

support the Sharps' work and helped rescue Jews and other refugees from Nazi persecution. The organization has continued to do good work in support of human rights all over the world and is actively engaged in efforts to stop the genocide in Darfur, Sudan.

As we honor the Sharps, let us be inspired by their heroic example and let us all commit ourselves to doing what we can—and what we must—to bring an end to human suffering.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. LANTOS) that the House suspend the rules and agree to the resolution, H. Res. 52.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those voting have responded in the affirmative.

Mr. LANTOS. 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 question will be postponed.

#### PRESERVATION OF RECORDS OF SERVITUDE, EMANCIPATION, AND POST-CIVIL WAR RECONSTRUCTION ACT

Mr. CLAY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 390) to require the establishment of a national database in the National Archives to preserve records of servitude, emancipation, and post-Civil War reconstruction and to provide grants to State and local entities to establish similar local databases.

The Clerk read as follows:

H.R. 390

*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 "Preservation of Records of Servitude, Emancipation, and Post-Civil War Reconstruction Act".

##### SEC. 2. ESTABLISHMENT OF NATIONAL DATABASE.

(a) IN GENERAL.—The Archivist of the United States shall preserve relevant records and establish, as part of the National Archives, an electronically searchable national database consisting of historic records of servitude, emancipation, and post-Civil War reconstruction, including the Southern Claims Commission Records, Records of the Freedmen's Bank, Slave Impressments Records, Slave Payroll Records, Slave Manifest, and others, contained within the agencies and departments of the Federal Government to assist African Americans and others in conducting genealogical and historical research.

(b) MAINTENANCE.—The database established under this section shall be maintained by the National Archives or an entity within the National Archives designated by the Archivist.

##### SEC. 3. GRANTS FOR ESTABLISHMENT OF STATE AND LOCAL DATABASES.

(a) IN GENERAL.—The National Historical Publications and Records Commission of the

National Archives shall provide grants to States, colleges and universities, and genealogical associations to preserve records and establish electronically searchable databases consisting of local records of servitude, emancipation, and post-Civil War reconstruction.

(b) MAINTENANCE.—The databases established using grants provided under this section shall be maintained by appropriate agencies or institutions designated by the National Historical Publications and Records Commission.

##### SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated—

- (1) \$5,000,000 to implement section 2; and
- (2) \$5,000,000 to provide grants under section 3.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. CLAY) and the gentleman from Tennessee (Mr. DUNCAN) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

##### GENERAL LEAVE

Mr. CLAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 390.

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

There was no objection.

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

I rise in support of H.R. 390, which authorizes the National Archives to preserve historical documents relating to servitude, emancipation, and post-Civil War reconstruction. Introduced by my friend, Representative LANTOS of California, the bill calls on the Archives to place these documents in a searchable electronic database for use in historical and genealogical research.

As a cosponsor of H.R. 390 and chairman of the Oversight Subcommittee on Information Policy, Census, and National Archives, I am pleased to see the measure presented for consideration by the House today. Under this legislation, grants will be made available to States, colleges and universities, and genealogical associations to preserve similar records in their possession and make them available electronically. The bill will for the first time make a wide range of historical documents relating to servitude, emancipation, and post-Civil War reconstruction easily accessible and searchable. This will vastly improve the ability of African Americans to research their lineage. It will also facilitate the efforts of historians performing research into this period of American history.

An identical version of this bill was approved unanimously by the Committee on Government Reform last year. And as someone with a deep appreciation of African American and American history, I am honored to support its passage today.

I urge my colleagues to join me in supporting this legislation.

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

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

Mr. Speaker, I rise in support of H.R. 390, the Preservation of Records of Servitude, Emancipation, and Post-Civil War Reconstruction Act, legislation which would establish a grant program, as outlined just a moment ago by Mr. CLAY.

H.R. 390 would authorize the creation of a national database within the National Archives to include records of servitude, emancipation, and post-Civil War reconstruction held by Federal agencies. These records include: the Southern Claims Commission Records, Records of the Freedmen's Bank, Slave Impressment Records, Slave Payroll Records, and Slave Manifests.

Many of these records are not organized, catalogued, or well protected from the elements. H.R. 390 will not only make these documents more accessible to the public but will preserve them as well. H.R. 390 continues the important preservation efforts begun under the Freedmen's Bureau Records Preservation Act of 2000. The creation of a searchable database will help African Americans conduct genealogical research and learn more about their families' history.

In addition, the national database will help historians and others interested in the Civil War and post-Civil War eras to conduct research that promises to reveal more about the history and culture of the South and the African American experience. Similar records of servitude, emancipation, and post-Civil War reconstruction are held by local and State entities.

H.R. 390 authorizes the National Archives to provide grants to States, universities, and genealogical associations to digitally preserve their records through the creation of searchable databases. The digital preservation of these important historical documents and improved accessibility to them will ensure that they are available to future generations of Americans.

I think this is legislation that all my colleagues can support, and I urge support for H.R. 390.

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

Mr. CLAY. Mr. Speaker, I am pleased to yield such time as he may consume to the sponsor of this legislation, Representative LANTOS.

Mr. LANTOS. Mr. Speaker, first I want to thank my dear friend, the distinguished chairman of the committee, for yielding me time and for his leadership on this issue.

Mr. Speaker, last week our Nation paused to remember and to recognize the extraordinary life and achievements of Dr. Martin Luther King, Jr. Today I rise in strong support of H.R. 390, the Preservation of Records of Servitude, Emancipation, and Post-Civil War Reconstruction Act, which will help eliminate a little-known and rarely recognized vestige of slavery. This important legislation, which passed the Government Reform Committee last

year by a unanimous vote, will open the way for African Americans to trace their ancestry from the critical period immediately following the end of slavery in this country.

Mr. Speaker, for most Americans, researching their genealogical history involves searching through various historical records, almost all of which have been properly archived as public historical documents. Unfortunately, African Americans face a unique challenge due to our Nation's history of discrimination and slavery. Instead of simply looking up wills, birth and death certificates, or other traditional genealogical research documents, African Americans are forced to identify the names of former slave owners and then hope that these owners kept accurate records of pertinent property tax and probate information.

Compounding the difficulty of this problem, Mr. Speaker, is that many of these records of servitude and emancipation are frequently inaccessible, stored in farmhouses and schools throughout the South. Even when researchers are able to locate the records, they find them poorly catalogued and inadequately preserved from deterioration and decay.

While some States and some localities have undertaken efforts to collect these documents, and they need to be commended for their endeavors, a national effort to preserve these important pieces of public and personal history is necessary to ensure that they are readily and easily accessible to all Americans.

H.R. 390, my legislation, builds on the success of the Freedmen's Bureau Records Preservation Act, which Congress passed and the President signed into law 6 years ago. That law required the archivists of the United States to catalogue the genealogical and historical records into a searchable indexing system and was the first step toward ensuring easy access. Passing H.R. 390 is the next step necessary to complete this preservation project for our entire Nation.

Mr. Speaker, my bill tackles the problems of poorly catalogued and inadequately preserved records in two ways. First, it will make sure that the records of servitude, emancipation, and post-Civil War reconstruction currently being stored within the various agencies of the Federal Government will be properly preserved and accessible in a single electronic site. Second, the searchable index will allow individuals to access information in seconds rather than months or years to build their own personal histories.

□ 1515

Since many of these records are held in non-Federal public and private collections around the country, my legislation authorizes the National Archives to distribute grants to the States, academic institutions, and genealogical associations to locate, preserve, and establish on-line data-

bases of these important records. These grants will ensure that families doing research in my home State of California or anywhere in the country will be able to find post-Civil War reconstruction items easily accessible in a single electronic site. The searchable index will allow individuals to access information in mere seconds.

The Federal and local records covered by my legislation are not only of personal importance to the families involved, Mr. Speaker, they are historically significant to all of us. They document the reuniting of our Nation and the historic moment of transition for slaves from the status of property to citizens, a time when our country finally began to right a horrible moral wrong. We need to take the process another step now by ensuring that those records and the lessons they hold are preserved for all eternity.

I want to thank Chairman WAXMAN and Ranking Member TOM DAVIS, both cosponsors of my legislation, for their continued support of this measure. I also want to thank my friend and colleague ELLIJAH CUMMINGS for all his efforts on this important measure. I urge all of my colleagues to join me in supporting this commonsense recognition that justice at long last must be made.

Mr. DUNCAN. Mr. Speaker, I simply want to commend the gentleman from California (Mr. LANTOS) and the gentleman from Missouri (Mr. CLAY) for their work on this very important legislation. It has been an honor for me to manage this for the minority.

Mr. Speaker, I have no other speakers. I urge support of H.R. 390, and yield back the balance of our time.

Mr. CLAY. Mr. Speaker, in closing I want to thank my good friend from Tennessee (Mr. DUNCAN) for his leadership on this issue. We appreciate it. I want to commend my good friend from California (Mr. LANTOS) for sponsoring this bill that will catalog and preserve these records from a time long ago.

Being a history enthusiast, I believe the adage that a people who don't know their history are doomed to repeat it, and I urge the House to pass the bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H.R. 390, the Preservation of Records of Servitude, Emancipation, and Post-Civil War Reconstruction Act. I support H.R. 390 because it will protect a vast amount of genealogical information from this period in our Nation's history. This bill authorizes the National Archives to do two things: (1) to use necessary resources to preserve, maintain and electronically catalogue these important records, and (2) to distribute grants to the States, academic institutions, and genealogical associations in order to preserve and establish online databases of their own important local records.

While most Americans can learn about their genealogy through already well-archived documents like certificates of birth, death, or marriage, African-Americans have more difficulty with this, due to our Nation's history of slavery and discrimination. African-Americans seeking information about their ancestors must instead

turn to less well-archived records such as documents written by former slave owners. These records are often not very accessible, disorganized, or in poor condition, and so it is important that we make every effort to adequately archive the familial records of so many of our Nations' citizens.

This bill would be the first national effort to preserve and protect this important part of our nation's history, and I thank Mr. LANTOS, the gentleman from California, for introducing it.

I urge my colleagues to vote in favor of this bill, and I look forward to seeing it passed.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in strong support of the Preservation of Records of Servitude, Emancipation, and Post-Civil War Reconstruction Act.

The House of Representatives is truly a body of history. Each day we walk through the Capitol and stand where our Nation's first Members of Congress debated hundreds of years ago. Statues, plaques and paintings remind us of the past and inspire our future. In fact, every day history is recorded on the House floor through the records of our statements.

We must not underestimate the importance of our Nation's past and our individual history. For many African Americans identifying their history and researching genealogy becomes challenging due to a lack of organized records. Many African Americans are left with piecing together records of their ancestors left from former slave owners or searching for information from the post-Civil War reconstruction. Many of these records are unorganized, inaccessible and quickly decaying. We need a national effort to preserve these pieces of public and personal history or to make them readily and easily accessible to all Americans.

Under this bill the Federal Government will maintain an organized system for preserving the records of servitude, emancipation, and the post-Civil War. These records will include Southern Claims Commission Records, Records of the Freedmen's Bank, Slave Impressments Records, Slave Payroll Records, and Slave Manifests. This will go a long way towards preserving our past, and helping individuals discover their history as well.

I urge my colleagues who everyday participate in this Nation's history to extend that dedication to preserving our past to vote for this important piece of legislation.

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

The SPEAKER pro tempore (Mr. SARBANES). The question is on the motion offered by the gentleman from Missouri (Mr. CLAY) that the House suspend the rules and pass the bill, H.R. 390.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those voting have responded in the affirmative.

Mr. LANTOS. 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 question will be postponed.

## 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 3 o'clock and 19 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1753

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MCGOVERN) at 5 o'clock and 53 minutes p.m.

## 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 5 o'clock and 54 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1820

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MCGOVERN) at 6 o'clock and 20 minutes p.m.

CONGRESSIONAL PENSION  
ACCOUNTABILITY ACT

Ms. MILLENDER-McDONALD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 476) to amend title 5, United States Code, to make noncreditable for Federal retirement purposes any Member service performed by an individual who is convicted of any of certain offenses committed by that individual while serving as a Member of Congress, and for other purposes, as amended.

The Clerk read as follows:

H.R. 476

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

**SECTION 1. LOSS OF PENSIONS ACCRUED DURING SERVICE AS A MEMBER OF CONGRESS FOR ABUSING THE PUBLIC TRUST.**

(a) CIVIL SERVICE RETIREMENT SYSTEM.—Section 8332 of title 5, United States Code, is amended by adding at the end the following:

“(o)(1) Notwithstanding any other provision of this subchapter, the service of an individual finally convicted of an offense described in paragraph (2) shall not be taken into account for purposes of this subchapter, except that this sentence applies only to service rendered as a Member (irrespective of when rendered). Any such individual (or other person determined under section 8342(c), if applicable) shall be entitled to be paid so much of such individual's lump-sum credit as is attributable to service to which the preceding sentence applies.

“(2)(A) An offense described in this paragraph is any offense described in subparagraph (B) for which the following apply:

“(i) Every act or omission of the individual (referred to in paragraph (1)) that is needed

to satisfy the elements of the offense occurs while the individual is a Member.

“(ii) Every act or omission of the individual that is needed to satisfy the elements of the offense directly relates to the performance of the individual's official duties as a Member.

“(iii) The offense is committed after the date of enactment of this subsection.

“(B) An offense described in this subparagraph is only the following, and only to the extent that the offense is a felony under title 18:

“(i) An offense under section 201 of title 18 (bribery of public officials and witnesses).

“(ii) An offense under section 219 of title 18 (officers and employees acting as agents of foreign principals).

“(iii) An offense under section 371 of title 18 (conspiracy to commit offense or to defraud United States), to the extent of any conspiracy to commit an act which constitutes—

“(I) an offense under clause (i) or (ii); or

“(II) an offense under section 207 of title 18 (restrictions on former officers, employees, and elected officials of the executive and legislative branches).

“(iv) Perjury committed under section 1621 of title 18 in falsely denying the commission of an act which constitutes—

“(I) an offense under clause (i) or (ii); or

“(II) an offense under clause (iii), to the extent provided in such clause.

“(v) Subornation of perjury committed under section 1622 of title 18 in connection with the false denial or false testimony of another individual as specified in clause (iv).

“(3) An individual convicted of an offense described in paragraph (2) shall not, after the date of the final conviction, be eligible to participate in the retirement system under this subchapter or chapter 84 while serving as a Member.

“(4) The Office of Personnel Management shall prescribe any regulations necessary to carry out this subsection. Such regulations shall include—

“(A) provisions under which interest on any lump-sum payment under the second sentence of paragraph (1) shall be limited in a manner similar to that specified in the last sentence of section 8316(b); and

“(B) provisions under which the Office may provide for—

“(i) the payment, to the spouse or children of any individual referred to in the first sentence of paragraph (1), of any amounts which (but for this clause) would otherwise have been nonpayable by reason of such first sentence, but only to the extent that the application of this clause is considered necessary given the totality of the circumstances; and

“(ii) an appropriate adjustment in the amount of any lump-sum payment under the second sentence of paragraph (1) to reflect the application of clause (i).

“(5) For purposes of this subsection—

“(A) the term ‘Member’ has the meaning given such term by section 2106, notwithstanding section 8331(2); and

“(B) the term ‘child’ has the meaning given such term by section 8341.”

(b) FEDERAL EMPLOYEES' RETIREMENT SYSTEM.—Section 8411 of title 5, United States Code, is amended by adding at the end the following:

“(1)(1) Notwithstanding any other provision of this chapter, the service of an individual finally convicted of an offense described in paragraph (2) shall not be taken into account for purposes of this chapter, except that this sentence applies only to service rendered as a Member (irrespective of when rendered). Any such individual (or other person determined under section 8424(d), if applicable) shall be entitled to be paid so much of such individual's lump-sum

credit as is attributable to service to which the preceding sentence applies.

“(2) An offense described in this paragraph is any offense described in section 8332(o)(2)(B) for which the following apply:

“(A) Every act or omission of the individual (referred to in paragraph (1)) that is needed to satisfy the elements of the offense occurs while the individual is a Member.

“(B) Every act or omission of the individual that is needed to satisfy the elements of the offense directly relates to the performance of the individual's official duties as a Member.

“(C) The offense is committed after the date of enactment of this subsection.

“(3) An individual convicted of an offense described in paragraph (2) shall not, after the date of the final conviction, be eligible to participate in the retirement system under this chapter while serving as a Member.

“(4) The Office of Personnel Management shall prescribe any regulations necessary to carry out this subsection. Such regulations shall include—

“(A) provisions under which interest on any lump-sum payment under the second sentence of paragraph (1) shall be limited in a manner similar to that specified in the last sentence of section 8316(b); and

“(B) provisions under which the Office may provide for—

“(i) the payment, to the spouse or children of any individual referred to in the first sentence of paragraph (1), of any amounts which (but for this clause) would otherwise have been nonpayable by reason of such first sentence, but only to the extent that the application of this clause is considered necessary given the totality of the circumstances; and

“(ii) an appropriate adjustment in the amount of any lump-sum payment under the second sentence of paragraph (1) to reflect the application of clause (i).

“(5) For purposes of this subsection—

“(A) the term ‘Member’ has the meaning given such term by section 2106, notwithstanding section 8401(20); and

“(B) the term ‘child’ has the meaning given such term by section 8341.”

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. MILLENDER-McDONALD) and the gentleman from Michigan (Mr. EHLERS) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

Ms. MILLENDER-McDONALD. Mr. Speaker, I yield myself 8 minutes.

Mr. Speaker, the bill before us today was introduced by my distinguished colleague, Representative NANCY BOYDA from Kansas. It represents part of a continuing effort by the Democratic leadership to clean up the ethics outrage left over by the Abramoff scandal.

The fundamental concept of this bill is simple. If Members of Congress are convicted of engaging in illegal behavior during the performance of official duties, then in addition to going to jail, their public pension will be eliminated. The language was included in the Republican lobby reform bill last year. The only difference is one enhancement responsive to Senate concerns. We have added language to deny pension benefits to Members who ask others to lie for them, or help them cover up their crime.

Applying this penalty to those convicted of corruption is another step toward comprehensive ethics reform and restoring the public trust in Congress.