its predecessor organizations have conducted lifesaving operations along our coasts since Congress first appropriated funding for lifesaving equipment for the use of volunteers on August 14, 1848, the first lifesaving stations were authorized on June 20, 1874, and the Life-Saving Service was established by Act of Congress on June 19, 1878;

Whereas the Coast Guard and its predecessor organizations have had “superintendence of all commercial marine and merchant seamen of the United States . . .”; been “charged with the supervision of the laws relating to the admeasurement of vessels, and the assigning of signal letters thereto, and designating their official number . . .”; and “annually prepare and publish a list of vessels of the United States . . .” since Congress established Shipping Commissioners on June 7, 1872, and established the Bureau of Navigation on July 5, 1884;

Whereas the Revenue Cutter Service and the Life-Saving Service were merged, by Act of Congress signed into law on January 28, 1915, to form the Coast Guard as an agency of the Department of the Treasury;

Whereas the Lighthouse Service became part of the Coast Guard on July 1, 1939, as part of a government reorganization plan adopted by Congress on April 3, 1939;

Whereas the Bureau of Marine Inspection and Navigation (a merger of the Steamboat Inspection Service and the Bureau of Navigation) became part of the Coast Guard in another reorganization in July 1946;

Whereas the Coast Guard was transferred from the Department of the Treasury to the newly established Department of Transportation on April 1, 1967; and

Whereas the Coast Guard was transferred to the newly established Department of Homeland Security in March 2003: Now, therefore, be it

Resolved, That the House of Representatives recognizes and honors all the men and women of the Coast Guard and its predecessor organizations since August 7, 1789.

The resolution was agreed to.

A motion to reconsider was laid on the table.

BROADBAND DATA IMPROVEMENT ACT

Mr. MARKEY. Madam Speaker, I ask unanimous consent that the Committee on Energy and Commerce be discharged from further consideration of the Senate bill (S. 1492) to improve the quality of Federal and State data regarding the availability and quality of broadband services and to promote the deployment of affordable broadband services to all parts of the Nation, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

There was no objection.

The text of the Senate bill is as follows:

S. 1492

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 “Broadband Data Improvement Act”.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) The deployment and adoption of broadband technology has resulted in enhanced economic development and public safety for communities across the Nation, improved health care and educational opportunities, and a better quality of life for all Americans.

(2) Continued progress in the deployment and adoption of broadband technology is vital to ensuring that our Nation remains competitive and continues to create business and job growth.

(3) Improving Federal data on the deployment and adoption of broadband service will assist in the development of broadband technology across all regions of the Nation.

(4) The Federal Government should also recognize and encourage complementary state efforts to improve the quality and usefulness of broadband data and should encourage and support the partnership of the public and private sectors in the continued growth of broadband services and information technology for the residents and businesses of the Nation.

SEC. 3. IMPROVING FEDERAL DATA ON BROADBAND.

(a) IMPROVING FCC BROADBAND DATA.—Within 120 days after the date of enactment of this Act, the Federal Communications Commission shall issue an order in WC docket No. 07–38 which shall, at a minimum—

(1) revise or update, if determined necessary, the existing definitions of advanced telecommunications capability, or broadband;

(2) establish a new definition of second generation broadband to reflect a data rate that is not less than the data rate required to reliably transmit full-motion, high-definition video; and

(3) revise its Form 477 reporting requirements to require filing entities to report broadband connections and second generation broadband connections by 5-digit postal zip code plus 4-digit location.

(b) EXCEPTION.—The Commission shall exempt an entity from the reporting requirements of subsection (a)(3) if the Commission determines that a compliance by that entity with the requirements is cost prohibitive, as defined by the Commission.

(c) IMPROVING SECTION 706 INQUIRY.—Section 706 of the Telecommunications Act of 1996 (47 U.S.C. 157 nt) is amended—

(1) by striking “regularly” in subsection (b) and inserting “annually”;

(2) by redesignating subsection (c) as subsection (e); and

(3) by inserting after subsection (b) the following:

“(c) MEASUREMENT OF EXTENT OF DEPLOYMENT.—In determining under subsection (b) whether advanced telecommunications capability is being deployed to all Americans in a reasonable and timely fashion, the Commission shall consider data collected using 5-digit postal zip code plus 4-digit location.

“(d) DEMOGRAPHIC INFORMATION FOR UNSERVED AREAS.—As part of the inquiry required by subsection (b), the Commission shall, using 5-digit postal zip code plus 4-digit location information, compile a list of geographical areas that are not served by

any provider of advanced telecommunications capability (as defined by section 706(c)(1) of the Telecommunications Act of 1996 (47 U.S.C. 157 nt)) and to the extent that data from the Census Bureau is available, determine, for each such unserved area—

- “(1) the population;
- “(2) the population density; and
- “(3) the average per capita income.”;

(4) by inserting “an evolving level of” after “technology,” in paragraph (1) of subsection (e), as redesignated.

(d) **IMPROVING CENSUS DATA ON BROADBAND.**—The Secretary of Commerce, in consultation with the Federal Communications Commission, shall expand the American Community Survey conducted by the Bureau of the Census to elicit information for residential households, including those located on native lands, to determine whether persons at such households own or use a computer at that address, whether persons at that address subscribe to Internet service and, if so, whether such persons subscribe to dial-up or broadband Internet service at that address.

SEC. 4. STUDY ON ADDITIONAL BROADBAND METRICS AND STANDARDS.

(a) **IN GENERAL.**—The Comptroller General shall conduct a study to consider and evaluate additional broadband metrics or standards that may be used by industry and the Federal Government to provide users with more accurate information about the cost and capability of their broadband connection, and to better compare the deployment and penetration of broadband in the United States with other countries. At a minimum, such study shall consider potential standards or metrics that may be used—

- (1) to calculate the average price per megabyte of broadband offerings;
- (2) to reflect the average actual speed of broadband offerings compared to advertised potential speeds;
- (3) to compare the availability and quality of broadband offerings in the United States with the availability and quality of broadband offerings in other industrialized nations, including countries that are members of the Organization for Economic Cooperation and Development; and
- (4) to distinguish between complementary and substitutable broadband offerings in evaluating deployment and penetration.

(b) **REPORT.**—Not later than one year after the date of enactment of this Act, the Comptroller General shall submit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Energy and Commerce on the results of the study, with recommendations for how industry and the Federal Communications Commission can use such metrics and comparisons to improve the quality of broadband data and to better evaluate the deployment and penetration of comparable broadband service at comparable rates across all regions of the Nation.

SEC. 5. STUDY ON THE IMPACT OF BROADBAND SPEED AND PRICE ON SMALL BUSINESSES.

(a) **IN GENERAL.**—The Small Business Administration Office of Advocacy shall conduct a study evaluating the impact of broadband speed and price on small businesses.

(b) **REPORT.**—Not later than one year after the date of enactment of this Act, the Office shall submit a report to the Senate Committee on Commerce, Science, and Transportation, the Senate Committee on Small Business and Entrepreneurship, the House of Representatives Committee on Energy and Commerce, and the House of Representatives Committee on Small Business on the results of the study, including—

- (1) a survey of broadband speeds available to small businesses;

(2) a survey of the cost of broadband speeds available to small businesses;

(3) a survey of the type of broadband technology used by small businesses; and

(4) any policy recommendations that may improve small businesses access to comparable broadband services at comparable rates in all regions of the Nation.

SEC. 6. ENCOURAGING STATE INITIATIVES TO IMPROVE BROADBAND.

(a) **PURPOSES.**—The purposes of any grant under subsection (b) are—

- (1) to ensure that all citizens and businesses in a State have access to affordable and reliable broadband service;
- (2) to achieve improved technology literacy, increased computer ownership, and home broadband use among such citizens and businesses;
- (3) to establish and empower local grassroots technology teams in each State to plan for improved technology use across multiple community sectors; and
- (4) to establish and sustain an environment ripe for broadband services and information technology investment.

(b) **ESTABLISHMENT OF STATE BROADBAND DATA AND DEVELOPMENT GRANT PROGRAM.**—

(1) **IN GENERAL.**—The Secretary of Commerce shall award grants, taking into account the results of the peer review process under subsection (d), to eligible entities for the development and implementation of statewide initiatives to identify and track the availability and adoption of broadband services within each State.

(2) **COMPETITIVE BASIS.**—Any grant under subsection (b) shall be awarded on a competitive basis.

(c) **ELIGIBILITY.**—To be eligible to receive a grant under subsection (b), an eligible entity shall—

(1) submit an application to the Secretary of Commerce, at such time, in such manner, and containing such information as the Secretary may require; and

(2) contribute matching non-Federal funds in an amount equal to not less than 20 percent of the total amount of the grant.

(d) **PEER REVIEW; NONDISCLOSURE.**—

(1) **IN GENERAL.**—The Secretary shall by regulation require appropriate technical and scientific peer review of applications made for grants under this section.

(2) **REVIEW PROCEDURES.**—The regulations required under paragraph (1) shall require that any technical and scientific peer review group—

(A) be provided a written description of the grant to be reviewed;

(B) provide the results of any review by such group to the Secretary of Commerce; and

(C) certify that such group will enter into voluntary nondisclosure agreements as necessary to prevent the unauthorized disclosure of confidential and proprietary information provided by broadband service providers in connection with projects funded by any such grant.

(e) **USE OF FUNDS.**—A grant awarded to an eligible entity under subsection (b) shall be used—

(1) to provide a baseline assessment of broadband service deployment in each State;

(2) to identify and track—

(A) areas in each State that have low levels of broadband service deployment;

(B) the rate at which residential and business users adopt broadband service and other related information technology services; and

(C) possible suppliers of such services;

(3) to identify barriers to the adoption by individuals and businesses of broadband service and related information technology services, including whether or not—

(A) the demand for such services is absent; and

(B) the supply for such services is capable of meeting the demand for such services;

(4) to identify the speeds of broadband connections made available to individuals and businesses within the State, and, at a minimum, to rely on the data rate benchmarks for broadband and second generation broadband identified by the Federal Communications Commission to promote greater consistency of data among the States;

(5) to create and facilitate in each county or designated region in a State a local technology planning team—

(A) with members representing a cross section of the community, including representatives of business, telecommunications labor organizations, K–12 education, health care, libraries, higher education, community-based organizations, local government, tourism, parks and recreation, and agriculture; and

(B) which shall—

(i) benchmark technology use across relevant community sectors;

(ii) set goals for improved technology use within each sector; and

(iii) develop a tactical business plan for achieving its goals, with specific recommendations for online application development and demand creation;

(6) to work collaboratively with broadband service providers and information technology companies to encourage deployment and use, especially in unserved and underserved areas, through the use of local demand aggregation, mapping analysis, and the creation of market intelligence to improve the business case for providers to deploy;

(7) to establish programs to improve computer ownership and Internet access for unserved and underserved populations;

(8) to collect and analyze detailed market data concerning the use and demand for broadband service and related information technology services;

(9) to facilitate information exchange regarding the use and demand for broadband services between public and private sectors; and

(10) to create within each State a geographic inventory map of broadband service, and where feasible second generation broadband service, which shall—

(A) identify gaps in such service through a method of geographic information system mapping of service availability at the census block level; and

(B) provide a baseline assessment of statewide broadband deployment in terms of households with high-speed availability.

(f) **PARTICIPATION LIMIT.**—For each State, an eligible entity may not receive a new grant under this section to fund the activities described in subsection (d) within such State if such organization obtained prior grant awards under this section to fund the same activities in that State in each of the previous 4 consecutive years.

(g) **REPORTING.**—The Secretary of Commerce shall—

(1) require each recipient of a grant under subsection (b) to submit a report on the use of the funds provided by the grant; and

(2) create a web page on the Department of Commerce web site that aggregates relevant information made available to the public by grant recipients, including, where appropriate, hypertext links to any geographic inventory maps created by grant recipients under subsection (e)(10).

(h) **DEFINITIONS.**—In this section:

(1) **ELIGIBLE ENTITY.**—The term “eligible entity” means a non-profit organization that is selected by a State to work in partnership

with State agencies and private sector partners in identifying and tracking the availability and adoption of broadband services within each State.

(2) **NONPROFIT ORGANIZATION.**—The term “nonprofit organization” means an organization—

(A) described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(B) no part of the net earnings of which inures to the benefit of any member, founder, contributor, or individual;

(C) that has an established competency and proven record of working with public and private sectors to accomplish widescale deployment and adoption of broadband services and information technology; and

(D) the board of directors of which is not composed of a majority of individuals who are also employed by, or otherwise associated with, any Federal, State, or local government or any Federal, State, or local agency.

(i) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section \$40,000,000 for each of fiscal years 2008 through 2012.

(j) **NO REGULATORY AUTHORITY.**—Nothing in this section shall be construed as giving any public or private entity established or affected by this Act any regulatory jurisdiction or oversight authority over providers of broadband services or information technology.

AMENDMENT OFFERED BY MR. MARKEY

Mr. MARKEY. Madam Speaker, I have an amendment at the desk.

The Clerk read as follows:

Amendment offered by Mr. MARKEY:

In section 213, strike “Senate Committee on Commerce, Science, and Transportation” and insert “Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives”.

In section 214(b), strike “Assistant Secretary and the Senate Committee on Commerce, Science, and Transportation” and insert “Assistant Secretary, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Energy and Commerce of the House of Representatives”.

In the matter appearing immediately after section 216, strike “**TITLE II**” and insert “**Subtitle B**”.

Mr. MARKEY (during the reading). Madam Speaker, I ask unanimous consent to dispense with the reading of the amendment.

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

There was no objection.

The amendment was agreed to.

Mr. DINGELL. Madam Speaker, I rise in support of S. 1492. Title I of S. 1492 is the Broadband Data Improvement Act. This Act puts the country further down the path toward universal broadband deployment, a goal we must achieve. It does so by improving the quality of data that the Federal Communications Commission collects concerning broadband deployment and adoption. It requires annual reports on the state of broadband deployment and also requires the Commission to conduct consumer surveys on broadband use, price, speed, and availability. Importantly, Title I requires a comparison of broadband deployment at home with broadband deployment abroad. Armed with this information, policy makers will be able to

make more informed decisions to increase broadband penetration and drive its deployment.

Title I also directs the Secretary of Commerce to develop a grant program to help take stock of broadband availability in States. Unfortunately, Title I does not require the construction of a nationwide map depicting broadband deployment. I am hopeful that we can work toward that goal as this legislation is implemented. And while I am disappointed that Title I does not authorize funding for this crucial grant program, directing the Secretary of Commerce to establish it is a victory for American consumers.

Even though the Broadband Data Improvement Act does not include every provision from the similar bill that passed the House unanimously, it is a solid step in the right direction, and it deserves our full support.

Title II of S. 1492 is largely based on legislation authorized by Rep. MELISSA BEAN and aims to promote the safety of children on the Internet and protect them from online predators and cybercrimes. It directs the Federal Trade Commission, FTC, the Nation’s foremost consumer protection agency, to carry out a nationwide educational campaign on the safe use of the Internet by children. This legislation will ensure that the FTC’s educational efforts are both wide-ranging and inclusive of other governmental and private organizations that are dedicated to safe Internet use. It also ensures that the FTC keeps Congress apprised of its activities through submission of annual reports.

Title II also further promotes children’s Internet safety by directing the Assistant Secretary of Commerce for Communications and Information to establish a working group of government, industry, and public interest. To keep Congress informed, the Assistant Secretary must submit a report 1 year after formation of the working group to the appropriate Committees.

Finally, Title II promotes online safety education in schools. It focuses in particular on appropriate behavior in networking sites and chat rooms and awareness of cyber bullying.

I congratulate Representatives MARKEY, BEAN, and others who worked on this fine bill. I urge my colleagues to support its passage.

Mr. MARKEY. Madam Speaker, I rise in support of S. 1492, the Broadband Data Improvement Act. This is companion legislation to H.R. 3919, the Broadband Census of America Act of 2007, which passed the House unanimously last November.

Madam Speaker, an overarching telecommunications policy goal for the United States is achieving ubiquitously available, competitive, high speed, affordable broadband service for all Americans. Such broadband service capability is indispensable to various aspects of the United States economy, including public safety, education, entrepreneurial investment, innovation, job creation, health care delivery and energy efficiency.

The ability of the United States to promote and achieve a competitive, high speed broadband infrastructure will also be a key factor in determining our nation’s success in the fiercely competitive global economy. International competitors to the United States are achieving progress in broadband deployment and adoption. Many countries have broadband service capability superior to the United States in terms of choice, speed, and price.

For the United States, offering broadband service capability at ever higher transmission speeds could spur new growth and investment in cutting-edge applications, services, and technologies that utilize higher bandwidth functionality.

The Senate bill contains several provisions which directly stem from H.R. 3919, including the international comparison and the consumer survey. While I wish the Senate bill contained the more rigorous data collection and disclosure that was contained in the House-passed bill, I believe the Senate bill makes sorely-needed progress in bolstering the data collection needed for policymakers to have a better sense of America’s progress, or lack thereof, in broadband deployment, speed, and affordability.

Without question, ascertaining whether the Nation is achieving its broadband policy, goals has been stymied by a significant lack of data about the nature and extent of broadband service deployment and adoption throughout the country. The Government Accountability Office, GAO, in a May 2006 report, assessed the available data about broadband deployment and concluded that while such deployment is present in some form across the Nation, it remains difficult to decipher which geographic areas are un-served or underserved. Also difficult to determine is the type of service, the speed, and the price of broadband service capability available in discrete urban, suburban, and rural areas of the country.

More and better data about the nature and extent of broadband deployment and adoption is clearly needed and this legislation is a first step in getting the better data policymakers need. Indeed, the dearth of basic information available to the public and policymakers concerning availability, speed, price, and type of broadband service technology is highly problematic for a nation which ostensibly has competitive, affordable broadband service for every citizen as its highest telecommunications policy goal.

The fact that such information has not been obtained and is not readily available adversely affects the ability of policymakers to make sound decisions. For instance, the Federal Government could achieve significantly better performance from its multibillion dollar grant and subsidy programs, and effectively reform them, if better and more comprehensive data were readily available. Discerning which parts of the country are served by broadband service capability and which parts are un-served has proven elusive to policymakers.

This goal of this legislative effort from the start was the creation of a nationwide map of broadband data. I believe the Secretary of Commerce should create a Web site through the National Telecommunications and Information Administration, NTIA, depicting broadband inventory maps of all the States as outlined in the House-passed bill. The House-passed bill provides a roadmap for the ideal type of searchable map and the mechanisms by which the NTIA could achieve this objective. NTIA has authority today to pursue this worthwhile endeavor and the Bush administration should have sought to implement this idea long ago, using information readily available from public sources, from the States, from the FCC, or from industry participants or organizations themselves. At a minimum, and as a first step, the pending legislation would require that the Secretary of Commerce should create a

Web site to depict such nationwide data by including those maps created by grant recipients where appropriate. Ideally, grant recipients for State-wide efforts will be found in all the States and much of the rudimentary data to begin creating a truly robust national map can be developed at the state level and simply uploaded or linked to the Web site map or maps that NTIA creates.

In addition, a concomitant goal of this legislative effort from the beginning was to improve the quantity and quality of broadband data collected by and available to the Federal Communications Commission. When we began this effort, the FCC's available data was woefully inadequate with respect to broadband deployment, availability, speed, price and other metrics. Worse, the data collected was in a form that often misrepresented the reality of broadband deployment in the country. The FCC took action this year to improve the data it collects but it did not go far enough in my opinion. This legislation also does not go far enough and certainly is not as thorough and complete with respect to the collection and reporting of data as the House-passed bill. Yet it does represent additional progress. Obviously nothing in this bill is designed or should be construed to in any way limit the ability of the FCC to collect better and more accurate data, or to utilize such data internally, or to publicly report such data in a way that is conducive to wise policymaking or otherwise consistent with its precedents for making non-proprietary data public.

Again, this bill represents an important step in developing an overarching blueprint for broadband policy in the United States. As such, it is worthy of passage. Enacting this bill will also avail lawmakers of the opportunity to jump right into developing broader legislation early next year. By not having to re-pass this measure all over again, we will be able to more immediately pursue additional concrete broadband policy proposals legislatively, including those to promote greater broadband and voice competition, to rekindle the prospects for broadband innovation, affordability, and consumer choice, and to ensure that architectural openness and consumer privacy are hallmarks of our Nation's broadband policy.

The legislation also includes language on Internet child safety. This is language that is similar to provisions spearheaded by our House colleague Representative MELISSA BEAN and we are pleased that her multi-year efforts have resulted in the inclusion of this language in the bill.

I again want to thank Mr. BARTON, Chairman DINGELL, Mr. STEARNS, and Mr. UPTON for their cooperation in working on this bill. I again want to commend Senator INOUE and his staff, Jessica Rosenworcel, Margaret Cummysky, and Alex Hoehn-Saric, and the staff for the House Republican side, Neil Fried, David Cavicke, and Courtney Reinhard, and on the Democratic side I want to salute the excellent work of Amy Levine, Tim Powderly, Mark Seifert, and David Vogel. I urge members of the House to support the bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MARKEY. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill just passed by the House.

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

There was no objection.

METHAMPHETAMINE PRODUCTION PREVENTION ACT OF 2007

Mr. MARKEY. Madam Speaker, I ask unanimous consent that the Committee on Energy and Commerce and the Committee on the Judiciary be discharged from further consideration of the Senate bill (S. 1276) to establish a grant program to facilitate the creation of methamphetamine precursor electronic logbook systems, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

There was no objection.

The text of the Senate bill is as follows:

S. 1276

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 "Methamphetamine Production Prevention Act of 2007".

SEC. 2. FINDINGS.

Congress finds that—

(1) the manufacture, distribution and use of methamphetamine have inflicted damages on individuals, families, communities, businesses, the economy, and the environment throughout the United States;

(2) methamphetamine is unique among illicit drugs in that the harms relating to methamphetamine stem not only from its distribution and use, but also from the manufacture of the drug by "cooks" in clandestine labs throughout the United States;

(3) Federal and State restrictions limiting the sale of legal drug products that contain methamphetamine precursors have reduced the number and size of domestic methamphetamine labs;

(4) domestic methamphetamine cooks have managed to circumvent restrictions on the sale of methamphetamine precursors by "smurfing", or purchasing impermissibly large cumulative amounts of precursor products by traveling from retailer to retailer and buying permissible quantities at each retailer;

(5) although Federal and State laws require retailers of methamphetamine precursor products to keep written or electronic logbooks recording sales of precursor products, retailers are not always required to transmit this logbook information to appropriate law enforcement and regulatory agencies, except upon request;

(6) when retailers' logbook information regarding sales of methamphetamine precursor products is kept in a database in an electronic format and transmitted between retailers and appropriate law enforcement and regulatory agencies, such information can be

used to further reduce the number of domestic methamphetamine labs by preventing the sale of methamphetamine precursors in excess of legal limits, and by identifying and prosecuting "smurfs" and others involved in methamphetamine manufacturing;

(7) States and local governments are already beginning to develop such electronic logbook database systems, but they are hindered by a lack of resources;

(8) efforts by States and local governments to develop such electronic logbook database systems may also be hindered by logbook recordkeeping requirements contained in section 310(e) of the Controlled Substances Act (21 U.S.C. 830(e)) that are tailored to written logbooks and not to electronic logbooks; and

(9) providing resources to States and localities and making technical corrections to the Combat Methamphetamine Epidemic Act of 2005 will allow more rapid and widespread development of such electronic logbook systems, thereby reducing the domestic manufacture of methamphetamine and its associated harms.

SEC. 3. DEFINITIONS.

In this Act—

(1) the term "local" means a county, city, town, township, parish, village, or other general purpose political subdivision of a State;

(2) the term "methamphetamine precursor electronic logbook system" means a system by which a regulated seller electronically records and transmits to an electronic database accessible to appropriate law enforcement and regulatory agencies information regarding the sale of a scheduled listed chemical product that is required to be maintained under section 310(e) of the Controlled Substances Act (21 U.S.C. 830(e)) (as amended by this Act), State law governing the distribution of a scheduled listed chemical product, or any other Federal, State, or local law;

(3) the terms "regulated seller" and "scheduled listed chemical product" have the meanings given such terms in section 102 of the Controlled Substances Act (21 U.S.C. 802); and

(4) the term "State"—

(A) means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States; and

(B) includes an "Indian tribe", as that term is defined in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a).

SEC. 4. AUTHORIZATION FOR EFFECTIVE METHAMPHETAMINE PRECURSOR ELECTRONIC LOGBOOK SYSTEMS.

Section 310(e)(1) of the Controlled Substances Act (21 U.S.C. 830(e)(1)) is amended—

(1) in subparagraph (A)(iii), by striking "a written or electronic list" and inserting "a written list or an electronic list that complies with subparagraph (H)"; and

(2) adding at the end the following:

"(H) ELECTRONIC LOGBOOKS.—

"(i) IN GENERAL.—A logbook maintained in electronic form shall include, for each sale to which the requirement of subparagraph (A)(iii) applies, the name of any product sold, the quantity of that product sold, the name and address of each purchaser, the date and time of the sale, and any other information required by State or local law.

"(ii) SELLERS.—In complying with the requirements of clause (i), a regulated seller may—

"(I) ask a prospective purchaser for the name and address, and enter such information into the electronic logbook, and if the seller enters the name and address of the prospective purchaser into the electronic logbook, the seller shall determine that the