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House of Representatives

The House met at 10 a.m.

Chaplain Marc Unger, California State Military Reserve, attached to the 1–184th Infantry, California Army National Guard, Exeter, California, offered the following prayer:

O God, You have been our refuge in every generation. I thank You, Lord, for granting truths self-evident, and endowing us, our Creator, with certain unalienable rights: Life, liberty, and the pursuit of happiness, our freedom.

Help this body, O Lord, to remember that our freedom was bought with a price, the blood of our heroes. And defense of our freedom comes at the same terrible price.

Grant the Members of this body: Wisdom as they legislate; freedom from partisan politics; unity, not division; and remembrance that they serve ''of the people, by the people, and for the people'' under God.

Help each Representative, Lord, to represent the people, not politics; morality, not mores; sacrifice, not self-interest; right, not flight; defense, not defeat.

Lord, please comfort the families of our fallen. Grant the troops defending our precious freedoms would: Live under the protection of the Most High, be Your servant for good, and be granted overwhelming victory in the global war on terror.

For Yours is the kingdom and the power and the glory forever.

Amen.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Pennsylvania (Mr. ALTMIRE) come forward and lead the House in the Pledge of Allegiance.

Mr. ALTMIRE 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.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 2080. An act to amend the District of Columbia Home Rule Act to conform the District charter to revisions made by the Council of the District of Columbia relating to public education.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 33. An act to redesignate the Office for Vocational and Adult Education as the Office of Career, Technical, and Adult Education.

S. 375. An act to waive application of the Indian Self-Determination and Education Assistance Act to a specific parcel of real property transferred by the United States to 2 Indian tribes in the State of Oregon, and for other purposes.

The message also announced that pursuant to the provisions of S. Res. 105 (adopted April 13, 1989), as amended by S. Res. 149 (adopted October 5, 1993), as amended by Public Law 105–275 (adopted October 21, 1998), further amended by S. Res. 75 (adopted March 25, 1999), amended by S. Res. 383 (adopted October 27, 2000), and amended by S. Res. 355 (adopted November 13, 2002), and further amended by S. Res. 480 (adopted November 20, 2004), the Chair, on behalf of the Majority Leader, announces the appointment of the following Senators to serve as members of the Senate National Security Working Group for the One Hundred Tenth Congress:

The Senator from Michigan (Mr. LEVIN) (Democratic Co-Chairman).

The Senator from Delaware (Mr. BIDEN) (Democratic Co-Chairman).

The Senator from New Jersey (Mr. LAUTENBERG) (Democratic Co-Chairman).

The Senator from Massachusetts (Mr. KENNEDY).

The Senator from North Dakota (Mr. DORGAN).

The Senator from Illinois (Mr. DURBIN).

The Senator from Florida (Mr. NELSON).

The Senator from Connecticut (Mr. LIEBERMAN).

The Senator from West Virginia (Mr. BYRD) (Majority Administrative Co-Chairman).

APPOINTMENT OF MEMBERS TO BOARD OF VISITORS TO UNITED STATES MILITARY ACADEMY

The SPEAKER. Pursuant to 10 U.S.C. 4355(a), the Chair appoints the following Members of the House to the Board of Visitors to the United States Military Academy:

Mr. HINCHEY, New York
Mr. HALL, New York
Mr. MCHUGH, New York
Mr. TIAHRT, Kansas

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

IT'S TIME TO STOP PRICE GOUGING BY BIG OIL

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

Mr. DEFAZIO. Madam Speaker, while Memorial Day is the traditional beginning of the summer vacation and travel season for all Americans, it's going to

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be a gloomy day across America. No, I'm not a weather forecaster. It's going to be a gloomy day because of record extortionate and manipulated prices at the pump. Guess what? Crude oil prices are down over a year ago, but somehow gas is up 50 cents a gallon at the pump. How is that? The refineries are making four times, four times their normal margin on refining. Why is that? They said, oh, well, gosh, we couldn't have known people were going to start buying gas around Memorial Day. We had to close down some of the refineries to maintain them and to clean them. Does Exxon translate into Enron? Remember when Enron was doing the same thing in California? High demand, shut down the generating plants. Exxon, high demand, shut down the refineries.

It's time to stop the price gouging by Big Oil. Break them up. They aren't competitive, they're colluding.

LEADERSHIP IS NOT AS IT APPEARS, IT'S AS IT PERFORMS

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, you know, leadership is not as it appears; leadership is as it performs. And what the American people want to see is us performing and solving problems for them, addressing the issues that affect them, not window dressing. And window dressing is a lot of what we've done since the Democrats took control of the Chamber, brought forward their ''Six for '06,'' and by the way, not one single bill has been signed into law.

A few other things. We've named a lot of post offices. Today we are going to have a supposed price-gouging bill. But you know, the harder thing would be to really address production, exploration, distribution, innovation in the oil and energy industry to make certain that we have a sustainable supply.

And by the way, it's been 106 days since the President sent us a request for emergency spending, and finally we are going to get a bill that can be signed into law.

Leadership is not as it appears, it is as it performs. Let's solve problems for the American people.

CHANGING THE WAY CONGRESS DOES BUSINESS

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

Mr. ALTMIRE. Mr. Speaker, Democrats continue to demonstrate that they are changing the way Congress does business. We reach across the aisle to pass bipartisan legislation that puts the American people first. Just last week Republicans and Democrats came together to provide a much-deserved pay increase for our troops serving bravely overseas. We joined together to fight crime by adding 50,000 cops to the street, and we passed an affordable housing bill that keeps the people of the gulf coast on the road to recovering after Hurricane Katrina.

We also accomplished something last week that 3 of the last 5 years Congress was unable to do: come to an agreement on a sensible budget with the Senate. It is a budget that prioritizes our Nation's veterans and achieves balance without raising a penny of taxes.

THE DEMOCRATS' FAILURE TO GOVERN

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, does it not seem ironic that the week in which we are scheduled to vote on a lobbying and ethics reform bill, that I might add is largely a carbon copy of a Republican bill from last year, we are faced with the behavior of a high-ranking Member of the Democrat leadership who made a threatening comment to another Member?

What are the American people supposed to make of the failure of the majority to keep their promises? Instead of delivering real reform, the Democrats march in lockstep behind one of their own, despite this clear violation of House ethics rules. Not only has the majority failed to deliver on their agenda, they have shown they will tolerate behavior in their ranks which is antithetical to their so-called reform efforts. In so doing, they have forfeited their credibility.

IN SUPPORT OF H.R. 1853

(Ms. WATSON asked and was given permission to address the House for 1 minute.)

Ms. WATSON. Mr. Speaker, I rise today to urge my colleagues to join me in support of H.R. 1853, the Jose Medina Veterans Affairs Police Training Act.

Mr. Speaker, more than 1.5 million U.S. troops have served in Iraq and Afghanistan, and according to an Army study, 20 percent are showing signs of post-traumatic stress syndrome. But surprisingly, most VA police officers do not receive any training on how to deal with patients suffering from mental illness. That is why we must prepare VA law enforcement officers to deal with the tens of thousands of veterans returning from Iraq that are expected to utilize VA medical centers for mental health services.

H.R. 1853, the Jose Medina Veterans Affairs Police Training Act, will ensure that our veterans are treated with dignity and respect when they seek treatment at VA facilities. Veterans' mental health needs should be one of this Congress' top priorities, and I urge your support.

IT'S STILL AN AMNESTY DEAL

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

Mr. POE. Mr. Speaker, ''amnesty'' is a trigger word for most Americans. While we as a people disagree on many issues, most Americans oppose the thought of legalization of illegal conduct; in other words, amnesty.

So the special-interest groups and the profiteers from plantation labor have been careful not to call the new, inclusive immigration proposal amnesty. But that's exactly what it is. It legalizes the illegals that are in America, some 12- to 20 million. All they need to do is a few things, including pay a fee, or as I see it, a government kickback, and they get to stay in America. But supporters of this proposal still refuse to accept the obvious: It's amnesty, or pardon for illegal conduct.

If somebody trespasses on your land, when they are caught they usually have to pay a fine, but they also must get off your property. If they pay the fine and are allowed to continue to stay on your property, it is amnesty. This is similar to what the special-interest groups are trying to repackage and sell to the American public and even illegal immigrants. But it seems to me these groups are selling out America. We shall see what the American public think.

And that's just the way it is.

BUSH THREATENS VETO OF STRONG BIPARTISAN DEFENSE AUTHORIZATION BILL

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

Mr. PERLMUTTER. Mr. Speaker, President Bush says he supports our troops, but his actions last week refute those claims, and his actions speak louder than his words.

Last Thursday, this House voted overwhelmingly, by 397–27, to support a defense authorization bill that gives our troops a much-deserved 3.5 percent raise, a lot less than the contractors from Halliburton are getting, contractors that the President has farmed out much of the war in Iraq to, but still a 3.5 percent raise.

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Incredibly, the President has threatened to veto the bill. Two of the reasons he gave for his opposition are the pay raise and benefits to survivors. By threatening to veto this bill, how exactly is our President supporting our troops? Well, he is not.

Over the last 5 years, the President has asked much of our military. Extended deployments in Iraq and Afghanistan have strained our Active military and National Guard and their families. This Congress overwhelmingly said we should reward our troops. If the President really wants to support our troops, he will sign the bill.

STOPPING TERRORISM OVERSEAS

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

Mr. WILSON of South Carolina. Mr. Speaker, on Sunday, a homicide bomber in Gardez, Afghanistan, mass-murdered 14 civilians and injured 36 others, including five members of the 218th brigade of the South Carolina National Guard. This affects me personally, as I was a member of the 218th for over 20 years. In July 2000, we trained together in the Mojave Desert at Fort Irwin to face this very evil, and now our courageous troops are stopping terrorists overseas.

Chuck Crumbo of The State newspaper reported the suicide bomber followed the Guard convoy and detonated himself in the midst of innocent women and children on a crowded street. This act of cowardice confirms why we must stop the terrorists overseas or they will return to America. In the past 96 hours, there was an attack in Baghdad, terrorists acted in Lebanon, and a shopping mall was blown up in Turkey.

I know my comrades, ably led by General Bob Livingston, are ready to face al Qaeda's boast of Afghanistan and Iraq as the central front in the global war on terrorism. This is how we can best protect American families. I have never been prouder of the Guard's service.

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

HONORING AND REWARDING OUR TROOPS FOR THEIR VALOR AND SACRIFICE

(Mr. BISHOP of New York asked and was given permission to address the House for 1 minute.)

Mr. BISHOP of New York. Mr. Speaker, last week the White House recommended a veto of the defense authorization bill and said Congress wants to pay our troops too much for defending America. It is unconscionable to suggest our troops aren't worth a half percent more in pay, while many of their families scrape by on food stamps or pay for their own body armor.

Paying our troops what they deserve should go hand in hand with relieving them of taxes they don't deserve. That is why the gentleman from Virginia (Mr. DAVIS) and I introduced a bill last week to eliminate Federal taxation of student loan reimbursements to military personnel and Federal civilian employees.

Our bill, H.R. 2363, eliminates this tax and creates an incentive to help our Armed Forces compete with private sector recruitment and retention by lowering the soaring debt faced by college graduates.

Mr. Speaker, as we salute our troops and honor our fallen this Memorial Day, let's give them the pay raise they deserve.

EMPHASIZING PREVENTIVE CARE IN MEDICARE PROGRAM

(Mrs. CAPITO asked and was given permission to address the House for 1 minute.)

Mrs. CAPITO. Mr. Speaker, I rise today to highlight the importance of preventive care in the Medicare program.

As we all know, the Medicare Modernization Act of 2003 made many important and much-needed changes to the Medicare program. The creation of the Medicare prescription drug benefit was a critically important modernization of the program and has been especially successful in my home State of West Virginia, with 287,000 beneficiaries.

But the prescription drug benefit is just one component of the overall changes in Medicare. If we can encourage more seniors to actually use the preventive benefits, we can help them prevent more costly procedures and longer stays in the hospital.

That is why the ''Welcome to Medicare'' screening is so vitally important. Many of the elements that seniors face today can be effectively managed with prescription medicine and regular visits to their physicians. However, disease management is only effective if we catch the disease early.

I would like to encourage my colleagues to educate their constituents about these important modernizations to the Medicare program so we can all better serve our senior citizens.

DEMOCRATS WORKING TO ESTABLISH A NEW, SMART AND FAIR ENERGY POLICY

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

Mr. SARBANES. Mr. Speaker, as Americans across the country begin planning their summer vacations, one major constraint they will have to face is the severely high price of gas. We are once again seeing record gas prices this Memorial Day, making the prospect of travel daunting for many families. Why is this trend continuing? For 6 years, President Bush and the Republican Congress failed to enact a comprehensive energy strategy to provide relief from these skyrocketing costs.

This Democratic Congress is ready to act and move our Nation in a new direction on energy. Already we have voted to roll back billions of dollars in subsidies to Big Oil and instead reinvest those funds in renewable energy. And now this week we will take up the issue of price gouging by the oil industry. We have seen the first quarter reports. The oil companies are making record profits, and it is time they were held accountable.

Mr. Speaker, this Democratic Congress will work hard to pass legislation that can establish a new, smart, and fair energy policy for the American people.

HONORING VERA WERNER ON HER 105TH BIRTHDAY

(Mrs. BACHMANN asked and was given permission to address the House for 1 minute.)

Mrs. BACHMANN. Mr. Speaker, I rise today to honor a great American and a woman from my district, Mrs. Vera Werner, on the occasion of her 105th birthday. It is a goal to which we all aspire but very few of us ever achieve.

Vera was born in 1902 in Melrose, Minnesota, on May 31, a great day. She is an unassuming Minnesotan, Mr. Speaker. She married, and 2 years later she moved to the big city of St. Cloud, Minnesota. During her time there, she touched many people's lives. Like so many Americans, she had numerous friends. She was on a bowling league for 40 years and she worked in the local department store.

But, Mr. Speaker, Vera Werner accomplished the most important work of any American: She was a mother to four children, she was a grandmother to 21, a great-grandmother to more than 40, and she has so many great-great-grandchildren that people can't keep count. There is no more important function as an American, Mr. Speaker, than to be a good mother or a good father.

Today, Vera, our Nation salutes you, and we wish you happy 105th birthday.

HOW EXACTLY IS PRESIDENT SUPPORTING OUR TROOPS WHEN HE THREATENS A VETO OF DOD PAY INCREASE?

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

Mr. COSTA. Mr. Speaker, this House on a bipartisan basis overwhelmingly supported our troops last week by giving them a 3.5 percent pay raise over the next year. What is our President's response? A threatened veto. In a statement opposing the higher pay raise, the administration noted that the President's proposal, in their opinion, provided a good quality of life for servicemembers and families.

Mr. President, apparently you have not read the 2004 Kaiser Family Foundation report that indicates that over one in five military families rely on food stamps or WIC for Federal aid. This is simply unacceptable.

The best way we can send a message to our troops that we support the grueling work that they do on a daily basis is by showing it, by putting more money in their pockets so they can better provide for their families.

The bottom line is that men and women fighting in Iraq or Afghanistan should not have to supplement their income through living on food stamps or WIC. We encourage the President to reconsider the veto threat and to support the entire pay raise.

FINDING MIDDLE GROUND ON IMMIGRATION REFORM

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

Mr. PENCE. Mr. Speaker, last year, the President of the United States

called on Congress to find a rational middle ground between amnesty and mass deportation in the debate over immigration reform. Then, as now, the Senate is moving legislation that would respond to the President's call by simply granting amnesty to millions of illegal immigrants.

But amnesty is not the middle ground. The true middle ground of this national debate would put border security first; reject amnesty and require that all illegal immigrants leave the country and apply outside the United States for the legal right to live and work here; create a new center built on the private sector that could make that an orderly process; temporary workers returning to America would learn English; and employers hiring illegals would face serious penalties.

That is the true rational middle ground, and after the Senate is done with its work, I hope it is the middle ground that we find in this Chamber on behalf of the American people.

MAKING AMERICA LESS DEPENDENT ON FOREIGN OIL

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

Mr. KAGEN. Mr. Speaker, for too long our Nation has been dependent on foreign oil. Today all of our constituents and all Americans are feeling that lack of independence at the pump. It is time for this Congress to enact realistic and effective energy legislation that will help America become energy independent.

We must begin to invest in the resources we have right here at home. We must work together to create solutions to rely on our own ingenuity rather than the unreliable sources of foreign energy. Some of these solutions begin right on the farm, like in my own district in northeast Wisconsin. Biodiesel, methane digesters, cellulosic ethanol, all of these measures will help us become independent once again. It begins with a $5 million investment in our own family farms, the energy independent family farm program. This provision will be included in the farm bill, and I urge all my colleagues to support it, along with the other positive measures within it.

By investing and creating energy independence on the farm, we will take the first step in becoming less dependent on foreign sources of energy.

PRESIDENT PROPOSING TOO LITTLE TOO LATE

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

Mr. PALLONE. Mr. Speaker, for 6 years President Bush and Republican Congresses ignored the record gas prices that seemed to pop up every year just before Memorial Day. Once again this year, American consumers are paying for their inaction.

Finally, last week President Bush announced an executive order addressing this growing problem. Unfortunately, his plan doesn't call for any action until the weeks before he leaves office in 2009, and this is far too little and years too late.

Since taking control of Congress this year, Democrats have already passed measures to reduce the price of gas in this country and invest in renewable energy. We are dedicated to curbing our Nation's addiction to foreign oil and investing in our resources in the Midwest, instead of buying more from the Middle East.

Mr. Speaker, Democrats refuse to stand idly by while gas prices rise across the country. This week we will fight price gouging, something that the past Republican Congresses were unwilling to do.

American consumers need help now, not in 2009, and this new Democratic Congress is going to deliver.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ANDREWS). 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 later today.

FEDERAL PRICE GOUGING PREVENTION ACT

Mr. RUSH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1252) to protect consumers from price-gouging of gasoline and other fuels, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1252

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 ''Federal Price Gouging Prevention Act''.

SEC. 2. UNCONSCIONABLE PRICING OF GASOLINE AND OTHER PETROLEUM DISTILLATES DURING EMERGENCIES.

(a) UNCONSCIONABLE PRICING.—

(1) IN GENERAL.—It shall be unlawful for any person to sell, at wholesale or at retail in an area and during a period of an energy emergency, gasoline or any other petroleum distillate covered by a proclamation issued under paragraph (2) at a price that—

(A) is unconscionably excessive; and

(B) indicates the seller is taking unfair advantage of the circumstances related to an energy emergency to increase prices unreasonably.

(2) ENERGY EMERGENCY PROCLAMATION.—

(A) IN GENERAL.—The President may issue an energy emergency proclamation for any area within the jurisdiction of the United States, during which the prohibition in paragraph (1) shall apply. The proclamation shall state the geographic area covered, the gasoline or other petroleum distillate covered, and the time period that such proclamation shall be in effect.

(B) DURATION.—The proclamation—

(i) may not apply for a period of more than 30 consecutive days, but may be renewed for such consecutive periods, each not to exceed 30 days, as the President determines appropriate; and

(ii) may include a period of time not to exceed 1 week preceding a reasonably foreseeable emergency.

(3) FACTORS CONSIDERED.—In determining whether a person has violated paragraph (1), there shall be taken into account, among other factors—

(A) whether the amount charged by such person for the applicable gasoline or other petroleum distillate at a particular location in an area covered by a proclamation issued under paragraph (2) during the period such proclamation is in effect—

(i) grossly exceeds the average price at which the applicable gasoline or other petroleum distillate was offered for sale by that person during the 30 days prior to such proclamation;

(ii) grossly exceeds the price at which the same or similar gasoline or other petroleum distillate was readily obtainable in the same area from other competing sellers during the same period;

(iii) reasonably reflected additional costs, not within the control of that person, that were paid, incurred, or reasonably anticipated by that person, or reflected additional risks taken by that person to produce, distribute, obtain, or sell such product under the circumstances; and

(iv) was substantially attributable to local, regional, national, or international market conditions; and

(B) whether the quantity of gasoline or other petroleum distillate the person produced, distributed, or sold in an area covered by a proclamation issued under paragraph (2) during a 30-day period following the issuance of such proclamation increased over the quantity that that person produced, distributed, or sold during the 30 days prior to such proclamation, taking into account usual seasonal demand variations.

(b) FALSE PRICING INFORMATION.—It shall be unlawful for any person to report to a Federal agency information related to the wholesale price of gasoline or other petroleum distillates with actual knowledge or knowledge fairly implied on the basis of objective circumstances that such information is false or misleading.

(c) DEFINITIONS.—As used in this section—

(1) the term ''wholesale'', with respect to sales of gasoline or other petroleum distillates, means either truckload or smaller sales of gasoline or petroleum distillates where title transfers at a product terminal or a refinery, and dealer tank wagon sales of gasoline or petroleum distillates priced on a delivered basis to retail outlets; and

(2) the term ''retail'', with respect to sales of gasoline or other petroleum distillates, includes all sales to end users such as motorists as well as all direct sales to other end users such as agriculture, industry, residential, and commercial consumers.

(d) CONSTRUCTION.—As described in this section, a sale of gasoline or other petroleum distillate does not include a transaction on a futures market.

SEC. 3. ENFORCEMENT BY THE FEDERAL TRADE COMMISSION.

(a) ENFORCEMENT BY FTC.—A violation of section 2 shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)). The Federal Trade Commission shall enforce this Act in the same

manner, by the same means, and with the same jurisdiction as though all applicable terms and provisions of the Federal Trade Commission Act were incorporated into and made a part of this Act. In enforcing section 2(a) of this Act, the Commission shall give priority to enforcement actions concerning companies with total United States wholesale or retail sales of gasoline and other petroleum distillates in excess of $500,000,000 per year.

(b) CIVIL PENALTIES.—

(1) IN GENERAL.—Notwithstanding the penalties set forth under the Federal Trade Commission Act, any person who violates this Act with actual knowledge or knowledge fairly implied on the basis of objective circumstances shall be subject to the following penalties:

(A) PRICE GOUGING; UNJUST PROFITS.—Any person who violates section 2(a) shall be subject to—

(i) a fine of not more than 3 times the amount of profits gained by such person through such violation; or

(ii) a fine of not more than $3,000,000.

(B) FALSE INFORMATION.—Any person who violates section 2(b) shall be subject to a civil penalty of not more than $1,000,000.

(2) METHOD.—The penalties provided by paragraph (1) shall be obtained in the same manner as civil penalties obtained under section 5 of the Federal Trade Commission Act (15 U.S.C. 45).

(3) MULTIPLE OFFENSES; MITIGATING FACTORS.—In assessing the penalty provided by subsection (a)—

(A) each day of a continuing violation shall be considered a separate violation; and

(B) the court shall take into consideration, among other factors, the seriousness of the violation and the efforts of the person committing the violation to remedy the harm caused by the violation in a timely manner.

SEC. 4. CRIMINAL PENALTIES.

(a) IN GENERAL.—In addition to any penalty applicable under section 3, any person who violates section 2 shall be fined under title 18, United States Code—

(1) if a corporation, not to exceed $150,000,000; and

(2) if an individual not to exceed $2,000,000, or imprisoned for not more than 10 years, or both.

(b) ENFORCEMENT.—The criminal penalty provided by subsection (a) may be imposed only pursuant to a criminal action brought by the Attorney General or other officer of the Department of Justice.

SEC. 5. ENFORCEMENT AT RETAIL LEVEL BY STATE ATTORNEYS GENERAL.

(a) IN GENERAL.—A State, as parens patriae, may bring a civil action on behalf of its residents in an appropriate district court of the United States to enforce the provisions of section 2(a) of this Act, or to impose the civil penalties authorized by section 3(b)(1)(B), whenever the attorney general of the State has reason to believe that the interests of the residents of the State have been or are being threatened or adversely affected by a violation of this Act or a regulation under this Act, involving a retail sale.

(b) NOTICE.—The State shall serve written notice to the Federal Trade Commission of any civil action under subsection (a) prior to initiating such civil action. The notice shall include a copy of the complaint to be filed to initiate such civil action, except that if it is not feasible for the State to provide such prior notice, the State shall provide such notice immediately upon instituting such civil action.

(c) AUTHORITY TO INTERVENE.—Upon receiving the notice required by subsection (b), the Federal Trade Commission may intervene in such civil action and upon intervening—

(1) be heard on all matters arising in such civil action; and

(2) file petitions for appeal of a decision in such civil action.

(d) CONSTRUCTION.—For purposes of bringing any civil action under subsection (a), nothing in this section shall prevent the attorney general of a State from exercising the powers conferred on the attorney general by the laws of such State to conduct investigations or to administer oaths or affirmations or to compel the attendance of witnesses or the production of documentary and other evidence.

(e) VENUE; SERVICE OF PROCESS.—In a civil action brought under subsection (a)—

(1) the venue shall be a judicial district in which—

(A) the defendant operates;

(B) the defendant was authorized to do business; or

(C) the defendant in the civil action is found;

(2) process may be served without regard to the territorial limits of the district or of the State in which the civil action is instituted; and

(3) a person who participated with the defendant in an alleged violation that is being litigated in the civil action may be joined in the civil action without regard to the residence of the person.

(f) LIMITATION ON STATE ACTION WHILE FEDERAL ACTION IS PENDING.—If the Federal Trade Commission has instituted a civil action or an administrative action for violation of this Act, no State attorney general, or official or agency of a State, may bring an action under this subsection during the pendency of that action against any defendant named in the complaint of the Federal Trade Commission or the other agency for any violation of this Act alleged in the complaint.

(g) ENFORCEMENT OF STATE LAW.—Nothing contained in this section shall prohibit an authorized State official from proceeding in State court to enforce a civil or criminal statute of such State.

SEC. 6. LOW INCOME ENERGY ASSISTANCE.

Amounts collected in fines and penalties under section 3 of this Act shall be deposited in a separate fund in the treasury to be known as the Consumer Relief Trust Fund. To the extent provided for in advance in appropriations Acts, the fund shall be used to provide assistance under the Low Income Home Energy Assistance Program administered by the Secretary of Health and Human Services.

SEC. 7. EFFECT ON OTHER LAWS.

(a) OTHER AUTHORITY OF FEDERAL TRADE COMMISSION.—Nothing in this Act shall be construed to limit or affect in any way the Federal Trade Commission's authority to bring enforcement actions or take any other measure under the Federal Trade Commission Act (15 U.S.C. 41 et seq.) or any other provision of law.

(b) STATE LAW.—Nothing in this Act preempts any State law.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. RUSH) and the gentleman from Texas (Mr. BARTON) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

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

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

There was no objection.

□ 1030

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

Mr. Speaker, gasoline prices are now at record highs. The average price of gas is $3.19 nationwide, with my home State of Illinois having higher prices than any other at $3.46 a gallon. Now, rising gas prices are one thing, and I fully recognize the reality of global oil markets, the current state of our refinery capacity, and the basic laws of supply and demand. But the gouging of American consumers is another matter entirely, and the bill on the floor, H.R. 1252, the Federal Price Gouging Protection Act, ensures that American consumers are protected from companies that will prey on them during emergencies when they are most vulnerable.

I want to commend the gentleman from Michigan (Mr. STUPAK) for a fine piece of legislation that is both thoughtful and careful in its scope. On the one hand, the bill is tough and decisive. It gives the Federal Trade Commission the tools to crack down on and punish those companies that would price-gouge American consumers by unscrupulously taking advantage of unique energy shortages and unconscionably raising the price of gasoline on the American consumer.

On the other hand, the bill explicitly takes into account the totality of market forces, both domestic and international. H.R. 1252 preserves the ability of companies to mitigate against legitimate risks and raise prices as necessary. Simply put, the bill is carefully written such that if a company is found liable of price gouging under this act, then they are in fact price gouging. It is very difficult to argue that we are overreaching or too vague in this bill.

As chairman of the Subcommittee on Commerce, Trade, and Consumer Protection, I fully support Mr. STUPAK's bill and its expeditious treatment on the suspension calendar. It is important for the American people to know we are on the ball, and that this ball is moving quickly to address their concerns. I urge Members of the House to pass the legislation.

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

Mr. PENCE. Mr. Speaker, I ask unanimous consent to control the time of the gentleman from Texas.

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

There was no objection.

Mr. PENCE. I reserve the balance of my time.

Mr. RUSH. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. KAGEN).

Mr. KAGEN. Mr. Speaker, yesterday in my hometown of Appleton, Wisconsin, the price for a gallon of gas hit

$3.45. Since President Bush assumed office, the price for gas has nearly doubled. Higher prices for gas punish all Americans, punish small businesses, students, senior citizens, farmers, and even our local, State and Federal Governments as well.

Everybody is asking, why? Why did the price at the pump go up even when the cost per barrel went down? The most likely answer is price gouging somewhere along the supply line, from the oil company to the refinery to the speculators in the options markets who buy and hold the oil for only a nanosecond.

People everywhere want answers, and here is what we can do. Today the House will consider the Federal Price Gouging Prevention Act. And along with Congressman STUPAK and Congressman RUSH and others, we will put a cop back on the block. What we need is effective and active oversight, not hide-and-seek politics.

Let's take this step together in the right direction. This bill defines what price gouging is. I urge my colleagues to support H.R. 1252.

Mrs. BACHMANN. Mr. Speaker, I ask unanimous consent to claim the time for our side.

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

There was no objection.

Mrs. BACHMANN. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. Mr. Speaker, I urge my colleagues to oppose this bill. Let's make no mistake about this. The last-minute changes don't improve this legislation. The revisions are simply figleaf changes to provide cover for oil patch Democratic Members who are being strong-armed into voting for this bill.

No matter how much you dress this up, this bill is still about price controls. We tried price controls in the 1970s, and they didn't work. It resulted in mass rationing, long lines at the pump, and consumer outrage. History is quite clear on this.

George Mason University economist Walter Williams has said: ''Politicians of both parties have rushed in to exploit public ignorance and emotion. But there's an important downside to these political attacks on producers.

''What about the next disaster? How much sense does it make for producers to make the extra effort to provide goods and services if they know they risk prosecution for charging what might be seen as 'unconscionable prices'?''

Mr. Williams is right.

The American public deserves better. Congress has the responsibility to pass a balanced, comprehensive energy program that uses innovative technology to explore and expand our domestic energy supply, to move us towards energy independence. The last thing we need to do is to turn back the clock to the failed energy policies of the 1970s. For those reasons, I urge my colleagues to oppose this bill.

Mr. RUSH. Mr. Speaker, I yield 1 minute to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Speaker, I strongly support passage of the Price Gouging Prevention Act, and I commend Congressman STUPAK for his leadership on this issue.

In eastern Connecticut, where I come from, the price of gas has reached its highest level in history, $3.26 today, up 31 cents from a month ago, and more than $1 since February.

The Government Accountability Office reported on Tuesday that the increasing gasoline prices have cost consumers an extra $20 billion this year, and we are only in May. That is a tax on consumers. It is a tax on small businesses. It has a ripple effect all throughout our economy.

And this is not just about driving over Memorial Day weekend. This is about whether or not energy prices are going to cripple the ability of this economy to grow and thrive and prosper.

It is time to put accountability into the system. The Stupak bill is not price controls, it is a system to make sure that the price is a fair one and is justifiable according to market conditions. Those are the tools that we are giving to the Federal Trade Commission.

Mrs. BACHMANN. Mr. Speaker, I yield 30 seconds to the gentleman from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. Mr. Speaker, I just want to respond to that. We are dealing with a world energy market, a world energy market. This bill basically doesn't seem to understand that prices are set on world markets. Clearly what we need to do is understand that aspect of this to craft a meaningful energy policy.

That is why investment in technology to come up with a broad range of alternative energy sources is the appropriate way to approach this. We don't want to go back to the price controls of the 1970s.

Mr. RUSH. Mr. Speaker, I yield 1 minute to the gentleman from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY. Mr. Speaker, setting new records in the United States is generally associated with achievements and innovation.

Unfortunately, this week our Nation hit a new record that most consumers are not celebrating. Gasoline prices were reported to reach nationwide averages of $3.20 or higher.

It is not hard to understand these prices if you look at the Republican-controlled Congress' Energy Policy Act of 2005, which provided billions of dollars to the oil and gas companies while spending only pennies on renewable efforts for fuel that would allow us to get ourselves off the dependency on foreign oil.

As Americans, we do not have a history of shying away from a challenge, and there is no reason to step down from the challenge that is ahead of us because of these Republicans. I think we can do better, and our history as Americans show that we will do better if we have the right leadership.

I urge my colleagues to support the Federal Price Gouging Protection Act because it fulfills America's promise to do what Americans can do if they put their mind to it, and that is to do better and get off this dependency on foreign oil.

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

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

PARLIAMENTARY INQUIRY

Mr. STUPAK. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. STUPAK. Mr. Speaker, if the other side has no more Members available to speak on this legislation, are they not then required under House rules to yield back the balance of their time?

The SPEAKER pro tempore. The gentleman from Illinois will close.

Mr. STUPAK. Mr. Speaker, what I asked was if the other side has no more speakers available, can they continue to reserve time, or do they have to yield back the balance of their time?

The SPEAKER pro tempore. The gentleman from Illinois may continue to reserve his time.

Mr. BARTON of Texas. Mr. Speaker, I ask unanimous consent to claim the balance of time on our side.

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

There was no objection.

Mr. BARTON of Texas. May I inquire as to how much time I have?

The SPEAKER pro tempore. The gentleman from Texas has 18 minutes remaining. The gentleman from Illinois has 14½ minutes remaining.

Mr. BARTON of Texas. May I further inquire if I am the last speaker? Is Mr. RUSH prepared to close?

Mr. RUSH. Mr. Speaker, we have additional speakers.

Mr. BARTON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me first say that it is appropriate that the House bring this type of legislation in this Congress before the body because gasoline prices are high, and the American public is concerned about those high prices, so it is not inappropriate to consider legislation of this type. We did it twice in the last Congress, passed an anti-price-gouging bill, once as part of a larger energy package and once as a stand-alone piece of legislation. So there is nothing inappropriate about bringing this before the body.

Having said that, I think it is fair to say that it is inappropriate, at least in my opinion, to bring it before the body in the way it has been brought. The bill

that is actually before us, I don't know how many Members of the majority saw this bill as it is currently configured, but nobody in the minority saw it until approximately 2:45 p.m. yesterday afternoon.

When I left the Capitol at approximately 6:15, it had still not been noticed that it was going to be on the suspension calendar this morning. It may have been noticed and I just didn't get that notice, but I was told it was up at 10 a.m. this morning, and now it's 10:45. So those of us in the minority have a certain sense of concern that we've not been contacted. We've not been asked for our input.

□ 1045

We've not been allowed to negotiate, participate in any shape, form or fashion. All we've been allowed to do is come onto the floor, in my case at 10:45, and speak on the bill, and at some point in time, I assume there will be a vote on it.

I did study the bill last evening. I have lots of concerns about this bill. I don't know what ''unconscionably excessive'' means. It's not defined in statute. As far as I can tell, it's not been defined in any case law. Apparently, it's going to be determined on a case-by-case basis.

I also asked my staff to check around, see if there had been price-gouging lawsuits brought in the various States. Over half of the States of our great Union have price-gouging statutes on the books. We're aware of one State, in the State of Kentucky, the Kentucky Attorney General has either filed a suit or prepared to file a lawsuit in Kentucky. There may be others, but that's the only one that I know of.

There's certainly no systemic outbreak of price-gouging lawsuits being filed around the country, and if we really had pandemic price gouging going on, I think the States that have price-gouging statutes would be using their State statues. They're not doing that.

Why is that? Well, again, I'm not a trained economist, but it seems to me that what we have is a case of the chickens coming home to roost. We have not done much, if any, on the supply side for our oil situation in this country in the last 30 years; haven't built a refinery, brand new, from scratch, in almost 35 years. We've put almost every place that has any potential for new oil development off-limits. Can't drill up in ANWR, Alaska; can't drill off the coast of California; can't drill off the coast of Florida; can't drill off the coast of South Carolina, North Carolina; can't drill off a lot of portions of the eastern Gulf of Mexico.

And funny things happen. As we've kind of sat on our supply haunches and not done anything, demand worldwide and domestically has gone up, and as demand goes up, if you don't have some ability to increase the supply, sooner or later that price is going to go up.

Now, I wasn't here to hear Mr. STUPAK's opening statement, and he may not have said this, but he said yesterday in the oversight hearing the price of crude oil has dipped slightly. He doesn't understand why the price of gasoline has gone up. And all you have to do is look at the housing market in northern Virginia to get the answer to that.

I had supper last evening with my son who is working at the Department of Energy. They are living in a home that's probably 35 years old. I don't know what that home cost brand new when it was built, but a good guess would be $30–, $40,000. That price at the time was based on the cost of construction, the cost of the land, fair profit for the builder and real estate agent. So you could say the cost of that property was $30– or $40,000. Well, the people that own the home have just sold it. It wouldn't be appropriate to tell the exact selling price. My son is renting it, but it's over $700,000.

Now, is that price gouging? No. It's what the market demand for housing in northern Virginia is. It's not related to the cost of the property, it's related to the demand for housing in northern Virginia. So those folks have made a nice profit.

Well, the same thing in the oil industry. Demand for oil is going up in China, demand for oil is going up in Europe, demand for oil is going up in Asia, demand for oil is going up in the United States, and if you don't have more of it, price is going to go up. Is that price gouging? No. It is what the market requires to balance limited supply with increasing demand.

The price of gasoline in the United States 3 years ago doubled. Demand actually increased 1 percent. Now, eventually, last time prices got to about $3 a gallon demand did dip slightly, supply increased a little bit, price went back down. Right before the last election, the price in Texas for gasoline got down to about $1.90 a gallon. Since my friends on the other side have won the election and taken over, the price has gone back up to what we see today. Is it their fault? It is not their fault right now. It's not BOBBY RUSH's fault, it's not BART STUPAK's fault, it's not JOHN DINGELL's fault. It's not ED MARKEY's fault over there in the corner. Although I'm tempted to blame Mr. MARKEY, but it wouldn't be fair.

Demand has gone up and supply has not gone up and the price has gone up, and it's going to keep going up until we do something, both on the demand side and the supply side.

So, is this the worst bill that's ever been on the floor of the House of Representatives? No, it's not. Is it the best bill that's ever been on the floor? No, it's not. You know, I think it is a flawed bill. The definitions are not there. The mitigating factors are not there.

We would be well-served, since it's on the Suspension Calendar, to defeat it, get 140, 150 votes, then go back to committee, have some hearings, try to develop a little bipartisanship, bring a different bill to the floor, and probably pass with an overwhelming margin.

So I'm going to vote against this bill, and I'm going to ask that all my colleagues take a serious look at it, vote against it, so we can figure out the right thing to do. And the next time we bring an energy package, don't just bring something that's symbolic to the floor. Let's bring a bill that helps build new refineries. Let's bring a bill that actually increases the supply. Yes, let's bring a bill that might do something to limit demand. I think the time has come to look at some of those bills seriously.

Let's bring a package that actually might do something, other than rhetorical, to bring gasoline prices in the United States back down to levels that we think are more appropriate.

I don't like to pay 3 dollars or more for gas anymore than our constituents do, but this legislation won't do a single thing to keep market prices down or address the reasons gas prices are rising. What it will do is threaten legitimate businesses with huge fines and hard-working people with long jail terms. Furthermore, the bill could quite possibly lead to price controls and 1970s-style gas lines. I oppose the legislation before us today for substantive reasons, as well as based on the process—or lack of process—that has brought this bill to the Floor.

First, Mr. Speaker, I want the American public to understand how the legislative process has broken down in this case. In light of your unprecedented intent to remove the minority's right to a motion to recommit, it should not surprise anyone in this chamber that the bill before us has bypassed the Committee of jurisdiction—The Energy and Commerce Committee—to come straight to the House Floor. The Committee did not hold a legislative hearing. The Committee did not hold a mark up. The only opportunity my Committee Members had to seek input from the Federal regulators with expertise on legislation was yesterday afternoon during an oversight hearing—a hearing in which the Democratic majority did not even have a witness testify who represents the independent gas stations. It's really too bad their voice was not heard, because the little Mom-and-Pop gas store owner who sells 60 percent of the gas in the U.S. could go to jail for up to 10 years under this bill if they price their gas wrong.

On top of my concern for the absence of certain witnesses at our oversight hearing, a new version of this bill was circulated only yesterday afternoon. That's right: we have had less than 24 hours to review the changes, but we are supposed to vote on it. Mr. Speaker, I thought things were going to be fair in this Congress, but I seem to have been mistaken.

The Administration has issued a Statement of Administration Policy Against this bill. It indicates that it will lead to gas shortages and do nothing to help consumers.

On the substance of this legislation, I have serious concerns that this won't have the intended effect. The Federal Trade Commission is the expert on competition policy and has conducted several studies and investigations of the oil and gas markets markets. In its most recent investigation, the FTC studied each

segment of the industry after Hurricane Katrina. Guess what they found? No evidence of price manipulation at the refining level. To the contrary, they found a competitive market. Transportation sector? No evidence of manipulation. Inventory levels? Again, no evidence of manipulation. Gasoline futures? You guessed it, Mr. Speaker, no evidence of manipulation.

What the FTC found was a competitive market that responded to the Katrina crisis by changing their priorities and shipping products to the areas that needed it. The FTC has studied the issue repeatedly, and has not found any evidence of price increases that were not a result of a change in market conditions or other factors that may affect the price.

It may surprise Members that the FTC is opposed to a Federal price gouging law. Why? Because they're concerned that it could do more harm to consumers than good. The Secretary of the Department of Energy opposes it, as well as the National Association of Convenience Stores, the U.S. Chamber of Commerce, the Society of Independent Gas Marketers of America, the American Petroleum Institute, and just about every economist who knows that price controls harm consumers when they cause shortages. What is better, higher-priced gas, or no gas at all?

Mr. Speaker, I agree with the sponsor of this bill that people who take unfair advantage of others should be punished. But we already have laws on the books to address those issues at the Federal and state level. Now we are going to add a Federal standard to the patchwork of state laws for gouging—a term which has no legal or economic meaning. I believe it is unnecessary and fear it will return us to the 1970s gas shortages. No retailer will want to supply the market at a higher price and risk being fined millions and going to jail for years. And what wholesaler will risk $150 million in fines and possible jail time if they raise their price more than a competitor?

Mr. Speaker, I know many here would like to go home to their constituents over Memorial Day recess with a gas price gouging bill rather than address substantive Federal Energy Policy that might actually address the factors causing gasoline prices to rise. Republicans were able to pass many energy-related bills when we were in the Majority, though Democrats in the House and Senate voted against almost every piece of legislation that would have increased our domestic energy supply.

I can understand a visitor to California might suspect they are being gouged at the pump when they fill up in San Francisco for upwards of $4 a gallon, but that is just a result of the Federal, State and Local taxes and other state fuel requirements. If something is broken, Mr. Speaker, it is not the free market. This Congress must act to increase domestic supply of gasoline, not enact feel-good legislation that is ill-conceived and ineffective.

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

Mr. RUSH. Mr. Speaker, I want to remind my friend from Texas that he should take a closer look at the bill. The bill explicitly takes into account market conditions, both domestic and international. The bill has two pages of mitigating factors. If the costs go up, and they are going up, this bill allows companies to capture the costs.

And I would have to just conclude, Mr. Speaker, that my friend from Texas needs to take a closer look at this bill because his arguments are just not true.

Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. I thank Mr. RUSH for yielding me time. I'd like to respond to the gentleman from Texas and some of the claims he made.

First of all, Democrats have only been in the majority for 4 months, and we are looking for ways to end this pain that motorists are feeling every day when they fill up their car at the gas pump, and that is, to bring forth the price-gouging legislation you see before us.

Now, Mr. BARTON says we should not pass this for this reason or that reason. These are just excuses. He complains about the process. With all due respect, we learned the process from Mr. BARTON.

Last year, they brought forth a gas price bill, was introduced on Tuesday, May 2, 2006. Wednesday, May 3, 2006, we voted on it. We never saw it. This bill has been around for over a year. So let's stop the excuses. American people don't want arguments about what process. They want relief at the pump, and that's what we're doing.

Lookit, today Members of the House have a very simple choice. Vote to stand up with consumers, your constituents, who are paying record gasoline prices, nationwide average, record prices, or vote to protect big oil companies' enormous profits.

My bill, H.R. 1252, which has over 120 bipartisan cosponsors, would give the Federal Trade Commission the explicit authority to investigate and punish those who artificially inflate the price of energy. The bill would provide a clear, enforceable definition of price gouging; focus enforcement on the worst offenders, especially companies that sell more than a half billion dollars a year of gasoline. We strengthen penalties, both criminal and civil, with up to triple damage for those who would price-gouge us; and direct the penalties collected to go into the Low Income Home Energy Assistance Program.

Congress must pass without any more excuses this legislation. Today's legislation is truly a first step in addressing the outrageous prices we're seeing at the gas pump.

We'll be working to protect consumers from high natural gas prices. We've introduced the Prevent Unfair Manipulation of Prices legislation to improve the oversight of energy trading in this country, and I hope we can move this legislation later this year.

Last year, the House of Representatives actually voted on a weaker bill, on May 3 as I indicated, brought forth by Republicans on price gouging. We passed that bill under suspension, like we are today, 389–34. The Senate didn't do anything with it.

I'm proud to announce that since the Democrats are in charge, the Senate bill, very similar to my bill, has already made it out of committee, and we expect a vote on it next month. So we can actually bring relief to consumers now that the Democrats are in charge.

Today, every Member has a choice. Side with big oil or side with the consumers who are being ripped off at the gas pump.

I'd like to thank Speaker PELOSI for her work and leadership in bringing this legislation to the floor, also Chairman DINGELL of the full Energy and Commerce Committee, and his staff for their help in putting forth a very fine piece of legislation that is much broader in scope than what we voted on last year, has stronger penalties and will truly give the American people relief at the pump.

Before Members leave for the Memorial Day recess, vote to provide your constituents with some relief at the gas pump. Vote for H.R. 1252.

Mr. BARTON of Texas. Mr. Speaker, how much time do we have on this side?

The SPEAKER pro tempore. The gentleman from Texas has 9 minutes remaining, and the gentleman from Illinois has 11 minutes remaining.

Mr. BARTON of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. SHADEGG), a member of the committee.

Mr. SHADEGG. Mr. Speaker, I thank the gentleman for yielding and I rise in opposition to this legislation, but I compliment my colleague, the gentleman from Michigan (Mr. STUPAK). He has, in fact, worked diligently on this issue, and I join him in my concern about prices that are charged to the American people. Indeed, he just indicated he would very much like to see relief at the pump, and so would I. I happen to drive a Ford F–250, which does not get good gas mileage, and I, along with others, would like to see relief at the pump. I certainly commend all those who are cosponsors of this legislation as having good intentions.

My concern, however, is that it will not achieve that result. The reality is we do have very high gas prices, and we have prices that have gone up dramatically in just the recent few months. We all want to know the answer for that, and I've spent some time trying to look at it.

Unfortunately, I don't see evidence that there is price gouging and that high gas prices are a result of price gouging. What I see is that they are the result of policies of this government, and it seems to me that we ought to be looking at the policies of this government.

For example, we as a Nation, this Congress, have imposed a tariff on imported ethanol. We could bring in ethanol produced in other countries at a dramatically lower price than the ethanol we're producing in this country today, but instead, we tax that ethanol and make it even higher priced. Last year, when the prices went up, I voted

against price-gouging legislation, but I dropped my own bill to suspend that tariff so that we could take advantage of lower-priced ethanol. Unfortunately, the Congress didn't move in that direction.

Two years ago, I went to the commodities market in New York, and they told me the problem with gasoline prices is refineries. We do have a lack of refineries in this country, and I've dropped legislation to encourage the construction of more refineries. I think there is concern that the refinery industry is holding the capacity of those refineries right at the edge so the prices can be the highest possible.

But one of the issues you hear is that part of the reason gasoline prices are so high right now is because of the conversion from winter gas to summer gas. That conversion is compelled by government regulations which drive up the cost and by government regulations which spell out precisely how it must be done and that they must draw down supplies.

It seems to me, before we start tampering with the free market, which has served us so well, and before we start passing very wide ranging legislation of this type, we have to make a decision. Do we want the government to regulate prices? Do we want a huge new bureaucracy in there looking at a poor mom-and-pop gas station to see if they raise prices? Or do we want to look at the policies of this government which have held down supply and which have not met demand?

It seems to me this is simple and straightforward. I understand the urge to do it, but the problem is, if we empower a massive new government bureaucracy, we will not get relief at the pump which Mr. STUPAK wants and which I'd like to see. We will indeed just create a large bureaucracy.

□ 1100

In my home State of Arizona, we have tried this. We have had attorney general after attorney general, even in my tenure, when I was in the attorney general's office, we investigated price gouging and could not find evidence of it. Let's look at the market forces that are causing these high prices. I urge my colleagues to oppose the bill.

Mr. RUSH. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I thank the gentleman from Illinois, and for his leadership on this bill, and the gentleman from Michigan. The bill before us today would give the Federal Trade Commission the authority to investigate and punish wholesale or retail sale of gasoline or other petroleum distillates at prices that are unconscionably excessive or take unfair advantage of consumers during any presidentially declared national or regional energy emergency.

Now, we hear from the Republicans, don't interfere in the free market. Don't touch the free market. Don't have the Federal Government getting in on the side of the consumers. It's just a matter of supply and demand. That's what the Republicans are arguing. Don't interfere with the free market, even if it goes up to $3.20 a gallon for gasoline, $3.80 a gallon for gasoline, $4 a gallon for gasoline. Don't let the Federal Government help out the consumer.

You know what? The Republicans are right. It is a matter of supply and demand. Consumers are forced to supply whatever money the oil companies demand from the consumers. The oil companies have the consumer over a barrel, a barrel of oil that the oil companies control and that they price. They price it wherever they want to put it.

They tip the consumer upside down, the oil companies do, and they shake money out of the pockets of consumers at the pump. The Christians had a better chance against the lions than the consumer has against the oil companies at the pumps in the United States today.

All we are saying is let's give the Federal Government a sword to get into the battle in the arena on behalf of the consumers in America. And the Republicans are saying, we don't want to arm the Federal Trade Commission so they can help the consumers so that they are not tipped upside down. It is clear that high gas prices are hitting families hard, but they are also causing our economy to stall and to sputter like a jalopy.

The bill before us today addresses one potential cause of high prices: price gouging by the oil companies. It sends a signal to oil companies that there will now be a regulator out there that has been empowered to take action when unconscionably high prices are being charged.

The free market, I don't think so. I think that when we look at this oil market, we understand that the consumer is at the whim of the oil companies.

Mr. BARTON of Texas. Mr. Speaker, I yield 2 minutes to a member of the committee, Mrs. BLACKBURN of Tennessee.

Mrs. BLACKBURN. I thank the gentleman from Texas.

Mr. Speaker, I do rise today in opposition to this legislation, because I certainly feel that it is going to increase the cost of gasoline to the American people. H.R. 1252 does purport to crack down on price gouging and marketplace manipulation by integrated large oil companies. Yet that is not what this legislation is going to do.

We had a hearing in committee about it yesterday, and I wish, indeed, that we were going to have the bill before us for a markup. What I find in this piece of legislation is that it will put a target on the back of every small business owner who runs and operates a neighborhood convenience store, a filling station or a truck stop. As I said in our hearing yesterday, there are so many of these that are the local gathering spot. These are not people that are going to gouge their neighbors.

You know, I know it is tempting to react to constituents' frustration with high gas prices. We are all frustrated with that. But the way to do it is not passing a hastily drafted price-control legislation. We should be focused on the real problem and work for real results on this issue. That is what our constituents want.

H.R. 1252 is not going to give us the real results. What we are going to see is a turn-back to energy policy, back to the Jimmy Carter era. It is a clumsy attempt, I think, to punish bad actors who take advantage of the public. But the bill adopts some vague language, employs some heavy-handed criminal penalties, some unenforceable civil penalties that no small business owner could afford.

I do think it's a little bit of legislative overkill, and some people would call it unconscionably excessive. They are entitled to that point. It was my hope that Congress would go through regular order, would address some of the issues pertaining to this Nation's energy policy, and look for some real solutions to the root problem.

Mr. RUSH. Mr. Speaker, I yield 10 seconds to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. In response to the last speaker, this bill does not target mom-and-pop grocery stores. You have to sell half a billion dollars of gasoline products.

Secondly, the record high prices of oil that we are seeing was not under Jimmy Carter. It was under Ronald Reagan in 1981.

Mr. BARTON of Texas. Mr. Speaker, I yield 2 minutes to Congressman MURPHY of Pennsylvania, a member of the committee.

Mr. TIM MURPHY of Pennsylvania. I thank the gentleman.

One of the things that's important to keep in mind is why are gasoline prices what they are, and it is not the retailer. When we look at what has happened to prices over all, let's keep in mind that we have become more and more dependent upon other nations. When we look at what's contributed to costs, look at this: Crude oil costs are 56 percent of the price; taxes are 18 percent of the price; refining nearly 17 percent of the price; distribution and marketing, nearly 9 percent of the price.

What has happened with regard to crude oil prices, they have doubled since 2004, they have tripled since 2001, and they have gone up over 600 percent since the 1980s.

But what has happened, as the cost of a barrel of oil has gone from $11 a barrel to over $70 a barrel, is Congress has continually stood in the way of trying to come up with more sources. We have abundant supplies. We have the Atlantic coast, the gulf coast, the Pacific coast, the western States and Alaska. Whenever those come up for a vote, Congress shuts it down. Over 90 percent

of Federal lands are off-limits to exploring for the vast supplies of oil we have there.

We have shut off some of our other sources, and some are still trying to do that with regard to using coal as another energy source. We have not funded fully the things we need to do for hydrogen fuel cell. We have not gone far enough with conservation, with our automobiles, with reducing homeowner uses.

So between these issues of exploration, conservation, diversification, we have not taken the steps we need to do to truly reduce energy costs. It concerns me greatly that we are moving forward to blaming the retailer when we ought to be looking to blame ourselves. After all, if we have supplies of oil in the gulf coast, which we set off-limits to ourselves, and, yet, we let Cuba explore for them, something is terribly wrong.

I hope that what this Congress does is work more towards energy independence and recognize that it's changing the way we explore for oil and making sure that we do much more for diversification of our sources and conserving our huge energy waste in this country. That is what is going to lower the prices of gasoline.

Until we make this commitment as a Nation, and until we make this commitment as a Congress, we will not see these prices go down.

Mr. RUSH. Mr. Speaker, may I inquire how much time we have remaining?

The SPEAKER pro tempore. The gentleman from Illinois has 7¾ minutes remaining.

Mr. RUSH. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. KLEIN).

Mr. KLEIN of Florida. I thank the gentleman for the time and thank you for the opportunity to speak to this very important issue.

Mr. Speaker, the rising cost of gasoline is causing huge problems for families throughout south Florida, which I represent, and certainly throughout the whole country. In south Florida a gallon of gasoline is well over $3.25 and rising. In fact, there is gas even at $3.59 per gallon in my local area.

What is the excuse this time? Is it disruptions of oil in the Middle East? Not that I am aware of. I haven't heard. Hurricane damage to refineries? No, again. How about the summer driving season? Seems to me this is May. So, again, no excuses, no excuses, but we just hear more and more excuses from oil companies that it's the drivers, it's this or that.

Yes, there are a lot of answers here, but let's focus on where the market manipulation is going on.

In my area, tourism drives the economy. When gas prices go up, the first thing families do is they stay within their budget and cut back on their vacations, vacations that many times are planned to Florida. When gas prices go up, families and businesses feel it, and it negatively impacts every part of our economy.

That's why I am here today to show my strong support for the Federal Price Gouging Prevention Act. This bill, authored by my friend Mr. STUPAK and others, would give the Federal Trade Commission the authority to crack down on the people who price gouge. This bill is an excellent step in the short term because it protects consumers and gives the government the teeth it needs to go after market manipulators.

In the long term, we are only going to solve this problem by moving towards energy independence. American families can no longer afford to rely exclusively on oil for their energy needs. We all know that investing in alternative fuel sources is vital to our national security and to our economy.

Being energy-independent is a goal that many of us have been talking about and working on for many years. That goal has never been more important than it is right now. But today is the time we need to make changes that will reduce gas prices for American consumers now, and in the future let's work towards energy independence.

Mr. BARTON of Texas. Mr. Speaker, I yield 1 minute to a member of the committee, Congressman BURGESS of Texas.

Mr. BURGESS. I thank the gentleman for yielding.

Mr. Speaker, I have grave concerns about the bill before us today, specifically the lack of clarity in defining ''unconscionable.'' I believe this term to be ambiguous, and, in fact, could lead to severe supply shortages in times of national emergency.

Under this proposal, a gasoline station owner could receive civil and criminal penalties totaling $5 million and 10 years in prison for charging ''unconscionable'' prices. Yet there is no clear definition for what is unconscionable.

To add insult to injury, if a station owner were to charge less than the market price, he could also be subject to charges of undercutting the market. Were I a gasoline station owner in a time of crisis, I likely would shut down my pumps and sell Snickers bars and Coca-Colas and try to make money that way.

I am not defending those who would charge unfairly. I firmly believe, and, in fact, in my home State of Texas, we have a strong antigouging price statute already on the books. If it is determined that illegal pricing has occurred, the individuals should be prosecuted to the fullest extent of the law.

But let's be sure we do not create a climate which causes business owners to stop selling gasoline at a time in crisis when we so clearly will need those resources.

Mr. RUSH. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. Mr. Speaker, yesterday we had a hearing on gas price gouging, and the Commissioner of the Federal Trade Commission actually came and testified. On page 12 of his testimony, footnote number 24, I would like to quote the following: The statute mandating post-Katrina price investigation effectively defined price gouging as an average price of gasoline available for sale to the public that exceeded its average price in the area for the month before the event, unless the increase was substantially attributable to additional costs in connection with production, transportation, delivery and sale of gasoline in that area, or to national or international markets.

When questioned yesterday, Commissioner Kovacic said, We've used it. We have the definition.

My legislation makes it clear to take these factors into consideration when you determine whether price gouging is going on: How much did it cost delivered at transportation? What was the bill of sale from the supplier. These are factors in the legislation.

The FTC clearly understands it. Members of the House should be able to understand it. Vote ''yes'' on H.R. 1252.

Mr. BARTON of Texas. Mr. Speaker, we have two speakers. I think we have 2 minutes.

The SPEAKER pro tempore. The gentleman from Texas has 1 minute remaining.

Mr. BARTON of Texas. One minute remaining. Then we have one speaker left.

I yield the balance of the time on the minority side to the distinguished minority whip, who is a member of the committee, on leave, Mr. BLUNT of Missouri.

□ 1115

Mr. BLUNT. I thank the gentleman for yielding and for his hard work on these issues, and I also appreciate my colleagues from the committee. But I am here to say to my friends that, as we look at this bill, I don't know what this bill does because the bill is so unclear. It didn't go through our committee. Like the other legislation we passed in this Congress, it is not likely to become law. I believe we have put around 21 bills on the President's desk so far this year, a dozen of them to name post offices. And the reason for that is all of the bills we passed in the House don't create a result, they don't create law.

Let me just refer to one thing. It says you can't sell fuel in an emergency situation at a price that is, (a), ''unconscionably excessive.'' Of course you shouldn't do that. We shouldn't allow that. But we should define what that means.

One of the supporters of the bill has told me, well, every court will decide what that means. I have got to tell you, the mom-and-pop grocery and gasoline station owner can't wonder what every court is going to decide.

This bill is unclear. It needs work. It puts an undue hardship on people that are trying to make a living running a

service station, and I urge my colleagues to oppose it.

Mr. RUSH. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, the opponents of this bill, my friends on the other side of the aisle, are asking for this Congress to wait until a more perfect time, a more perfect time to help the American consumer out.

Mr. Speaker, I want to remind my friends on the other side of the aisle that the American people are suffering right now, and they are demanding this Congress to take action right now.

There can never be a more perfect time for this Congress to take action. Now is the time to take action. Now is the time, Mr. Speaker.

Mr. Speaker, I just want to just inform my colleagues that scare tactics will not work this time. If they will look at this bill, they will see that scare tactics are nowhere in this bill. This bill is a scalpel, it is not a meat axe. This bill carefully speaks to the issues that the American people face. This bill is carefully crafted to take into account market conditions, explicitly listing those mitigating factors that will spur the FTC into action.

Any company that gouges should be sought out, should be identified, should be brought before justice, should be brought before the American people in the form of the Federal Trade Commission. A company will be found guilty of price gouging under this bill only, and I repeat, only if they engage in unconscionable pricing. We do not suspend free markets nor do we suspend the laws of supply and demand.

Mr. Speaker, again, the American consumers need us to act, they want us to act, they demand that we do act. Now is the time. Now is the time for us to act. I ask Members of this Congress to vote in favor of this bill.

Mr. DINGELL. Mr. Speaker, H.R. 1252 is intended to stop and punish unscrupulous gasoline price gougers. The bill empowers the Federal Trade Commission to go after gougers at all levels of the gasoline distribution chain and to impose stiff penalties on violators. It also provides authority for the States to go after retail price gougers under Federal law.

The bill is not, however, intended to prohibit all increases in price—only those increases that grossly exceed the supplier's earlier prices and competitors' prices and that do not reflect reasonable responses to an emergency situation.

This bill would not prohibit a seller from raising prices to compensate for extra risks, such as staying open while a hurricane is bearing down, traveling outside an affected area to secure additional supplies and transport them to people in need, or postponing regular maintenance to increase output during an emergency. These are all efforts that ameliorate a dire situation and the bill is not intended to discourage them.

Finally, the bill would permit suppliers to reasonably factor in other local, regional, national, and international market developments in the quickly-changing and uncertain market conditions characteristic of energy emergency situations.

In sum, Mr. Speaker, this bill is intended to prohibit grossly excessive, pernicious, and predatory increases in the price of gasoline during emergencies—but not to prevent or discourage fair and reasonable responses to unusual market conditions.

Mr. LEVIN. Mr. Speaker, as a cosponsor of H.R. 1252, I rise in support of the Federal Price Gouging Prevention Act, and urge its passage by the House.

Gasoline prices are now at record highs. In my home state of Michigan, the average price of regular gas is $3.47 a gallon—a full 66 cents a gallon higher than it was at this time last year. According to the General Accounting Office, the rise in gasoline prices this year has drained consumers of an extra $20 billion. The six largest oil companies announced $30 billion in profits over the first three months of 2007 alone. This is on top of the $125 billion in profits they racked up last year.

The other side says that we should do nothing. They say that it's a world market for oil, and therefore something we cannot control. How then do they explain that the cost of gasoline has been rising even in the face of falling world oil prices? We must face the fact that there is something wrong in the distribution chain, especially during times of energy emergencies such as when Hurricane Katrina hit the Gulf Coast. As a first step in attacking the problem, we need to give the Federal Trade Commission the explicit authority to investigate and punish those who artificially inflate the price of gasoline.

The oil companies oppose this bill. The White House also has indicated that the President may veto the bill. With all due resect, we work for our constituents, not the oil companies and not the White House. I urge the House to stand with consumers and vote for this needed legislation.

Mr. HARE Mr. Speaker, I rise today in strong support of H.R 1252, the Federal Price Gouging Prevention Act. I am proud to be an original cosponsor of this important piece of legislation.

Oil prices are continuing to skyrocket, increasing the burden on American families, small businesses, and individuals who rely on their vehicles for their livelihood. Every day I hear from troubled constituents who are paying over $3.00 per gallon at the pump. Constituents like Richard Benefiel, a small business owner who called me yesterday out of desperation explaining he would have to shut down his shipping operation in less than 30 days unless relief was provided. On the other hand, Exxon-Mobil raked in $9.3 billion between January and March—its best first quarter in history. This is unacceptable.

The bill before us today is a much needed step toward addressing market manipulation by Big Oil and the egregious impact it has on the American consumer. The Federal Price Gouging Prevention Act provides the Federal Trade Commission with new authority to investigate and prosecute energy companies who engage in predatory pricing, market manipulation, and other unfair practices, with an emphasis on those who profit most, thereby providing immediate and much needed relief to consumers.

Yet, this is only the first step in bringing down energy costs. Last year, our Nation hit its highest dependence on foreign oil, importing 771,000 barrels daily from Saudi Arabia and other Organization of Petroleum Exporting Countries, OPEC. This served as a wake-up call for the United States to begin taking measures to decrease our dependence on foreign oil. I refuse to continue to allow OPEC, which accounts for 65 percent of internationally traded oil, to continue to dictate our Nation's gas prices. Antitrust laws must be put into action and greedy oil exporters need to be held accountable.

I am pleased that we voted yesterday to pass H.R. 2264, which authorizes the Justice Department to take legal action against OPEC state-controlled entities who conspire to limit supply or fix the price of oil.

I also believe that building a diverse energy portfolio which focuses on renewable, homegrown energy sources like ethanol, biodiesel, as well as wind, solar, hydro-power and clean-coal technologies is a critical step toward energy independence, which will bring down prices, and clean up our environment.

The Federal Price Gouging Prevention Act is a critical first step in addressing skyrocketing energy costs and I urge all my colleagues to support the bill.

Mr. WELDON of Florida. Mr. Speaker, I rise in opposition to price gouging.

The good news for Florida consumers is that the state of Florida already has the ability to protect consumers from price gouging.

Florida law finds that gouging has occurred when a commodity's price represents a ''gross disparity'' from the average price of that commodity during the 30 days immediately prior to the declared emergency. This applies unless the increase is attributable to additional costs incurred by the seller or to national or international market trends. In fact, Florida law enforcement fully investigated over 58 cases of alleged gouging after Tropical Storm Rita.

Violators of Florida's anti-gouging law are subject to civil penalties of $1,000 per violation. In 2005, the State of Florida enacted criminal penalties for those who engage in price gouging.

In addition to the protections that Florida consumers already have in place through State law enforcement, the Federal Trade Commission has the authority to investigate and bring charges against those that engage in price gouging.

In a significant departure from previous legislation addressing this issue, Floridians who are gouged would not receive a rebate. Instead, H.R. 1252 would direct any fines collected from gougers to a program that largely benefits the Northeast and the Midwest. Previous legislation on this matter directed that any fines collected from price gouging be returned to the State where the gouging occurred so that the consumers could be reimbursed. H.R. 1252, however, directs that all of these funds instead be placed in the Low Income Home Energy Assistance, LIHEAP, fund. Unfortunately for the residents of Florida, this is a fund that they get little benefit from. The primary beneficiaries LIHEAP grants are those living in the Northeast and Midwest. While New York and Florida have populations that are nearly equal, New York received 10 times the amount of LIHEAP money that Florida received ($247 million for New York vs. $26 million for Florida). Other large beneficiaries include: New York, Michigan, New Jersey, Pennsylvania, Ohio, Wisconsin, and Illinois. In fact, on a per capita basis, no state does worse than Florida when it comes to

LIHEAP. The bottom line is that if Florida consumers get gouged, those living in the Northeast and the Midwest get the rebate.

This bill is more about show than about substance. Even the comprehensive investigation by the Federal Trade Commission, FTC, in the aftermath of hurricane's Katrina and Rita found no gouging or anti-trust violations.

The real driver of price for gas is the growing global demand for energy. The rapid growth in the worldwide demand for crude oil is being driven primarily by economic growth in China, India and the United States.

Ironically, during a Congressional hearing on this bill, the proponents of the bill offered some bizarre testimony. When asked if the oil companies were engaging in collusion—which is already illegal—a proponent of the bill offered that what was being engaged in is ''conscious parallelism.'' He then offered that you cannot prove ''conscious parallelism'' in court, so this bill does virtually nothing to address that. Another advocate for the price-gouging bill testified before the committee that ''drilling [for oil] will do nothing to lower the price of oil.'' I am concerned that these individuals are so dedicated to an ideology that they defy common sense.

The most important thing we can do to lower the price of gas for American consumers and to ensure our energy independence is to expand domestic energy production, expand refining capacity in the U.S. by reducing excessive burdens, encouraging more nuclear power, fostering the development of renewable energy, and encouraging conservation. Unfortunately, it took us 12 years to end the Democrat filibuster that kept America from developing more oil and gas off the Outer Continental Shelf, OCS. Last year we were successful in opening a small portion of the OCS to oil and gas recovery, and I hope that we can build on that success. Also, last year we secured passage of legislation that allows for greater production of oil and gas from Federal lands. Unfortunately, Democrat leaders have introduced legislation and are holding hearings to close off those sources of domestic energy production. We streamlined regulations for nuclear power plants, yet Democrats are considering injecting new regulations into the process. I was also pleased that we were able to secure passage of renewable energy tax credits. I have cosponsored legislation to extend these tax cuts for renewable energy and conservation so they are not allowed to expire.

The Democrats expression of ''outrage'' over gas prices is a bit ironic given that they are the ones who have consistently proposed higher gas taxes, higher energy taxes like the proposed BTU tax, and who are presently moving forward with ''cap and trade'' global warming legislation along the lines of what has been adopted in Europe. As the Washington Post pointed out last month, this cap and trade system has led German consumers to pay 25 percent more for electricity than they did two years ago, while German utilities are making record profits. This higher cost for electricity has made it difficult for some European countries to compete with cheaper foreign imports, resulting in European workers losing their jobs.

The rhetoric simply does not match the policies being advocated by the Democrat majority.

Mr. SPACE. Mr. Speaker, I rise today in support of H.R. 1252, the Federal Price Gouging Prevention Act.

My district is currently experiencing some of the highest gas prices in its history. In several towns in my district, my constituents are paying prices as high as $3.49 per gallon to fill their tanks.

The price of gas is a crippling figure for the people of Southeastern Ohio who depend on their cars and trucks for transportation. Working families frequently commute long distances to reach their places of employment. For these families, the rise in gas prices is essentially an undeserved pay cut.

The farmers in my district also face the challenge of fueling their equipment on which they depend to make their modest profits.

I fear most for the fate of my district's retired and elderly populations. Most of these individuals are on a fixed income that already limits their ability to pay for the prescription drugs and medical visits they need. The rising price of gas places them only further into a bind and forces them to make decisions that no American should ever face.

I co-sponsored H.R. 1252 because I believe it is time for Congress to intervene on behalf of working Americans. This common-sense legislation simply ensures that oil companies play by the rules and offer consumers a fair price for gas, not one that takes advantage of circumstances.

I am a firm believer in the power of the marketplace to deliver the best possible services to American consumers. Free markets drive our economy and make it the most powerful in the world. However, when companies don't play by the rules, they must be punished because it is the consumer that ultimately suffers.

I believe that passage of this legislation offers important protections to the people of my district in their daily battle with the price of gas. I encourage my colleagues to lend their support as well.

Ms. HIRONO. Mr. Speaker, I rise in support of H.R. 1252, the Federal Price Gouging Prevention Act.

I am a proud cosponsor of this bill, which makes it illegal for any company to sell gasoline at excessive prices or to take advantage of market conditions by increasing prices during an energy crisis. It allows the Federal Trade Commission and the States' Attorneys General to bring lawsuits against corporations that charge excessive prices for gasoline. The bill also permits investigations of companies suspected of price gouging and requires honest and accurate reporting of pricing practices.

In the first month of the 110th Congress, the House took away $14 billion in taxpayer subsidies from the oil companies. This money will be reinvested in alternative, renewable energy sources.

Yesterday the House passed a bill by a bipartisan 345–72 vote, a bill that authorizes the Justice Department to take legal action against OPEC state-controlled entities and governments that conspire to limit the supply or fix the price of oil.

Hawaii's consumers pay some of the highest gasoline prices in the Nation. In 1998, the State of Hawaii filed a lawsuit against the major oil companies operating in our state. The lawsuit revealed that 22 percent of an oil company's nationwide dealer profits came from Hawaii, a state that represented only 3 percent of the market. Clearly, Hawaii's consumers were contributing an excessive share of the company's profits in relation to market share.

Since President Bush took office, gas prices have more than doubled, and previous Congresses have failed to protect consumers from price increases. For the first time in years, Congress has begun exercising its oversight responsibilities. This is important given that the six largest oil companies made $30 billion in profits for the first quarter of 2007, on top of the $125 billion in record profits for 2006.

I urge my colleagues to vote for this bill, which aims to reduce the burden of high energy costs on American families and businesses, build on efforts to increase energy efficiency, lessen our dependence on foreign oil, and cut greenhouse gas emissions in the longer term.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. RUSH) that the House suspend the rules and pass the bill, H.R. 1252, 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. BARTON of Texas. 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.

PROVIDING EXCEPTION TO LIMIT ON MEDICARE RECIPROCAL BILLING ARRANGEMENTS

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2429) to amend title XVIII of the Social Security Act to provide an exception to the 60-day limit on Medicare reciprocal billing arrangements between two physicians during the period in which one of the physicians is ordered to active duty as a member of a reserve component of the Armed Forces.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2429

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

SECTION 1. EXCEPTION TO 60-DAY LIMIT ON MEDICARE RECIPROCAL BILLING ARRANGEMENTS IN CASE OF PHYSICIANS ORDERED TO ACTIVE DUTY IN THE ARMED FORCES.

(a) IN GENERAL.—Section 1842(b)(6)(D)(iii) of the Social Security Act (42 U.S.C. 1395u(b)(6)(D)(iii)) is amended by inserting after ''of more than 60 days'' the following: ''or are provided (before January 1, 2008) over a longer continuous period during all of which the first physician has been called or ordered to active duty as a member of a reserve component of the Armed Forces''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to services furnished on or after the date of the enactment of this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BARTON) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise in strong support of this legislation. I thank my good friend from California (Mr. THOMPSON) for sponsoring it. This legislation is necessary to ensure that our Nation's doctors, who are brave enough to serve their country in a time of war, have a medical practice to serve in when they come home.

Currently, Medicare allows for a physician who is ordered to active duty as a member of a reserve component of the Armed Forces to enter into a 60-day billing arrangement with another physician. These arrangements allow for physicians to maintain their practices while they go off to take care of our soldiers in combat.

Unfortunately, what we are finding is that they are often away longer than 60 days, which puts them at odds with the current Medicare antifraud rules. This legislation fixes that problem by lifting the 60-day limit currently in place, and allowing a physician who is called to active duty to find a substitute physician to watch over his patients for as long as he or she is deployed.

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

Mr. BARTON of Texas. Mr. Speaker, I yield myself such time as I may consume.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, I rise in support of the bill on substance and in adamant opposition of the process.

Now, there is absolutely nothing wrong with the substance of this bill. It has two distinguished cosponsors, one in the majority party, one in the minority party. The underlying substance is eminently fair, and we are not going to ask for a rollcall vote. If it passes on a voice vote, so be it.

But having said that, I want to say in the strongest possible terms how extremely disappointed, and I mean extremely disappointed, that we have a bill that is in two committees of jurisdiction, the Ways and Means Committee and the Energy and Commerce Committee, and the bill had not even been introduced, had not even been introduced until this morning. There was no bill number.

Now, when you put a bill on the Suspension Calendar, theoretically the majority party, the chairman or chairmen or chairwomen ask the ranking member of the minority party if there is any problem with the bill. If there is not, then they approve it. Then the Speaker of the House or the majority leader of the House calls the minority leader of the House and says, ''We want to put this bill on the Suspension Calendar.'' And you do it.

Now, we have a bill before us that was not even introduced until the House convened this morning. There has been no hearing, there is no record, there has been no phone call. Chairman DINGELL did not call me yesterday, he did not call me this morning. I don't know if Chairman RANGEL called Ranking Member MCCRERY. I do know that NANCY PELOSI or STENY HOYER did not call JOHN BOEHNER.

So we are now in a situation, we have a little extra time, let's introduce a bill and pass it in the next 30 minutes. We did not do that when we were in the majority.

Now, this is a good bill. Mr. THOMPSON and Mr. JOHNSON deserve accolades for seeing a flaw in the current Social Security law, the Medicare law, and rectifying it. That is not the issue.

The new majority campaigned on a platform of fairness and openness. Is this fair? Is this open?

This happens to be a good bill. What if it weren't? What if it weren't?

The only two Members that really know anything about it are the two cosponsors, and thankfully they are both decent, honorable men, and we have read the substance of the bill and it is okay. But this is not the way the House of Representatives should be run. It is just wrong, W-R-O-N-G, wrong.

So I support the substance of the bill, but I am adamantly opposed to the process. I hope this thing goes on a voice vote. If it is a rollcall vote, I am going to vote ''present'' and express, when I see Mr. DINGELL, in the strongest possible terms how upset I am about the process.

Mr. SAM JOHNSON of Texas. Mr. Speaker, will the gentleman yield?

Mr. BARTON of Texas. I yield to the gentleman from Texas.

Mr. SAM JOHNSON of Texas. Let me just correct one thing. The staff tells me Mr. RANGEL did call our committee yesterday at 10 o'clock in the morning on this bill. So the Ways and Means Committee was informed.

Mr. BARTON of Texas. Did he call Mr. MCCRERY?

Mr. SAM JOHNSON of Texas. Yes.

Mr. BARTON of Texas. Then I stand corrected.

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

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

Just in response, I understand where Mr. BARTON is coming from. But I just want to point out that we do have bipartisan support in the House on the bill. And it is only a temporary measure that lasts for 1 year and provides immediate relief to these physicians that are going overseas and fighting for the country. It is a very special circumstance, which I don't think provides any real precedent here, because we do have these physicians who are going to serve their country in Iraq and we just don't want them to have a situation where they come back and they don't have any medical practice. I just don't think that is fair.

I would mention to the ranking member that if we wanted to make a permanent change in this, we would be sure to spend more time and work with our Republican colleagues in accomplishing that goal. This is a temporary measure, and it is just because of the circumstances.

Mr. Speaker, I yield to the gentleman from California (Mr. THOMPSON) such time as he may consume.

Mr. THOMPSON of California. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker and Members, this is a very important bill. There are almost 3,000 physicians that are serving our country in the Reserves and the National Guard. And, as has been pointed out, when these folks are deployed and they leave, just like every other person in the Guard and Reserves that is deployed, they leave their families, they leave their businesses at home, and they go over and they serve their country. But there is just one thing different with these doctors; when they are deployed, they also leave behind their patients. And these are patients who depend upon the medical care they get from that great American who is now serving his or her country, and these patients can't go without a doctor.

The way the rules are now, the physician has to line up someone to take their patients in their absence, and they can only do this for 60 days. This doesn't work. It is bad for the doctors and it is bad for the patients. What we are trying to do is to waive that 60-day requirement so the physicians can line up one doctor to take their Medicare patients while they are serving our country in Afghanistan or in Iraq.

□ 1130

And it's a temporary measure. It's only good through this year. So we can, in fact, establish a permanent fix. And this bill has been vetted all through the different committees, and the Ways and Means Committee, both the chairman and the ranking member are very aware of this bill. And my good friend and committee colleague and war hero SAM JOHNSON has signed up on this as a coauthor, recognizing the plight of both the physicians who are serving, and their patients and their practices at home. And it's important that we fix this now and then continue to work on the permanent fix so we can make sure that no doctors and no patients who are caught in this vise go without medical care, or doctors, while serving their country, lose their practices.

And I just want to say a special thank you to Dr. Bradley Clair of Lakeport, California, my constituent, who brought this to my attention. And

he's ready to be deployed on his third tour. He'll be going to Iraq. So we need to fix it for him, for the other doctors, and patients who are exposed because of this problem. We need to fix it permanently. And this is the first step in doing so.

SAM, thank you for your help and your friendship on this and other important issues.

Mr. BARTON of Texas. Mr. Speaker, I yield such time as he may consume to the minority sponsor of this piece of legislation, the Honorable SAM JOHNSON of Plano, Texas.

Mr. SAM JOHNSON of Texas. Mr. Speaker, you know, it's not every day the House gets to consider a bipartisan, commonsense bill that's affordable. This doesn't cost anything and supports our service men and women overseas. However, I'm happy to say this is one of those days.

Right now the law prevents a Medicare physician from leaving his practice for more than 60 days at a time. And the regulation was created to prevent fraud, but it had the unintended effect of making life more difficult for someone that's called up to serve his country. And this bill eliminates the red tape by allowing our reservists to have one substitute doctor for their entire deployment.

Not only will the bill help our reservists, it'll prevent Medicare beneficiaries from experiencing a gap in service or losing access to care altogether.

And I want to thank my colleague from California for bringing this problem to my attention, I'm surprised we hadn't had it brought to our attention before, and for all the work you and your staff have done to get the bill to the floor today.

Those who serve our country and their communities need and want our assistance, and it's time we helped our weekend warriors who happen to be doctors to keep their patients and keep their practice. This is a great bill, and I appreciate the time. I thank Mr. KUCINICH for providing us the opportunity.

Mr. PALLONE. Mr. Speaker, I have no further requests for time. I was going to inquire whether my colleague on the other side does.

Mr. BARTON of Texas. No, Mr. Speaker. I yield myself such time as I may consume briefly.

We support the underlying concept of the bill, and, as I said, if it passes on a voice vote, we won't ask for a roll call vote.

I do stand by what I said, though, in terms of the committee process. We've got two bills on the suspension calendar from the Energy and Commerce Committee. Neither bill had a legislative hearing. Neither bill had a markup at subcommittee or full committee. Neither bill was introduced in its current form as of 2:45 yesterday afternoon. Both bills are on the floor today on the suspension calendar. That does call into question whether we even need an Energy and Commerce Committee, given that everything apparently comes to the floor without going through the committee process.

But we support the underlying principles of this bill, and we certainly support the patriotism and courage of the two sponsors.

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

Mr. PALLONE. Mr. Speaker, I would just say again, this is a temporary measure. We have these brave men and women who are leaving to care for our troops in Iraq, we're in a time of war, and I think it's just a very special circumstance right now. So I would urge my colleagues on both sides of the aisle to support passage.

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 New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 2429.

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. THOMPSON of California. 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.

QUESTION OF PERSONAL PRIVILEGE

Mr. KUCINICH. Mr. Speaker, I rise to a question of personal privilege under article IX, clause 1.

The SPEAKER pro tempore. The Chair has been made aware of a valid basis for the gentleman's point of personal privilege.

The gentleman from Ohio is recognized for 1 hour.

Mr. KUCINICH. Mr. Speaker, there is an issue of critical importance facing this Congress, and that issue relates to whether or not this Congress should pass legislation to continue to fund the war in Iraq.

The legislation contains a particular provision that would lead to the privatization of Iraq's oil, a provision that I'm quite concerned about, because I think that if we take that position, it will make it very difficult for us to ever be able to end the war.

So today I'm going to lay out the case as to why this provision that's in the bill would advance privatization and as to what the options are for this Congress.

As many know, the administration has set forth several benchmarks for the Iraqi Government, including the passage of a hydrocarbon law by the Iraqi Parliament. The administration has emphasized only a small part of this law, what they call the ''fair distribution,'' that's in quotes, of oil revenues.

I want this House to consider the fact that this Iraqi hydrocarbon law contains a mere three sentences that generally discusses the so-called fair distribution of oil. Except for three scant lines, the entire 33-page hydrocarbon law is about creating a complex legal structure to facilitate the privatization of Iraqi oil. As such, it is imperative that Members of Congress read the Iraqi Parliament's bill, because passage of any legislation that includes insisting that the Iraq Government push the passage of a hydrocarbon act puts this Congress on record to promote privatizing Iraq's oil.

Now, I have maintained from the beginning that the war has been about oil. We must not be a party to any attempt to set the stage for multinational oil companies to take over Iraq's oil resources.

There have been several benchmarks set by the administration for the Iraqi Government, including passage of a so-called hydrocarbon law by the Iraqi Parliament. Many inside the Beltway are contemplating linking funding for the war in Iraq to the completion of these benchmarks, including passage of the hydrocarbon law by the Parliament.

This administration has led Congress into thinking that this bill is about fair distribution of oil revenues. In fact, as I mentioned earlier, except for three scant lines, the entire 33-page hydrocarbon law creates a structure to facilitate the privatization of Iraq oil.

Now, the war in Iraq is a stain on American history. Let us not further besmirch our Nation by participating in an outrageous exploitation of a nation which is in shambles due to the U.S. intervention.

Let me provide this House with an analysis of the underlying bill in the Iraqi Legislature, which this administration is trying to get Congress to pass to pressure the Iraqi Government to accept privatization. And this analysis that I'm offering at this moment is a version that passed the Iraqi Cabinet and was referred to the Iraqi Parliament.

The legislation contains only three sentences in regards to the fair distribution of oil, but does not resolve any of the issues facing this challenge. The legislation simply requires that future legislation be submitted for approval; thus this legislation does not even meet the benchmark of the administration.

The legislation ensures that ''chief executives of important related petroleum companies,'' follow that now, ''chief executives of important related petroleum companies'' are represented on a Federal Oil and Gas Council, which approves oil and gas contracts. This is akin to foreign oil companies approving their own contracts.

This legislation ensures that the Iraqi National Oil Company, which is the oil company of the people of Iraq,

has no exclusive rights for the exploration, development, production, transportation and marketing. The Iraq National Oil Company must compete against foreign oil companies with rules that benefit the foreign oil companies. This is for their own oil.

The legislation gives the Iraqi National Oil Company some control of developed oil fields and rights to participate in undeveloped oil fields in the Annex I and II of the legislation, but these annexes have never been made public, so we don't know for sure.

The legislation gives the Iraq National Oil Company temporary control of the oil pipelines and export terminals, but then it directs the Federal Oil and Gas Council, which is run by chief executives of oil companies, it directs them to turn these assets over to any entity with no further instructions. The opportunity for a foreign oil company to have control over the Iraqi oil pipeline and export terminals would give that company enormous control of the Iraqi oil market.

The legislation demands that contracts, and this is a quote, ''must guarantee the best level of coordination'' with the Oil Ministry, Iraqi National Oil Company, the regions and oil companies. The legislation mandates that undeveloped oil fields be developed quickly, and oil companies are given explicit authority to collaborate.

The legislation does not require contracts to be published for public review for up to 2 months after approval. The legislation provides for up to 35 years of exclusive control over oil fields for foreign oil companies. The legislation provides for a preference to Iraqis for jobs and services, but only if these benefits do not place extra costs or inconveniences on the foreign oil companies. The legislation states that disputes between the State of Iraq and any foreign investors shall be submitted for arbitration to an international court and will not be decided upon by an Iraqi court.

This legislation has four appendices whose contents remain secret. Annex I, which is secret, regards to present producing fields allocated to the Iraqi National Oil Company; Annex II, discovered or undeveloped fields allocated to the National Iraqi Oil Company; Annex III, discovered undeveloped fields outside the operations of the Iraqi National Oil Company; and Annex IV, exploration areas. These appendices will effectively make clear which old fields will be controlled by the Iraq National Oil Company and which are open to foreign control of oil companies.

And I might add that when you look at this, out of about 98 oil fields, Iraq will have control of approximately 80, 81 of those oil fields. Excuse me. The foreign oil companies will have control of about 80, 81 of those oil fields, or over 80 percent of Iraqi oil under this agreement will be controlled by foreign oil interests. This is an analysis that I'm offering based on facts that are ascertainable.

Now, what are others saying about this draft Iraqi oil law and what it will do? Here's a quote from the Christian Science Monitor of May 18, 2007, in an article entitled ''How Will Iraq Share the Oil?'' In the U.S., the demand that Iraq pass an oil law is a benchmark that is becoming a flash point. Here's the quote.

□ 1145

'' 'The actual law has nothing to do with sharing oil revenue,' says former Iraqi Oil Minister, Issam Al Chalabi, in a phone interview from Amman, Jordan. The law aims to set a framework for investment by outside oil companies, including favorable production sharing agreements that are typically used to reward companies for taking on risk, he says.

'' 'We know the oil is there. Geological studies have been made for decades on these oil fields; so why would we let them,' '' that is, the international oil companies, '' 'have a share of the oil?' he adds. 'Iraqis will say this is solid proof that Americans have staged the war . . . because of this law.' ''

The next quote comes from the Dow Jones Newswires of March 4, 2007, the headline: ''Iraq Oil Law Details Untouched Fields, Blocks—Document.'' And the text says:

''Iraq's draft hydrocarbon law, the centerpiece in the development of the country's shaky oil industry, details dozens of untouched oil fields loaded with proven reserves and scores of exploration blocks that may prove a magnet to international oil companies, according to a document seen by Dow Jones Newswires.''

In an article from the Dow Jones Newswires again, on March 10, 2007, the headline: ''Some Iraqi Politicians Urge Rejection of Draft Oil Law.'' Here's the text:

''The law, if passed, is expected to open the country's billions of barrels of proven oil reserves, the world's third largest, to foreign investors.''

From an article from the American Lawyer, April 25, 2007, ''Our Man in Iraq.'' Here is the text:

''Under the new law, the Iraq National Oil Company would have exclusive control of only about 17 of Iraq's approximately 80 known oil fields.'' So that number, then, is 17 of Iraq's approximately 80 known oil fields. ''The law would also allow the government to negotiate different kinds of exploration and production contracts with foreign oil companies, including production sharing agreements, or PSAs. Energy lawyers favor these because they allow oil companies to secure long-term deals and book oil reserves as assets on their company balance sheets. Under the proposed law, foreign companies would not have to invest their earnings in Iraq, hire Iraqi workers, or partner with Iraqi companies.''

Next, from the U.S. Morning Star Online, January 28, 2007, headline: ''Iraqi Officials Insist Oil Law Won't Favor U.S.''

''The proposal would provide for production sharing agreements that would give international firms 70 percent of the oil revenues to recover their initial investments and subsequently allow 20 percent of the profits without any tax or restrictions on transferring the funds abroad.''

This from CommonDreams.org, April 18, 2007, entitled ''Time to Do the Math in Iraq'':

''The most notable feature of the law is a revival of exploitive type of contact widely used prior to the rise of Arab nationalism in the 1960s, known as a production sharing agreement. Although the Oil Law uses an alternative term, 'exploration and production contract,' the effect is identical. The new arrangement would allow the bulk of Iraq's reserves to be controlled by outside oil companies, privatizing what until now has been a nationalized resource under the auspices of the Iraq National Oil Company. It specifies the royalty that will be paid to Iraq: '12.5 percent of gross production, measured at the entry flange to the main pipeline.' And as if the rest of the law were not already explicit enough, article 35(A) reiterates: 'Holders of exploration and production rights may transfer any net profits from petroleum operations to outside Iraq after paying taxes and fees owed.' ''

This, from a publication called PLATFORM in 2005, entitled ''Crude Designs: The Rip-Off of Iraq's Oil Wealth,'' by Greg Muttitt:

''At an oil price of $40 per barrel,'' and keep in mind that the price of oil is about $65 a barrel right now, heading towards $70 a barrel, but at a ''price of $40 a barrel, Iraq stands to lose between $74 billion and $194 billion over the lifetime of the proposed contracts.

''Under the likely terms of the contracts, oil company rates of returns from investing in Iraq would range from 42 to 162 percent, far in excess of the usual industry minimum target of around 12 percent return on investments.''

Next, on March 13, 2007, Antonia Juhasz, an oil industry analyst in an op-ed contribution, asks: ''Whose Oil is it, Anyway?'' Here is what Antonia Juhasz writes:

''Today more than three-quarters of the world's oil is owned and controlled by governments. It wasn't always this way. Until about 35 years ago, the world's oil was largely in the hands of seven corporations based in the United States and Europe. Those seven have since merged into four: ExxonMobil, Chevron, Shell, and BP. They are among the world's largest and most powerful financial empires. But ever since they lost their exclusive control of the oil to the governments, the companies have been trying to get it back. Iraq's oil reserves, thought to be the second largest in the world, have always been high on the corporate wish list. In 1998 Kenneth Derr, then chief

executive of Chevron, told a San Francisco audience, 'Iraq possesses huge reserves of oil and gas, reserves I'd love Chevron to have access to.'

''A new oil law set to go before the Iraqi Parliament this month would, if passed, go a long way toward helping the oil companies achieve their goal. The Iraq hydrocarbon law would take the majority of Iraq's oil out of the exclusive hands of the Iraqi Government and open it to international oil companies for a generation or more.

''In March, 2001,'' continuing to quote from this article, ''the National Energy Policy Development Group, better known as Vice President DICK CHENEY's energy task force, which included executives of America's largest energy companies, recommended that the United States Government support initiatives by Middle Eastern countries 'to open up areas of their energy sectors to foreign investment.' One invasion and a great deal of political engineering . . .'' later, this is exactly what the Iraq oil law would achieve. It does so to the benefit of oil companies but to the great detriment of Iraq's economy, democracy, and sovereignty.

''Since the invasion of Iraq, the administration has been aggressive in shepherding the oil law toward passage. It is one of the administration's benchmarks for the government of Prime Minister Nuri Kamal al-Maliki, a fact that'' the administration officials ''are publicly emphasizing with increasing urgency.'' And, that is that these are the benchmarks of the administration.

''The administration has highlighted the law's revenue sharing plan, under which the central government would distribute oil revenues throughout the nation on a per capita basis. But the benefits of this excellent proposal are radically undercut by the law's many other provisions. These allow much, if not most, of Iraq's oil revenues to flow out of the country and into the pockets of international oil companies.''

Continuing quoting from the article:

''The law would transform Iraq's oil industry from a nationalized model closed to American oil companies, except for limited although highly lucrative marketing contracts, into a commercial industry.''

So, again, the nationalized model is now closed to American companies except for limited marketing contracts. It would transform that into a commercial industry, all but privatized, that is fully open to international companies.

''The Iraq National Oil Company would have exclusive control of 17 of Iraq's 80 known oil fields, leaving two-thirds of known and as of yet undiscovered oil fields open to foreign control.

''The foreign companies would not have to invest their earnings in the Iraqi economy, partner with Iraqi companies, hire Iraqi workers, or share new technologies. They could even ride out Iraq's current 'instability' by signing contracts now, while the Iraqi Government is at its weakest, and then wait at least 2 years before even setting foot in the country. The vast majority of Iraq's oil would then be left underground for at least 2 years rather than being used for the country's economic development.

''The international oil companies could also be offered some of the most corporate-friendly contracts in the world, including what are called production sharing agreements. These agreements are the oil industry's preferred model but are roundly rejected by all the top oil producing countries in the Middle East because they grant long-term contracts, 20 to 35 years in the case of Iraq's draft law, and greater control, ownership, and profits to the companies than other models. In fact,'' this kind of contract is ''used for only approximately 12 percent of the world's oil.

''Iraq's neighbors Iran, Kuwait, and Saudi Arabia maintain nationalized oil systems and have outlawed foreign control over oil development. They all hire international oil companies as contractors to provide specific services, as needed, for a limited duration and without giving the foreign company any direct interest in the oil produced.

''Iraqis may very well choose to use the expertise and experience of international oil companies. They are most likely to do so in a manner that best serves their needs if they are freed from the tremendous external pressure being exercised by the administration, the oil corporations, and the presence of 140,000 members of the American military.

''Iraq's five trade union federations, representing hundreds of thousands of workers, released a statement opposing the law and rejecting 'the handing of control over oil to foreign companies, which would undermine the sovereignty of the state and the dignity of the Iraqi people.' They ask for more time, less pressure, and a chance at the democracy they have been promised.''

Let me share with this House some basic facts about Iraqi oil because, over the past several months, we have had many different news agencies citing diverse reports about how much oil Iraq has.

From the Petroleum Economist Magazine, they estimate that Iraq has 200 billion barrels of oil. The Federation of American Scientists' estimate is 215 billion barrels of oil. The Council on Foreign Relations estimates Iraq has 220 billion barrels of oil. And the Center for Global Energy Studies estimates 300 billion barrels of oil. These figures, by the way, from a report from the Brookings Institution dated May 12, 2003.

Now, for the sake of discussion, let's take this figure of 300 billion barrels of oil so we can see how much money we are talking about here. As I mentioned earlier, the price of oil, somewhere around $65 a barrel right now and moving up quickly, as American consumers are finding out. It is not unusual to predict at this moment that the price of oil could go to $70 a barrel. Now, if it does go to $70 a barrel, we are looking here at a potential value of Iraqi oil at being about $21 trillion. Now, if the foreign oil companies have control over 80 percent or more, you start to get an idea of the kind of money that is at stake here and why there is such pressure being put on the Iraqi Government to privatize their oil.

Now, I would like to turn to a quote further talking about the Iraq oil, a basic fact. This from the Global Policy Forum called ''Oil in Iraq: the Heart of the Crisis,'' December, 2002:

''According to the Oil and Gas Journal, Western oil companies estimate that they can produce a barrel of Iraqi oil for less than a $1.50 and possibly as little as $1, including all exploration, oil field development and production costs and including a 15 percent return.

□ 1200

This is similar to production costs in Saudi Arabia, and lower than virtually any country. So again, the desirability of a private corporation having Iraq's oil is that their production costs would be very low.

A word about the history of oil exploitation in Iraq. Following World War I, the British assumed control of Iraq from the Ottoman Empire. In 1925, a 75-year concession contract was granted to American, French and British oil companies. By 1930, the consortium was in complete control of all Iraqi oil. The oil companies controlled the oil fields and reaped almost all the profits. It was not until the overthrow of the British-installed monarchy in 1958 that the foreign control of oil was challenged. In 1961, the consortium's rights were limited to current production. And beginning in 1972, Iraq oil resources were nationalized, a process that was finalized in 1975.

Now, here is a statement issued by the Iraqi Labor Union Leadership at a seminar held in December of 2006 to discuss this draft Iraqi oil law: ''Iraq is rich in national wealth, foremost among which is its oil wealth, the essence of the economic life for Iraq and the world, which has been a focus of attention of the large, industrialized countries in particular.

''The British and American oil companies were the first to obtain concessions to extract and invest in Iraqi oil nearly 80 years ago. After Iraq got rid of this octopus network, these foreign oil companies had again attempted to dominate this important oil wealth under numerous pretexts and invalid excuses.''

Indeed, Iraqi oil unions have objected to the Hydrocarbon Act. In an open letter to the U.S. Congress dated May 13, 2007, just a little more than a week ago, here are some excerpts:

''Peace be unto you and greetings to all.

''We wish to clarify certain matters relating to events in Iraq for our

friends among the Members of the U.S. Congress. It is common knowledge that the occupation spared neither the young nor the old, and that Iraq is passing through the most difficult of times because all and sundry are hounding it and covet a share of its riches. We see no good reason for linking the passing of the feeble Iraq oil law to the withdrawal of the occupation troops from Iraq.

''Everyone knows that the oil law does not serve the Iraqi people, and that it serves the administration, its supporters and the foreign oil companies at the expense of the Iraqi people, who have been wronged and deprived of their right to their oil, despite enduring all difficulties.

''We ask our friends not to link withdrawal with the oil law, especially since the USA claimed that it came to Iraq as a liberator and not in order to control Iraq's resources.

''The general public in Iraq is totally convinced that the administration wants to rush the promulgation of the oil law so as to be leaving Iraq with a victory of sorts.

''We wish to see you take a true stance for the children of Iraq. And we always say that history will remember those who advance peace over war.

''With my regards, Hassan Jum'a Awwad, Head of the Iraqi Federation of Oil Unions.''

This now from the Oil union leader's speech on oil law. This is a speech of the head of the Federation of Oil Unions in Basra on Tuesday, February 6, 2007:

''Recently, the Constitution of Iraq, on which the Iraq people voted in the most dire and difficult of conditions, notes in clause 111 that oil and gas are the property of the Iraqi people. But, alas, this clause in the Constitution will remain but ink on paper if the oil law and oil investment law being presented to the Parliament are ratified, laws which permit production-sharing agreements, laws without parallel in many oil producers, especially the neighboring countries. Why should Iraqis want to introduce such contracts in Iraq, given that applying such laws will rob the Iraqi Government of the most important thing it owns?''

''We send a message to all of the members of the Iraqi Parliament, when debating the oil and investment law, to bear the Iraqis in mind, to protect the national wealth, and to look at the neighboring countries. Have they introduced such laws even when their relations with foreign companies are closer than in Iraq?''

Now, there is a question that's being raised. Are these oil companies just trying to help Iraq gain its wealth? What if Iraq doesn't have the ability or the money to be able to get its own oil industry on its feet? Does Iraq have to privatize in order to tap its oil wealth? Well, the fact of the matter is that Iraq has options beyond privatization to develop its own oil capacity.

According to the Middle East Economic Survey, volume 49, number 2, dated March 19, 2007, entitled ''Iraq Open Letter from Iraqi Oil Experts to Parliament'':

''We anticipate that the motive behind the issuance of this law is based on the increase of production capacity through the attraction of foreign investments. In this regard, we feel and recommend to plan the increase of the capacity gradually, starting with the rehabilitation of currently producing fields by national effort, Iraqi National Oil Company, followed by the development of the giant discovered, but not developed or partially developed, fields, and to schedule the priority of their development according to their capacities and development costs, irrespective of their geographical locations.'' And it goes on to say that there ought to be an avoidance of long-term contracts with foreign companies at the present time.

This is a statement issued by the Iraqi Union Leadership in a seminar. And another statement in a seminar in December 2006 in Amman, Jordan:

''Whereas oil and gas are greatly important for the Iraqi economy and whereas the building of the state and its institutions are dependent on it as the main source of national income, it is therefore the right of the Iraqi people to read the draft oil law under consideration. The Iraqi people refuse to allow the future of their oil to be decided behind closed doors.''

In an article by Michael Schwartz called ''The Prize of Iraqi Oil,'' ''None of these conditions apply in Iraq. Huge reservoirs of easily accessible oil are already proven to exist, with more equally accessible fields likely to be discovered at little expense. That's why none of Iraq's neighbors emphasize production-sharing agreements. Saudi Arabia, Kuwait, Iran and the United Arab Emirates all pay the multinationals a fixed rate to explore and develop their fields, and all the profits become state revenues.''

Christian Science Monitor, May 18, 2007: ''How Will Iraq Share the Oil?'' ''In New York, oil industry analyst, Fidel Geit of Oppenheimer Company, Incorporated, has reviewed both the official Arabic version of the draft law and the unofficial English translation and say they are ambiguous and seem to be written in haste.'' Quote, ''Why shouldn't Iraq use Iraqi nationals to decide how contracts will be awarded? They have oil engineers. Use the best brains in the country and hopefully they will do what is in the best interest of the country,'' he says, ''otherwise there is an impression that American companies are telling Iraqis what to do.''

Now, I have stated many times on this floor that I believe that the war against Iraq was about oil. Now let me provide you with some quotes that may reflect on my thinking on this.

Mr. DICK CHENEY, CEO of Halliburton, in a speech at the Institute of Petroleum in 1999, said, ''By 2010, we will need on the order of an additional 50 million barrels a day. So where is the oil going to come from? Governments and national oil companies are obviously controlling about 90 percent of the assets. Oil remains fundamentally a government business. While many regions of the world offer great oil opportunities, the Middle East, with two-thirds of the world's oil and lowest cost, is still where the prize ultimately lies. Even though companies are anxious for greater access there, progress continues to be slow.''

In an article from Platform, November 2005, called ''Crude Designs: The Rip-Off of Iraq's Oil Wealth.'' Chapter four, ''Planning Iraq's Oil Future. Preinvasion Planning.'' And when you listen to this, it's pretty astonishing to see how all these facts have been available for people to be able to gain, and perhaps only now people are reflecting on the real meaning of this.

This is what Greg Muttitt writes: ''Prior to the 2003 invasion, the principal vehicle for planning the new postwar Iraq was the U.S. State Department's Future of Iraq project. This initiative, commencing as early as April 2002, involved meetings in Washington and London of 17 working groups, each composed of 10 to 20 Iraqi exiles and international experts selected by the State Department.

''The 'Oil and Energy' working group met four times between December 2002 and April 2003. Although full membership of the group has never been revealed, it is known that Ibrahim Bahr al-Uloum, the current Iraqi Oil Minister, was a member. The 15-strong oil working group concluded that Iraq, quote, 'should be opened to international oil companies as quickly as possible after the war,' and that, quote, 'the country should establish a conducive business environment to attract investment of oil and gas resources.'

''The subgroup went on to recommend production-sharing agreements as their favorite model for attracting foreign investment. Comments by the hand-picked participants revealed that 'many of the group favored production-sharing agreements with oil companies.' Another representative commented, 'Everybody keeps coming back to production-sharing agreements.'

''The reasons for this choice were explained in the formal policy recommendations of the working group, published in April 2003,'' and I quote from this article from Platform:

''Key attractions of production-sharing agreements to private oil companies are that, although the reserves are owned by the state, accounting procedures permit the companies to book the reserves in their accounts, but, other things being equal, the important feature from the perspective of private oil companies is that the government intake is defined in terms of the production-sharing agreement, and the oil companies are therefore protected under a production-sharing agreement from future adverse legislation,'' which means it would be very

tough to be able to have a government, once it gives up its oil wealth, to be able to get it back.

''The group also made it clear that in order to maximize investments, the specific terms of the production-sharing agreements should be favorable to foreign investors: 'PSAs can induce many billions of dollars of direct foreign investment in Iraq, but only with the right terms, conditions, regulatory framework laws, oil industry structure and perceived attitude toward foreign participation.'

''Recognizing the importance of this announcement, The Financial Times noted: 'Production-sharing deals allow oil companies a favorable profit margin and, unlike royalty schemes, insulates them from losses incurred when the oil price drops. For years, big oil companies have been fighting for such agreements without success in countries such as Kuwait and Saudi Arabia.'

''The article concluded that: 'The move could spell a windfall for big oil companies such as ExxonMobil, Royal Dutch/Shell, BP and TotalFinaElf.' ''

Now, this article goes on to talk about what has been done to try to shape the new Iraq with respect to oil.

''The U.S. and the U.K. have worked hard to ensure that the future path for oil development chosen by the first elected Iraqi Government will closely match their interests. So far it appears they have been highly successful. Production-sharing agreements, which were first proposed by the U.S. State Department group, have emerged as the model of oil development favored by the postinvasion phases of Iraqi Government.

''Phase one: Coalition Provisional Authority and Iraqi Governing Council. During the first 14 months following the invasion, occupation forces had direct control of Iraq through the Coalition Provisional Authority. Stopping short of privatizing oil itself, this Coalition Provisional Authority began setting up a framework for a longer-term oil policy.

''The Coalition Provisional Authority appointed former senior executives from oil companies to begin this process. The first advisers were appointed in January 2003, before the invasion even started, and they were stationed in Kuwait, ready to move in. First, there were Phillip Carroll, formerly of Shell, and Gary Vogler of ExxonMobil, backed up by three employees of the U.S. Department of Energy and one of the Australian Government. Carroll described his role as not only to address short-term fuel needs and the initial repair of production facilities, but also,'' point, '' 'begin planning for the restructuring of the Ministry of Oil to improve its efficiency and effectiveness.' '' Another point: '' 'Begin thinking through Iraq's strategy options for significantly increasing its production capacity.'

''In October 2003, Carroll and Vogler were replaced by Mob McKee of ConocoPhillips and Terry Adams of BP, and finally in 2004, by Mike Stinson of ConocoPhillips and Bob Morgan of BP. The 147,000 pound cost of two British advisers, Adams and Morgan, was met by the U.K. Government. Following the handover to the Iraq Interim Government in June 2004, Stinson became an adviser to the U.S. Embassy in Baghdad.''

Again, from Platform, On the 13th of July, 2003, ''In the first move towards Iraqi self-government, the Coalition Provisional Authority's Administrator Paul Bremer appointed the quasi-autonomous, but virtually powerless, Iraqi Governing Council. On the same day Mr. Bremer appointed Ibrahim Bahr al-Uloum, who had been a member of the U.S. State Department oil working group, as Minister for Oil.''

□ 1215

Within months of his appointment, Bahr al-Uloum announced he was preparing plans for the privatization of Iraq's oil sector, but that no decision would be taken until after the election scheduled for 2005. Speaking to the Financial Times, Bahr al-Uloum, a U.S.-trained petroleum engineer, said the Iraqi oil sector needs privatization, but it is a cultural issue, noting the difficulty of persuading the Iraqi people of any such policy. He then proceeded to announce that he personally supported production sharing agreements for upstream development, giving priority to U.S. oil companies and European companies, probably.

The second phase, the Iraq interim government. In June 2004, the Coalition Provisional Authority handed over Iraq's sovereignty to an interim government headed by Prime Minister Allawi. The position of Minister of Oil, was handed to Thamir al-Ghadban, a U.K.-trained petroleum engineer and former senior adviser to Bahr al-Uloum. In an interview in Shell Oil Company's in-house magazine, al-Ghadban announced that 2005 would be the ''year of dialogue'' with multinational oil companies.

''About 3 months after taking power, Allawi issued a set of guidelines to the Supreme Council for Oil Policy from which the Council was to develop a full petroleum policy. Preempting both the Iraqi elections and drafting of a new constitution, Allawi's guidelines specified that while Iraq's currently producing fields should be developed by the Iraq National Oil Company, all other fields should be developed by private companies, through the contractual mechanism of production sharing agreements.

''Iraq has about 80 known oil fields, only 17 of which are currently in production. Thus the Allawi guidelines would grant the other 63 to private oil companies.''

The third phase, the transitional government and writing the constitution: ''The interim government was replaced in 2005 by the election of Iraq's new National Assembly, which led to the formation of the new government with Ibrahim al-Ja'afari as Prime Minister. In a move which no doubt assisted policy continuity from the period of U.S. control, Ibrihim Bahr al-Uloum was reappointed to the position of Minister for Oil.

''Meanwhile, Ahmad Chalabi, the Pentagon's former favorite to run Iraq, was appointed chair of the Energy Council, which replaced the Supreme Council for Oil Policy as the key overseer of energy and oil policy. Back in 2002, Chalabi had famously promised that 'U.S. companies will have a big shot at Iraqi oil.'

''By June 2005, government sources reported that a Petroleum Law had been drafted, ready to be enacted after the December elections. According to sources, although some details are still being debated, the draft of the Law specifies that while Iraq's currently producing fields should be developed by Iraqi National Oil Company, new fields should be developed by private companies.''

Now, this again comes from an article, Foreign Policy in Focus. The title, ''When It Comes to Oil, the U.S. Administration is Bypassing Democracy in Iraq,'' an article ''Oil Pressure'' by Greg Muttitt, August 28, 2006. It goes on to say: Since the new Iraqi Government was formed in 2006, the U.S. Government has dramatically scaled up its efforts to provide ''advice.'' Last month, the administration and major oil companies reviewed and commented on the new law governing Iraq's crucial oil sector before it had even been seen by the Iraqi Parliament.

''Violating the very notions of freedom and democracy'' the administration invokes in nearly every speech, ''the U.S. Government has actively intervened in the restructuring of Iraq's oil industry since at least 2002.

In December 2002, the State Department established a working group on oil and energy as part of its ''Future of Iraq'' project. The project brought together influential exiled Iraqis with U.S. Government officials and international consultants. Later, some members of the group became part of the Iraqi Government. The result of the project's work was a draft framework for Iraq's oil policy. Despite Iraq being rich in oil and technical expertise, the group recommended a major role for foreign companies through long-term contracts, an approach that would set Iraq at odds with the rest of the Middle East where major oil producers keep their oil in the public sector.

''In March 2003, the wheels started to turn as the Coalition Provisional Authority appointed the former head of Shell USA as a senior oil adviser, in direct contact with the Iraq Ministry of Oil. He was joined by an executive from ExxonMobil, and after 6 months, the post was rotated to former managers of ConocoPhillips and BP.

''In December 2003, the framework was set out in more detail when USAID commissioned a report by the privatization specialists BearingPoint,'' is

the name of the company, entitled 'Options for Developing a Sustainable Long-Term Iraqi Oil Industry.' The report reinforced the 'Future of Iraq's' report, recommending long-term contracts with foreign companies.

''Pointing to the success, as they call it, of this model, BearingPoint used Azerbaijan's privatization model as an example. The report commented approvingly that Azerbaijan's high corruption and lack of democracy had not impeded investment; the government had simply given away a higher share of revenues in order to attract companies. The implication was that Iraq, which has a nascent democracy and chronic corruption, might follow the same approach.

''After the handover to the interim government in June 2004, senior oil advisers, now based within the Iraq Reconstruction Management Office in the U.S. Embassy worked closely with the Iraq Oil Ministry in shaping policy. Post holders included executives from ChevronTexaco and Unocal.

''In 2006, these efforts intensified. In February, the Iraq Reconstruction Management Office advisers accompanied eight senior officials from the Oil Ministry on a trip to the U.S., sponsored by the U.S. Trade and Development Agency. On the trip, they met oil company representatives to discuss the future structure of the Iraq oil industry.

''The same month, at the request of the State Department, USAID provided an adviser to the Oil Ministry, again from BearingPoint,'' the privatization specialist, ''to work directly on a new oil law providing 'legal and regulatory advice and drafting the framework of petroleum and other energy-related legislation, including foreign investment.' ''

''The U.S. campaign on the fledgling Iraqi Government has been successful. Following his appointment in May, new Oil Minister Husayn al-Shahristani announced that one of his top priorities would be writing of an oil law to allow Iraq to sign contracts with 'the largest companies.' ''

''This would be the first time in more than 30 years that foreign companies would receive a major stake in Iraq's oil. Oil was brought into public ownership and control in Iraq in 1975.

''With the ink not yet on the paper, the U.S. has maintained its pressure. On his visit to Baghdad in 2006,'' the U.S. Energy Secretary ''insisted that the Iraqi government must 'pass a hydrocarbon law under which foreign companies can invest.' But the work to make this case had already been done: 'We got every indication they were willing and also felt a necessity to open up this sector,' he commented after a meeting with the Oil Minister and Iraqi officials.

The Energy Secretary did not stop at reviewing the draft law himself in Baghdad. He also arranged for Dr. Al-Shahristani, the new Oil Minister, to meet with nine major oil companies, including Shell, BP, ExxonMobil, ChevronTexaco and ConocoPhillips, for them to comment on the draft as well, during the Minister's trip to Washington, D.C. the following week.

''Given the pressures involved, perhaps the Minister felt he did not have much choice. His promise to pass the law through Parliament by the end of 2006 was set in Iraq's agreement with the International Monetary Fund last December. According to that agreement, IMF officials would also review and comment on a draft in September.

''And still, the draft law had not been seen by the Iraqi Parliament. Meanwhile, an official from the Oil Ministry had stated that Iraqi civil society and the general public will not be consulted at all.

''These issues could hardly be more important for Iraq. Oil accounts for more than 90 percent of government revenue, is the main driver of Iraq's economy. And decisions made in the coming months will not be reversible—once contracts are signed, they will have a major bearing on Iraq's economy and politics for decades to come.''

There is much that has been written, an article in the Associated Press on March 13, 2007, about how Iraqi leaders fear ouster over oil money. Continued White House support for Iraq depended on positive action and all the benchmarks, especially the oil law and sectarian reconciliation, by the close of this parliamentary session. June 30.

In an article in the Los Angeles Times, May 13, 2007, Iraqis resist U.S. pressure to enact oil law. Foreign investment and Shiite control are primary concerns. Here is a quote. ''I did make it clear that we believe it is very important to move on the issues before us in a timely fashion and any undue delay would be difficult to explain.'' That is a quote from Vice President CHENEY, who recently visited Iraq to urge the passage of the Hydrocarbon Act, among other matters.

''The U.S. Energy Secretary calls on Iraq to open up its oil sector to foreign investment.'' This is an article from the 21st of July, 2006, saying that U.S. Energy Secretary Samuel Bodman has urged Iraq to establish a legal framework that would be instrumental in attracting foreign investment.

Other articles. From a Department of Energy press release, July 26, 2006: Secretary Bodman hosts Iraqi Ministers of Oil and Electricity. Energy leaders sign memorandum of understanding to further promote electricity cooperation.

From Agence France-Presse, U.S. wants new Iraq oil law so foreign firms can take part. July 18, 2006. The United States on Tuesday urged Iraq to adopt a new hydrocarbon law that would enable U.S. and other foreign companies to invest in the war-torn country's oil sector.

We all know that the Iraq Study Group, in one of its major recommendations, Recommendation 63, said the United States should encourage investment in Iraq's oil sector by the international community and international energy companies; that the United States should assist Iraqi leaders to reorganize the national oil industry as a commercial enterprise; that the United States should ensure the World Bank's efforts to assure that best practices are used in contracting.

Mr. Speaker, the last 50 minutes that I have spent talking about the effort to try to privatize Iraq's oil, if you go to one of the search engines, you can find perhaps 1 million different citations relating to this. So it is impossible to cover this kind of a subject, even in a period of an hour. But it needs to be said that this administration has pushed the Congress to put language in funding bills for Iraq that would set the stage for the privatization of Iraq's oil.

I am going to quote from the first war supplemental, that the President shall make and transmit to Congress a determination, No. 2, whether the Government of Iraq is making substantial progress in meeting its commitment to pursue reconciliation initiatives, including enactment of a hydrocarbon law. Then under subsection (b), it says if the President fails to make this determination, the Secretary of Defense shall commence the redeployment of our Armed Forces from Iraq.

In other words, privatize your oil, or we are leaving you without having a security and peacekeeping force to replace the United States Army.

□ 1230

In the second supplemental, the administration language promoted the President transmitting to Congress a report in classified and unclassified form, article 2, whether the Government of Iraq has enacted a broadly accepted hydrocarbon law that equitably shares revenues among all Iraqis.

Now again, they don't talk about what the real purpose of the Hydrocarbon Act has been. It is not about sharing revenues equitably; it is about a complex restructuring of Iraq's oil industry for the purpose of turning Iraq's oil over to private oil companies.

Finally, in the third supplemental that is before this Congress this week, there is an article from the Senate side that relates to Iraq oil, and I quote: ''The United States strategy in Iraq shall hereafter be conditioned on the Iraqi Government meeting certain benchmarks.'' And one such benchmark, ''enacting and implementing legislation to ensure the equitable distribution of hydrocarbon resources of the people of Iraq.'' And it goes on to pay homage to the issues of equity and ethnicity.

Madam Speaker, it is clear that the people of Iraq are under enormous pressure to give up control of their oil. When you consider that there was no cause to go to war against Iraq, that Iraq did not have weapons of mass destruction, that Iraq had nothing to do with 9/11, that Iraq had nothing to do with al Qaeda's role in 9/11, that the administration kept changing the reason

why we went into Iraq, and here we are, years later, we are still in Iraq, and enormous pressure is being put on the Iraqi Government to privatize their oil.

I am here to say that there is another path that can be taken, and that path is part of H.R. 1234, a bill that I have written that would enable the war to end by Congress determining that no more money will go for this war, telling the administration that it must open up diplomatic relations with Syria and Iran, and moving in a direction where we put together an international peacekeeping and security force that would move in as our troops leave. And then we set the stage for real reconciliation that cannot come with the U.S. serving as an occupying army.

We have a moral responsibility to the Iraqi people whose country we have ravaged with war to the tune of hundreds of billions of dollars of damage, whose people may have experienced the loss of perhaps as many as a million Iraqis during this conflict, innocent people, whose social bonds have been torn asunder. We have a moral responsibility to work to bring about a program of reconciliation between the Sunnis, Shiites and the Kurds which can only come when we end the occupation. We have a moral responsibility to bring about an honest reconstruction program, absent the U.S. contractors who have been gouging the Iraqi people, and gouging the American taxpayers as well, but we have to make sure that the Iraqi people have control of their oil.

I would like to believe that this war has not been about oil. I would like to believe that there was some kind of a righteous cause connected to what we did; but I know better, and the proof is in this Hydrocarbon Act.

This Congress has an opportunity to finally take a stand and reject this Hydrocarbon Act. We can strip out this provision forcing Iraq to privatize its oil. We can strip that out of the legislation. Or we can simply defeat the legislation because that is in there, and then go back to the boards and tell the President, look, Mr. President, we are not going to give you any more money for this war, which is what I believe we should do. Tell the President, this war is over, Mr. President, and use the money that is in the pipeline to bring the troops home. Let's go and reach out to the international community. With the end of the occupation and the closing of bases, we will have people who will start listening to us internationally, and we will have some credibility.

But the morality which this country rests on, our heart and soul of who we are as Americans, is not reflected by this obscene attempt to steal the oil resources of Iraq. That is why I have chosen to take this time to come before the Congress, to lay these facts out for Members of Congress and for the American people so that you can see without question the relationship between war and this oil and the relationship between the pressure that is being put on the Iraq Government right now and privatization and the continuation of the war.

Let's end this war. Let's end the attempt to control Iraq's oil. Let's challenge the oil companies in this country as this House has done this morning. Let's take a stand for truth and justice. Let's take a stand for what is right. Let us not be seduced by this idea that somehow we have the military might, and we can, therefore, grab other people's resources. That is not what America is about.

America has a higher calling in the world. It is time we began a process of truth and reconciliation in our own country, in reaching out and creating the healing of America. But we must first begin with the truth, and the truth is what I have told this Congress today.

Madam Speaker, thank you.

Members of Congress, thank you.

PROVIDING FOR CONSIDERATION OF H.R. 1100, CARL SANDBURG HOME NATIONAL HISTORIC SITE BOUNDARY REVISION ACT OF 2007

Mr. ARCURI. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 429 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 429

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1100) to revise the boundary of the Carl Sandburg Home National Historic Site in the State of North Carolina, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 9 or 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolutiuon. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration in the House of H.R. 1100 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore (Mrs. TAUSCHER). The gentleman from New York (Mr. ARCURI) is recognized for 1 hour.

Mr. ARCURI. Madam Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Washington (Mr. HASTINGS). All time yielded during consideration of the rule is for debate only.

I yield myself such time as I may consume, and I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 429.

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

There was no objection.

Mr. ARCURI. Madam Speaker, House Resolution 429 provides for consideration of H.R. 1100, the Carl Sandburg Home National Historic Site Boundary Revision Act of 2007, under a structured rule. The rule provides 1 hour of general debate controlled by the Committee on Natural Resources and makes in order the substitute reported by the Committee on Natural Resources. The rule also allows for consideration of all three amendments that were submitted to the Rules Committee on H.R. 1100.

Madam Speaker, let me begin by congratulating my good friend and freshman class colleague Mr. SHULER for working this thoughtful legislation through the legislative process. H.R. 1100 will further preserve the legacy and communicate the stories of internationally recognized author, Pulitzer Prize-winner, and great American historian, Carl Sandburg.

Located in the pristine wilderness of North Carolina is the 248-acre Carl Sandburg Home National Historic Site. Each year, over 150,000 people visit for the purpose of learning about Carl Sandburg's positive influences on writing, or to hike and just enjoy the splendor of this beautiful, pristine site.

In recent years it was determined by interested parties at all levels, local, State and Federal, including the National Park Service, that increasing

the size would be desirable to carry out the purposes of this historic site.

H.R. 1100 addresses the need for more space by authorizing the Secretary of the Interior to acquire up to 115 acres of land from willing sellers by donation, purchase with donated or appropriated funds, or exchange.

Now, for some unknown reason, some my colleagues have labeled this legislation an ''egregious example of landgrabbing'' by the Federal Government. Nothing could be further from the truth. The key point to this legislation is that the land would have to be acquired from ''willing sellers.''

Of the 115 acres, 5 acres would be used to construct a new visitor center and parking lot, and the remaining 110 acres would be used to enhance the overall experience when visiting the site. Visitors will now have an opportunity to sit on the same ridge Carl Sandburg sat to pen some of his greatest works and explore the same beautiful mountainside Carl Sandburg would frequent with his family for picnics.

Madam Speaker, H.R. 1100 has strong bipartisan support here in the House, and bicameral support from North Carolina's two Senators, who have introduced companion legislation.

Further, H.R. 1100 has the support of the administration, as well as the State of North Carolina and Henderson County, where the site is located.

All of that said, with such broad support, one might ask why are we here debating a rule for consideration of this legislation? The reason is that during a subcommittee and later full committee markup, it was discovered that there are a few Members of this body who object to the legislation in its current form. Those Members made several attempts to alter the existing legislation by amendment during the committee process. In addition, those same Members submitted amendments to the Rules Committee which we will consider later today, again seeking to alter this legislation.

While one might argue that our debate today is unnecessary, I contend it is yet another example of the majority's efforts to provide our colleagues with opportunities to offer their amendments, voice their views, and make their objections known here in the House Chamber. I look forward to a fruitful discussion of this bill.

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

Mr. HASTINGS of Washington. Mr. Speaker, I want to thank the gentleman from New York (Mr. ARCURI) for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 429 allows for consideration of H.R. 1100, the Carl Sandburg Home National Historic Site Boundary Revision Act, which would increase our Federal inventory of land by up to 115 acres. Rarely does the Rules Committee consider rules for bills making changes to historic sites because they are typically brought to the floor under suspension of the rules.

Mr. Speaker, coming from an area in central Washington that is 40 percent federally owned land mass, I believe we ought to be encouraging land exchanges where possible rather than more land purchases. The Federal land management agencies simply have too much land to manage effectively with their current level of funding. We all know there is a serious backlog of road, trail and facility maintenance on Federal lands. In many cases, Federal land agencies are struggling to manage invasive species, plant pests, and unnaturally high fuel loads that lead to catastrophic wildfires. Yet, year after year, we are spending precious tax dollars to buy up more private property and take it off the local tax rolls.

We need to make land exchanges and the orderly restructuring of Federal land holdings easier. The Federal Government owns and must maintain many small, isolated parcels of land that have no special resource value. We should make it easier for the Federal agencies to dispose of these properties and retain the proceeds to acquire lands that are high in resource value.

□ 1245

This is a practical solution that allows us to protect special places without having to spend limited tax dollars.

I would also add that there are many other issues, in my view more pressing matters, affecting public lands management that we could be considering today. For example, the extension of payments to forested counties for rural schools and roads. As many of my colleagues are aware, the Congress long ago promised rural communities that they would get a fair share of the revenue produced from Federal forestlands as compensation for the tax-exempt status of Federal forestlands.

However, unfortunately, special interest groups successfully used litigation under the Endangered Species Act to bring harvest to a standstill in many places like the Pacific Northwest. This left many counties struggling to pay for basic services while saddled with large areas of nontaxable Federal land. Although the House has passed legislation providing for a 1-year fix on this issue, we need a longer-term solution, and we need to get this legislation to the President's desk as soon as possible.

So, Mr. Speaker, I hope that the House will soon have an opportunity to consider these and other issues impacting Federal land management.

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

Mr. ARCURI. Mr. Speaker, I would like to respond by saying that it's important to note on this bill that all this bill really does is to create an environment for people to donate the land or for funds to be donated to actually purchase the land, and we're not talking about a vast tract of land. We're talking about a very small amount of land, 115 acres, 22 acres of which have already been pledged, and basically are waiting for this legislation to be passed so that the conservatory could be created so that the acreage can be donated to it.

So I would say in response to my good friend and colleague from Washington that this is not any type of huge land grab. This is really just a very small amount of acreage that is being set up and being donated just to enhance the whole, again, experience of the Carl Sandburg site.

So I think it is a very good bill. It is a good rule, and I would urge all of my colleagues to support it.

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

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself 1 minute.

I just point out that this is an increase of 44 percent over the current land value, and I know we're talking about acres and we're not talking about square miles. But to paraphrase former Senator Edward Dirksen, in another sense, you know, a billion here, a billion there, pretty soon you're talking about real dollars. Well, we're talking about Federal land ownership, and I'm very sensitive to that because I come from the western part of the United States.

As I mentioned in my opening remarks, 40 percent of my district is owned by the Federal Government, and I have some counties in which 75 percent of the counties' land mass is owned by the Federal Government.

Mr. Speaker, at this time I'm pleased to yield 5 minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I rise in opposition to this rule today and it goes back to the experience we had on the floor and in committee.

Mr. BISHOP had offered an amendment in the National Parks Subcommittee that would have improved this bill, in my opinion, because his amendment would have reduced the number of acres that are being added to this so-called park. This was not Carl Sandburg's original home. The acreage being added or sought to be added is not even available for view from the Sandburg home. It was not part of the original home. So it made sense that an amendment like this ought to have a vote and it did.

When it came time for a recorded vote, the subcommittee chairman promised to hold the vote open for 15 minutes. About 8 to 9 minutes later, though, for some time the vote on the amendment was passing, once there was one more vote ''nay'' than in the affirmative, between 8 and 9 minutes later, the chairman closed the vote, even though he said he would leave it open for 15 minutes. He closed it as I walked into the door and others alerted him, and actually he never said that

the vote was closed. He simply asked the clerk for a count at that point, and when it was pointed out to him that the vote had not been closed but simply a count asked for, and that I was there when he did that, he still refused to allow my vote, and my vote as reflected would have been ''aye.'' That would have tied the vote. We all know there were others on the way, though we knew not how they would vote. But I was promised that my vote would also be counted in the record but it, in fact, did not.

And we went through a series of parliamentary inquiries to make sure that the chairman had every opportunity to do the right thing, and so that it was not quite as clear as it became, that there was only one reason that vote was held open, and that was to foreclose the opportunity to pass this amendment.

Now, the House rules say that a record vote shall not be held open on the floor for the purpose of changing the outcome of a vote. Clearly, that's what happened here. Clearly, it would have changed the outcome of the vote, at least as I came in, to a tie with other people coming if the vote had been held open as long as the chairman said he was going to.

But the promises of bipartisanship in this Chamber, as we saw it yesterday, as we saw in this subcommittee hearing, are about as hollow as some of the other things around this floor.

Now, as far as the rule, it should have been open to this amendment. The amendment should have been part of the original bill, but through this procedural folly, it was not. And so I object to the rule. I rise in opposition to the rule, and I would encourage our colleagues across the aisle to remember their promises.

I know it's been clear back to November and all those campaign promises leading up to November, and that's a long time, even though the Attorney General is being condemned for forgetting things further back than that. Nonetheless, we won't get into questions of hypocrisy. I just ask you to remember your promises about bipartisanship and open government, because this rule forecloses the openness that we were promised we would have, especially when it pertains to a good amendment that deserves consideration before this floor.

Mr. ARCURI. Mr. Speaker, I must say I'm a bit confused because the gentleman from Texas is opposing the rule, the rule which is allowing the amendment that he is speaking of. So the Rules Committee has put the amendment in, the Bishop amendment, that he's talking about. It will entitle a full and fair debate on it this afternoon, and we are giving the gentleman everything that he has asked for. And he stands up here and talks about some type of hypocrisy, and frankly, I just don't understand why he is mentioning that, why he is talking about that when, in fact, we are giving the rule that allows for debate on that particular amendment.

So we are, in fact, giving the gentleman exactly what he is asking for, and he is opposing the rule. So I guess I just don't understand what his point is, but I would say that we are supporting the rule that, in fact, does allow for full and fair debate on this particular amendment.

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

Mr. HASTINGS of Washington. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I appreciate the gentleman yielding. There were three amendments made in order on this bill, and what I have a problem with is the process and how ridiculously partisan it was there, and there should have been more made in order here, but I do appreciate what has been made in order.

Mr. ARCURI. Mr. Speaker, we have no further speakers, and I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself the balance of time.

I just simply want to say that the gentleman from Texas, a member of the committee, was apparently told something by the subcommittee chairman and that wasn't carried out, and I think that's the point that he made. I am pleased that the committee has made these three amendments in order. They were debated, and I think the full House deserves that consideration.

I think the rule could have been, obviously, better if it were an open rule on a bill here that certainly is not that controversial.

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

Mr. ARCURI. Mr. Speaker, H.R. 1100 will further preserve the legacy and communicate the stories of internationally recognized author, Pulitzer Prize winner and great American historian, Carl Sandburg.

Again, I congratulate my good friend and freshman class colleague, the gentleman from North Carolina (Mr. SHULER) for his efforts to bring this thoughtful legislation to the floor.

I urge my colleagues on both sides of the aisle to join me in voting ''yes'' on the previous question and on the rule so that future generations can also enjoy the beauty and splendor of the Carl Sandburg Home National Historic Site.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. PASTOR). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Washington. 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, this 15-minute vote on adoption of the resolution will be followed by 5-minute votes on motions to suspend the rules and pass H.R. 1252 and H.R. 2429.

The vote was taken by electronic device, and there were—yeas 228, nays 198, not voting 6, as follows:

[Roll No. 403]

YEAS—228

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—198

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny

Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—6

DeGette
Hulshof
Hunter
Jones (OH)
McMorris Rodgers
Shays

□ 1319

Mrs. MILLER of Michigan changed her vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FEDERAL PRICE GOUGING PREVENTION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1252, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. RUSH) that the House suspend the rules and pass the bill, H.R. 1252, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 284, nays 141, not voting 7, as follows:

[Roll No. 404]

YEAS—284

Abercrombie
Ackerman
Aderholt
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bono
Boozman
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Jo Ann
Davis, Lincoln
DeFazio
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Forbes
Fortenberry
Frank (MA)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hayes
Heller
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Petri
Platts
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Regula
Reichert
Renzi
Reyes
Rodriguez
Rogers (KY)
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Whitfield
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NAYS—141

Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boustany
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Everett
Fallin
Feeney
Flake
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Granger
Hastert
Hastings (WA)
Hensarling
Herger
Hobson
Hoekstra
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jordan
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Lamborn
Latham
Lewis (CA)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McHenry
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rehberg
Reynolds
Rogers (AL)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Upton
Walberg
Weldon (FL)
Weller
Westmoreland
Wicker
Wilson (SC)
Young (AK)

NOT VOTING—7

DeGette
Hulshof
Hunter
Jones (OH)
McCrery
McMorris Rodgers
Shays

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1330

Messrs. BACHUS, EVERETT, ROGERS of Alabama, MILLER of Florida, and HOBSON changed their vote from ''yea'' to ''nay.''

Mr. GOODLATTE changed his vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING EXCEPTION TO LIMIT ON MEDICARE RECIPROCAL BILLING ARRANGEMENTS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 2429, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 2429.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 422, nays 0, answered ''present'' 1, not voting 9, as follows:

[Roll No. 405]

YEAS—422

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Jo Ann
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—1

Barton (TX)

NOT VOTING—9

DeGette
Hulshof
Hunter
Johnson (GA)
Jones (OH)
McMorris Rodgers
Sali
Shays
Thompson (MS)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1339

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GRIJALVA. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1100.

The SPEAKER pro tempore (Ms. CLARKE). Is there objection to the request of the gentleman from Arizona?

There was no objection.

PARLIAMENTARY INQUIRY

Mr. PRICE of Georgia. Parliamentary inquiry, Madam Speaker.

The SPEAKER pro tempore. The gentleman may state his parliamentary inquiry.

Mr. PRICE of Georgia. Madam Speaker, I wish to reserve a point of order on H.R. 1100, and would ask the Chair at what time would be the appropriate time to reserve that point of order.

The SPEAKER pro tempore. Now would be the appropriate time to make the point of order.

POINT OF ORDER

Mr. PRICE of Georgia. Then, Madam Speaker, I rise to reserve a point of order against consideration of H.R. 1100 because I believe that the bill itself fits the definition of an earmark. And I would ask the author of the bill if he might, by way of making my point of order, I would quote rule XXI, clause 9(d), which states the definition for a congressional earmark, and it states, Means a provision or report language included primarily at the request of a Member providing, authorizing or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority, or other expenditure, or targeted to a specific State, locality or congressional district, other than through a statutory or administrative formula driven or competitive award process.

And I would be pleased to yield to the author of the bill as to why this bill doesn't fit that definition of an earmark.

The SPEAKER pro tempore. The gentleman may make his point of order, but may not yield.

Mr. PRICE of Georgia. I reserve a point of order then. I make my point of order against the consideration of H.R. 1100.

The SPEAKER pro tempore. The point of order may not be reserved.

Mr. PRICE of Georgia. I make a point of order against consideration of H.R. 1100.

Madam Speaker, I believe I have made my point that this bill indeed fits the definition of a congressional earmark under rule XXI, clause 9(d) and, therefore, violates the rules of the House and, therefore, should not be considered.

The SPEAKER pro tempore. The Chair finds that the entry on page 6 of the report of the Committee on Natural Resources constitutes compliance with clause 9(a) of rule XXI. The point of order is overruled.

CARL SANDBURG HOME NATIONAL HISTORIC SITE BOUNDARY REVISION ACT OF 2007

The SPEAKER pro tempore. Pursuant to House Resolution 429 and rule XVIII, the Chair declares the House in the Committee of the Whole House on

the state of the Union for the consideration of the bill, H.R. 1100.

□ 1344

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1100) to revise the boundary of the Carl Sandburg Home National Historic Site in the State of North Carolina, and for other purposes, with Mr. PASTOR in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Arizona (Mr. GRIJALVA) and the gentleman from Utah (Mr. BISHOP) each will control 30 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Mr. Chairman, H.R. 1100 authorizes a boundary expansion of 115 acres at the Carl Sandburg Home National Historic Site, a unit of the National Park System in western North Carolina. The bill was introduced by my colleague on the Natural Resources Committee, Representative HEATH SHULER, in whose district the Sandburg National Historic Site is located. Representative SHULER has been a strong advocate for the bill, and I commend him for his enthusiasm and the dedication to this important piece of legislation.

The 264-acre Carl Sandburg Home National Historic Site preserves the farm where the two-time Pulitzer Prize-winning author and his family lived for the last 22 years of his life. Carl Sandburg was one of America's most versatile and recognized writers whose stories, histories, and poems captured and recorded America's traditions, struggles, and dreams.

H.R. 1100 authorizes a 115-acre boundary adjustment that is recommended in the historic site's 2003 General Management Plan, a plan developed through a 4-year process that involved extensive public input. The boundary adjustment is necessary to allow construction of a visitor center and a parking lot as well as to protect the pastoral views from the Sandburg estate.

H.R. 1100 authorizes the Secretary of Interior to acquire land from willing sellers only, and I would note that all of the affected landowners have agreed to have their parcels included in the proposal to expand the historic site.

H.R. 1100 is important for the continued protection and operation of this historic site, and it has bipartisan support. At a hearing on the bill last month, the administration testified in support of the legislation, as did a local county commissioner. In the Senate, companion legislation has been sponsored by Senator DOLE and Senator BURR.

During the markup of this bill, the Subcommittee on National Parks, Forests and Public Lands adopted an amendment that made several technical changes and standardized the bill's language. The amended bill was forwarded to the full committee by voice vote. The bill, as amended, was ordered favorably reported to the House by the Natural Resources Committee by voice vote.

Mr. Chairman, H.R. 1100 is a result of a lengthy public planning process. It has extensive and enthusiastic community support, including the support of the landowners involved. It also has the backing of the Bush administration and North Carolina's Republican Senators. Given all this, we have to wonder why there are those who would try to make this, a straightforward bill, controversial.

Mr. Chairman, I would again commend Representative SHULER for his hard work on behalf of this important and worthy legislation, and I strongly urge the passage of H.R. 1100, as amended.

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

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

Mr. Chairman, the headlines in the papers could probably read ''Scramble the Eggs Because We're Bringing Home the Bacon.''

We are going to be leaving for Memorial Day weekend. We will have the ability of standing in front of our constituents, looking them straight in the eye, and saying that one of the last things we did before we went back home was to cast a vote for something that can be described as one of the biggest pieces of pork legislation we have. A contingency from North Carolina, both congressional and senatorial side, come to Washington and they brought something back home. Even though this particular bill does not meet the definition of general welfare as was intended in the Constitution, does not meet a critical need, does not enhance the purpose of a specific park that we have, it does spend money upfront and will yearly require this country to have a larger financial obligation. And it does also tell us that enough votes can deliver anything regardless of the merits.

We intend to show to all those who may be listening that this bill fails on the size, the cost, and the logic of it. We intend to introduce three amendments eventually within this process. One that will say that 5 acres included in this recommendation has logic to it, that we admit that is truly there. There is a need for safe public parking and a visitor center, which is the 5 acres they requested.

We will also present an amendment which will say the first thing we need to do is make sure that we are dealing with the backlog of resource needs that we have. This particular park, according to the National Park Service, has $600,000 worth of construction needs in the regular park itself, which we should be doing before we try any kind of expansion.

We will also be introducing, by Mr. HELLER of Nevada, an amendment that says if this land wishes to be donated, we will accept it.

Had any of these three amendments been adopted in the committee, the committee of jurisdiction, this bill would probably be here as a suspension bill. But when the attitude is it's all or nothing, rejecting any kind of minority input, we will probably object for the logic in this bill. This bill can be jammed through by the numbers but certainly not by the logic.

Mr. Chairman, I realize the chief sponsor is here, and I think it would be only fair to allow him to have the opportunity to speak now in defense of his bill before I go on.

Mr. Chairman, with that, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I yield such time as he may consume to the chairman of the Natural Resources Committee, Mr. RAHALL.

Mr. RAHALL. Mr. Chairman, I certainly want to commend the distinguished chairman of the subcommittee, Mr. GRIJALVA, the respected chairman of the Subcommittee on Parks, Forests and Public Lands, for his efforts in managing the bill on the floor today and bringing this legislation before us.

I, of course, do rise in support of H.R. 1100, introduced by one of our newest colleagues on the Natural Resources Committee, a very respected member of our committee, Representative HEATH SHULER. I commend Mr. SHULER for his work on this legislation as well as his dedication to his constituents, who stand firmly behind this bill to protect and interpret a local resource that has national importance. Some may call it pork. Whatever you want. But the last time I checked, we are the people's House of Representatives. We represent the people that sent us here. And perhaps because Mr. SHULER is doing such an effective job of that, it raises the ire of some in this body. But he has worked diligently to guide this bill through the legislative process. I applaud him for those efforts.

Carl Sandburg was an American poet, a biographer, novelist, and songwriter. Today the farm he owned is preserved as the Carl Sandburg Home National Historic Site, managed by the National Park Service for all Americans to visit and learn about the life and works of one of America's most beloved authors.

During the 22 years Sandburg spent at the farm until his death in 1967, he published more than ten volumes of poetry and prose, including a novel and an autobiography. And it was this farm he returned to after winning his second Pulitzer Prize in 1951.

The pending measure is important to the future protection and interpretation of the Sandburg farm. The 115-acre boundary adjustment will allow for the construction of a much-needed visitor center and parking lot. As important, the boundary adjustment will provide the opportunity to protect the views

from the Sandburg estate that the author and his family cherished and that today's visitors so richly enjoy.

The State of North Carolina's Department of Cultural Resources has recognized the importance of protecting the views from Sandburg's estate by purchasing 22 acres within the proposed boundary expansion area. They intend to donate these acres to the National Park Service upon authorization of the boundary adjustment. All of the other affected landowners have agreed to have their properties included within the proposed boundary adjustment.

This is a straightforward bill, as the chairman of the subcommittee has said. It enjoys bipartisan support, and I urge that it be approved by all of our colleagues on the House floor.

Mr. BISHOP of Utah. Mr. Chairman, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I yield such time as he may consume to the author and sponsor of the legislation, Congressman SHULER.

Mr. SHULER. Mr. Chairman, Carl Sandburg was a national treasure who spent 20 years of his life in the mountains of western North Carolina. While he was not a native son, we in North Carolina are certainly proud to claim him as one of our own.

His farm is now a National Historic Site visited by thousands of families around the world. This site is important both for its history and its beauty.

H.R. 1100 would revise the boundary of the historic site to add 115 acres. The addition would serve two purposes. The first purpose is to protect the scenic views and open spaces the Sandburg family enjoyed from their home. The second purpose is to allow the site to build a much-needed visitor center and parking area. These additions are part of the site's General Management Plan which was adopted in 2003, after a full public process.

This bill has wide bipartisan support. The administration has testified in support of this bill. North Carolina Senators RICHARD BURR and ELIZABETH DOLE are pushing companion legislation in the Senate. And this is strongly supported by local county government.

I thank Chairman GRIJALVA, Chairman RAHALL, and members of the committee for their support.

Mr. BISHOP of Utah. Mr. Chairman, it is my pleasure to yield 4 minutes to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. Mr. Chairman, I want to thank my friend from Utah for yielding.

It's quite interesting. I was listening to the rule debate, and the gentleman from New York said that the reason this was being brought up under a rule is to make sure that the process was open and that there were people who had amendments, and I just thought that was quite comical and more of the smoke-and-mirror thing that this majority has put forth.

Mr. Chairman, I rise today in opposition of H.R. 1100. This is a great opportunity for us to realize what an earmark is, whether it is recognized by the Chair as an earmark or not, what real pork is, and what a Federal land grab is.

This is designed to increase the National Park Service's land inventory. This is ironic considering that the National Park Service currently has an overall maintenance backlog for lands it currently owns. In fact, this very site, the Carl Sandburg National Historic Site, already has $600,000 in deferred maintenance cost itself.

The author of the bill said that this was a mission to allow the site. If my understanding is correct, you cannot even see the additional 115 acres from the home site itself. And I don't know if this is going to involve any landscaping or cutting down trees or grading costs or whatever, and maybe Mr. Sandburg did see this, but it must have been on a walk and not from his home.

This was not an original part of the Sandburg estate. And if you read the intent of the legislation when it was done, it was to preserve the farm, not to buy up all the surrounding land.

Mr. Chairman, I hope that my colleagues will understand exactly what this bill is, that they will oppose it and join me in protecting the taxpayers' dollar.

Mr. GRIJALVA. Mr. Chairman, I reserve the balance of my time.

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

This bill authorizes the purchase of 115 acres. I have already said 5 acres is legitimate. There is a need for safe parking and a visitor center, and that is the amount of space that they need. It is the other 110 acres which, unfortunately, fits the title of ''pork.''

This park is about Carl Sandburg. It is supposed to venerate his life and his literary legacy. Unfortunately, the extra 110 acres has absolutely nothing to do with his life or literary legacy.

The National Park System said, and some that sit here on the floor, that this land would protect the viewshed. The logical question is what viewshed? The ridge is the natural boundary of this park. The land to be adopted is over the ridge, which means you stand anywhere in that extra 100 acres and you can't see the house from that acreage. You stand at the house and you can't see the acreage unless we give you some complimentary periscopes. Simply, there is no view to deal with.

The county came up here and said, well, this park has evolved, kind of like Jurassic Park, and now we are trying to protect some of the historic pasturelands.

□ 1400

Historic pasturelands? This is about Carl Sandburg. He wrote about Abraham Lincoln. He did not invent Arby's.

They also said during the committee that this is to protect the resources. The resources of this park is the house. You could be on that 100 acres they want to add, and the house could burn to the ground, and you wouldn't know about it until the fire trucks from the town came running by the road to get there. This has nothing to do with preserving and protecting the vast purpose of this particular park. I've got four problems with this bill, this is the first one.

The second one deals with the cost. When we had the hearing in the markup, it was said that this bill would cost between 2- and $3 million. CBO has now scored it at $7 million. They have also said it will incur to the Federal Government an ongoing expense of a half million dollars a year. This park already costs about $1.2 million to run. They bring in about $100,000 to $200,000 worth of revenue a year, so it is a $1 million drag on the Federal Treasury at first. This will add to that, making it a $1.5 million net deficit every year the existence of this park is there.

Now, some people will say, look, it's only 100 acres. We're only talking about $7 million. In the scope of what we do here in the Nation, that's not much. But if you actually spend $7 million here, 2- or $3 million there, pretty soon you realize that we are in a situation where we have squandered all our money, and we don't have anything for those deserving projects that actually are before us.

The National Park Service said this park itself needs $600,000 in maintenance work. It is galling that a park system that is always talking about the need would in any way recommend or that we as a body would adopt that recommendation to try and expand into areas that we are not necessarily dealing with.

I show you this picture right now because it is Dinosaur National Monument. It straddles the border between Utah and Colorado. This is the visitors center. I used to go there. This is exciting. The entire mountain has been scaled back, and you can see the fossil remains of dinosaurs. Unfortunately, this is condemned. No school kid can ever go into this building or see the fossil remains. No Park Service employee can go in there because this is on the backlog of stuff that needs to be done.

Before we buy extraneous territory that adds to something that has nothing to do with the mission of the park, we should solve these types of problems first, because the money we use to buy this land in North Carolina is money that will not be used in real parks, for real needs, for real issues anywhere else in the Nation, in California, in Arizona, in New Mexico, in Maine. None of those will receive that. It is simply a misplaced sense of priority.

Now, this area was represented in the past by a gentleman who used to chair the appropriations subcommittee that dealt with public lands. He could have easily added this kind of money to an appropriations prospect. But having the ability of seeing the overall needs that we have in our forest system, our

parks system, our public lands system, he flat out didn't. He did take, instead of a parochial view, a very patriotic view of the needs of this country, and I am hopeful that we will do that as well.

There is a third area of concern I have, and that deals with community. To be honest, we are dealing with a community that overtaxed its citizens by $5 million last year. They brought in $5 million more than they spent. They have a general reserve fund of $21 million. If this is definitely needed as open space, because it doesn't really fit the park, but any kind of open space, they could easily do that. Or they could do what cash-strapped cities in the West do, which is simply bond for that kind of an approach. Even the idea that 20 acres was given to the State, and that the State will now dedicate that, still presents another problem because that means that forevermore this county will have additional PILT land, and additional PILT money will be going to that, which, once again, cuts into the amount which is a finite supply for all of us that are left.

The fourth reason I have a problem with this bill is simply it's not pork. If this was a significant addition to giving the message of Carl Sandburg, I would not object to it. If this was the 5 acres that is a significant addition for parking, safety and for a visitors center, I would not object to it. But this is simply land that doesn't protect a viewshed, that doesn't have any historical connection with the family. It is land that is simply being gobbled up and will forevermore be subsidized through PILT payments by this body to this county. And when we have these other needs, the question is simply, for what? There is no logic for that.

This is a hard place, I know, to deal with logic; but this is one of those bills that simply defies logic. Mr. Chairman, for that reason I have to oppose this particular bill.

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

Mr. GRIJALVA. Mr. Chairman, as we go into the discussion and the debate on the amendments, let me just remind my colleagues that H.R. 1100 is supported by the Bush administration, State and local governments, citizens, and North Carolina's Republican Senators. I would also note that the 115-acre addition was developed through a 4-year planning process.

And, yes, Carl Sandburg is beloved in North Carolina, but his significance is of national importance. That is why our cosponsors from east coast to west coast are part of this bipartisan legislation.

Mr. Chairman, I would say that the preservation of the Carl Sandburg Home National Historic Site and the enhancement of that site is a national responsibility, and that is why this legislation is important, to extend that national responsibility.

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

The Acting CHAIRMAN (Mr. ROSS). All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment is as follows:

H.R. 1100

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 ''Carl Sandburg Home National Historic Site Boundary Revision Act of 2007''.

SEC. 2. DEFINITIONS.

For the purposes of this Act:

(1) MAP.—The term ''map'' means the map entitled ''Sandburg Center Alternative'' numbered 445/80,017 and dated April 2007.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(3) HISTORIC SITE.—The term ''Historic Site'' means Carl Sandburg Home National Historic Site.

SEC. 3. CARL SANDBURG HOME NATIONAL HISTORIC SITE BOUNDARY ADJUSTMENT.

(a) ACQUISITION AUTHORITY.—The Secretary may acquire from willing sellers by donation, purchase with donated or appropriated funds, or exchange not more than 110 acres of land, water, or interests in land and water, within the area depicted on the map, to be added to the Historic Site.

(b) VISITOR CENTER.—To preserve the historic character and landscape of the site, the Secretary may also acquire up to five acres for the development of a visitor center and visitor parking area adjacent to or in the general vicinity of the Historic Site.

(c) BOUNDARY REVISION.—Upon acquisition of any land or interest in land under this section, the Secretary shall revise the boundary of the Historic Site to reflect the acquisition.

(d) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(e) ADMINISTRATION.—Land added to the Historic Site by this section shall be administered as part of the Historic Site in accordance with applicable laws and regulations.

The Acting CHAIRMAN. No amendment to the committee amendment is in order except the amendments printed in House Report 110–165. Each amendment may be offered only in the order printed in the report; by a Member designated in the report; shall be considered read; shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment; shall not be subject to amendment; and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. BISHOP OF UTAH

The Acting CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 110–165.

Mr. BISHOP of Utah. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. BISHOP of Utah:

Page 2, line 20, after the period insert the following: ''The authority to acquire property under this subsection may not be exercised until all maintenance for the Historic Site deferred as of the day before the date of the enactment of this Act has been completed.''.

The Acting CHAIRMAN. Pursuant to House Resolution 429, the gentleman from Utah (Mr. BISHOP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Chairman, as I said in the opening remarks, we are going to try to present some amendments that can actually make this into a better bill.

This is the first one in which I want to do which simply deals with the backlog we are talking about.

This amendment requires the Park Service to eliminate its maintenance backlog at this particular national historic site, the Carl Sandburg site, prior to the purchasing of land.

As I said already, there is a $600,000 backlog that the Park Service has said exists already at Carl Sandburg's historic site. According to the Congressional Budget Office, this bill costs $7 million to implement. Those funds must be prioritized on an ''existing needs'' list, which means the Park Service has the discretion to use the $7 million to buy new land before they actually fix the existing buildings that happen to be there.

Overall, the Park Service has a maintenance backlog that's anywhere from $5- to $10 billion. This is not the time to buy more land until we fix the existing problems. Any addition to this park simply exacerbates the problem. And this bill, not only in the overall cost, but also add an additional $500,000 a year on operating costs of this particular park.

So once again, Mr. Chairman, this is the purpose of this particular amendment, to say, fine. What we will do, though, is make sure that what we own and what we are operating and what we are using, which is actually the house, it's about Carl Sandburg, should be properly maintained first before the Park System uses any of this money that may be appropriated or any of their dedicated funds that they may have for that kind of appropriation to expand the park. Fix what we have first.

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

Mr. GRIJALVA. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIRMAN. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. Mr. Chairman, this amendment is clearly intended to stop the boundary expansion at the Carl Sandburg home historical site from ever happening. It imposes excessive, ill-defined requirements on this historic site, standards that we have never imposed on any other national park or government agency, and that I suspect most of us would never impose

on ourselves. Could you, as a homeowner, certify that all maintenance on your home is ever complete? Isn't there always a light bulb to be changed, a wall to be painted? Would we expect the Department of Defense to certify that maintenance on every piece of equipment in their inventory is complete before allowing them to purchase new equipment? Of course not. So why is the Carl Sandburg Home Historic Site expected to meet that standard?

The minority has had 12 years to do something about the National Park Service maintenance backlog and failed to act, but that failure should not be allowed to hinder the continuing needs of the National Park System.

The new majority in Congress is committed to addressing the past budget shortfalls, while managing and growing the National Park Service responsibly. We can do both, and we must do both.

Further, Mr. BISHOP's amendment requires an unspecified person to determine that all deferred maintenance at Carl Sandburg has been completed, but fails to define not only who makes the determination, but also what the definition of ''deferred maintenance'' is. Therefore, I don't see how a determination can ever be made. Even the Director of the National Park Service herself has testified before the Subcommittee on National Parks, Forests and Public Lands that deferred maintenance is an ongoing process, just like it is for every other Federal agency or a homeowner.

The North Carolina Department of Cultural Resources has already purchased 22 of the 110 acres proposed to be added. They would like to donate these lands to the National Park Service, but Congress must authorize this boundary adjustment first. This amendment would require the State to continue to hold the land indefinitely, something they should not have to do.

Mr. Chairman, this amendment will have no impact on whether the backlog of maintenance on the national parks is managed effectively. Rather, it was simply introduced to kill this boundary addition. I urge defeat of the amendment.

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

Mr. BISHOP of Utah. Mr. Chairman, I think it is one of those things that it's a simple question: Do we expand what we have, buy more stuff to take care of, or do we take care of what we have first? And I have to admit that under Republican leadership we have had huge increases in these budgets; however, the need is still significantly there.

I appreciate the comments that were made by my colleague, the gentleman from Arizona, as to what those deferred maintenance needs may or may not be. Actually, the Park Service has already done that. They have listed out exactly what needs to be done there. In fact, I said $600,000. I was wrong. It's $599,673 worth of specific maintenance that has to be done on this site first. And it just makes sense that we take care of this first before we do any kind of other expansions; otherwise, we are simply not dealing properly with what should be before us.

I appreciate, also, the fact that North Carolina bought the 22 acres, but I would remind you also that they bought it from a group that virtually had the land so it could be kept in open space in the first place, and that as soon as we federalize these acres as well as the other 110 acres, this automatically becomes PILT money available for North Carolina. This is the gift that keeps on giving and the cost that keeps on costing the rest of this Nation.

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

Mr. GRIJALVA. Mr. Chairman, I yield 2 minutes to my colleague from North Carolina, sponsor of the legislation (Mr. SHULER).

Mr. SHULER. Mr. Chairman, this amendment unfairly targets H.R. 1100.

The gentleman from Utah did not offer this amendment to two similar Republican bills. Had he required H.R. 1080, Mrs. CUBIN's legislation dealing with the Grand Teton National Park, to delay land acquisition until deferred maintenance was completed, it would have cost them $57 million. That is 115 times more in deferred maintenance costs than the Carl Sandburg home.

None of these groups or agencies is required to complete backlog maintenances. That is because the maintenance is never fully completed, and it is an ongoing process.

This amendment fails to define the deferred maintenance, what it is, who will complete it, or in what time frame it is to be completed. It is a weak attempt to stop legislation.

I urge my colleagues to vote ''no'' on this amendment.

Mr. GRIJALVA. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Utah (Mr. BISHOP).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. BISHOP of Utah. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Utah will be postponed.

□ 1415

AMENDMENT NO. 2 OFFERED BY MR. BISHOP OF UTAH

The Acting CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 110–165.

Mr. BISHOP of Utah. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. BISHOP of Utah:

Page 2, line 18, strike ''110'' and insert ''five''.

Page 2, line 18, strike the comma at the end.

Page 2, strike ''within the area depicted on the map,''.

Page 2, line 22, strike ''also'' and all that follows through ''acres'' on line 23 and insert the following: ''use the land, water, or interests in land and water acquired under subsection (a)''.

The Acting CHAIRMAN. Pursuant to House Resolution 429, the gentleman from Utah (Mr. BISHOP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Chairman, this is the amendment that does what I originally said ought to have been done. There has been compelling evidence that there is a need for 5 additional acres to provide for safe parking enhancement and to provide for a visitors center. In addition, in the testimony we had at the hearing, they asked that this acreage not be made mandatory as contiguous to the park itself to leave them the flexibility as far as the planning process.

So what I am asking for this to do is make in order those 5 acres, which I admit is a legitimate request, and it would not include the extra 110 acres that are supposedly for a viewshed protection that no one can see or for a resource that is not related in any way to the purpose of this particular park.

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

Mr. GRIJALVA. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. GRIJALVA. Mr. Chairman, the Bishop amendment arbitrarily slashes the boundary adjustment at the Carl Sandburg Home National Historic Site by 95 percent. This reduction is based on no science, no studies, and would substitute the judgment of a few for those of the many.

The National Park Service has invested 4 years and tens of thousands of dollars in a public planning process to determine the future of this very important historic site. With extensive analysis and public input, a 115-acre boundary adjustment was determined to be necessary to protect park resources and provide for the enjoyment of the public. Mr. BISHOP's amendment simply ignores this, undermining good public policy.

The amendment flies in the face of the wishes of the local community, including the village council and the local county commissioners. It defies the many State and Federal agencies that participated in and supported the outcome of the multiyear planning process. It contradicts the wishes of the Bush administration, who testified in support of this legislation at a hearing just last month. And it goes against the desires of two Senators from North Carolina, both Republicans, I might add, who have sponsored companion legislation in the Senate.

Mr. Chairman, this amendment also flies in the face of the desires of landowners in question who have agreed to have their properties included in the proposed boundary expansion. It virtually guarantees these lands will be developed. The owners would like the opportunity at some future date to sell their property or an easement on their property to the historic site for conservation purposes. If and when these landowners are ready to sell their land, this amendment assures that the Federal Government would not be at the table, but a developer surely will.

Mr. Chairman, the Natural Resources Committee has moved this year Republican-sponsored park expansion bills that have added more than 3,000 acres at a cost of millions of dollars with no amendment of this type offered. Money and expanding parking are clearly not the real issue here. The Bishop amendment has no science, no studies, no local support, and it should be defeated.

Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. SHULER).

Mr. SHULER. Mr. Chairman, this amendment violates the wishes of the residents of Henderson County, their Republican county commissioners, the State of North Carolina, Republican Senators ELIZABETH DOLE and RICHARD BURR and the administration.

Additionally, this amendment flies in the face of the 2003 general management plan that was conducted publicly with wide support. This general management plan included all 115 acres that are in this bill. This amendment would eliminate the ability of the Carl Sandburg Home to protect their viewshed and thus undermine the purpose of this bill.

My bill is not seeking any appropriation or requiring the government to purchase anything. I oppose this amendment, and I urge my colleagues to do the same.

Mr. BISHOP of Utah. Mr. Chairman, I take some umbrage at the claim that this is an arbitrary number that is taken out. In our hearing testimony, it was very clear from both the park as well as the county that 5 acres was what was needed for the parking and the visitors center. That is not a number pulled out of the air. It was specifically for 5 acres. That is why I have continuously used that particular number.

Things have changed, I admit, since the hearing. When we had the hearing, it was said this would totally cost somewhere between $2 million and $3 million. CBO has said today this will cost $7 million and a continuing ongoing fee of $500,000 every year.

I would not be necessarily as opposed to this if indeed donation was the goal. It is unfair to the gentlelady from Wyoming, as well as the bill that deals with a donation of land to the Grand Teton National Park, to compare this with that. That was simply a donation. The total cost is zero. The total expansion of that park is expanding the Grand Teton Park by six ten-thousandths of a percent. This particular bill expands this park 44 percent, and if you divide $7 million by the number of acres, that is something around $64,000 an acre.

That would be a cost that would be there. There is an ongoing cost and an ongoing decision that the United States needs to go into if we are going to make these kinds of decisions.

Like I said, the amendment is straightforward. There is a need for parking. There is a need for the visitors center; 5 acres meets that need. The rest of it is simply not a need, it is not necessary, and we should reject this kind of pork.

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

Mr. GRIJALVA. Just in closing, on the issue of cost, CBO scored this bill as costing $7 million because they included the cost of the future visitors center that was estimated at $3.5 million. Just for the record, I note that both Mr. BISHOP's amendment and Mr. HELLER's amendment allow the $3.5 million to be spent on the visitors center.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Utah (Mr. BISHOP).

The amendment was rejected.

AMENDMENT NO. 3 OFFERED BY MR. HELLER OF NEVADA

The Acting CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 110–165.

Mr. HELLER of Nevada. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. HELLER of Nevada:

Page 2, strike lines 15 through 20 and insert the following:

(a) ACQUISITION AUTHORITY.—The Secretary may acquire from willing sellers by donation, purchase with donated funds, or exchange not more than 110 acres of land, water, or interests in land and water, within the area depicted on the map, to be added to the Historic Site.''.

The Acting CHAIRMAN. Pursuant to House Resolution 429, the gentleman from Nevada (Mr. HELLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Nevada.

Mr. HELLER of Nevada. Mr. Chairman, in the spirit of my colleague from Utah, I rise today to offer an amendment to H.R. 1100 that will allow for the expansion of the Carl Sandburg Home National Historic Site, provided that it is acquired from willing sellers by donation, purchased with donated funds, or exchange.

As those of us from public land States know all too well, public funding for lands management is insufficient to adequately manage the current Federal estate. Nearly 85 percent of my home State of Nevada is controlled by the Federal Government. In Nevada, we have vast management needs. We need funding for important priorities like the management of wild horses and burros, wildfire mitigation and management, endangered species, and rangeland and habitat restoration, to just name a few. And I know this is the case across much of the West.

We need to be cognizant of the fact that every time we add to the Federal estate, it spreads our already limited resources even thinner. As a result, Mr. Chairman, any additions to the Federal estate must be carefully debated and have demonstrable necessities of Federal protection.

This bill was reported out of committee, Mr. Chairman, with an estimated price tag of $2.25 million. Since that time, as mentioned by my colleague from Utah, the Congressional Budget Office has scored this legislation and determined that the actual price tag is $7 million.

That is no small chunk of change; $7 million can provide energy assistance to over 44,000 North Carolina households living below poverty.

Mr. Chairman, $7 million can go a long way to protect veterans in the Asheville veterans hospital, which has been plagued by shortages of nurses and doctors.

Mr. Chairman, $7 million would buy flu shots for all of the children living below the poverty level in North Carolina's 11th District for 11 years.

And in the context of this debate, that $7 million is desperately needed to manage and maintain the land currently owned by the Federal Government. In fact, some of that money is needed to address the $600,000 in deferred maintenance currently existing at the very site that is proposed for expansion.

Additionally, it is unclear to me why this particular piece of property is vital to the Carl Sandburg story for which the park was created and in dire need of Federal protection.

Mr. Chairman, during subcommittee proceedings we learned that this expansion enjoys support from the community and local governments. I understand the importance of communities and Federal land management agencies working together, and it is in that spirit that I am offering this amendment.

This amendment strikes a balance that will allow for the expansion of the park, but will not take away from the already overburdened budget for public lands management.

Henderson County, which is the home of the Carl Sandburg Home National Historic Site, has determined that they would like to protect the viewshed area. If this is the priority for them, this compromise amendment will give the community the opportunity to show their support by making a financial commitment to purchase this property, with the Federal Government ultimately responsible for management. I believe that local support can

make this compromise I am proposing a reality.

Mr. Chairman, my amendment allows for my colleague's constituents to achieve their goal while protecting the budgets of our Federal land management agencies, who have a difficult time managing the lands they already own.

I urge my colleagues to support this amendment and its wise use of Federal resources.

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

Mr. GRIJALVA. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. GRIJALVA. Mr. Chairman, this amendment is inconsistent and unfair. As I stated earlier, the enhancement and preservation of this site is a national responsibility. This amendment abdicates that responsibility by prohibiting the use of Federal funds to fulfill this role. Strangely, it allows Federal funds to be used for development but requires State and local landowners to shoulder the costs of protecting the historic viewshed.

Philanthropy has and will continue to play an important role in the care of our national parks and is something that we are all thankful and grateful for. A perfect example is the State of North Carolina. Recognizing the importance of protecting the historic viewshed, it has purchased 22 of the 110 acres identified as needing protection and would like to donate them to the National Park Service. The National Park Service will, of course, continue to welcome any donation of land or money to help protect the remainder of this land.

However, it is irresponsible to expect the State to shoulder the total responsibility of purchasing all 110 acres, nor should small landowners have the responsibility to donate their property to the National Park Service. We need to maintain the option to purchase the land from willing sellers, so that when it is on the sale block, the Federal Government's hands are not tied.

The amendment is not about the availability of Federal funds. This is a funding source specifically set aside for Federal acquisitions of land identified as important for conservation. The Land and Water Conservation Fund has a current balance of $16 billion. I would say that is sufficient to allow the possibility of using appropriated funds for this 110-acre addition.

□ 1430

This amendment is also inconsistent. It allows the use of Federal funds to purchase 5 acres for construction of a visitor center, yet does not allow the use of Federal funds to purchase 110 acres of land or easements to protect the historic viewshed.

Finally, this amendment is unfair. Committee Republicans raised no objections nor offered any amendments when the Natural Resources Committee favorably reported a Republican bill that would add more than 3,000 acres to the Jean Lafitte National Historic Park. That bill allows appropriated funds to be used, and the CBO estimate put the cost at up to $5 million. Why should appropriated funds be available for that bill but specifically protected in this bill?

Mr. Chairman, land protection at a national historic site is a national responsibility, as recognized by my Republican colleagues in the Jean Lafitte legislation. The Heller amendment is inconsistent and unfair. I believe Mr. SHULER's predecessor did not recognize the importance of enhancing and protecting this valuable viewshed. We should not penalize the author of this legislation for recognizing it.

Mr. Chairman, I yield 2 minutes to Mr. SHULER for his comments.

Mr. SHULER. Mr. Chairman, while my preference is for as much land to be donated or purchased privately, this amendment would tie the hands of the government if it ever decided to step in and protect the Carl Sandburg home's viewshed.

Mr. HELLER did not offer this amendment to Mrs. CUBIN's bill or Mr. JINDAL's bill in committee, both Republican bills very similar to H.R. 1100.

It is not reasonable to expect all of the land to be donated from small landowners who are currently living on the land. I urge my colleagues to oppose this amendment.

Mr. HELLER of Nevada. Mr. Chairman, I yield 1½ minutes to the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Chairman, I wish to simply address a couple of the issues that have been brought up again.

In comparing this particular bill to two others, one specifically still held up in the committee, it is true that one bill did have a donation, which is what he is patterning after, so the Grand Teton bill is very similar to this: Willing donor.

The other bill by the gentleman from Louisiana (Mr. JINDAL) is with the Jean Lafitte National Park. This is the ability of coming up with area that is necessary for protecting from the devastation of hurricanes. It is also area coming mainly from State and local lands, not from private owners, and we do not actually oppose the boundary revisions because it makes sense on a case-by-case basis in this particular area, especially when the cost for the land is only $1,000 per acre. It would only increase the size of this particular national site by 15 percent, not the 44 percent as in this one.

Mr. GRIJALVA. Mr. Chairman, I yield back the balance of my time.

Mr. HELLER of Nevada. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Nevada (Mr. HELLER).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. HELLER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Nevada will be postponed.

Mr. GRIJALVA. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PASTOR) having assumed the chair, Mr. ROSS, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1100) to revise the boundary of the Carl Sandburg Home National Historic Site in the State of North Carolina, and for other purposes, had come to no resolution thereon.

URGING AMERICANS AND PEOPLE OF ALL NATIONALITIES TO VISIT THE AMERICAN CEMETERIES, MEMORIALS AND MARKERS

Mr. FILNER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 392) urging Americans and people of all nationalities to visit the American Cemeteries, Memorials and Markers.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 392

Whereas the United States has fought in wars outside of its borders to restore freedom and human dignity;

Whereas the United States has spent its national treasure and shed its blood in fighting those wars;

Whereas many of those who died on the battlefield were laid to rest exactly where they fell;

Whereas those plots of ground are now known as American Cemeteries, Memorials and Markers, and they exist in 10 foreign countries on four continents;

Whereas these cemeteries exist as the final resting place for American servicemembers who fought valiantly in battles across the globe, including Ardennes and Flanders, Belgium; Manila, the Philippines; North Africa, Tunisia; Florence, Italy; and Normandy, France;

Whereas each year millions of American and foreign citizens visit the American Cemeteries, Memorials and Markers;

Whereas these overseas sites annually recognize Memorial Day with speeches, a reading of the Memorial Day Proclamation, wreath laying ceremonies, military bands and units, and the decoration of each grave site with the flag of the United States and that of the host country; and

Whereas the splendid commemorative sites inspire patriotism, evoke gratitude, and teach history: Now, therefore, be it

Resolved, That House of Representatives strongly urges Americans and people of all nationalities to visit the American Cemeteries, Memorials and Markers abroad, where the spirit of American generosity, sacrifice, and courage are displayed and commemorated.

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

California (Mr. FILNER) and the gentleman from Colorado (Mr. LAMBORN) 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, we are about to take up a package of seven bills that have come to the floor from the Veterans Committee, a committee which I am very proud of that has worked together over the first 4 or 5 months of this session to keep our contract with our Nation's veterans. And there is no better time than just before Memorial Day to say thank you. Memorial Day celebrates those who have made the ultimate sacrifice for our Nation's freedom. We are here on the floor today to say thank you to those, and to those who are still deployed, and to veterans from past wars.

In the recent election, Mr. Speaker, the Democrats promised to do more for our Nation's veterans. We said we had a President who was saying, support the troops, support the troops, support the troops; but when they came home, where was that support? Walter Reed ripped off the veil of our incompetency of dealing with veterans and showed that so many were not getting the care they were promised and people thought they were getting.

We have had story after story in the Nation's press about how returning veterans with PTSD or brain injury have not been getting the care which this Nation has promised at the highest quality medical system in the world. So we have to do better.

We have a system that is really about to break and collapse. What we saw as the majority party is that the first thing that had to be done was give the VA the resources to carry out the job; secondly, we had to have accountability for the spending of those resources.

Well, in the first three spending bills that went through this House, we were able to add $13 billion for the health care of our veterans. That is an unprecedented increase from one year to the next, an increase of 30 percent in the health care budget.

We have put in the resources to clean up the backlog of claims for disability pensions that have built up to 600,000. We have put in the money to open up new Centers of Excellence for traumatic brain injury, to finally give the mental health care that the tens of thousands of veterans who are coming back from Iraq and Afghanistan need.

We call it PTSD, post-traumatic stress disorder, but virtually every soldier subject to at least five blasts that would give them brain injury, seeing their buddies shot and killed in front of them, maybe having to kill even by accident some innocent people in Iraq, they come back with tremendous mental issues. They have to be worked out. They need medical care, and too many have been falling through the cracks.

So we have said we will provide the resources to make sure that does not occur. We have provided the resources to meet these needs. Now we have to have accountability for their spending. The Veterans' Affairs Committee of this Congress has pledged to do that.

So we have a collection of bills on the floor this afternoon to say thank you to our Nation's veterans, thank you for your efforts in this war, thank you for your efforts in past wars, and we honor those who gave the ultimate sacrifice on Memorial Day.

This resolution before us now, H. Res. 392, comes to us under the leadership of the gentleman from Colorado (Mr. LAMBORN), and I thank him for his activity on the Veterans' Affairs Committee. This resolution encourages people to visit the cemeteries, memorials, and markers overseen by the American Battle Monuments Commission. I am sure many people who hear this say, what is the American Battle Monuments Commission?

In 1923, Congress created the Battle Monuments Commission to control the construction of military cemeteries, monuments and markers erected to honor American servicemembers killed on foreign soil. Host countries provide the necessary lands for these sites to the United States in perpetuity and free of charge.

The Commission cares for 24 military cemeteries and 25 memorials, monuments and markers in 15 nations around the world. These sites serve as the final resting places for almost 125,000 Americans who fought in the Mexican-American War through World War I and II. The Commission takes special care that all cemeteries under its supervision are maintained to the highest standard attainable.

The Battle Monuments Commission extends an open invitation to all to visit these splendid shrines and go beyond the most well known, like Normandy, and venture into others. Each site has its own sense of history, sacrifice and beauty; each offers a different and unique experience. No two have the same garden or architecture. Perhaps only the spiritual qualities are similar.

In less than a month from now, on June 6, the Battle Monuments Commission will commemorate the 63rd anniversary of the D-Day landing by opening a new Normandy American Cemetery Visitor Center. Under construction since 2002, the center will tell the story of the American servicemembers memorialized at Normandy.

I encourage everyone to visit this new D-Day center and any of the other sites under the jurisdiction of the Commission.

Overseas American cemeteries are lasting reminders of America's willingness to come to the defense of others. These tangible symbols of American values endure long after the fighting is over.

Mr. Speaker, I thank Mr. LAMBORN for bringing this resolution to us.

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

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

Mr. Speaker, I want to thank the chairman of the committee for the good work he has done and also the ranking member, the gentleman from Indiana (Mr. BUYER), for the good work he has done in helping shepherd this package of bills and resolutions that are on the floor today paying tribute to our Nation's veterans.

Mr. Speaker, on House Resolution 392, I want to commend this resolution urging Americans and people of all nationalities to visit the American cemeteries, memorials and markers located on and near the battlefields where members of our Armed Forces fought and died to secure our Nation's freedom, and to actually secure the freedom of the whole world.

Properly honoring a veteran's memory is one of our most solemn and sacred obligations. These patriots and their families are due the tribute and thanks of a grateful Nation.

The overseas national cemeteries of the American Battle Monuments Commission provide these heroes honored repose in a national shrine far from the homes they left to serve us. These cemeteries are the gold standard in memorializing the priceless gift given us by those who fell in our defense.

The Commission oversees 24 overseas military cemeteries that serve as resting places for almost 125,000 American war dead; on Tablets of the Missing that memorialize more than 94,000 United States service men and women; and through 25 memorials, monuments and markers.

These memorials and cemeteries are the final resting place for Americans who fought valiantly in battles whose names ennoble our history: Ardennes and Flanders, Belgium; Manila in the Philippines; North Africa, Tunisia, Italy, and Normandy.

With Memorial Day less than a week away, this is a most fitting time to consider this resolution. I ask my colleagues to support it. I look forward to its passage.

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

Mr. FILNER. Mr. Speaker, I have no further speakers.

Mr. LAMBORN. Mr. Speaker, I yield such time as he may consume to the ranking member, the gentleman from Indiana (Mr. BUYER).

□ 1445

Mr. BUYER. Mr. Speaker, I rise today in strong support of H. Res. 392 that encourages Americans and people of all nationalities to visit American cemeteries, memorials and markers operated by the American Battle Monuments Commission.

More than 125,000 American war dead of the Mexican, Civil, Spanish American and both World Wars are buried in American cemeteries across the globe. Our overseas cemeteries are under the jurisdiction of the American Battle Monuments Commission. I believe they

are the gold standard in preserving the final resting place of this Nation's heroes.

I've had the privilege of visiting our cemeteries in Normandy, in Luxembourg and Cyrennes which is just outside Paris. I believe that those who work at these cemeteries, in fact, when I said they set the gold standard, it is a standard to which our VA cemeteries here in this country should achieve. It's emblematic, I believe, of our Nation's regard to those who made the highest sacrifice.

They are true shrines to Americans who came to lands that they had never seen, to fight for a people that they had never met. They fought for no bounty of their own and left freedom in their footsteps.

Normandy, the American cemetery, is probably the most famous of our Nation's overseas cemeteries. It is the final resting place of more than 10,000 Americans who died in one of the greatest and most decisive battles of the epic struggle against tyranny in World War II. This year the Commission will open a new visitors center to help communicate the story of this site to those who fought and died over its length and breadth in time.

I had the opportunity to deliver the Memorial Day address, along with my friend HENRY BROWN of South Carolina, at Normandy as I stood there on the cliffs at Omaha Beach in 2005, an experience that I will never forget.

When I visited the Luxembourg cemetery last year, I was in awe of the beauty of the white stone chapel flanked by two very large stone pylons as the centerpiece of this cemetery in which then-General Patton lies in rest before his men. These pylons have maps and inscriptions telling the achievements of the U.S. Armed Forces in the region. Inscribed here are the 371 names of missing who gave their lives near this site but whose remains were not recovered or identified.

The Luxembourg cemetery is also the final resting place for some 5,000 GIs who repulsed Hitler's final offensive in the Battle of the Bulge, including several members of the famous Band of Brothers, deposed in Steve Ambrose's book.

I think if you visited any of these cemeteries all over the world you can't help but walk away with the same feeling that I have, a strong sense of humility and very humbled that these individuals gave everything in the name of freedom and in the name of liberty.

I just encourage everyone so when you go overseas and you're on a trip, or you go to Paris, pause for a moment and go visit one of our cemeteries on foreign land.

And I'm pleased that after World War II we now make every effort to bring these bodies back to our own country. So from Korea and Vietnam and the first Gulf War, second Gulf War, we try everything we can to bring these bodies back.

And speaking of Korea, now that the chairman is here on the floor, I would even ask of the chairman, there is a bill that was filed by one of our colleagues to bring recognition to Raymond Jerry Murphy, to name the Department of Veterans Affairs Medical Center in New Mexico after this Medal of Honor winner. And I've given you several letters as to why this bill shouldn't be brought up. We're hopeful that you could have brought this bill to the floor while he was alive, but now he has since deceased.

So I would ask the chairman if he has knowledge as to why this bill shouldn't be brought to the floor and given the same honor to which you're giving here with regard to this bill.

I yield to the chairman.

Mr. FILNER. Mr. Speaker, this is not a germane issue, and I will stick to dealing with the bills on the floor.

Mr. BUYER. So the chairman would raise an issue of germaneness rather than addressing the issue of how we honor the men and women who serve this country. That is disappointing.

This is a Medal of Honor winner from the Korean War in which we tried to seek to give recognition, just like we're doing in this bill, in how we honor our Nation's sacred fallen. This is an individual of whom is so respected in New Mexico the entire delegation supports it. It passed by unanimous consent in the Senate. The Senate bill lies upon this desk, but the chairman of the Veterans Affairs Committee won't bring it to the floor, and I don't understand.

I will now yield back to the gentleman for a better explanation, rather than germaneness, as to why you will not honor this veteran that the entire delegation of New Mexico supports.

The SPEAKER pro tempore (Mr. ROSS). Does the gentleman from Indiana yield back the balance of his time?

Mr. BUYER. No, the gentleman from Indiana yields to the chairman of the House Veterans' Affairs Committee.

PARLIAMENTARY INQUIRY

Mr. FILNER. Mr. Speaker, parliamentary inquiry.

Does the yieldee have to make time for an extraneous comment from the yielder?

The SPEAKER pro tempore. Does the gentleman from Indiana yield for a parliamentary inquiry?

Mr. BUYER. I absolutely yield for a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from California will state his parliamentary inquiry.

Mr. FILNER. Is the yieldee required to give time to the yielder for a matter that has nothing to do with the matter under discussion?

The SPEAKER pro tempore. Members may yield to one another during debate, but remarks must be confined to the question under debate.

Mr. FILNER. So are they through with their time? Have they yielded back the balance of their time?

The SPEAKER pro tempore. The gentleman from Indiana has the floor.

Mr. BUYER. I will reclaim my time since the gentleman now is not speaking of a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Indiana is recognized.

Mr. BUYER. Mr. Speaker, I think by silence, by omission, the chairman just spoke, and how disappointed I am that veterans, that he just said that he wanted to come to the floor, that he was going to take this moment as a thank-you to veterans and all they do; yet here we have an opportunity in bipartisanship to recognize this Medal of Honor winner from Korea, whereby he wouldn't even do it when the gentleman was alive, and now he's deceased, and he still won't even give this individual the recognition. Yet the Senate bill, in a bipartisan fashion, lays upon this desk.

I am very disappointed, and I don't know what it's going to take to get you to move this bill and give the recognition. The Governor supports it. The two Senators support it. The Members of Congress from New Mexico support it. All the veterans service organizations support the bill, and I support this bill.

And if you know of a particular reason as to why this Medal of Honor winner, Mr. Murphy, should not receive this recognition by having the veterans hospital named in his honor, please let all of us know, because if you're blocking this for political motive, now we're upset.

Mr. LAMBORN. Mr. Speaker, on behalf of H. Res. 392, I have nothing more to add except I do want to thank the chairman and I want to thank the ranking member for their words on behalf of H. Res. 392, and I urge its adoption by the entire House. I yield back the balance of my time.

GENERAL LEAVE

Mr. FILNER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Res. 392.

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

There was no objection.

Mr. FILNER. Mr. Speaker, I urge my colleagues to join Mr. LAMBORN and me to unanimously support H. Res. 392. I have no further requests for time, and I yield back 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. 392.

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.

VETERANS OUTREACH IMPROVEMENT ACT OF 2007

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 67) to amend title 38, United

States Code, to improve the outreach activities of the Department of Veterans Affairs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 67

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 ''Veterans Outreach Improvement Act of 2007''.

SEC. 2. IMPROVEMENT OF OUTREACH ACTIVITIES WITHIN DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Chapter 5 of title 38, United States Code, is amended by adding at the end the following new subchapter:

''SUBCHAPTER IV—OUTREACH ACTIVITIES

''§ 561. Outreach activities: coordination of activities within the Department

''(a) COORDINATION PROCEDURES.—The Secretary shall establish and maintain procedures for ensuring the effective coordination of the outreach activities of the Department between and among the following:

''(1) The Office of the Secretary.

''(2) The Office of Public Affairs.

''(3) The Veterans Health Administration.

''(4) The Veterans Benefits Administration.

''(5) The National Cemetery Administration.

''(b) ANNUAL REVIEW OF PROCEDURES.—The Secretary shall—

''(1) annually review the procedures in effect under subsection (a) for the purpose of ensuring that those procedures meet the requirements of that subsection; and

''(2) make such modifications to those procedures as the Secretary considers appropriate in light of such review in order to better achieve that purpose.

''§ 562. Outreach activities: cooperative activities with States; grants to States for improvement of outreach

''(a) PURPOSE.—It is the purpose of this section to provide for assistance by the Secretary to State and county veterans agencies to carry out programs in locations within the respective jurisdictions of such agencies that offer a high probability of improving outreach and assistance to veterans, and to the spouses, children, and parents of veterans, to ensure that such individuals are fully informed about, and assisted in applying for, any veterans' and veterans-related benefits and programs (including State veterans' programs) for which they may be eligible.

''(b) PRIORITY FOR AREAS WITH HIGH CONCENTRATION OF ELIGIBLE INDIVIDUALS.—In providing assistance under this section, the Secretary shall give priority to State and county veteran agencies in locations—

''(1) that have relatively large concentrations of populations of veterans and other individuals referred to in subsection (a); or

''(2) that are experiencing growth in the population of veterans and other individuals referred to in subsection (a).

''(c) CONTRACTS FOR OUTREACH SERVICES.—The Secretary may enter into a contract with a State or county veterans agency in order to carry out, coordinate, improve, or otherwise enhance outreach by the Department and the State or county (including outreach with respect to a State or county veterans program). As a condition of entering into any such contract, the Secretary shall require the agency to submit annually to the Secretary a three-year plan for the use of any funds provided to the agency pursuant to the contract and to meet the annual outcome measures developed by the Secretary under subsection (d)(4).

''(d) GRANTS.—(1) The Secretary may make a grant to a State or county veterans agency to be used to carry out, coordinate, improve, or otherwise enhance—

''(A) outreach activities, including activities carried out pursuant to a contract entered into under subsection (c); and

''(B) activities to assist in the development and submittal of claims for veterans and veterans-related benefits, including activities carried out pursuant to a contract entered into under subsection (c).

''(2) A State veterans agency that receives a grant under this subsection may award all or a portion of the grant to county veterans agencies within the State to provide outreach services for veterans, on the basis of the number of veterans residing in the jurisdiction of each county.

''(3) To be eligible for a grant under this subsection, a State or county veterans agency shall submit to the Secretary an application containing such information and assurances as the Secretary may require. The Secretary shall require a State or county veterans agency to include, as part of the agency's application—

''(A) a three-year plan for the use of the grant; and

''(B) a description of the programs through which the agency will meet the annual outcome measures developed by the Secretary under paragraph (4).

''(4)(A) The Secretary shall develop and provide to the recipient of a grant under this subsection written guidance on annual outcome measures, Department policies, and procedures for applying for grants under this section.

''(B) The Secretary shall annually review the performance of each State or county veterans agency that receives a grant under this section.

''(C) In the case of a State or county veterans agency that is a recipient of a grant under this subsection that does not meet the annual outcome measures developed by the Secretary, the Secretary shall require the agency to submit a remediation plan under which the agency shall describe how and when it plans to meet such outcome measures. The Secretary must approve such plan before the Secretary may make a subsequent grant to that agency under this subsection.

''(5) No portion of any grant awarded under this subsection may be used for the purposes of administering the grant funds or to subsidize the salaries of State or county veterans service officers or other employees of a State or county veterans agency that receives a grant under this subsection.

''(6) Federal funds provided to a State or county veterans agency under this subsection may not be used to provide more than 50 percent of the total cost of the State or county government activities described in paragraph (1) and shall be used to expand existing outreach programs and services and not to supplant State and local funding that is otherwise available.

''(7) In awarding grants under this subsection, the Secretary shall give priority to State and county veterans agencies that serve the largest populations of veterans.

''(8)(A) In a case in which a county government does not have a county veterans agency, the county government may be awarded a grant under this subsection to establish such an agency.

''(B) In a case in which a county government does not have a county veterans agency and does not seek to establish such an agency through the use of a grant under this subsection, the State veterans agency for the State in which the county is located may use a grant under this section to provide outreach services for that county.

''(C) In the case of a State in which no State or county veterans agency seeks to receive a grant under this subsection, the funds that would otherwise be allocated for that State shall be reallocated to those States in which county veterans agencies exist and have sought grants under this subsection.

''(9) A grant under this subsection may be used to provide education and training, including on-the-job training, for State, county, and local government employees who provide (or when trained will provide) veterans outreach services in order for those employees to obtain accreditation in accordance with procedures approved by the Secretary and, for employees so accredited, for purposes of continuing education.

''(e) DEFINITIONS.—For the purposes of this section:

''(1) The term 'State veterans agency' means the element of the government of a State that has responsibility for programs and activities of that State government relating to veterans benefits.

''(2) The term 'county veterans agency' means the element of the government of a county or municipality that has responsibility for programs and activities of that county or municipal government relating to veterans benefits.

''§ 563. Outreach activities: funding

''(a) SEPARATE ACCOUNT.—Amounts for the outreach activities of the Department under this subchapter shall be budgeted and appropriated through a separate appropriation account.

''(b) SEPARATE STATEMENT OF AMOUNT.—In the budget justification materials submitted to Congress in support of the Department budget for any fiscal year (as submitted with the budget of the President under section 1105(a) of title 31), the Secretary shall include a separate statement of the amount requested to be appropriated for that fiscal year for the account specified in subsection (a).

''§ 564. Definition of outreach

''For purposes of this subchapter, the term 'outreach' means the act or process of taking steps in a systematic manner to provide information, services, and benefits counseling to veterans, and the survivors of veterans, who may be eligible to receive benefits under the laws administered by the Secretary to ensure that those individuals are fully informed about, and assisted in applying for, any benefits and programs under such laws for which they may be eligible.

''§ 565. Authorization of appropriations

''There is authorized to be appropriated to the Secretary for each of fiscal years 2008, 2009, and 2010, $25,000,000 to carry out this subchapter, including making grants under section 562(d) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new items:

''SUBCHAPTER IV—OUTREACH ACTIVITIES

''561. Outreach activities: coordination of activities within the Department.

''562. Outreach activities: cooperative activities with States; grants to States for improvement of outreach.

''563. Outreach activities: funding.

''564. Definition of outreach.

''565. Authorization of appropriations.''.

(c) DEADLINE FOR IMPLEMENTATION.—The Secretary of Veterans Affairs shall implement the outreach activities required under subchapter IV of chapter 5 of title 38, United States Code, as added by subsection (a), by not later than 120 days after the date of the enactment of this Act.

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

The Chair recognizes the gentleman from California.

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

This bill comes to us from the gentleman from North Carolina (Mr. MCINTYRE), and we thank him for his leadership on veterans outreach.

If I had to sum up this bill in one phrase, I would say that it allows local organizations to provide more bang for the buck by having greater resources at the local level.

This bill requires the VA to partner with State and local governments, through grant opportunities, to reach out to veterans and their families to ensure receipt of benefit for which they are eligible and assist them in completing their benefits claims.

As we have seen from recent news reports all over the country, we still have veterans slipping through the cracks of this system. They are either unaware of their veterans benefits or are having difficulty getting those benefits processed.

This bill establishes a grant program for the VA to provide to States' outreach activities, cooperative relationships and benefit claims development. The grant program allows State veterans agencies to award a portion of the grants to local governments for outreach purposes.

In addition, the grant allows funding for education and training of State and local government employees for accreditation to provide outreach services. It may also be used to establish a local government veterans service program.

The bill prohibits any portion of the grant to be used by the State for administrative purposes and requires the VA to allocate grants based on veteran populations.

The bill limits grant use by States to less than 50 percent of the cost of State and local government outreach activities and prohibits grant funds from supplanting State and local funds for such activities.

H.R. 67 authorizes $25 million annually, in fact $1 per veteran in our Nation, to improve outreach to veterans and remove some of the significant obstacles veterans must overcome to access their benefits. This is particularly true in rural areas, which Mr. MCINTYRE represents. The bill also contains performance measures to ensure that grant recipients are properly fulfilling the requirements of the program.

The bill is supported by the American Legion, Military Officers Association, Veterans of Foreign Wars, Paralyzed Veterans of America, National County Veteran Service Officers, National Organization of Veterans Advocates, and Iraq and Afghanistan Veterans of America.

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

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

I rise in strong support of H.R. 67, the Veterans Outreach Improvement Act. I thank my colleagues, Mr. MCINTYRE and Mr. FILNER, for bringing the legislation to the floor.

H.R. 67 requires Secretary Nicholson to coordinate and implement a plan throughout the VA to help provide veterans with outreach so that they are aware of potential benefits and understand how to apply for them.

The bill also authorizes a matching fund grants program for State and local governments to provide such outreach.

I'd also like to thank my colleague, Mr. LAMBORN from Colorado, for his amendment to this legislation with reporting and grant requirements to strengthen accountability for admission.

Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Mr. Speaker, I rise in strong support of H.R. 67, the Veterans Outreach Improvement Act of 2007.

I would like to thank my friend and colleague, Mr. HALL of New York, chairman of the committee's Disability Assistance and Memorial Affairs Subcommittee, of which I am ranking member, for his leadership on this bill.

I would also like to thank Mr. MCINTYRE, the sponsor of this legislation, and both Ranking Member BUYER and Chairman FILNER for their support.

One of the persistent challenges we face in providing benefits to deserving veterans is communicating to them and their families the existence of benefits they may have earned. This bill is a solid example of good federalism. It funds outreach by State and local governments, which have proven to be capable incubators for effective public policy.

This legislation also sends VA a signal that Congress expects strong and effective outreach to our veterans.

I'm also pleased that Chairman HALL and I were able to work together to improve an already good bill with an amendment that would improve VA's accountability for the taxpayer dollars allocated under this authorization.

This amendment would require any State or county veterans agency applying for funds to submit a plan for their use to the VA Secretary and for the Secretary to review their performance annually.

I urge my colleagues to support this important legislation.

□ 1500

Mr. FILNER. Mr. Speaker, I yield to the author of the legislation, Mr. MCINTYRE, such time as he may consume.

Mr. MCINTYRE. Mr. Speaker, I am honored to rise today in strong support of H.R. 67, the Veterans Outreach Improvement Act of 2007, a bill which I filed on the first day of this 110th Congress back in January.

I want to thank Chairman FILNER and Ranking Member BUYER for their support, as well as Mr. HALL, the chairman of the subcommittee, and the gentleman who just spoke, Mr. LAMBORN, the ranking member of the subcommittee.

This truly has been a bipartisan effort. H.R. 67 will help our veterans cut through the bureaucratic red tape. You know, as we approach Memorial Day this coming weekend, there can be no greater tribute that we pay to our veterans than ensuring that they receive the benefits that they need and deserve.

H.R. 67 would allow the VA to partner with State and local governments to reach out to veterans and their families, to ensure that they receive the benefits for which they are eligible, and assisting them in completing their benefits claims. The Veterans Outreach Improvement Act would require the Secretary of the VA to establish and annually review a plan to coordinate outreach activities within the Department so that local veterans service officers can better serve our veterans.

Unfortunately, many veterans, their spouses, or, in some cases, their surviving spouses, are unaware of the benefits to which they are entitled through the VA. In fact, according to a Knight-Ridder report, as many as 2 million poor veterans or their widows may not be receiving up to $22 billion annually in pensions to which they are entitled. Other estimates suggest that only 30 percent of our veterans receive the benefits for which they are eligible.

Under this bill, the Secretary of the VA would establish a grant program to fund outreach at the State and local levels with accompanying performance measures to ensure that the Federal funds are effectively promoting outreach. This bill would authorize $25 million annually in fiscal years 2008, 2009, and 2010 to fund this grant program. That is $1 for each veteran in America, just $1 to make sure that we are reaching out to these brave men and women who fought for our country to know about the benefits they have earned and have assistance in applying for them. It would be $25 million well spent, well directed. It's the least that we can do for those who have put their lives on the line for our country to make sure they know, understand and, in fact, receive the benefits for which they are eligible.

By providing these vital resources to veterans service offices at the State and Federal level, we will indeed get more bang for our buck to locate veterans and assist them in receiving the benefits they deserve.

This legislation is supported by the American Legion, Veterans of Foreign Wars, Paralyzed Veterans of America, Iraq and Afghanistan Veterans of America, the Military Officers Association of America, the National Association of Veterans' Advocates and the National Association of County Veterans Service Officers.

My special thanks to Ms. Ann Knowles of Sampson County, North

Carolina, who has worked with us on this important bill in her role as national president of the County Veterans Service Officers.

As Memorial Day approaches, it's important that we demonstrate to this Nation's veterans our commitment to provide them the benefits that they need and deserve. By passing the Veterans Outreach Improvement Act, we will do just that.

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

I would ask the Chair how much time I have.

The SPEAKER pro tempore. The gentleman from Indiana has 18 minutes remaining.

Mr. BUYER. Mr. Speaker, I want to thank the gentleman for bringing this bill to the Veterans' Affairs Committee and for his interest in outreach.

In the bill previous to this one, I brought up an issue with regard to how we give proper recognition to a Medal of Honor recipient, Jerry Murphy of New Mexico. Jerry Murphy, in his tenure at the Department of Veterans Affairs, even after he retired, was a champion of veterans outreach. Like many of my comrades, when they come back from war, they have seen a lot of things, far worse than what I have ever seen. They call themselves generally, Mr. MCINTYRE, the lucky ones, because one of their friends or buddies is in worse shape than what they are; they dedicate their lives to them.

That's exactly what Jerry Murphy did in his tenure, not only serving the Department of Veterans Affairs, but, in addition, he was the director of the Veterans Services Division of the Albuquerque, New Mexico, regional VA office from 1974 to 1997. This individual, dedicated his life and received not only the Medal of Honor, he also received the Silver Star.

What I would like to do, so America can reach out and touch and understand the type of individual who would dedicate his life to the service of his comrades, and he would push them in a wheelchair, take them to an appointment in that hospital. The individual he was pushing, they had no idea that they were being pushed by a Medal of Honor recipient.

This individual, Raymond G. Murphy, was a second lieutenant in the United States Marines Reserve, Company A, 1st Battalion, 5th Marines, 1st Marine Division, and 3 February of 1953 was an important date, because on that date, for his conspicuous gallantry, and the risk of his life above and beyond the call of duty as a platoon commander of Company A, and actions against an enemy aggressor force, he rose up and distinguished himself.

The citation that he received when he was given the Congressional Medal of Honor stated that although painfully wounded by fragments of an enemy mortar shell while leading his evacuation platoon in support of assault units attacking a cleverly concealed and well-entrenched hostile force occupying commanding ground, Second Lieutenant Murphy steadfastly refused medical aid and continued to lead his men up a hill through a withering barrage of hostile mortar and small-arms fire, skillfully maneuvering his force from one position to the next and shouting words of encouragement.

Undeterred by increasing intense enemy fire, he immediately located casualties as they fell and made several trips up and down the fire-swept hill to direct evacuation teams for the wounded, personally carrying many of the stricken marines to safety.

When reinforcements were needed by the assaulting elements, Second Lieutenant Murphy employed part of his unit as support, and, during the ensuing battle, he killed two of the enemy with his pistol.

With all the wounded evacuated and the assaulting units beginning to disengage, he remained behind with a carbine to cover the movement of the friendly forces off the hill, and, through the suffering of intense pain from his previous wounds, seized an automatic rifle to provide more firepower when the enemy reappeared in the trenches.

After reaching the base of the hill, he organized a search party again to ascend the slope for a final check on missing marines. Locating and carrying the bodies of a marine gun crew back down the hill, he was wounded a second time while conducting the entire force to the line of departure through a continuing barrage of enemy small arms, artillery, mortar fire.

He also, once again, refused medical assistance until assured that every one of his men, including all casualties, had preceded him to the main line. His resolute, inspiring leadership, exceptional fortitude and great personal valor reflect the highest credit upon Second Lieutenant Raymond Murphy, and he enhanced the finest traditions of the United States Naval Service.

This was the citation he received, was given to him when he received the Medal of Honor. This is the same individual whereby the three members of the New Mexico delegation, led by HEATHER WILSON, have brought a bill, H.R. 474, to the floor about the VA Medical Center in Albuquerque, New Mexico, where he worked. As a matter of fact, he was always the humble servant. Even after his retirement, as I said, he became a volunteer.

This brave marine, who earned the Medal of Honor, chose to be buried wearing his VA hospital volunteer smock. This is the type of individual of whom, at a moment like this, as we go into Memorial Day, we think of these individuals, not only what they have done, not only at the moment of calling, it was most difficult during war, but then how did they dedicate their life.

Memorial Day, yes, it's that day, but it's also a day whereby, not those who just died in service to country, but what do they do later on with their life, and we think of them. Here is a gentleman, Mr. MCINTYRE, I know exactly this is the type of person you are thinking about, who dedicated themselves to outreach.

So I ask you to talk to the chairman, because he is the sole impediment as to why the House and the Senate do not honor this gentleman.

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. 67, as amended.

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

There was no objection.

Mr. FILNER. Mr. Speaker, I urge all my colleagues to unanimously support this bill.

Mr. ENGEL. Mr. Speaker, I rise today in support of six excellent pieces of legislation that would benefit our Nation's veterans.

Unfortunately, due to a family medical emergency, I am unable to be present and vote for these bills today. However, had I been here to vote, each of the six bills would have had my full support.

As we approach Memorial Day, it is important to honor our Nation's servicemen and servicewomen. We would not be a free Nation without the sacrifices that each and every one has made. These six important pieces of legislation are an excellent way to repay some of the debt that we owe all of our soldiers, sailors, airmen, marines and merchant marines.

I support each of these bills, and I urge all of my colleagues to honor our veterans by supporting these bills as well.

Ms. BORDALLO. Mr. Speaker, I rise today in support of H.R. 67, the Veterans Outreach Improvement Act of 2007. This bill directs the Secretary of Veterans Affairs to establish, maintain, and modify as necessary procedures for ensuring the effective coordination of outreach activities of the Department of Veterans Affairs, the Office of the Secretary, the Office of Public Affairs, the Veterans Health Administration, the Veterans Benefits Administration, and the National Cemetery Administration. The bill would also direct the Secretary of Veterans Affairs to ensure that state, territorial and local outreach assistance is provided in locations that have relatively large concentrations of veterans or are experiencing growth in veteran populations. Additionally, this bill would authorize the Secretary to make grants to state veterans agencies for state and local outreach services. This legislation is supported by the Veterans of Foreign Wars, Paralyzed Veterans of America, Military Officers Association of America, and Iraq and Afghanistan Veterans of America. It represents another step in our effort to fulfill our promises in the GI Bill of Rights for the 21st Century.

It is a important that we act in manner that will help ensure that our government sponsors quality programs and provides quality services to our veterans. It is also important that we act in a manner that will help ensure, to the extent possible, that our veterans are able to take full advantage of the programs and services offered by Department of Veterans Affairs facilities across the country. To achieve these

goals we must, among other things, improve the outreach capabilities and capacities of the Department of Veterans Affairs while also improving its coordination with state, territorial and local authorities. This will help greatly in our ongoing efforts to disseminate information regarding veterans programs and services and also help improve the quality of claims for benefits submitted by our veterans.

I remain committed to facilitating communication between federal authorities, veteran service organizations, and veterans on Guam. We have achieved some success in this regard. But more must be done. I am routinely informed by federal officials that the quality of claims received from Guam veterans, in particular, needs to be improved. Efforts to improve and enhance outreach, communication, and information sharing between federal and local officials and veterans embodied in this bill will help the situation on Guam. But I also want to take this opportunity to again urge the veterans service organizations and veterans themselves to be vigorous and proactive in seeking out information and training on veterans programs and benefit claims submissions. Many veterans already are, and in many ways, we are witnesses to veterans helping veterans. Continued information sharing and collaboration among and within the greater veterans community across the country will continue to result in stronger programs and services for them.

This legislation is timely and important. On Guam, indeed across the country, our population of veterans grows each month. We have a moral obligation to serve, in the best way possible, those who have served to protect us and to defend our freedom and liberty. Support for this legislation is one way to help fulfill that obligation. I urge my colleagues to join me in supporting H.R. 67.

Mr. REICHERT. Mr. Speaker, as a former member of the Air Force Reserve, I am pleased to rise in support of this important veterans outreach measure. We must continue to ensure that all of our veterans are aware of and receive the benefits that they have earned and deserve. These grants will help our states connect veterans with the many benefits for which they are eligible but may be unaware are available to them.

But it is not just our states' responsibility to conduct this outreach, and I encourage all of my colleagues in the House to use the privilege of our offices to help veterans obtain needed benefits and services. In March, I held a Veterans' Resource Fair in my district. I brought 45 service providers together under one roof to help more than 350 veterans register for benefits, find jobs, and resolve pressing case work issues. I will hold another in just a few months time. My office stands ready to assist any one of you in conducting a similar event for the veterans in your district.

We must work to support the men and women who made individual sacrifices to preserve our freedom not just on Memorial Day, but on all days. I urge my colleagues to pass this bill, and I hope that we will continue to join together to promote and protect meaningful benefits for our veterans. I yield back.

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 pass the bill, H.R. 67, 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. FILNER. 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.

ESTABLISHMENT OF NATIONAL CEMETERY IN SOUTHERN COLORADO REGION

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1660) to direct the Secretary of Veterans Affairs to establish a national cemetery for veterans in the southern Colorado region, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1660

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

SECTION 1. ESTABLISHMENT OF NATIONAL CEMETERY IN SOUTHERN COLORADO REGION.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall establish, in accordance with chapter 24 of title 38, United States Code, a national cemetery in El Paso County, Colorado, to serve the needs of veterans and their families in the southern Colorado region.

(b) CONSULTATION IN SELECTION OF SITE.—Before selecting the site for the national cemetery established under subsection (a), the Secretary shall consult with—

(1) appropriate officials of the State of Colorado and local officials in the southern Colorado region; and

(2) appropriate officials of the United States, including the Administrator of General Services, with respect to land belonging to the United States in El Paso County, Colorado, that would be suitable to establish the national cemetery under subsection (a).

(c) AUTHORITY TO ACCEPT DONATION OF PARCEL OF LAND.—

(1) IN GENERAL.—The Secretary of Veterans Affairs may accept on behalf of the United States the gift of an appropriate parcel of real property. The Secretary shall have administrative jurisdiction over such parcel of real property, and shall use such parcel to establish the national cemetery under subsection (a).

(2) INCOME TAX TREATMENT OF GIFT.—For purposes of Federal income, estate, and gift taxes, the real property accepted under paragraph (1) shall be considered as a gift to the United States.

(d) REPORT.—As soon as practicable after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the establishment of the national cemetery under subsection (a). The report shall set forth a schedule for such establishment and an estimate of the costs associated with such establishment.

(e) RELATIONSHIP TO CONSTRUCTION AND FIVE YEAR CAPITAL PLAN.—The requirement to establish a national cemetery under subsection (a) shall be added to the current list of priority projects, but should not take priority over existing projects listed on the National Cemetery Administration's construction and five-year capital plan for fiscal year 2008.

(f) SOUTHERN COLORADO REGION DEFINED.—In this Act, the term ''southern Colorado region'' means the geographic region consisting of the following Colorado counties:

(1) El Paso.
(2) Pueblo.
(3) Teller.
(4) Fremont.
(5) Las Animas.
(6) Huerfano.
(7) Custer.
(8) Costilla.
(9) Alamosa.
(10) Saguache.
(11) Conejos.
(12) Mineral.
(13) Archuleta.
(14) Hinsdale.
(15) Gunnison.
(16) Pitkin.
(17) La Plata.
(18) Montezuma.
(19) San Juan.
(20) Ouray.
(21) San Miguel.
(22) Dolores.
(23) Montrose.
(24) Delta.
(25) Mesa.
(26) Crowley.
(27) Kiowa.
(28) Bent.
(29) Baca.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. FILNER) and the gentleman from Colorado (Mr. LAMBORN) 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 am pleased to bring to the floor a bipartisan bill authored by Congressman SALAZAR of Colorado with Congressman LAMBORN of Colorado. It establishes a veterans cemetery in El Paso County, Colorado.

Southern Colorado, which includes El Paso, Colorado, and the city of Colorado Springs, has the second highest concentration of veterans living in the United States. Currently those veterans and their families who wish either to visit a veterans cemetery or have their loved ones interred must travel into the Denver metropolitan area to Fort Logan National Cemetery.

Not only is this an undue burden, but the Fort Logan cemetery is running out of room. To alleviate this problem, H.R. 1660 directs the Secretary of Veterans Affairs to establish a national cemetery for veterans in El Paso County, Colorado. This was a fitting tribute to those Americans who have served our Nation with honor. The veterans national cemeteries of the United States demonstrate the desire of a grateful Nation to appropriately commemorate those who have served in the Armed Forces.

Since 1862, close to 3 million burials have been made in the VA national cemeteries. The National Cemetery Administration of the Department of Veterans Affairs manages 125 of these cemeteries nationwide for our veterans. Of these, 58 of them are no longer accepting interments. Thus, the

need to build new cemeteries is quite urgent.

As we lose more and more of our greatest generation of veterans and face the increasing prospects of additional fatalities of Iraq, this country, at the very least, needs to ensure that veterans are provided a dignified, accessible and well-maintained final resting spot. This bill would go a long way in making that happen.

It is supported by the Military Order of the Purple Heart, American Legion, Veterans of Foreign Wars, Disabled American Veterans and Paralyzed Veterans of America.

I was proud to see the bipartisan approach taken by two members of our committee, Mr. SALAZAR and Mr. LAMBORN, to make sure that this bill got through the committee. They both worked cooperatively and tirelessly to get this bill to the floor today.

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

Mr. LAMBORN. Mr. Speaker, I rise in support of H.R. 1660, and I yield myself such time as I may consume.

I strongly support this bill. I would like to thank both Ranking Member BUYER and Chairman FILNER for their work on this bill. I would also like to thank Mr. HALL, chairman of the DAMA subcommittee, and Mr. SALAZAR for their leadership on H.R. 1660 as well.

This bill would authorize the Secretary to build a national cemetery to serve the needs of the veterans and families in southern Colorado. As amended by my own amendment, this bill would place the national cemetery in El Paso County, Colorado. El Paso County is the largest county in Colorado and is home to approximately 100,000 veterans. Southern Colorado is home to more than 150,000 veterans, and that population is expanding rapidly.

With the establishment of this new national cemetery, families will have a much shorter and easier commute to visit the final resting place of their loved ones since they will no longer need to travel to Fort Logan National Cemetery in Denver.

I understand that this cemetery is not included in the Department of Veterans Affairs 5-year plan, and I look forward to working with our committee's distinguished ranking member, chairman and other members of the committee to ensure that we serve the needs of all veterans and their families as we develop these national shrines.

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

□ 1515

Mr. FILNER. Mr. Speaker, I yield to the coauthor of the bill, Mr. SALAZAR of Colorado, as much time as he may consume.

Mr. SALAZAR. Mr. Speaker, I thank the gentleman for yielding. I thank the chairman of the Veterans' Affairs Committee for his strong support of veterans, not only now, but during his tenure in the U.S. Congress.

Mr. Speaker, I am proud to bring forward this legislation directing the Secretary of Veterans Affairs to establish a national cemetery for veterans and their families in the Southern Colorado region. I would like to thank Mr. LAMBORN from Colorado who, together, we have worked in a bipartisan effort and the bipartisan spirit of the Veterans' Affairs Committee trying to make sure that the issue is resolved.

As you know, Fort Logan is the only cemetery that we have in Colorado that will accept veterans, and it is due to be filled. It is strange to say, but it has got a life expectancy of 10 years. I think it is important that we begin working on this issue right now. I would like to especially thank Chairman FILNER for allowing us to bring this forward.

The National Cemeteries of the United States offer testimony to the desire of a grateful Nation to commemorate the Americans who have served our Nation in the Armed Forces.

Since 1862, more than 3 million burials have been made in VA national cemeteries. Of the 120 cemeteries, 58 of them are no longer accepting burials, and many are out of reach and geographically inconvenient for our veterans and their families. Southern Colorado, including El Paso County and the city of Colorado Springs, has one of the highest concentrations of veterans living in the United States. For that reason, Mr. Speaker, Congressman LAMBORN and myself worked together in this bipartisan spirit to try to make sure that for the veterans coming back from this war, for the veterans that have served in Colorado, and for veterans that want to be buried in Colorado in 10 years, that there will be adequate space for them to be buried in Colorado. Currently, those veterans, their aging widows, and their families must sometimes travel hours into the highly congested area of Denver to Fort Logan National Cemetery, which is quickly running out of room.

The Colorado congressional delegation has worked in a bipartisan manner to create legislation that will benefit all veterans of this great State, and I would like to thank my good friends, Mr. UDALL and Mr. PERLMUTTER of Colorado, for taking time to speak on this important bill. I think a national cemetery in Southern Colorado will serve as a fitting tribute and a final resting place to those who have served our Nation with honor.

I certainly urge a ''yes'' vote on H.R. 1660. But before I yield back, I want to remind the ranking member of the Veterans' Affairs Committee that on his question on Jerry Murphy, Jerry Murphy died on Good Friday. Jerry Murphy was born in Pueblo, Colorado. He attended college at Adams State College in Durango and Western State College, and it was a week after we came back that we gave a fitting tribute to Jerry Murphy on this House floor.

So he is remembered, Mr. Ranking Member, and I believe that the process takes a little bit of time before we can get things moving on the floor, but certainly he is not forgotten.

Mr. LAMBORN. Mr. Speaker, I want to thank the gentleman from Colorado for his good work, for his words just now, and I wholeheartedly support him and his work on this bill. We have worked together in a bipartisan spirit, and I thank him for that.

Mr. Speaker, I yield to the ranking member from Indiana (Mr. BUYER) such time as he may consume.

Mr. BUYER. Mr. Speaker, this bill would authorize the VA Secretary to build a national cemetery in Southern Colorado.

Providing our veterans with a place of honor of repose is one of the most sacred missions of the veterans committee, and we have accorded this mission our support over the years.

The National Cemetery Administration's record of satisfaction among the families and its beneficiaries is the envy of the Federal Government, a reflection of the sound administration, the strong congressional support, free of political influence. Yet I have some concerns about the bill.

The Department of Veterans Affairs has a well-established and proven method that uses distance and demographics to select cemetery sites. Congress has long deferred to that process, which is essentially free from this institution's political pressures. Since 1999, Congress has authorized 12 new national cemeteries, all of which went through this process. In the absence of political pressures, the Nation has benefited with a rational distribution of cemeteries that serve veterans their families, and the Nation very well.

This region of Colorado is not on any of the VA's strategic plans for new cemeteries in the next 20 years, nor was it identified by an independent 2002 Logistics Management Institute study that listed the areas with the greatest need for a national cemetery all the way to the year 2030.

Nonetheless, we have before us a bill to develop a cemetery in Southern Colorado, which has not been identified as a priority in any of these studies. Therefore, I ask the chairman of the House Veterans' Affairs Committee if you have now, since having brought this bill to the floor, developed criteria with regard to the development of VA national cemeteries whereby Members will know what to follow when they file bills before your committee? I yield to the gentleman.

Mr. FILNER. Mr. Speaker, we have criteria, as the gentleman stated, in the VA; and, if the need requires, we will establish the criteria for Members' requests.

Mr. BUYER. Reclaiming my time. I would like to work with the chairman, because I believe in that answer we do not have the criteria at this moment, and I think all the Members in this body need to know what the criteria would be with regard to placing a VA national cemetery. We have given such

deference to the executive branch. And I know that both gentlemen from Colorado brought up the issue to us about rural areas in the country and felt that, given the way that these studies were structured, that this VA cemetery could never be built. So given that deference, the chairman was very responsive to you.

We took up an amendment by Mr. STEARNS, which both of the gentlemen from Colorado had agreed to, whereby we did not want this to displace any of the other present cemeteries in the present priority.

I respect the gentleman, and I want to work with the chairman on coming up with criteria.

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

Mr. FILNER. Mr. Speaker, I yield to another gentleman from Colorado (Mr. PERLMUTTER) such time as he may consume.

Mr. PERLMUTTER. Mr. Speaker, I thank the gentleman, and I thank my colleagues from Colorado, Mr. SALAZAR and Mr. LAMBORN, for bringing this legislation to the floor.

As we approach Memorial Day, let us remember those who have fallen fighting for our country. And this is one way to recognize our service men's and women's sacrifices, by establishing a new VA cemetery in El Paso County. Although I don't represent that area, it is south of where I live, this is an area of our State that needs a cemetery of this kind.

Memorial Day is usually marked by parades, speeches, and the decoration of graves; but for the people of Southern Colorado, this means traveling up to Fort Logan which is in the Denver area. With the passage of this bill, the 150,000 veterans residing in Southern Colorado will have their own VA cemetery to honor and decorate.

I urge my colleagues to vote ''yes'' on this bill.

Mr. UDALL of Colorado. Mr. Speaker, I rise in strong support of this legislation to establish a national cemetery for veterans in southern Colorado, and I congratulate my colleague JOHN SALAZAR for his work on this bill.

I also want to recognize the work of my former colleague Joel Hefley and my current colleague DOUG LAMBORN on this issue. Establishing a national veterans cemetery in southern Colorado has been and continues to be a goal shared by the entire Colorado delegation.

For over 8 years, it has also been a goal of the Pikes Peak Veterans Cemetery Committee. And it has been a goal of the Department of Colorado Veterans of Foreign Wars, the Colorado chapters of the American Legion, the Paralyzed Veterans of America, the Veterans of Foreign Wars, and the Association for Service Disabled Veterans. So many people have worked tirelessly to build support for this cemetery, and I hope they are pleased today that we are now one step closer to making it a reality.

This is a particularly timely bill to consider today, as we approach another Memorial Day and as we continue to send our troops to Iraq and Afghanistan. We remember the sacrifices that our veterans have made and the sacrifices that our men and women in uniform continue to make today to protect our freedom.

And at a time when our country is divided over the war in Iraq, it's even more important that we honor the service of those who have given their lives for this country and of the many veterans still among us.

Of course, it isn't enough just to remember—we must provide our troops and veterans with the care and support they have been promised. And we must provide them with a resting place within or as close as possible to their own communities.

With a growing military retiree and veterans population in southern Colorado and particularly El Paso County—and with Denver's Fort Logan cemetery rapidly filling up its burial spaces—it makes sense to provide for the future even as we ensure that southern Colorado's veterans receive the recognition they deserve.

A National Veterans Cemetery in El Paso County will also serve as an important symbol for those in the military community who have given so much to their country. Mr. Speaker, this is an important piece of legislation, and I urge its passage.

GENERAL LEAVE

Mr. FILNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1660, as amended.

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

There was no objection.

Mr. FILNER. I urge my colleagues to support this bill, and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and pass the bill, H.R. 1660, as amended.

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

A motion to reconsider was laid on the table.

RETURNING SERVICEMEMBER VA HEALTHCARE INSURANCE ACT OF 2007

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 612) to amend title 38, United States Code, to extend the period of eligibility for health care for combat service in the Persian Gulf War or future hostilities from two years to five years after discharge or release, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 612

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 ''Returning Servicemember VA Healthcare Insurance Act of 2007''.

SEC. 2. EXTENSION OF PERIOD OF ELIGIBILITY FOR HEALTH CARE FOR COMBAT SERVICE IN THE PERSIAN GULF WAR OR FUTURE HOSTILITIES.

Subparagraph (C) of section 1710(e)(3) of title 38, United States Code, is amended to read as follows:

''(C) in the case of care for a veteran described in paragraph (1)(D) who—

''(i) is discharged or released from the active military, naval, or air service after the date that is five years before the date of the enactment of the Returning Servicemember VA Healthcare Insurance Act of 2007, after a period of five years beginning on the date of such discharge or release; or

''(ii) is so discharged or released more than five years before the date of the enactment of the Returning Servicemember VA Healthcare Insurance Act of 2007 and who did not enroll in the patient enrollment system under section 1705 of this title before such date, after a period of three years beginning on the date of the enactment of such Act; and''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. FILNER) and the gentleman from Indiana (Mr. BUYER) 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, not all of the returning veterans from the OEF/OIF suffer from obvious wounds. Those who suffer from an external injury are readily identified and receive immediate care for that injury. However, many of our returning veterans, and on this I include, Mr. Speaker, Guard and Reserve units who have been ordered to combat, are coming back with injuries that are not external. They are hidden wounds of the war, such as post-traumatic stress disorder, PTSD, forms of brain injury, which may not be evident without further diagnosis, which may not be evident to the soldier or to the doctor looking at him.

Unlike the physical wounds, mental wounds are not easily identified and may go undetected. PTSD is a mental health condition that is triggered by a traumatic event which causes an intense fear and/or helplessness. Some of the symptoms for this condition include reexperiencing the trauma through nightmares, obsessive thoughts, flashbacks. We know that this condition may not reveal itself for many months or maybe for years after experiencing the event.

We listened to veterans, veteran service organizations, family members, and we heard them say that their returning veterans needed more time to access the VA health care system when they came home from war.

Conditions like PTSD and traumatic brain injury are the driving force behind this bill, the Returning Servicemember VA Healthcare Insurance Act of 2007. It extends from 2 years to 5 years following discharge or release the eligibility period for veterans. And, as I said, we include Guard and Reserve units all those who served in combat during or after the Persian Gulf War are eligible to receive hospital care,

medical services, or nursing home care provided by the Secretary of Veterans Affairs. It provides for an additional 3 years of eligibility for veterans discharged more than 5 years before the enactment of this act who may not have enrolled in the VA health care system.

This system is recognized throughout the country, and indeed the world, as providing safe quality health care to our veterans. Two years was simply not enough time for returning OEF/OIF veterans to utilize this very important benefit. We are fixing that with this piece of legislation. It is a bill that will have a profound effect most immediately on our veterans returning from war. I urge my colleagues to support the bill.

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

Mr. BUYER. Mr. Speaker, I yield 2 minutes to the gentlelady from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I thank the ranking member and certainly the chairman of the Veterans Committee.

I rise today in support of H.R. 612, the Returning Servicemember VA Health Care Insurance Act. This measure provides much needed expansion to the availability of VA health care to certain American soldiers returning from combat. Currently these individuals only have 2 years in which they can access medical services at the VA. Unfortunately, conditions associated with service in a combat theater can sometimes take longer to manifest themselves. In response, the measure provides a 5-year window of health care for our veterans.

I urge my colleagues to support this important legislation. Many of the young men and women in our Armed Forces have been away from their loved ones for very long periods of time. During this time, they have endured harsh conditions and tremendous physical and mental strains. The very least that Congress can do is to give these brave individuals 3 additional years of health care. I think it is the right thing to do, and I know that both the ranking member as well as the chairman fully support this effort to extend the health care for the additional time. I think it is a good public policy.

□ 1530

Mr. FILNER. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Mr. BUYER. Mr. Speaker, I'd like to thank the chairman for amending this legislation to address my concern that, as originally drafted, the bill did not provide equity for those veterans whose eligibility period would have expired prior to the enactment of this bill.

At my request, the bill was amended to make sure that those veterans whose eligibility period had ended prior to the enactment and did not enroll in the VA health care would be eligible for an additional 3 years of VA health care services. All veterans who served in combat should receive the same level of care, and I appreciate the chairman for adopting and agreeing to this amendment.

In 1993, Congress enacted Public Law 103–210 to amend title 38, United States Code, to provide additional authority for the Secretary of Veterans Affairs to provide health care for veterans of the Persian Gulf War.

The special health care authority allowed VA to treat those veterans who served in combat operations in the Persian Gulf for possible war-related illnesses, even though there was not definitive evidence that the disorders treated were related to wartime service.

Subsequent congressional hearings on Persian Gulf veterans health care highlighted the importance of early intervention in treating the kind of unexplained health problems experienced by many Persian Gulf war veterans.

In 1998, with the potential of renewed combat in the Persian Gulf, Public Law 105–368, the Veterans Programs Enhancement Act of 1998, was enacted. This law authorizes the VA to provide medical care and other medical services to combat veterans for a period of 2 years following the service separation date for veterans who served on active duty in theater of combat operations during a period of war after the Persian Gulf War, or in combat against a hostile force during a period of hostilities after November 11 of 1998. Members of the National Guard and Reserves may be eligible for this care if they meet certain requirements which essentially satisfy the definition of a ''veteran.''

The experience of the 1990s taught us the importance of both increasing understanding of war-related illnesses generally, and ensuring that the VA is better prepared to treat veterans of future wars and military combat.

I would also, at this moment, like to thank my colleague, Mr. SALAZAR of Colorado, who shared with me his statement that he gave honoring the life of a great American, Raymond Gerald Murphy. And I had an opportunity to read his statement that he read into the CONGRESSIONAL RECORD, and I appreciate him honoring such an American. My only regret is that I never had an opportunity to meet someone like this. And I'm sure that he touched the lives of many, many people.

And so I suppose where we are, Mr. Speaker, is that with regard to how we recognize this Medal of Honor recipient by naming the hospital after him, the Veterans' Affairs Committee has specific criteria that we are to go by. And when you look at the specific criteria, we satisfy all the criteria. He's a Medal of Honor recipient. He has letters of support from all the veterans groups in the State of New Mexico, all of the recognized organizations, I have their letters here, Mr. Speaker, I'll be more than happy to get them to you, along with the support of the Governor, all the Members of Congress, and we should be able to get this done. There's no reason why we shouldn't.

So here we have a situation whereby the committee has specific criteria for the naming of a VA hospital. This Medal of Honor recipient clearly applies. It passed the Senate. Yet we don't have criteria, as the chairman just spoke on the last bill, with regard to the naming of a cemetery. Yet we did it just for a political reason. And so now it's difficult for me to figure out how to follow the leadership of the chairman.

We don't have criteria, but we take action on the floor. But where we do have criteria, we don't take action on the floor. So it is a puzzling moment that we have in how we are bringing these veterans bills to the floor.

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

Mr. FILNER. Mr. Speaker, I want to thank the ranking member for his helpful amendment to this bill. As I said earlier, this is a very important bill to thousands and thousands of returning veterans. They have basically unfettered access to one of the best health care systems in the world without going through a lot of red tape, without going through a lot of paperwork to prove that they are eligible. They will have 5 years.

And it is most important for our Reserve and Guard units, who are not eligible for the benefit structure of the VA system. They are not eligible for most of the benefits of the GI bill. And we are trying to make an effort to bring them in under the VA benefits under what we call ''total force structure.''

So this bill is important to thousands of people, those that are coming back from the Marines or Army and those that are in the Guard and Reserve units. All of them now will have 5 years where these hidden injuries, brain injury, or post-traumatic stress disorder may become evident, and they may seek help. Now they will be able to do it without any of the bureaucratic entanglements. And I think this will have a remarkable impact on the lives of our Nation's veterans.

And I will tell you, as George Washington said more than 200 years ago, ''The morale of our fighting troops is dependent, most of all, on how they feel they're going to be treated when they come home.'' When they know they will have 5 years to come to the VA, they will know that a Nation is caring for them and is responsive to their needs.

Mr. HALL of New York. Mr. Speaker, I often say that the opportunity to serve on Veterans' Affairs Committee is one of the greatest privileges I have been given in my short time in Congress. The action on the floor of the House today is another reminder of how it is truly an honor to serve on this Committee. Earlier this afternoon the House passed several pieces of legislation to improve outreach and care to our nation's veterans.

Memorial Day is the day for Americans to officially honor the heroes who have fallen in service to our country, and a day to pray for and remember the brave souls who have given the ultimate sacrifice. We are the beneficiaries of those who serve and who have served to preserve the peace and freedom we enjoy.

As a nation, we honor the bravery of those who have fought and died for our country and recognize the tremendous sacrifices they and their families have made. But to truly honor these heroes it is our duty as a grateful nation to not just spend the day remembering their service, but to provide the promised support and benefits to the soldiers and veterans who served with and followed them. These bills help provide that support.

H.R. 67, the Veterans Outreach Improvement Act, creates a grant program to allow the VA to partner with State and county veteran organizations to reach out to veterans and their families to ensure they are aware of their eligibility for benefits.

This bipartisan bill also increases acountability in spending taxpayer dollars by requiring reports on how the grants in this program have been used to improve outreach. I am proud to be a cosponsor of this bill and am pleased it has passed the House.

H.R. 612 is an extremely important piece of legislation. This bill will extend access to VA Healthcare for Iraq and Afghanistan veterans from two years to five years. This is vital to the health of our veterans returning from Iraq because of the nature of Traumatic Brain Injury and Post Traumatic Stress Disorder.

In some cases, TBI and PTSD symptoms do not emerge until several years after the injury occurred. With the current freeze on Category 8 veteran enrollment in VA healthcare, this means that some OIF/OEF will realize they suffered a brain injury while deployed but be locked out of the system.

They might not have health insurance to cover their treatment, and will not have crucial medical documents that will help them receive disability benefits.

By expanding their eligibility for 3 additional years, Congress is acting to limit the damage done by the President's Category 8 veterans enrollment freeze. I was proud to also cosponsor this legislation.

Another extremely important bill to our Iraq and Afghanistan veterans is H.R. 2199, the Traumatic Brain Injury Health Enhancement and Long Term Support Act.

TBI is the signature injury of the war in Iraq and this bill vastly improves the VA's ability to provide care for brain injury.

This bill requires the VA to establish a program to screen veterans for TBI and establish a program of long term care for acute TBI victims.

Currently, of the nearly 1,300 VA health care facilities in the United States, only 4 have specialized TBI programs. This bill allows the VA to partner with private facilities to provide treatment the VA cannot immediately provide.

It also establishes centers of research and a national database so we can better understand the causes and symptoms of TBI. Hopefully, this will allow us to better treat victims in the future. This bill contains provisions of H.R. 1944, a bill I originally cosponsored.

H.R. 1470 expands chiropractic care to all VA facilities throughout the country by 2011. During a subcommittee hearing on returning Iraq and Afghanistan veterans, several OIF veterans suggested that back injuries will be a long term problem for this generation of veterans. This bill will help the VA better prepare for this new wave of patients.

I am proud that these bills passed the House today and that I could support their passage.

Congress has a responsibility to live up to our promises to our veterans. Today was another down payment on fulfilling these promises.

Through my role on the Veterans Affairs Committee, I pledge to continue to push for legislation that will improve services for our veterans and treat them with the respect they have worked so hard to earn.

Mr. SPACE. Mr. Speaker, I rise today in support of H.R. 612, the Returning Servicemember VA Healthcare Insurance Act.

This bill extends the eligibility period for receipt of VA hospital care, medical services, and nursing home care for veterans who served in combat during—or after—the Persian Gulf War.

Currently, the eligibility period for these VA services is two years. This bill lengthens that two year time frame to five years from a veteran's date of discharge or release from service.

As we learn more and more about what are increasingly being referred to as the signature wounds of Operation Iraqi Freedom and Operation Enduring Freedom—Traumatic Brain Injury and Post Traumatic Stress Disorder—I believe that this extension of VA care is essential to this Congress' mission to provide comprehensive care to our nation's heroes.

Often, a servicemember's battle scars run deeper than what is visible to an outsider. While many bodily injuries sustained are apparent to the naked eye, TBI, PTSD, and other conditions are not easily observed. Diagnosis of these conditions may require lengthy, detailed evaluations by specialists over the course of time. Furthermore, some psychological disorders take months or even years to develop following a servicemember's release from duty. Some chronic physical conditions also take time to peak and subsequently diagnose.

By extending eligibility to VA care to five years, we are helping to ensure that fewer physical and mental wounds go undiagnosed and untreated. We are helping to ensure that the care that veterans seek out and receive is more complete by enabling the VA to address more of servicemembers' health needs. Most importantly, we are offering another way to better care for our nation's wounded warriors who have sacrificed the best years of their lives.

I urge my colleagues to support H.R. 612 because it is an improvement upon the current system.

GENERAL LEAVE

Mr. FILNER. I would ask, Mr. Speaker, 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. 612, as amended.

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

There was no objection.

Mr. FILNER. Mr. Speaker, I urge my colleagues to unanimously support this bill, 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. FILNER) that the House suspend the rules and pass the bill, H.R. 612, 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. FILNER. 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.

CARL SANDBURG HOME NATIONAL HISTORIC SITE BOUNDARY REVISION ACT OF 2007

The SPEAKER pro tempore. Pursuant to House Resolution 429 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for further consideration of the bill, H.R. 1100.

□ 1539

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for further consideration of the bill (H.R. 1100) to revise the boundary of the Carl Sandburg Home National Historic Site in the State of North Carolina, and for other purposes, with Mr. ROSS (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 3 printed in House Report 110–165 by the gentleman from Nevada (Mr. HELLER) had been postponed.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. BISHOP of Utah.

Amendment No. 3 by Mr. HELLER of Nevada.

The Chair will reduce to 5 minutes the time for the second vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. BISHOP OF UTAH

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Utah (Mr. BISHOP) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 185, noes 243, not voting 9, as follows:

[Roll No. 406]

AYES—185

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fortuño
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—243

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Platts
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—9

Blunt
Bordallo
Davis, Jo Ann
DeGette
Hulshof
Hunter
Jones (OH)
McMorris Rodgers
Shays

□ 1603

Messrs. LEWIS of Georgia, DAVIS of Alabama, MARSHALL and TIERNEY changed their vote from ''aye'' to ''no.''

Mr. KUHL of New York changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. TURNER. Mr. Chairman, on rollcall No. 406, the Bishop of Utah amendment to H.R. 1100, amendment No. 1, I was mistakenly recorded as "no," intending to vote "aye."

AMENDMENT NO. 3 OFFERED BY MR. HELLER OF NEVADA

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Nevada (Mr. HELLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 183, noes 243, not voting 11, as follows:

[Roll No. 407]

AYES—183

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fortuño
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—243

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
Delahunt
DeLauro
Dicks

Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hare
Harman
Hastings (FL)
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Platts
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—11

Blunt
Bordallo
Davis, Jo Ann
DeGette
Hall (NY)
Higgins
Hulshof
Hunter
Jones (OH)
McMorris Rodgers
Shays

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there are less than 2 minutes remaining on this vote.

□ 1611

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. HALL of New York. Mr. Chairman, on rollcall No. 407, the Heller of Nevada amendment, had I been present, I would have voted "no."

The Acting CHAIRMAN. The question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CAPUANO) having assumed the chair, Mr. ROSS, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1100) to revise the boundary of the Carl Sandburg Home Historic Site in the State of North Carolina, and for other purposes, pursuant to House Resolution 429, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. PEARCE

Mr. PEARCE. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. PEARCE. In its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Pearce moves to recommit the bill H.R. 1100 to the Committee on Natural Resources with instructions to report the same back to the House promptly with an amendment to prohibit the Secretary of the Interior from using eminent domain to acquire land, water, or interests in land or water under section 3 of the bill.

The SPEAKER pro tempore. The gentleman from New Mexico is recognized for 5 minutes.

Mr. PEARCE. Mr. Speaker, we are moving to recommit this bill in order to provide an amendment that would prohibit the Secretary of Interior from using eminent domain to acquire land, water, or interest in land or water under section 3 of the bill.

Now, most of you, like me, received probably the hardest phone calls from both Democrats and Republicans alike when our Supreme Court made the Kelo decision which said that local entities could, in fact, use eminent domain to acquire property from private individuals.

□ 1615

This motion to recommit is extremely simple. We do not want the Park Service to use eminent domain to take over property.

I sat as the chairman of the National Park Subcommittee in the Resources Committee for all of the last year and part of the year before that, and I will tell you that the most disturbing things that happened in committee were that we heard testimony from people around the Appalachian Trail where the willing seller that is referenced in the bill, the underlying bill today, the willing seller legislation was in fact used to threaten, to intimidate, to cause people to become ''willing sellers'' against their will.

Right now, I am working on the Continental Divide Trail, which goes north to south from the Mexico border to the Canadian border. Since 1978, it did not have one mile that had actually come from private landowners in New Mexico.

I believe in the park system and I believe in the trail system of the United States Government, but I do not believe that the government should or could be able to intimidate, to harass, to cause people to become willing sellers. And that is my fear in this legislation, that it does not go far enough and is not explicit enough.

I have expressly worked to get all of the landowners through the Second District of New Mexico, including 22 miles on the Acoma Indian Reservation, where they did not want any Federal presence, no people coming across their land, and now they are excited about the prospect.

So I support the concept of preservation, and I support the concept of our national parks, but I will fight to the last breath to protect the private property rights of the people in this country, because it is a constitutional right. The right to private property is the basis of our economic and, therefore, all other freedoms.

So, Mr. Speaker, we simply say that in this bill ''the willing seller'' is not hard enough; that we want assurance that eminent domain will not be used to acquire land, water, or interests in land or water under section 3 of the bill.

Mr. GRIJALVA. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. GRIJALVA. Mr. Speaker, first of all, this legislation, H.R. 1100, went through full committee hearing, it went through subcommittee hearing, was referred to this floor by voice vote, and this whole discussion we have had on the bill today and the debate was under an open rule. So I fail to understand why we need a motion to recommit. I believe it is a red herring. It is a non-issue.

I remind Members that in the legislation itself under section 3, acquisition authority, let me quote: ''The Secretary may acquire from willing sellers,'' willing sellers, ''by donation, purchase with donated or appropriated funds, or exchange of land.''

Willing sellers. The concept of willing seller means that you cannot use eminent domain. I think the legislation before us is good legislation. The motivation for its defeat is something that we have not been able to get to the root of that reason. But the legislation has merited support from the full committee, the subcommittee, and through the discussions today.

I would continue to urge that we defeat the motion to recommit and pass the underlying legislation.

Mr. Speaker, I yield 1 minute to my colleague, the author of the legislation,

the gentleman from North Carolina (Mr. SHULER).

Mr. SHULER. Mr. Speaker, I just would like to say that in 1968, Stewart Udall, Secretary of Interior from 1961 to 1968, put forth this great historic site in Flat Rock, North Carolina. We continue to see a tremendous amount of bipartisan support in my community, an all-Republican county commission, might I add, along with both Republican Senators, ELIZABETH DOLE and RICHARD BURR, both with overwhelming support, with companion legislation in the Senate.

We continue to find that we are playing politics here with the will of the people of my community. They have asked for this. The administration put forth in 2003 their management plan for this to adapt all 115 acres.

It is a very good bill. I oppose this motion to recommit, and I ask all my colleagues to vote ''yes'' on final passage.

Mr. GRIJALVA. Mr. Speaker, this motion is an attempt to kill the legislation. The use of the word ''promptly'' in the motion to recommit effectively kills the bill. The issue of this motion to recommit is redundant, not necessary, and I would urge its defeat and urge passage of the legislation.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. PEARCE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 192, noes 228, not voting 12, as follows:

[Roll No. 408]

AYES—192

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—228

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—12

Berkley
Davis, Jo Ann
DeGette
Gillmor
Hulshof
Hunter
Jones (OH)
McMorris Rodgers
Oberstar
Sestak
Shays
Stupak

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1638

Mr. KINGSTON changed his vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. SESTAK. Mr. Speaker, on rollcall No. 408, had I been present, I would have voted "no."

Ms. BERKLEY. Mr. Speaker, on rollcall No. 408, I was unavoidably detained in a meeting of the Ways and Means Trade Subcommittee with the Chinese trade delegation. Had I been present, I would have voted "no."

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SHULER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 268, noes 150, not voting 14, as follows:

[Roll No. 409]

AYES—268

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bono
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown, Corrine
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, David
Davis, Lincoln
DeFazio
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Duncan
Edwards
Ehlers
Ellison

Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fortenberry
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hayes
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Knollenberg
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Platts
Pomeroy
Porter
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth

NOES—150

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boozman
Boustany
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Everett
Fallin
Feeney
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Heller
Hensarling
Herger
Hobson
Hoekstra
Issa
Jindal
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Kuhl (NY)
Lamborn
Latham
Lewis (CA)
Linder
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shuster
Smith (NE)
Smith (TX)
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Upton
Walberg
Walden (OR)
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Young (AK)
Young (FL)

NOT VOTING—14

Cannon
Cooper
Davis, Jo Ann
DeGette
Dreier
Hulshof
Hunter
Jones (OH)
Kaptur
McGovern
McMorris Rodgers
Murphy (CT)
Oberstar
Shays

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1646

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. DREIER. Mr. Speaker, on rollcall No. 409 I was unavoidably detained during a hearing of the Committee on Rules. Had I been present, I would have voted "no."

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2060

Mr. INSLEE. Mr. Speaker, I ask unanimous consent to remove from H.R. 2060 the name of NATHAN DEAL as a cosponsor. His name was inadvertently added as a cosponsor to the bill I had sponsored.

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

There was no objection.

CHIROPRACTIC CARE AVAILABLE TO ALL VETERANS ACT

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1470) to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1470

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 "Chiropractic Care Available to All Veterans Act".

SEC. 2. PROGRAM FOR PROVISION OF CHIROPRACTIC CARE AND SERVICES TO VETERANS.

Section 204(c) of the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 (38 U.S.C. 1710 note) is amended—

(1) by inserting "(1)" before "The program"; and

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

"(2) The program shall be carried out at not fewer than 75 medical centers by not later than December 31, 2009, and at all medical centers by not later than December 31, 2011.".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. FILNER) and the gentleman from Kansas (Mr. MORAN) 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.

We are continuing with a packet of seven bills from the Veterans' Affairs Committee that is really a thank-you in prelude to Memorial Day, a thank-you to our Nation's veterans. Memorial Day is a tribute to those who gave the ultimate sacrifice.

What we are saying is we're honoring them and all our veterans who are living with us in the United States. And as I said earlier, no matter where we are on the current debate on the war in Iraq, we are united in saying that every young woman, every young man who returns from that battle gets all the care, the attention, the love, the honor, the dignity that a grateful Nation can bestow. And that's what we are saying in these bills today.

We have already passed a bill which extends from 2 years to 5 years the ability of any returning servicemember in combat to access the VA health care system. Two years was not sufficient for those who might have brain injuries, who might have PTSD, posttraumatic stress disorder. These are, in many cases, hidden diseases. You don't know that you have it. A doctor may not diagnose it at first, and so as time goes by, you may feel the need to access the VA health care system. So we have extended that from 2 years to 5 years.

In addition, we have passed a new outreach program to meet especially the needs of rural veterans, and we will continue this package in the hour ahead.

Veterans returning home from the wars in Iraq and Afghanistan should be able to depend on medical services that they want being available in the system of health care that was built to take care of them and their unique needs.

For those returning veterans seeking care in a VA health care system, we know that the most common health problems are under the category of musculoskeletal ailments, principally joint and back disorders. We hear a lot about brain injury and PTSD, and those we have to give a lot of resources to, but 42 percent of veterans coming to the health care system have been presented to the VA with the needs of joint and back disorders.

This bill, the Chiropractic Care Available to All Veterans Act, requires

that chiropractic services be made available in not fewer than 75 VA medical centers by the end of December 2009 and all the health care centers by the end of 2011.

Undoubtedly the returning servicemembers will be able to benefit from this care. I speak from experience as I have had chiropractic care a good part of my life. I am confident that with expansion of these services within VA, many veterans will be able to find relief from their pain.

Since the creation of the VA health care system, the Nation's doctors of chiropractic have been kept outside and all but prevented from providing proven, cost-effective and needed care to veterans. So we are grateful that access is becoming wider and wider.

The support for VA chiropractic service is bipartisan. Former Secretary of Veterans Affairs Anthony Principi released a policy directive before his departure several years ago regarding the true and full integration of chiropractic care in the VA.

Secretary Nicholson and I have developed a solid working relationship, and chiropractic care is an area where we will be working closely together. Both Republican and Democratic Members have supported the inclusion of chiropractic care in the VA.

I have worked very closely with chiropractic patients, particularly our veterans, as well as with various associations dedicated to the profession such as the American Chiropractic Association.

Veterans are returning home from combat expecting to receive needed services. Let us not disappoint them. Expansion of chiropractic services is the right thing to do, and it is the least we can do for our returning heroes.

I urge support of H.R. 1470.

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

Mr. MORAN of Kansas. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, there are thousands of veterans across this country who could benefit from additional medical care and treatment, and chiropractic care is one form of that care and treatment that we believe can be expanded to meet the health care needs of our Nation's veterans.

It's an honor for me to be here today, just a few days in advance of Memorial Day, in support of legislation that I believe will benefit those veterans.

Mr. Speaker, in the year 2002, I joined my colleagues in an effort to see that chiropractic care became a significant component of the VA health care delivery system, and we have made progress in that regard. And that program has been implemented, but as the chairman indicated, as the gentleman from California indicated, it's only available in a small number of hospitals across the country.

This legislation takes what was a very good idea in 2002 and 2003 and expands it to make certain that, over time, all veterans in this country can access chiropractic care.

A recent VA study indicates that the demand for attention to back pain is only increasing, and we know that chiropractic care can address those issues. Numerous studies have demonstrated that chiropractic care is an effective therapy and would be an effective approach to low back pain, spasms, and other maladies suffered by not only all Americans but by our veterans in particular.

And so, Mr. Speaker, this is a piece of legislation that I think will benefit all veterans across the country, widely supported by those veterans service organizations who speak here in our Nation's Capitol on behalf of veterans. The Disabled American Veterans, the Veterans of Foreign Wars, the Vietnam Veterans of America, AMVETS, and the Paralyzed Veterans of America all speak in favor of passage H.R. 1470.

Mr. Speaker, I come from a congressional district in which access to health care is a huge issue for all of my citizens. Long distances to travel, attraction of health care providers to rural communities is a challenging task and the more we can expand the number of providers, the type of care that can be provided, the more likely it is that veterans who live in my district and rural America will have access to that care.

So, Mr. Speaker, I'm here on behalf of the veterans of America. I'm here on behalf of members of the Veterans' Affairs Committee to urge my colleagues to approve H.R. 1470, the Chiropractic Care Available to All Veterans Act.

I thank the gentleman from California for his encouragement of the passage of this legislation.

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

Mr. FILNER. Mr. Speaker, I yield as much time as she may consume to the gentlewoman from South Dakota (Ms. HERSETH SANDLIN).

Ms. HERSETH SANDLIN. Mr. Speaker, I thank the gentleman for yielding, and I do rise in strong support today of H.R. 1470.

I want to thank Chairman FILNER for introducing this important bill and for his efforts to advance it through committee. I also would like to thank Ranking Member BUYER and Health Subcommittee Chairman MICHAUD for their work and support in moving the bill through each step in the committee process.

Chiropractic care has been shown to be a valuable and cost-effective health care approach, which benefits millions of Americans. Passage of this bill is an important step in our efforts to broaden veterans access and options for health care services.

Currently the VA is only required to provide chiropractic services on a limited basis to veterans in each geographic service area. For veterans in rural parts of the country, as Mr. MORAN was explaining, whether it's in Kansas or my home State of South Dakota, limited access to chiropractic care has forced many veterans to either drive several hours to a VA medical center that offers chiropractic services, or to not receive the chiropractic care that they need.

So it's important that veterans be granted the same health care options as the rest of the American population, including the availability of chiropractic services.

I look forward to continue working with my colleagues on the Veterans' Affairs Committee to provide veterans with chiropractic and other health care services that they've earned and deserve.

I ask my colleagues to support H.R. 1470.

Mr. MORAN of Kansas. Mr. Speaker, I would ask the balance of my time? How much time is remaining?

The SPEAKER pro tempore. The gentleman from Kansas has 17 minutes remaining.

Mr. MORAN of Kansas. Mr. Speaker, I yield 15 minutes to the gentleman from Indiana (Mr. BUYER), former chairman of the committee and the ranking member.

Mr. BUYER. I thank the gentleman for yielding, and I want to thank also not only you but also in particular Ms. HERSETH SANDLIN and Mr. MICHAUD for their work on this bill.

I'm pleased to support H.R. 1470, the Chiropractic Care Available to All Veterans Act, that would require a phased implementation to provide chiropractic care in all VA medical centers by December 31, 2011.

Under a policy guidance that I gave under the House Republican alternative budget resolution for fiscal year 2008, we provided an additional $100 million for veterans medical services to support the hiring of doctors of chiropractic care at all 155 VA medical centers. I have history dating back to the 106th Congress for supporting chiropractic care.

The Military Personnel Subcommittee of the House Armed Services Committee worked to include chiropractic care services as a benefit in the military health facilities and through TRICARE.

VA is currently offering chiropractic care in 30 VA medical centers and provides chiropractic care on a fee-for-service basis for veterans who are geographically distant from a VA medical facility. In fiscal year 2006, the VA paid over $1 million to fee-based chiropractic providers to treat roughly 3,000 veterans, and I support the passage of this bill.

I would also note, Mr. Speaker, that I'm very concerned because the chairman just spoke that the reason, words to the effect, that he's brought these seven bills to the floor is to represent what a grateful Nation bestows. But what I'm concerned about the seven bills being considered today under the suspension of the rules, only one, H.R. 2199, is being considered with a bill report having been filed.

I believe this is yet another way in which the majority of this Veterans' Affairs Committee is breaking with past practices. When you do not file a report with a bill that comes to the floor, you are essentially denying Members of the minority the opportunity to file supplemental, minority and additional views on legislation under House rule XI, clause 2(i).

Since the time of Sonny Montgomery, the Committee on Veterans' Affairs has filed bill reports with every veterans bill other than resolutions such as H. Res. 392 or a facility naming bill; which is what I'm asking for Mr. FILNER to do to honor the recipient of the Medal of Honor with regard to the naming of the VA medical center in Albuquerque, NM, and the minority has thus had the opportunity to file views.

The veterans bills being considered by the House today, H.R. 67, H.R. 1660, H.R. 612, H.R. 1470 and H.R. 2239, were all ordered favorably reported, with the exception of H.R. 1470, ordered reported from the Committee on Veterans' Affairs with amendments. However, the chairman of the Veterans' Affairs has filed no bill with reports on any of them. Not only does this deprive the minority of the opportunity to file views, but it deprives veterans and the rest of the interested public from having important legislative history which discusses the background of legislation and explains the committee's intent as well as the amendments.

□ 1700

All of this is compounded by the fact that most of these bills were ordered reported without hearings that would have provided an historical record for legislation. The majority also has not bothered to obtain the position of the administration on most of these bills.

There is no reason for taking such shortcuts. I would have filed additional views on H.R. 1660, in particular, if the opportunity had been available. These are not expedited pieces of legislation involving an emergency situation. There has been ample time to follow the customary regular order and do that which is right.

We will now be at a disadvantage when conferring with the Senate. I fully expect the House to pass these bills overwhelmingly, but it is not a good way to legislate on behalf of our Nation's veterans.

I understand all the committees operate under the suspension of the rules to bring legislation to the floor. I wish that there were a collegial relationship between the chairman and the ranking member. It does not exist, unfortunately.

If, in fact, he would confer and work with us, we wouldn't have to work these things out or make an attempt to work these things out on the House floor.

Once again, I will make an attempt, and I will ask Chairman FILNER if he would call up HEATHER WILSON's bill and allow us, when we return after the Memorial Day break, to have HEATHER WILSON's bill, H.R. 1474, brought to the House floor under the suspensions.

Mr. Chairman, I yield to you.

PARLIAMENTARY INQUIRY

Mr. FILNER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. CAPUANO). Does the gentleman from Indiana yield for a parliamentary inquiry?

Mr. BUYER. I would yield to the chairman for a parliamentary inquiry and respond to the question.

Mr. FILNER. Mr. Speaker, is it a requirement that committees have to file reports with legislation that is very straightforward?

The SPEAKER pro tempore. The motion to suspend the rules obviates any point of order on such issues.

Mr. FILNER. I thank you, and I hope the ranking member heard that.

Mr. BUYER. Mr. Speaker, once again, reclaiming my time, the American people get to see the abuse of power that I have to deal with.

Rather than working collegially with us, with regard to filing reports, it's just, well, we don't have to do it. We'll just bring it to the floor. It doesn't matter. Really? Is that how we're going to legislate? We're just going to be sloppy about the Nation's business? I don't think that's a proper way of paying respect to our Nation's veterans, and it's very unfortunate.

I yield to my colleague, the chairman of the committee, to respond to my question that will you permit, under the suspension of the rules, to consider H.R. 474 when we return after Memorial Day break so that we may honor Raymond Jerry Murphy and rename the Albuquerque VA Medical Center after him.

Mr. Chairman, I yield to you.

Mr. FILNER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. Does the gentleman from Indiana yield for a parliamentary inquiry?

Mr. BUYER. I do not yield for a parliamentary inquiry. I think the purpose of my yielding to the chairman was to get a good response, whereby we have criteria, before the committee, with regard to how we name VA medical centers.

There is an individual, all the criteria have been satisfied, and I asked a very simple question of the chairman, if he would suspend the rules and bring it to the floor. I have written him twice. He doesn't respond to the letters. It has passed the Senate. A bill lays upon the desk, and I asked a very simple question.

All he wants to do is a parliamentary inquiry. So maybe we will be enlightened if I let him do a parliamentary inquiry.

Mr. Chairman, I yield to you for a parliamentary inquiry.

PARLIAMENTARY INQUIRY

Mr. FILNER. Mr. Speaker, am I required to engage in political debate with the ranking member when we are discussing a bill very important to veterans?

The SPEAKER pro tempore. The gentleman has not stated a point of parliamentary inquiry.

Mr. FILNER. I would inform the ranking member that I am not going to respond to political debate.

The SPEAKER pro tempore. The gentleman from Indiana has the time.

Mr. BUYER. Thank you. I would yield back to the gentleman, since he did not address a parliamentary inquiry during his question. I yield to him, if you would like to have a statement.

Mr. FILNER. It's your time.

Mr. BUYER. Pardon? I yield to the chairman.

Well, this is pretty interesting. It's pretty hard to run the Nation's business if the chairman will not even respond to somebody on the House floor.

It's also very disappointing if, in fact, this is the way we are supposed to honor America's veterans whereby the chairman of the majority party is acting like this.

I suppose what I should do is work with my good friend Mr. MICHAUD, who is the chairman of the Health Subcommittee, who has the ability to call this bill up and to mark this bill up. Obviously, even though he were to mark this up in the subcommittee, it would still be held at the full committee, if the chairman wants to continue to play politics.

Mr. FILNER. Mr. Speaker, I yield as much time as she may need to the gentlelady from Florida (Ms. CORRINE BROWN), who has now for 15 years fought side by side with me on behalf of our Nation's veterans. She is a fighter, and we are proud of her. You have the floor, Ms. BROWN.

Ms. CORRINE BROWN of Florida. First of all, let me thank Chairman FILNER for shepherding the bills that we have here on the floor, for bringing these bills to the floor on this date.

Mr. Speaker, I have been on Veterans' Affairs for 15 years, and as we approach Memorial Day, we do it to honor our veterans. The entire time I have been proud to be on this committee, because it is what we do for our veterans.

One of the things, Mr. BUYER, that I have enjoyed about serving on this committee is that it has always been bipartisan. We have always worked together for the veterans in this country, and we need to continue to do that.

As we move into this Memorial Day, and I think about what I have to do next Monday, when I go home, to face those families, we need to be honoring them today here on the floor of the House of Representatives.

If we have any personal matters, it needs to be taken up at that particular time and not here on the floor of the House of Representatives.

Earlier today I had the privilege of joining the Congressional Women's Caucus at the Women in Military Service for America Memorial at Arlington

National Cemetery. Earlier today we honored four members of the United States Armed Forces, and it was my privilege to be there. The late Congresswoman Juanita Millender-McDonald, a key member in the Women's Caucus, was instrumental in organizing this year's celebration.

It wasn't until 1971 that the last Monday in May became the official national holiday, as we know today, as Memorial Day. The day itself was born from the tragedy of the Civil War when soldiers and family members in the North and the South decorated the graves of fallen soldiers with flowers.

In 1868, seeking to formalize this touching tribute, General John Logan, Commander in Chief of the Grand Army of the Republic, issued General Order Number 11 designating May 30, 1868, as Decoration Day, for the purpose of laying flowers and decorating graves of those who died in the defense of their country, our great country.

All together, these bills move benefits for veterans into the 21st century. From extending the eligible period for health care for combat service in the Persian Gulf to treating of trauma, brain injury, vocational rehabilitation benefits, chiropractic benefits and outreach activities at the VA, finally to deal with the final resting place for those who have sacrificed for the freedom of this Nation, these bills and this House honor our Nation's veterans.

I support all of these bills, and I urge my colleagues to support them as well. Let us all honor the veterans who have done so much for us and these families as we go into Memorial Day.

God bless America.

Mr. MORAN of Kansas. 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 to include extraneous material on H.R. 1470.

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 pass the bill, H.R. 1470.

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. FILNER. 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.

TRAUMATIC BRAIN INJURY HEALTH ENHANCEMENT AND LONG-TERM SUPPORT ACT OF 2007

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2199) to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide certain improvements in the treatment of individuals with traumatic brain injuries, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2199

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 ''Traumatic Brain Injury Health Enhancement and Long-Term Support Act of 2007''.

SEC. 2. SCREENING, REHABILITATION, AND TREATMENT FOR TRAUMATIC BRAIN INJURY.

(a) SCREENING, REHABILITATION, AND TREATMENT FOR TRAUMATIC BRAIN INJURY.—

(1) IN GENERAL.—Chapter 17 of title 38, United States Code, is amended by adding at the end the following new subchapter:

''SUBCHAPTER IX—TRAUMATIC BRAIN INJURY

''§ 1791. Screening for traumatic brain injuries

''(a) SCREENING PROGRAM.—The Secretary shall establish a program to screen veterans who are eligible for hospital care, medical services, and nursing home care under section 1710(e)(1)(D) of this title for symptoms of traumatic brain injury.

''(b) REPORT.—Not later than one year after the date of the enactment of this section, and annually thereafter, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report containing the following information:

''(1) The number of veterans screened under the program during the year preceding such report.

''(2) The prevalence of traumatic brain injury symptoms among the veterans screened under the program.

''(3) Recommendations for improving care and services to veterans exhibiting symptoms of traumatic brain injury.

''§ 1792. Comprehensive program for long-term traumatic brain injury rehabilitation

''(a) COMPREHENSIVE PROGRAM.—The Secretary shall develop and carry out a comprehensive program of long-term care for post-acute traumatic brain injury rehabilitation that includes residential, community, and home-based components utilizing interdisciplinary treatment teams.

''(b) LOCATION OF PROGRAM.—The Secretary shall carry out the program developed under subsection (a) in four geographically dispersed polytrauma network sites designated by the Secretary.

''(c) ELIGIBILITY.—A veteran is eligible for care under the program developed under subsection (a) if the veteran is otherwise eligible for care under this chapter and—

''(1) served on active duty in a theater of combat operations (as determined by the Secretary in consultation with the Secretary of Defense) during a period of war after the Persian Gulf War, or in combat against a hostile force during a period of hostilities (as defined in section 1712A(a)(2)(B) of this title) after November 11, 1998;

''(2) is diagnosed as suffering from moderate to severe traumatic brain injury; and

''(3) is unable to manage routine activities of daily living without supervision or assistance.

''(d) REPORT.—Not later than one year after the date of the enactment of this section, and annually thereafter, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report containing the following information:

''(1) A description of the operation of the program.

''(2) The number of veterans provided care under the program during the year preceding such report.

''(3) The annual cost of operating the program.

''§ 1793. Traumatic brain injury transition offices

''(a) ESTABLISHMENT.—The Secretary shall establish a traumatic brain injury transition office at each Department polytrauma network site for the purposes of coordinating the provision of health-care and services to veterans who suffer from moderate to severe traumatic brain injuries and are in need of health-care and services not immediately offered by the Department.

''(b) COOPERATIVE AGREEMENTS.—The Secretary, through each such office established under subsection (a), shall have the authority to arrange for the provision of health-care and services through cooperative agreements with appropriate public or private entities that have established long-term neurobehavioral rehabilitation and recovery programs.

''§ 1794. Traumatic brain injury registry

''(a) IN GENERAL.—The Secretary shall establish and maintain a registry to be known as the 'Traumatic Brain Injury Veterans' Health Registry' (in this section referred to as the 'Registry').

''(b) DESCRIPTION.—The Registry shall include the following information:

''(1) A list containing the name of each individual who served as a member of the Armed Forces in Operation Enduring Freedom or Operation Iraqi Freedom who exhibits symptoms associated with traumatic brain injury and who—

''(A) applies for care and services from the Department under this chapter; or

''(B) files a claim for compensation under chapter 11 of this title on the basis of any disability which may be associated with such service; and

''(2) any relevant medical data relating to the health status of an individual described in paragraph (1) and any other information the Secretary considers relevant and appropriate with respect to such an individual if the individual—

''(A) grants permission to the Secretary to include such information in the Registry; or

''(B) is deceased at the time such individual is listed in the Registry.

''(c) NOTIFICATION.—The Secretary shall notify individuals listed in the Registry of significant developments in research on the health consequences of military service in the Operation Enduring Freedom and Operation Iraqi Freedom theaters of operations.

''§ 1795. Centers for traumatic brain injury research, education, and clinical activities

''(a) PURPOSE.—The purpose of this section is to provide for the improvement of the provision of health care to eligible veterans with traumatic brain injuries through—

''(1) the conduct of research (including research on improving facilities of the Department concentrating on traumatic brain injury care and on improving the delivery of traumatic brain injury care by the Department);

''(2) the education and training of health care personnel of the Department; and

''(3) the development of improved models and systems for the furnishing of traumatic brain injury care by the Department.

''(b) ESTABLISHMENT OF CENTERS.—(1) The Secretary shall establish and operate centers for traumatic brain injury research, education, and clinical activities. Such centers shall be established and operated by collaborating Department facilities as provided in subsection (c)(1). Each such center shall function as a center for—

''(A) research on traumatic brain injury;

''(B) the use by the Department of specific models for furnishing traumatic brain injury care;

''(C) education and training of health-care professionals of the Department; and

''(D) the development and implementation of innovative clinical activities and systems of care with respect to the delivery of traumatic brain injury care by the Department.

''(2) The Secretary shall, upon the recommendation of the Under Secretary for Health, designate the centers under this section. In making such designations, the Secretary shall ensure that the centers designated are located in various geographic regions of the United States. The Secretary may designate a center under this section only if—

''(A) the proposal submitted for the designation of the center meets the requirements of subsection (c);

''(B) the Secretary makes the finding described in subsection (d); and

''(C) the peer review panel established under subsection (e) makes the determination specified in subsection (e)(3) with respect to that proposal.

''(3) Not more than five centers may be designated under this section.

''(4) The authority of the Secretary to establish and operate centers under this section is subject to the appropriation of funds for that purpose.

''(c) PROPOSALS FOR DESIGNATION OF CENTERS.—A proposal submitted for the designation of a center under this section shall—

''(1) provide for close collaboration in the establishment and operation of the center, and for the provision of care and the conduct of research and education at the center, by a Department facility or facilities in the same geographic area which have a mission centered on traumatic brain injury care and a Department facility in that area which has a mission of providing tertiary medical care;

''(2) provide that no less than 50 percent of the funds appropriated for the center for support of clinical care, research, and education will be provided to the collaborating facility or facilities that have a mission centered on traumatic brain injury care; and

''(3) provide for a governance arrangement between the collaborating Department facilities which ensures that the center will be established and operated in a manner aimed at improving the quality of traumatic brain injury care at the collaborating facility or facilities which have a mission centered on traumatic brain injury care.

''(d) FINDING OF SECRETARY.—The finding referred to in subsection (b)(2)(B) with respect to a proposal for designation of a site as a location of a center under this section is a finding by the Secretary, upon the recommendation of the Under Secretary for Health, that the facilities submitting the proposal have developed (or may reasonably be anticipated to develop) each of the following:

''(1) An arrangement with an accredited medical school that provides education and training in traumatic brain injury care and with which one or more of the participating Department facilities is affiliated under which medical residents receive education and training in traumatic brain injury care through regular rotation through the participating Department facilities so as to provide such residents with training in the diagnosis and treatment of traumatic brain injury.

''(2) An arrangement under which nursing, social work, counseling, or allied health personnel receive training and education in traumatic brain injury care through regular rotation through the participating Department facilities.

''(3) The ability to attract scientists who have demonstrated achievement in research—

''(A) into the evaluation of innovative approaches to the design of traumatic brain injury care; or

''(B) into the causes, prevention, and treatment of traumatic brain injury.

''(4) The capability to evaluate effectively the activities of the center, including activities relating to the evaluation of specific efforts to improve the quality and effectiveness of traumatic brain injury care provided by the Department at or through individual facilities.

''(e) PEER REVIEW PANEL.—(1) In order to provide advice to assist the Secretary and the Under Secretary for Health to carry out their responsibilities under this section, the official within the central office of the Veterans Health Administration responsible for traumatic brain injury care shall establish a peer review panel to assess the scientific and clinical merit of proposals that are submitted to the Secretary for the designation of centers under this section.

''(2) The panel shall consist of experts in the fields of traumatic brain injury research, education and training, and clinical care. Members of the panel shall serve as consultants to the Department.

''(3) The panel shall review each proposal submitted to the panel by the official referred to in paragraph (1) and shall submit to that official its views on the relative scientific and clinical merit of each such proposal. The panel shall specifically determine with respect to each such proposal whether that proposal is among those proposals which have met the highest competitive standards of scientific and clinical merit.

''(4) The panel shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

''(f) AWARD OF FUNDING.—Clinical and scientific investigation activities at each center established under this section—

''(1) may compete for the award of funding from amounts appropriated for the Department of Veterans Affairs medical and prosthetics research account; and

''(2) shall receive priority in the award of funding from such account insofar as funds are awarded to projects and activities relating to traumatic brain injury.

''(g) DISSEMINATION OF USEFUL INFORMATION.—The Under Secretary for Health shall ensure that information produced by the research, education and training, and clinical activities of centers established under this section that may be useful for other activities of the Veterans Health Administration is disseminated throughout the Veterans Health Administration. Such dissemination shall be made through publications, through programs of continuing medical and related education provided through regional medical education centers under subchapter VI of chapter 74 of this title, and through other means. Such programs of continuing medical education shall receive priority in the award of funding.

''(h) SUPERVISION OF CENTERS.—The official within the central office of the Veterans Health Administration responsible for traumatic brain injury care shall be responsible for supervising the operation of the centers established pursuant to this section and shall provide for ongoing evaluation of the centers and their compliance with the requirements of this section.

''(i) AUTHORIZATION OF APPROPRIATIONS.—(1) There are authorized to be appropriated to the Department of Veterans Affairs for the basic support of the research and education and training activities of centers established pursuant to this section such sums as may be necessary.

''(2) In addition to funds appropriated for a fiscal year pursuant to the authorization of appropriations in paragraph (1), the Under Secretary for Health shall allocate to such centers from other funds appropriated for that fiscal year generally for the Department of Veterans Affairs medical services account and the Department of Veterans Affairs medical and prosthetics research account such amounts as the Under Secretary for Health determines appropriate to carry out the purposes of this section.

''(j) ANNUAL REPORTS.—Not later than February 1 of each of year, the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the status and activities of the centers for traumatic brain injury research, education, and clinical activities during the preceding fiscal year. Each such report shall include the following:

''(1) A description of the activities carried out at each center and the funding provided by the Department for such activities.

''(2) A description of the advances made at each of the participating facilities of the center in research, education and training, and clinical activities relating to traumatic brain injury care and treatment.

''(3) A description of the actions taken by the Under Secretary for Health pursuant to subsection (g) to disseminate information derived from such activities throughout the Veterans Health Administration.

''(4) The evaluation of the Secretary as to the effectiveness of the centers in fulfilling the purposes of this section.

''(k) AUTHORIZATION OF APPROPRIATIONS.—(1) There are authorized to be appropriated to the Department of Veterans Affairs for the basic support of the research and education and training activities of centers established pursuant to this section amounts as follows:

''(A) $10,000,000 for fiscal year 2008.

''(B) $20,000,000 for each of fiscal years 2009 through 2011.

''(2) In addition to funds appropriated for a fiscal year pursuant to the authorization of appropriations in paragraph (1), the Under Secretary for Health shall allocate to such centers from other funds appropriated for that fiscal year generally for the Department of Veterans Affairs medical services account and the Department of Veterans Affairs medical and prosthetics research account such amounts as the Under Secretary for Health determines appropriate to carry out the purposes of this section.

''§ 1796. Committee on Care of Veterans with Traumatic Brain Injury

''(a) ESTABLISHMENT.—The Secretary shall establish in the Veterans Health Administration a committee to be known as the 'Committee on Care of Veterans with Traumatic Brain Injury'. The Under Secretary for Health shall appoint employees of the Department with expertise in the care of veterans with traumatic brain injury to serve on the committee.

''(b) RESPONSIBILITIES OF COMMITTEE.—The committee shall assess, and carry out a continuing assessment of, the capability of the Veterans Health Administration to meet effectively the treatment and rehabilitation needs of veterans with traumatic brain injury. In carrying out that responsibility, the committee shall—

''(1) evaluate the care provided to such veterans through the Veterans Health Administration;

''(2) identify systemwide problems in caring for such veterans in facilities of the Veterans Health Administration;

''(3) identify specific facilities within the Veterans Health Administration at which program enrichment is needed to improve treatment and rehabilitation of such veterans; and

''(4) identify model programs which the committee considers to have been successful in the treatment and rehabilitation of such veterans and which should be implemented more widely in or through facilities of the Veterans Health Administration.

''(c) ADVICE AND RECOMMENDATIONS.—The committee shall—

''(1) advise the Under Secretary regarding the development of policies for the care and rehabilitation of veterans with traumatic brain injury; and

''(2) make recommendations to the Under Secretary—

''(A) for improving programs of care of such veterans at specific facilities and throughout the Veterans Health Administration;

''(B) for establishing special programs of education and training relevant to the care of such veterans for employees of the Veterans Health Administration;

''(C) regarding research needs and priorities relevant to the care of such veterans; and

''(D) regarding the appropriate allocation of resources for all such activities.

''(d) ANNUAL REPORT.—Not later than June 1 of 2008, and each subsequent year, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the implementation of this section. Each such report shall include the following for the calendar year preceding the year in which the report is submitted:

''(1) A list of the members of the committee.

''(2) The assessment of the Under Secretary for Health, after review of the initial findings of the committee, regarding the capability of the Veterans Health Administration, on a systemwide and facility-by-facility basis, to meet effectively the treatment and rehabilitation needs of veterans with traumatic brain injury.

''(3) The plans of the committee for further assessments.

''(4) The findings and recommendations made by the committee to the Under Secretary for Health and the views of the Under Secretary on such findings and recommendations.

''(5) A description of the steps taken, plans made (and a timetable for the execution of such plans), and resources to be applied toward improving the capability of the Veterans Health Administration to meet effectively the treatment and rehabilitation needs of veterans with traumatic brain injury.''.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of such chapter is amended by adding at the end the following new items:

''SUBCHAPTER IX—TRAUMATIC BRAIN INJURY

''1791. Screening for traumatic brain injuries.
''1792. Comprehensive program for long-term traumatic brain injury rehabilitation.
''1793. Traumatic brain injury transition offices.
''1794. Traumatic brain injury registry.
''1795. Centers for traumatic brain injury research, education, and clinical activities.
''1796. Committee on Care of Veterans with Traumatic Brain Injury.''.

(b) EFFECTIVE DATE.—The Secretary shall implement the requirements of subchapter IX of title 38, United States Code, as added by subsection (a), not later than 180 days after the date of the enactment of this Act.

SEC. 3. PILOT PROGRAM FOR DELIVERY OF CERTAIN SERVICES TO VETERANS THROUGH MOBILE VET CENTERS.

(a) PILOT PROGRAM.—Chapter 17 of title 38, United States Code, is amended by inserting after section 1712B the following new section:

''§ 1712C. Pilot program for delivery of certain services through mobile Vet Centers

''(a) PILOT PROGRAM.—To improve access to mental health services in rural areas, the Secretary shall carry out a pilot program under which the Secretary shall provide readjustment counseling, related mental health services, benefits outreach, and, to the extent practicable, assistance with claims for benefits under this title through the use of mobile centers (as that term is defined in section 1712A(i)(1)), to be known as 'mobile Vet Centers'. In carrying out the pilot program, the Secretary shall determine the most effective manner in which to operate the mobile Vet Centers.

''(b) SCOPE AND LOCATION.—(1) The Secretary shall establish two mobile Vet Centers in each of the following five Veterans Integrated Service Networks:

''(A) Veterans Integrated Service Network 1.

''(B) Veterans Integrated Service Network 16.

''(C) Veterans Integrated Service Network 19.

''(D) Veterans Integrated Service Network 20.

''(E) Veterans Integrated Service Network 23.

''(2) Within each Veterans Integrated Service Network under paragraph (1), the Secretary shall determine the area to be serviced by each mobile Vet Center. In making that determination, the Secretary shall give priority to areas in which limited mental health and outreach services are available.

''(3) If the Secretary determines that mobile Vet Centers in addition to such centers required under paragraph (1) are warranted, the Secretary may establish additional mobile Vet Centers and may establish such centers in Veterans Integrated Service Networks other than the Veterans Integrated Service Networks referred to in that paragraph. Upon such a determination by the Secretary, the Secretary shall notify the Committees on Veterans' Affairs of the Senate and House of Representatives of such determination.

''(c) TERMINATION.—The authority to carry out a pilot program under this section shall terminate on the date that is three years after the date of the enactment of this section.

''(d) REPORT.—Not later than 90 days after the date on which the pilot program terminates under subsection (a), the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the pilot program. Such report shall describe how the Secretary established and carried out the pilot program and include an evaluation of the Secretary of the benefits and disadvantages of providing readjustment counseling, related mental health services, benefits outreach, and claims assistance through the use of mobile Vets Centers.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $7,500,000 for fiscal year 2008 and each subsequent fiscal year.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item related to section 1712B the following new item:

''1712C. Pilot program for delivery of certain services through mobile Vet Centers.''.

SEC. 4. ADVISORY COMMITTEE ON RURAL VETERANS.

(a) ESTABLISHMENT OF COMMITTEE.—Subchapter III of chapter 5 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 546. Advisory Committee on Rural Veterans

''(a) ESTABLISHMENT.—(1) The Secretary shall establish an advisory committee to be known as the 'Advisory Committee on Rural Veterans' (hereinafter in this section referred to as 'the Committee').

''(2)(A) The Committee shall consist of members appointed by the Secretary from the general public, including—

''(i) representatives of rural veterans;

''(ii) individuals who are recognized authorities in fields pertinent to the needs of rural veterans, including specific or unique health-care needs of rural veterans and access issues of rural veterans;

''(iii) individuals who have expertise in the delivery of mental health care in rural areas;

''(iv) individuals who have expertise in the delivery of long-term care in rural areas;

''(v) at least one veterans service organization representative from a rural State; and

''(vi) representatives of rural veterans with service-connected disabilities.

''(B) The Committee shall include, as ex officio members—

''(i) the Secretary of Health and Human Services (or a representative of the Secretary of Health and Human Services designated by that Secretary);

''(ii) the Director of the Indian Health Service (or a representative of that Director); and

''(iii) the Under Secretary for Health and the Under Secretary for Benefits, or their designees.

''(C) The Secretary may invite representatives of other departments and agencies of the United States to participate in the meetings and other activities of the Committee.

''(3) The Secretary shall determine the number, terms of service, and pay and allowances of members of the Committee appointed by the Secretary, except that a term of service of any such member may not exceed three years. The Secretary may reappoint any such member for additional terms of service.

''(b) RESPONSIBILITIES OF COMMITTEE.— The Secretary shall, on a regular basis, consult with and seek the advice of the Committee with respect to the administration of benefits by the Department for rural veterans, reports and studies pertaining to rural veterans, and the needs of rural veterans with respect to primary care, mental health care, and long-term care needs of rural veterans.

''(c) REPORT.—(1) Not later than September 1 of each odd-numbered year until 2013, the Committee shall submit to the Secretary a report on the programs and activities of the Department that pertain to rural veterans. Each such report shall include—

''(A) an assessment of the needs of rural veterans with respect to primary care, mental health care, and long-term care needs of rural veterans and other benefits and programs administered by the Department;

''(B) a review of the programs and activities of the Department designed to meet such needs; and

''(C) such recommendations (including recommendations for administrative and legislative action) as the Committee considers appropriate.

''(2) The Secretary shall, within 60 days after receiving each report under paragraph

(1), submit to Congress a copy of the report, together with any comments concerning the report that the Secretary considers appropriate.

''(3) The Committee may also submit to the Secretary such other reports and recommendations as the Committee considers appropriate.

''(4) The Secretary shall submit with each annual report submitted to Congress pursuant to section 529 of this title a summary of all reports and recommendations of the Committee submitted to the Secretary since the previous annual report of the Secretary submitted pursuant to that section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''546. Advisory Committee on Rural Veterans.''.

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

The Chair recognizes the gentleman from California.

Mr. FILNER. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I would point out this is one of the most important bills on the floor today or at any time. It's called the Traumatic Brain Injury Health Enhancement and Long-Term Support Act of 2007.

The wounded from wars in Afghanistan and Iraq are returning with multiple injuries due to the use of improvised explosive devices, or IEDs. This often results in servicemembers and veterans needing polytrauma care, and has caused an increase in veterans with brain injury, or TBI.

We are going to have tens of thousands of these young men and women with these injuries. Among veterans and servicemembers that return from OEF and OIF and treated at Walter Reed for injuries of any type, approximately 65 percent have TBI or a comorbid, as they call it, diagnosis. Survivors of TBI experience physical, cognitive, emotional and community integration issues. Because of their injury, their capacity and initiative to seek appropriate care on their own is diminished.

We are also faced with thousands of veterans returning from Iraq and Afghanistan with milder cases of brain injury. This milder case often is missed and goes untreated, and symptoms may often mirror that of PTSD. Indeed, according to the Defense and Veterans Brain Injury Center, in prior military conflicts, TBI was present in up to 14 to 20 percent of surviving casualties. The numbers for operations in OEF/OIF are predicted to go much, much higher.

We must ensure that the health care and services that meet the needs of returning servicemembers are available and accessible, while never forgetting the needs of veterans from previous conflicts. This bill provides for mandatory screening of veterans for traumatic brain injury. It requires the Secretary to establish a comprehensive program of long-term care, of postacute traumatic brain injury rehabilitation at four geographically disbursed polytrauma network sites. It provides for the establishment of TBI transition offices at each Department polytrauma network site to coordinate health care and services to veterans who suffer from moderate to severe traumatic brain injuries. It requires the Secretary to establish a registry of those who served in Iraq who exhibit symptoms associated with TBI.

This legislation establishes centers for TBI research, education and clinical activities, and requires the Secretary to establish a committee on the care of veterans with TBI. In addition to the provisions that address health care, research and treatment for veterans, this legislation also provides for veterans who reside in rural areas.

Mr. Speaker, it is a very important bill. We will hear soon from Mr. MICHAUD, the chairman of our Health Subcommittee, who was the primary author of this, who has been a leader to make sure that we serve the veterans who come back with these incredible injuries, that they receive the proper care that they need.

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

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

Let me first take this opportunity to thank the chairman of the Subcommittee on Health, Mr. MICHAUD, as well as the subcommittee's ranking member, Mr. MILLER, for their leadership in developing this legislation.

H.R. 2199, as amended, the Traumatic Brain Injury Health Enhancement and Long-Term Support Act of 2007, seeks to improve the treatment of veterans suffering with traumatic brain injuries, often referred to as TBI, and the care for veterans who live in rural communities.

□ 1715

However, I would comment that several of the provisions included in this legislation are similar to initiatives that already exist or are getting underway. For example, section 2 of the bill would require the VA to screen eligible veterans for symptoms of traumatic brain injury and create a TBI registry. These are also the recommendations of the President's task force on returning global war on terror heroes. In addition, in March 2007, Secretary Nicholson directed a number of changes to improve the way the VA provides care to our newest combat veterans.

These veterans initiatives include screening all OEF and OIF combat patients for TBI and for PTSD; providing each polytrauma patient with an advocate to assist them and their family; mandatory training for all VA health care personnel to recognize and care for patients with TBI; and establishing an outside panel of clinical experts to review the VA polytrauma system of care.

Additionally, the bill would provide five new centers for TBI research, education, and clinical activities. During the 108th Congress, we recognized the frequency and unique nature of the polytrauma/blast injuries resulting from the global war on terror. These injuries require an interdisciplinary program to handle the medical, psychological, rehabilitation, and prosthetic needs of the injured servicemember.

Public Law 108–422, the Veterans' Health Programs Improvement Act of 2004, directed VA to establish ''an appropriate number of centers for research, education, and clinical activities to improve and coordinate rehabilitative services for veterans suffering from complex multitrauma from combat injuries, and to coordinate these services with the Department of Defense.''

The centers required in Public Law 108–422 became the Polytrauma System of Care. There are four centers located in Richmond, VA; Tampa, FL; Minneapolis, MN; and Palo Alto, CA. The committee strongly recommends that the new TBI centers be colocated with the VA's polytrauma rehabilitation centers. In this way, we can capitalize on the experience and expertise available at the polytrauma centers and enhance the ability to understand and treat the entire spectrum of the TBI injury from mild to most severe.

I want to thank Mr. MICHAUD for recognizing that we can actually get some benefits by the colocation of these services where TBI is already located. Because we take and concentrate such expertise, the colocation can only have benefits. And the gentleman worked with me, and I think because TBI have a number of comorbidities such as PTSD, depression, anxiety disorders, and while these issues may appear with TBI, they may also exhibit themselves separately from TBI, and I think that is exactly what Mr. MICHAUD is trying to get to. So I want to thank the gentleman for his leadership and for bringing this bill to the committee, along with your staff, for their good work.

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

Mr. FILNER. Mr. Speaker, I recognize the chairman of our subcommittee who has taken such a great leadership role on these issues, the gentleman from Maine (Mr. MICHAUD) for 4 minutes.

Mr. MICHAUD. Mr. Speaker, I thank the chairman for yielding.

H.R. 2199 is a bipartisan effort to address the challenges presented by traumatic brain injury and to improve the quality of care for our rural veterans.

TBI is considered to be the signature wound of this war. TBI is complex and frequently overlooked or misdiagnosed.

We also have very little understanding of the long-term consequences of TBI. We must make sure that the VA is doing all they can to provide for these wounded soldiers. This is only the beginning, we still have more work to do, but this is a good first step.

H.R. 2199 also includes two provisions to improve the quality of care provided

to our rural veterans. With so many veterans from Iraq and Afghanistan living in rural areas, and an already existing population of older veterans in these areas, we need to explore innovative ways to improve VA accessibility and quality of care, especially on mental health issues. You heard both from the chairman and ranking member as far as what this legislation does.

I would like to recognize the hard work of a group of Members on both sides of the aisle who helped craft this legislation. This truly is bipartisan legislation. I do want to start with my good friend, Mr. MILLER of Florida, who is the ranking member of the Health Care Subcommittee, who has been extremely helpful in getting this legislation introduced and moved through the full committee; also, Mr. ALTMIRE of Pennsylvania, who has taken a real leadership role in traumatic brain injury, and for his focus on TBI with his legislation, H.R. 1944, which is included in H.R. 2199; Mr. WALZ of Minnesota, for his legislation to establish centers for TBI research, education, and clinical activities, which are now also included in H.R. 2199, who also served on the Veterans' Affairs Committee; and Mr. MCNERNEY of California, his legislation was included in H.R. 2199 to create the Committee on Care for Veterans with TBI; Mr. DONNELLY, who sits on the Veterans' Affairs Committee, of Indiana, for his bill which was included in section 4 of H.R. 2199, to create an advisory committee on rural veterans; Mr. WELCH of Vermont, for his bill and efforts to establish a pilot program for mobile vet centers, which are extremely important for rural areas; Mr. LAMBORN of Colorado, for his amendment to include providing benefits outreach and assistance with claims for benefits as part of the mission of mobile vet centers. He also sits on the committee and was very helpful in making this bill a better bill.

So this truly has been a real bipartisan piece of legislation that took a lot of components of other bills that were through, that were introduced and we had hearings on, to be part of this bill.

I also would like to thank Ranking Member BUYER for his focus on this issue, and for his understanding of the importance of long-term research and the pursuit of the best practices for TBI care. He definitely has been very helpful with this legislation.

And, finally, I would like to thank and congratulate Chairman FILNER for his strong bipartisan leadership on this bill and other veterans bills on the floor as well, and look forward to tackling other veterans issues as we move forward in the 110th Congress.

I urge my colleagues to support H.R. 2199.

Mr. BUYER. Mr. Speaker, I would like to thank Mr. MICHAUD because he did his committee work. He did his committee work because we brought a bill to the floor. Yes, under suspension, Mr. FILNER, but he did his committee work. He filed a report which allowed us to work with him. When you don't file a report, you deny the minority their opportunity to be heard.

So I want to thank Mr. MICHAUD for working with us and for his leadership.

Mr. Speaker, I yield such time as he may consume to the gentleman from Arkansas (Mr. BOOZMAN).

Mr. BOOZMAN. The only thing I would say is that, again, I am very much in support of the bill and I appreciate the leadership that was shown, as Mr. BUYER just said, in getting the bill forward. I think it is a great example of everybody working together which, again, our committee very often does demonstrate. So I am very much in support, and urge a ''yes'' vote.

Mr. FILNER. Mr. Speaker, I yield 1¼ minutes to the chairwoman of our Economic Opportunity Subcommittee, the gentlelady from South Dakota, STEPHANIE HERSETH SANDLIN.

Ms. HERSETH SANDLIN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of H.R. 2199, the Traumatic Brain Injury Health Enhancement and Long-Term Support Act. I would like to thank the chairman of the Veterans' Affairs Health Subcommittee, Mr. MICHAUD, for introducing this important bill, and to thank Chairman FILNER and the ranking member for their support of this legislation.

Among other provisions, H.R. 2199 requires screening of veterans for TBI, establishes a comprehensive program for long-term TBI rehabilitation to be located at the polytrauma centers, and creates TBI transition offices at each of the polytrauma network sites. In addition, the bill creates an advisory committee on rural veterans. These are important steps toward helping the young men and women who have suffered traumatic brain injury, and ensuring the needs of our rural veterans are addressed.

Working closely with a National Guard soldier from South Dakota who suffered a traumatic brain injury while serving in Iraq, and having visited him and his family at the Minneapolis polytrauma center, I witnessed both the good and the bad of the VA's efforts to deal with these wounded servicemembers. While we have made remarkable strides in treating veterans with brain injuries, there is much room for improvement, especially when it comes to the long-term support of these servicemembers.

I believe the Traumatic Brain Injury Health Enhancement and Long-Term Support Act will tremendously improve the services available to veterans suffering from TBI. I look forward to continuing working with my colleagues on the Veterans' Affairs Committee to address these and other issues related to treating veterans suffering from traumatic brain injury.

Again, I thank Representative MICHAUD for introducing and advancing this bill, and I ask my colleagues to support H.R. 2199.

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

Mr. FILNER. Mr. Speaker, we have had many people contribute to this legislation, as Mr. MICHAUD said. I would like to recognize a great new Member from Indiana who has worked hard on this legislation, Mr. DONNELLY, for 2 minutes.

Mr. DONNELLY. Mr. Speaker, I rise today in strong support of H.R. 2199.

Mr. Speaker, this bill will help us better care for America's wounded warriors suffering from traumatic brain injury, the signature wound of the Iraq and Afghanistan wars. This important legislation will require the VA to better screen veterans for symptoms of TBI, devise a long-term care strategy, and promote better understanding of TBI and how we can provide the best care possible.

I also want to thank my good friend, Mr. MICHAUD, for including my bill, H.R. 2190, establishing an advisory committee on rural veterans, as a provision of this legislation.

Mr. Speaker, over 40 percent of returning Iraq and Afghanistan veterans are coming home to rural communities, and countless older veterans live in rural America, places like Pulaski County and Starke County, Indiana. The health care needs and services rural veterans require are very, very unique. These veterans often have increased barriers to obtaining the same quality of care as their urban and suburban counterparts. We must do better by them.

It is critical that the VA have direct input from rural veterans at the highest level of policymaking. The Advisory Committee on Rural Veterans will work with and advise the VA Secretary on how policies and programs affect them, and how services can be improved for rural veterans and their families.

I urge my colleagues in the House to pass this bill to improve care for our wounded warriors and America's rural veterans.

Mr. BUYER. Mr. Speaker, I would also like to express my support for a provision in the bill that would require the VA to establish a TBI transition office at each of the polytrauma network sites. Not only is this vital for the DOD and the VA to provide for a seamless transition from active duty to veteran status, but it is also important for VA to aid in the coordination of veteran care between VA and other health care providers for services that could possibly not be provided by the VA. These transition offices would help coordinate veterans care for services not offered by the VA, and have the authority to arrange care with public or private entities to establish long-term neurobehavioral rehabilitation and recovery programs.

The bill also includes two rural health initiative provisions, one of which would establish a pilot program for vet centers in rural areas. H.R. 2199, as amended, included an amendment

offered by Mr. LAMBORN of Colorado, the ranking member of the Subcommittee on Disability Assistance and Memorial Affairs. This amendment will expand the role of the mobile vet center pilot program to include helping veterans in need of assistance in the filing of benefits claims.

Mr. Speaker, I yield such time as he may consume to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Mr. Speaker, I rise in strong support of H.R. 2199, the Traumatic Brain Injury Health Enhancement and Long-Term Support Act of 2007. I thank Chairman FILNER, Ranking Member BUYER, and Health Subcommittee Chairman MICHAUD, the sponsor of this legislation, for their leadership in bringing this excellent legislation to the floor. I especially want to thank the gentleman from Maine for working with me on a bipartisan basis to include my amendment in this bill.

One of the provisions of H.R. 2199, as introduced, is a pilot program of mobile vet centers which would provide veterans with readjustment counseling and related mental health services. My amendment would require that these mobile vet centers have trained staff to provide veterans with benefits outreach and help them with their claims applications and questions.

Mr. Speaker, much of the trouble associated with the claims processing system is related to a veteran's difficulties in filing a correct and complete claim. Veterans may have an incomplete understanding of the claims system.

□ 1730

That could easily lead to an imperfectly completed application. My amendment would help solve this problem by placing qualified VA employees in the mobile vet centers to educate the veteran and help him or her to correctly fill out their paperwork the first time.

H.R. 2199 could have significant impact on reducing the growing backlog of compensation and pension claims. I ask my colleagues to support this legislation. It will help veterans with traumatic brain injury get the care they need. At the same time, it will help veterans seeking to apply for the benefits they have earned in service to their Nation.

Mr. FILNER. Mr. Speaker, I would like to yield 2 minutes to another hardworking new member from our committee, the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Speaker, traumatic brain injury is the signature injury of the war in Iraq.

Let me explain a little bit what happens to a veteran soldier with a traumatic brain injury. They remove part of your skull so that your brain can expand into that while it's swelling up. They give you blood thinners so that you don't have blood clots. They give you antibiotics, and they put on a vest that keeps your body temperature cold, again so that you don't swell up and cause more injury. So this is the kind of thing that these veterans, these soldiers are going through.

And we estimate that there's approximately 12,000 servicemembers with some degree of traumatic brain injury. That's why I was motivated, along with Mr. BOOZMAN from Arkansas, to introduce the Caring for Veterans with Traumatic Brain Injury Act of 2007.

H.R. 2199 ensures that the VA will develop the infrastructure necessary to meet the needs of an increasing number of veterans diagnosed with TBI. Among other things, the bill requires the VA to screen all veterans for TBI. It creates a registry for veterans with TBI so that we don't lose track of them once they're diagnosed, and it also creates transition offices for patients with TBI who live in areas where the Veterans Administration isn't able to meet their needs.

I'm thankful for the leadership of Mr. MICHAUD and Mr. FILNER on this issue, and for the opportunity to speak in favor of 2199.

Mr. BUYER. Mr. Speaker, I reserve my time.

Mr. FILNER. Mr. Speaker, I would like to yield 2 minutes to another hardworking new member of our committee, the highest-enlisted man ever to be elected to Congress, Command Sergeant Major TIM WALZ from Minnesota.

Mr. WALZ of Minnesota. Mr. Speaker, I rise today in support of H.R. 2199. I want to thank my colleague from Maine for sponsoring this piece of legislation; also thank my colleague from Maine (Mr. MICHAUD), who's been a leader on this issue and veterans issues in general; grateful that he introduced this piece of legislation, and grateful that he allowed a piece of legislation that I had introduced establishing the five TBI centers around the country.

I'd also like to thank the ranking member, the gentleman from Indiana, for his thoughtful guidance on the colocation of those facilities. I think it's absolutely the right thing to do. I think it concentrates our resources and our expertise. So I thank him for that addition to it.

The colocation at the polytrauma centers is the right thing to do. The research that's being done there is world class. And I think an example of how we can enhance that comes from, and you just heard one of my colleagues speaking about this injury.

I visit the VA centers every Veterans Day for the last quite some time. And several years ago there was a young man from Michigan there, and he had suffered a traumatic brain injury. He had survived a shrapnel wound, but his brain had literally been turned inside of his head. And because of the great care he was receiving there, he was stabilized, and he was starting to rehabilitate. This bill will allow us to enhance his recovery, starting to reintegrate him back to the life that he knows and that he should be able to live.

On this floor we're going to continue to debate the wars. We're going to continue to see the debates divide us on the war in Iraq. This Congress, and I thank the ranking member, and the chairman for allowing the care of our veterans to bring us back together. Regardless of how we feel on this war, this Congress and this committee is proving that the 110th Congress can and will advance crucial legislation like H.R. 2199. So I thank you both. I thank my colleagues.

Mr. BUYER. Mr. Speaker, I want to thank the gentleman who just spoke. As a retired sergeant major, we benefit by his expertise not only on the Veterans' Affairs Committee, but also in Congress. We have a lot of people here who have been enlisted, and we have had officers and generals and admirals, but when you get a sergeant major, they speak softly. And there's a reason the sergeant major speaks softly, because he doesn't have to speak loudly because they are so well respected. And so, Sergeant Major, your contributions to the committee are recognized and appreciated.

Mr. Speaker, I reserve my time.

Mr. FILNER. Mr. Speaker, how much time do we have left?

The SPEAKER pro tempore. The gentleman from California has 6½ minutes.

Mr. FILNER. I would now recognize another great new Member from Pennsylvania (Mr. ALTMIRE) for 2 minutes. He has taken the lead on dealing with traumatic brain injury.

Mr. ALTMIRE. Mr. Speaker, our brave service men and women are returning from Iraq and Afghanistan with TBI at an alarming rate. Sixty-five percent of the soldiers at Walter Reed today have been diagnosed with traumatic injury, and thousands of veterans have mild TBI, but have not been diagnosed. And I'm concerned that the VA has not been properly diagnosing and treating those veterans with traumatic brain injury.

As has been mentioned today, traumatic brain injury is the signature injury for the wars in Afghanistan and Iraq. This is why I introduced the Veterans Traumatic Brain Injury Treatment Act, which has been included in its entirety in this legislation we're debating today. My bill would improve the diagnosis and treatment of TBI for our Nation's veterans by requiring the VA to screen veterans for symptoms, develop and operate a comprehensive program of long-term care for postacute TBI rehabilitation, establish TBI transition offices at all polytrauma network sites, and create and maintain a TBI health registry.

In addition to improving the diagnosis and treatment of traumatic brain injury, this bill will improve the VA's research of TBI and ensure that the VA provides better care to veterans in rural communities.

I want to thank the subcommittee chairman, Mr. MICHAUD, and the full

committee chair, Mr. FILNER, for their leadership on this issue, for including my legislation in its entirety in this bill, and I want to urge my colleagues to support this piece of legislation.

Mr. BUYER. Mr. Speaker, I appreciate the gentleman's comments that he just made. Before you take off, this issue, and I appreciate your interest in it because this is one of our great challenges. We've got the best helmet that we put on our soldiers and marines in the field and even some of the Air Force personnel, Navy personnel. And it protects them against ballistics, and it's the best in the world. But when it comes to blasts and crash, what it does to the brain, we're now on the forefront, and we are pushing the boundary of our knowledge.

And some of the world's experts now are not only at the polytrauma centers, but in particular, when these soldiers end up at Landstuhl, Germany, that's where they are. So they can immediately deal with these neurotraumas.

And when the gentleman said that there could possibly be thousands, what we do know is that at the polytrauma centers, those who are actually being treated for traumatic brain injury, there's less than 400 cases.

But the gentleman is right with regard to individuals who may have had a concussion. Yet, how severe is the concussion?

And if the science is unknown, and we're trying to understand that. That's the purpose of Mr. MICHAUD's bill. And I appreciate the gentleman's interest, would love to continue to work with you in your interest.

I'd bring to your attention the Veterans Health Administration Directive 2007–013 released April 13, 2007, establishes the VA policy and procedure for screening and evaluation of possible TBI in OEF and OIF veterans. This directive states, ''Not all patients who screen positive have TBI. It is possible to respond positively to all four sections due to the presence of other conditions such as PTSD, cervical cranial injury with headaches and inner ear injury, for example. Therefore, it's critical that patients not be labeled with a diagnosis of TBI on the basis of a positive screening test. Patients need to be referred for further evaluation.''

So we are in an area of science whereby the sand shifts directly under our feet, and I would look forward to working with the gentleman.

Mr. Speaker, I reserve my time.

Mr. FILNER. Mr. Speaker, I'd like to yield 2 minutes to the fighting gentleman from New Jersey (Mr. PASCRELL), who we like to call an honorary member of the Veterans' Committee since he fights so hard for veterans and is cochair of the Traumatic Brain Injury Caucus in the Congress.

Mr. PASCRELL. Mr. Speaker, I rise in favor of H.R. 2199, the Traumatic Brain Injury Health Enhancement and Long-Term Support Act.

As cochair of the 8-year-old Congressional Brain Injury Task Force of over 110 members, I commend the committee under Chairman FILNER's leadership. You've never, ever acted, through the Speaker, to do favors for veterans. You've always handled it in terms of your own responsibility. I salute you for that.

For his ongoing endeavors to explore and thoughtfully legislate for the benefit of our Nation's many veterans suffering from TBI, I want to thank JACK MURTHA, Congressman MURTHA, for all his work over the last 5 years on this issue when it wasn't popular to talk about.

The Veterans Administration has shown tremendous effort in addressing the needs of our returning vets, our returning troops on its own; however, I believe the large volume of returning TBI victims, the need for timely treatment and the immediate need for rehab, expertise and capacity require additional resources. Flexibility for the VA to form partnerships to ensure top-notch care for our service personnel is essential. 2199 is an excellent first step to ensuring our Nation's veterans the care they need and deserve.

The bill establishes five new Veterans Administration research centers for TBI, which, without a doubt, produce new and exciting prevention and treatment techniques. A comprehensive TBI treatment program within the VA is long overdue.

I want to commend the TBI screening program for veterans. We recommended it. Football teams throughout the United States screen students before they put on football equipment. I think that's important that we do that with our vets. I worked to establish it in the civilian realm. We should have it in the military.

On behalf of the task force, I look forward to working with the Veterans Committee on this and other TBI issues in the future.

I urge my colleagues to vote in favor of H.R. 2199.

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

At the May 9, 2007, full committee hearing on the results of the President's Task Force on Returning Global War on Terror Heroes, in response to my questioning about the actual number of TBI cases treated in VA as inpatients, Secretary Nicholson responded that VA has treated 369 veterans in its polytrauma centers so far for TBI.

Secretary Nicholson also commented that the VA has the capacity in their polytrauma centers, and that many of the patients in the polytrauma centers are active duty military.

Mr. Speaker, I continue to reserve my time.

Mr. FILNER. Mr. Speaker, I'd like to yield 2 minutes to another great new Member fighting for veterans, Congressman WELCH from Vermont.

Mr. WELCH of Vermont. Mr. Speaker, I want to thank the Veterans' Affairs Committee, the openness of that committee, to let anyone with a good idea to help veterans to come in and have an opportunity to do that. Mr. FILNER, Mr. MICHAUD, and, of course, Mr. BUYER and Mr. MILLER, thank you.

Rural Americans have always served the Nation's armed services, National Guard and Reserves in very great numbers. In fact, though only 19 percent of the Nation lives in rural America, 44 percent of the current U.S. military recruits come from rural areas, and nearly one-third of those who died in Iraq are from small towns and communities across the Nation, Vermont very much among them.

And unfortunately, access to health care for many of our veterans in rural areas is limited by mileage, distance and just the difficulty of transportation. Especially true, the provision of mental health care in rural settings has historically been a challenge for all health care systems and providers, including the VA. And therefore, what we recognize in this legislation is that we need to help the VA develop innovative solutions to address the need for mental health services in remote areas, TBI being the big injury that's been discussed by my colleagues.

This legislation takes a significant step towards improving the mental health services available to geographically isolated veterans. It creates a pilot program where at least two mobile vet centers will provide readjustment counseling and mental health services to veterans in at least five Veterans Integrated Service Networks that have the highest concentration of rural veterans.

□ 1745

One of these covers New England and my home State of Vermont. These mobile vet centers will also provide information and outreach concerning veterans benefits and, when practicable, assistance with claims for benefits.

Rural individuals and their families have strong bonds and ties to their communities. These mobile vet centers will allow veterans to stay in their communities and prevent endless hours of car rides for the care they receive.

I urge support and passage of this legislation and thank the committee for its indulgence.

Mr. BUYER. Mr. Speaker, I believe that it is conceivable that at some point one of these needed Traumatic Brain Injury Centers of Excellence could be located in the Department of Veterans Affairs Medical Center in Albuquerque, New Mexico, which could be named the Raymond G. ''Jerry'' Murphy Department of Veterans Affairs Medical Center, if Chairman FILNER would clear either H.R. 474 or take up Senate bill 229 for consideration on the floor of which that Senate bill, Mr. Speaker, sits at your desk.

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

Mr. FILNER. Mr. Speaker, let me just conclude by saying like everything else about this war, the administration did not prepare either for the fighting, the aftermath, or the treatment of the

veterans coming back. We simply left thousands of our veterans without adequate resources to treat these brain injuries or PTSD or other issues that arise. No matter what denial that comes from the minority party, no matter what denial comes from the administration, we have not prepared for adequate treatment of these veterans. We are passing legislation today to do that, and we will not deny that there will be thousands and thousands of brain-injured veterans. We should bring them home now and we should treat them well when they get back.

Mr. SPACE. Mr. Speaker, I rise again today in support of H.R. 2199, the Traumatic Brain Injury Health Enhancement and Long-Term Support Act. This bill offers a comprehensive legislative solution to confronting our servicemembers' increasing suffering from Traumatic Brain Injury.

Our brave men and women who serve in Operation Iraqi Freedom and Operation Enduring Freedom are faced with daunting physical and mental challenges every day as they carry out their duties. Troops deployed in Iraq, specifically, encounter the widespread use of IEDs, which can cause Traumatic Brain Injury. Extended deployments put our troops at risk for longer periods of time.

H.R. 2199 brings together solutions to begin addressing the needs of our wounded warriors who have been diagnosed with TBI. The bill requires the VA to establish five centers for TBI research, education, and clinical activities. It also instructs the VA to establish a TBI screening program that would provide critical information to Congress regarding the number of veterans screened, the prevalence of TBI symptoms, and recommendations for improving care. H.R. 2199 dictates that the VA should create a comprehensive program for the long-term care and rehabilitation for veterans who suffer from TBI. The bill also requires the VA to create a Traumatic Brain Injury Veterans Health Registry to generate a list of those who served in Iraq and/or Afghanistan, who have symptoms of TBI, and who apply for VA medical care or file a disability claim. The VA can then notify those on the registry of significant developments in research on health consequences of serving in Iraq and/or Afghanistan.

Additionally, this bill authorizes funding for a pilot program of mobile VA centers for rural areas. These mobile VA centers would improve access to readjustment benefits as well as mental health services. The mobile centers would also assist veterans in making disability claims.

I represent a rural district comprised of small towns and villages. I know that my rural veterans' constituency desperately needs better access to VA services and care, and these mobile VA centers could be part of the solution.

I strongly urge my colleagues to support this bill because it makes great strides in providing comprehensive care for our Nation's wounded warriors suffering from Traumatic Brain Injury.

Mr. HARE. Mr. Speaker, I rise today in strong support of H.R. 2199, the Traumatic Brain Injury Health Enhancement and Long-Term Support Act. As a Member of the Committee on Veterans' Affairs, I had the privilege of working on this bipartisan bill, which I believe provides critical resources to our heroes with combat-related brain injuries. I commend Representative ALTMIRE who initiated this effort and I thank VA Subcommittee Chairman MICHAUD, and VA Chairman FILNER for quickly bringing this bill to the floor.

Traumatic brain injury (TBI) is the most common wound suffered by troops returning from Iraq and Afghanistan; unfortunately it is often undetected until it is too late. The bill before us today ensures we preemptively screen all veterans for brain injury and that we have the facilities and research necessary to provide the best care possible.

Additionally, this bill addresses the needs of the 44 percent of service members who live in rural areas, like those in my district, by establishing an Advisory Committee on Rural Veterans. It also creates a pilot program for mobile counseling and mental health services.

Mr. Speaker, I am proud we took up this bill in the Veterans' Affairs Committee because it is a strong investment in timely healthcare for our returning troops. I urge my colleagues to support our military heroes by voting for the Traumatic Brain Injury Health Enhancement and Long-Term Support Act.

Mr. REYES. Mr. Speaker, I rise today in support of H.R. 2199, the Traumatic Brain Injury Health Enhancement and Long Term Support Act of 2007. As a Vietnam combat veteran, I have seen the long term effects that war-related wounds and illnesses can have on the lives of our returning soldiers.

As Agent Orange sickness and Post Traumatic Stress Disorder (PTSD) came to typify the Vietnam War, I believe that Traumatic Brain Injuries (TBI) have become a signature wound of the current conflicts in Iraq and Afghanistan. Advances in body armor and battlefield medicine have allowed our troops to survive head wounds that once would have been fatal. However, the number of identified traumatic brain injuries is alarming. Of the 23,000-plus troops who have been wounded in the wars in Iraq and Afghanistan, two-thirds reportedly have been diagnosed with traumatic brain injuries. These numbers may even be higher since many cases are often undiagnosed and go untreated. Some reports suggest that 150,000 veterans of the war in Iraq have suffered a traumatic brain injury of some kind.

Many of those affected by these devastating injuries are unable to perform the most basic cognitive functions and have great difficulties with the tasks of everyday life. These injured soldiers will require quality care and treatment for the rest of their lives.

While it is our obligation to ensure that our military forces have all the necessary arms and equipment to safely carry out their missions, we are also responsible for making sure that our troops know that we will take care of them when they return home. Today we have an opportunity to demonstrate to our wounded veterans our appreciation for their sacrifices and our firm commitment to providing them with the means for living a full and rewarding life. I urge my colleagues to join me in supporting this important bill.

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 pass the bill, H.R. 2199, 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. FILNER. 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.

EARLY ACCESS TO VOCATIONAL REHABILITATION AND EMPLOYMENT BENEFITS ACT

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2239) to amend title 38, United States Code, to expand eligibility for vocational rehabilitation benefits administered by the Secretary of Veterans Affairs, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2239

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 ''Early Access to Vocational Rehabilitation and Employment Benefits Act''.

SEC. 2. EXPANSION OF ELIGIBILITY FOR VOCATIONAL REHABILITATION BENEFITS ADMINISTERED BY THE SECRETARY OF VETERANS AFFAIRS.

Section 3102 of title 38, United States Code, is amended—

(1) in paragraph (1)(B), by striking ''or'' at the end;

(2) in paragraph (2), by striking the period at the end and inserting ''; or''; and

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

''(3) the person—

''(A) at the time of the Secretary's determination under subparagraph (B), is a member of the Armed Forces who is hospitalized or receiving outpatient medical care, services, or treatment;

''(B) is determined by the Secretary to have a disability incurred or aggravated in the line of duty in the active military, naval, or air service that is likely to be rated at 10 percent or more; and

''(C) is likely to be discharged or released from such service for such disability.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. FILNER) and the gentleman from Arkansas (Mr. BOOZMAN) 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.

This bill, the Early Access to Vocational Rehabilitation and Employment Benefits Act, was authored by my good friend from Arkansas (Mr. BOOZMAN), and we appreciate his efforts over many years on behalf of our veterans. I was glad that we could get this bill to the floor today. It is the last of seven that say thank you to our Nation's veterans as we come up on Memorial Day.

This would extend vocational rehabilitation and employment benefits to members of the Armed Forces who are

determined to have a disability incurred while on active duty of at least 10 percent and likely to be discharged from service due to that disability. The servicemembers would still have to qualify under usual vocational rehabilitation and employment criteria of at least 20 percent, with an employment handicap of 10 percent with a serious employment handicap.

H.R. 2239 will help veterans begin their rehab earlier and will be very beneficial to those veterans in extended convalescence which could be over a year. This is the ideal time, as veterans will still be on active duty, continuing to receive their military pay, making it easier to support his or her family. One of the factors that leads to servicemembers dropping out of vocational rehabilitation and employment is the need to support their families.

Due to the severity of the injury or injuries, most veterans will be expected to experience a drop in pay once they are discharged. However, if a veteran begins their rehab immediately, they may be able to enter the job market much earlier.

I urge my colleagues to support H.R. 2239. It is an important bill. This is the least we can do for these brave men and women. It will ease the transition from the military to civilian employment market. And, again, I thank Mr. BOOZMAN for his leadership on this issue.

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

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

H.R. 2239, the Early Access to Vocational Rehabilitation and Employment Benefits Act, implements a commonsense involvement in the speed with which we provide vocational rehabilitation to injured servicemembers. This bill makes it clear that active duty servicemembers are entitled to begin using vocational rehabilitation benefits prior to discharge.

The bill directs the Department of Veterans Affairs to coordinate with the military services to determine the likelihood that a servicemember undergoing hospitalization or outpatient treatment will be discharged or returned to active duty. If the member is likely to be discharged and will likely have a disability rating of at least 10 percent, VA is authorized to evaluate and award the full range of vocational rehabilitation benefits prior to the servicemember's discharge. Such a decision would be made using the current statutory and regulatory processes to determine eligibility.

Mr. Speaker, it makes no sense to delay access to benefits that will speed an injured servicemember's return to productive civilian life. For severely injured servicemembers, these benefits often make the difference between whether or not they are able to live independently. Many of those wounded in the global war on terror spend 2 or 3 years recovering from their injuries and often find themselves with significant free time outside of their therapy sessions. That free time offers an ideal opportunity to make use of their vocational rehabilitation and employment benefits to prepare them for the civilian job market. I am happy to let my colleagues know that CBO has said that this bill ''would have no direct impact on direct spending.'' The bill simply affects the timing of when our servicemembers receive the benefits.

All of us have gone over to Bethesda and Walter Reed to visit injured troops. And, again, this is an effort to give them the best of both worlds, the best that we can offer them being on active duty, but to go ahead and start those vocational rehab services so that we can get vocational counselors in there and then, again, as they pursue their getting stronger and heal physically, to go ahead and direct them in such a way that we can provide a new occupation for them in the future.

So I appreciate Chairman FILNER, Ranking Member BUYER, Chairwoman HERSETH SANDLIN, and especially the chairwoman in the sense that she was instrumental in helping us amend the bill to improve it.

So, again, I would urge that my colleagues support this legislation.

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

Mr. FILNER. Mr. Speaker, I yield such time as she may consume to the dynamic chair of our Economic Opportunity Subcommittee, the gentlewoman from South Dakota (Ms. HERSETH SANDLIN).

Ms. HERSETH SANDLIN. Mr. Speaker, again I thank the chairman for yielding.

I rise today in strong support of H.R. 2239, the Early Access to Vocational Rehabilitation and Employment Benefits Act.

I want to thank the ranking member of the Economic Opportunity Subcommittee, my good friend and trusted colleague, Mr. BOOZMAN, for introducing this important bill and for working with me prior to the committee markup to strengthen the bill. I also want to thank Chairman FILNER and Ranking Member BUYER for their support of the bill as well.

While current law requires servicemembers to be discharged from active duty prior to applying and receiving benefits from the VA, H.R. 2239 would extend vocational rehabilitation and employment benefits to members of the U.S. Armed Forces who are determined to have a disability of at least 10 percent or more, incurred or aggravated while on duty, and likely to be discharged from service due to that disability.

This important legislation would help veterans begin their rehabilitation earlier and could be very beneficial for those who are in extended convalescence, which may last more than a year for some servicemembers. As the chairman explained, today we do find that a major factor for new veterans dropping out of the VR&E program is the immediate need to financially support the family. We can reduce the risk of these individuals dropping out of the program prematurely if we extend the benefits while they are still on active duty.

Now, in some cases, due to the severity of their injuries, a number of veterans may likely experience a drop in pay after their discharge and when they enter the civilian workforce. However, if a veteran begins his or her rehabilitation immediately, he or she may be able to enter the job market much earlier with a level of readiness and a set of skills to command a higher-paying position than otherwise might be obtained.

I look forward to continuing to work in a bipartisan manner with Mr. BOOZMAN on the Economic Opportunity Subcommittee to ensure Federal services are available to help our fighting men and women successfully transition to civilian life.

I ask my colleagues to join me in supporting H.R. 2239 so that we may ensure our servicemembers are more readily afforded the benefits they need to heal and succeed after their service to our country.

Mr. BOOZMAN. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentleman from Indiana (Mr. BUYER).

(Mr. BUYER asked and was given permission to revise and extend his remarks.)

Mr. BUYER. Mr. Speaker, I rise in support of the bill and compliment Ms. HERSETH SANDLIN for her work and Mr. BOOZMAN.

Mr. Speaker, the bill, as amended does two important things. First, it lowers the existing eligibility for servicemembers undergoing treatment prior to discharge to 10 percent vice the current 20 percent. Second, it clarifies existing law to reaffirm Congress' intent that VA provide vocational rehabilitation and employment benefits to eligible service members undergoing what is normally long-term convalescence.

This bill will be especially important to service members being treated at our major trauma centers such as Walter Reed, Bethesda, Palo Alto and Tampa Bay. Many of these service members are facing what may be years of physical and emotional therapy and it makes good sense to begin the process of reintegration into the workforce prior to discharge from active duty. Voc rehab benefits available under this bill will also provide positive reinforcement to DoD and VA therapy sessions by concentrating on issues other than any residual disability(s) they may have from their injuries.

Mr. Speaker, this is an excellent bill and I strongly urge my colleagues to support it.

Mr. FILNER. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. BOOZMAN. Mr. Speaker, again, I would like to urge the passage of H.R. 2239. I appreciate the work of my chairman and ranking member and especially the work of the staff on this bill.

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 both H.R. 2199 and H.R. 2239, as amended.

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

There was no objection.

Mr. FILNER. Mr. Speaker, we have come to the end of a day of thanks to our Nation's veterans. We have seven bills, all of which will go to really improve our services, our health care, our sense of commitment to our Nation's veterans. We have had seven good bills today, and I think they will all be approved by this body.

I was a professor of European history before I became a Congressman, and I used to talk about the Roman world. And there was this famous Roman senator named Cato. And Cato would end all his speeches, no matter on what subject, which they might be about the sewer system of Rome or they might be about gladiator games or war against the Parthians or whoever, but he would always end his speech, no matter what the thing was, and everybody would expect it and he sort of became the laughingstock of the senate because they would know he would end all his speeches with ''and we must destroy Carthage.'' And nobody paid any attention to his speeches because they were all waiting for that conclusion no matter on what subject.

So with that little history lesson, I urge my colleagues to unanimously support H.R. 2239.

Mr. SPACE. Mr. Speaker, I rise again today in support of H.R. 2239, the Early Access to Vocational Rehabilitation Benefits Act.

Currently, vocational rehabilitation benefits provided by the VA are not available to veterans until after they have been discharged from military service. This bill extends eligibility for vocational rehabilitation benefits to current members of the armed forces who are hospitalized or are undergoing out-patient medical care, who have a disability of at least 10 percent incurred or aggravated while on active duty, and who are likely to be discharged from service due to that disability.

As a member of the Veterans' Affairs Committee, I am dedicated to providing our Nation's veterans with every service that they have earned and that they were promised. Access to vocational rehabilitation is part of what our Nation's heroes are entitled to, and this bill is a step in the right direction.

By supporting this bill, we are ensuring that wounded servicemembers can access rehabilitational benefits more quickly without having to wait for their paperwork to catch up to them. This bill will get our wounded vets back on their feet and reintegrated into the workforce sooner than is currently possible by providing them with vocational benefits while they are awaiting military discharge. Reintegration into the workforce is a key part of easing stability back into the lives of our servicemembers who have often spent months in incredibly tense and mentally-exhausting environments. Re-establishing a "normal" working routine at a pace that better suits our servicemembers is beneficial to all parties involved.

I urge my colleagues to support H.R. 2239 because the bill provides our Nation's veterans with more timely access to a promised service as they transition back to civilian life.

Mr. DAVIS of Illinois. Mr. Speaker, I rise in strong support of H.R. 2239, to expand eligibility for vocational rehabilitation benefits administered by the Secretary of Veterans Affairs. I would like to take some of my time to express my deepest appreciation for our Nation's veterans. It is with this that I strongly ask you to expand eligibility for vocational rehabilitation benefits for all of our veterans. Every day, we find more and more of our veterans returning home with severe physical and mental disabilities. This legislation is a step in the right direction and will act as a cornerstone necessity for providing the medical care, services and treatment that all of our country's finest deserve.

This Congress to must ensure that our injured soldiers, sailors, airmen and any other veterans who have returned home with a disability not only receive the basics in terms of medical attention, but also receive proper rehabilitation so that suitable employment in the future can become a viable option. The act of a person once again living independently is the highest goal that this legislation can achieve. Services that provide counseling, education, financial aid, and job assistance are the best tools for our veterans to use in order to get back on their feet and live a life of independence and dignity. Let us not revisit the fatal mistakes made after Vietnam. To quote my good friend and colleague, DICK DURBIN, "We owe our disabled veterans more than speeches, parades and monuments." Let's do our best to convey our appreciation for their sacrifices.

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 pass the bill, H.R. 2239, 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. FILNER. 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.

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.R. 67, H.R. 612, H.R. 1470, H.R. 2199, and H.R. 2239, in each case 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.

VETERANS OUTREACH IMPROVEMENT ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 67, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

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. 67, as amended.

The vote was taken by electronic device, and there were—yeas 421, nays 0, not voting 11, as follows:

[Roll No. 410]

YEAS—421

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee

Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—11

Davis, Jo Ann
DeGette
Engel
English (PA)
Fossella
Granger
Hulshof
Hunter
Jones (OH)
McMorris Rodgers
Oberstar

□ 1822

Mr. STUPAK changed his vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RETURNING SERVICEMEMBER VA HEALTHCARE INSURANCE ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 612, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

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. 612, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 419, nays 0, not voting 13, as follows:

[Roll No. 411]

YEAS—419

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—13

Davis, Jo Ann
DeGette
Engel
Fossella
Granger
Hulshof
Hunter
Jones (OH)
Marshall
McCaul (TX)
McMorris Rodgers
Oberstar
Radanovich

□ 1830

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CHIROPRACTIC CARE AVAILABLE TO ALL VETERANS ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1470, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

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. 1470.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 1, not voting 10, as follows:

[Roll No. 412]

YEAS—421

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NAYS—1

Stark

NOT VOTING—10

Davis, Jo Ann
DeGette
Engel
Fossella
Granger
Hulshof
Hunter
Jones (OH)
McMorris Rodgers
Oberstar

□ 1838

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

TRAUMATIC BRAIN INJURY HEALTH ENHANCEMENT AND LONG-TERM SUPPORT ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 2199, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

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. 2199, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 0, not voting 11, as follows:

[Roll No. 413]

YEAS—421

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
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
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Obey

Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—11

Cannon
Davis, Jo Ann
DeGette
Engel
Fossella
Granger
Hulshof
Hunter
Jones (OH)
McMorris Rodgers
Oberstar

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1844

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EARLY ACCESS TO VOCATIONAL REHABILITATION AND EMPLOYMENT BENEFITS ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 2239, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

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. 2239, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 414, nays 0, not voting 18, as follows:

[Roll No. 414]

YEAS—414

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McNerney
McNulty
Meehan
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—18

Bilirakis
Boucher
Davis, Jo Ann
DeGette
Engel
Fossella
Gohmert
Granger
Hulshof
Hunter
Jones (OH)
McMorris Rodgers
Meek (FL)
Murtha
Oberstar
Pickering
Sanchez, Loretta
Sullivan

□ 1851

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1649

Ms. HERSETH SANDLIN. Mr. Speaker, I ask unanimous consent to remove the name of Congressman JAMES MORAN of Virginia as a cosponsor to H.R. 1649, who was added inadvertently as a cosponsor to that bill.

The SPEAKER pro tempore (Mr. HALL of New York). Is there objection to the request of the gentlewoman from South Dakota?

There was no objection.

HONORING JACK BORMAN

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

Mr. DAVIS of Kentucky. Mr. Speaker, I rise today to honor the achievements of Jack Borman. In a few days, Jack will be retiring from the Kenton County Sheriff's Department, and I

think this is the ideal time to honor his dedication and lifetime of service to our Nation.

As a young man from Silver Grove, Kentucky, Jack joined the military and was deployed to fight in the Korean War. He bravely fought in missions at Triangle Hill, in Operation Smack and in the now infamous battle at Pork Chop Hill. For his bravery and valor at the Battle of Pork Chop Hill, one of the most deadly battles of the Korean War, he was awarded the Silver Star and a Purple Heart.

Several years ago, MGM Studios released a film about this battle, and Jack added movie star to his long list of lifetime accomplishments. From fighting in Korea to serving Kenton County, he has selflessly served and protected us. Jack, we thank you for your service and wish you much success in your retirement.

Jack is a busy grandfather to 19 grandchildren. I'm sure his life will continue to be a great adventure. For all that, thank you for your service.

PLEASE OPPOSE THE IRAQ WAR SUPPLEMENTAL

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

Mr. KUCINICH. Mr. Speaker, the Iraq War supplemental on the floor tomorrow will in no way pressure the President to end the war in Iraq, despite the fact that voters gave our majority last November the responsibility to do that, end the war.

The benchmarks in the war supplemental force the Iraqis to privatize, or turn over to multinational oil interests, their oil industry by demanding passage of the Iraqi Hydrocarbon Act. I spoke on the House floor today for an hour documenting the evidence.

But if the Iraqis refuse to turn over the oil resources, the terms of the bill are blackmail. The war supplemental demands passage of the Iraqi bill by blocking over $1 billion in reconstruction funds if the Iraqis refuse to comply.

We need to send a message to the voters that we do not support privatizing Iraqi oil by force, nor do we support the continued funding of this war.

It is not credible to maintain that one opposes the war and yet continues to fund it. Continuing to fund the war is not a plan. It would represent the continuation of a disaster. A better approach is the 12-point plan established in H.R. 1234.

EXPAND ELIGIBILITY FOR THE ARMY'S COMBAT ACTION BADGE

(Ms. GINNY BROWN-WAITE of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, in 2005, the Department of the Army authorized the creation of the Army Combat Action Badge. This important badge provides recognition to our soldiers who personally engaged the enemy in combat. However, the Army's current policy limits eligibility to those who meet its criteria after September 18, 2001.

As such, the Combat Action Badge overlooks thousands of veterans who made similar sacrifices in previous wars. I've heard from many veterans who feel slighted by the Army's failure to recognize their own heroism.

In response, I've reintroduced my legislation, H.R. 2267, to expand eligibility for this award to those soldiers who served during the dates ranging from December 7, 1941, to September 18, 2001. This expansion would be a fitting tribute to countless individuals who made sacrifices for our country.

SPECIAL ORDERS

The SPEAKER pro tempore. 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.

□ 1900

RECOGNIZING THE WORK OF TERRY ERICKSON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. KIND) is recognized for 5 minutes.

Mr. KIND. Mr. Speaker, I rise today to pay tribute to Terry Erickson, a man who has dedicated his life's work to helping children. Terry has tirelessly served western Wisconsin youth for over 40 years, mainly as the executive director of the Boys and Girls Club of Greater La Crosse, a place I proudly called my second home while growing up on the north side of La Crosse.

For over 100 years, the Boys and Girls Club of America has been fostering an environment of hope and opportunity for all children. In addition to promoting character development and educational progress, the club creates a safe environment so kids can simply play and enjoy themselves. In fact, some of my fondest childhood memories are a result of my participation in the La Crosse club.

At a time when many temptations existed in our neighborhoods for children and when there were plenty of opportunities for us to get into trouble, I found the club to be a safe haven for me and many other students for playing sports or just hanging out with our friends.

Since the creation of the Boys and Girls Club of Greater La Crosse in 1966, Terry has been a champion for youth programming and a father-like figure for many of us. Terry's devotion to the club's goal of inspiring all young people to realize their full potential is unrivaled. It is this passion and enthusiasm that has resulted in unprecedented growth for the organization.

Under Terry's leadership, the Boys and Girl Club of Greater La Crosse has flourished, growing from a small organization into one of the premier clubs throughout the country. The organization has expanded to six different locations, including a partnership with Viterbo University. Recently, Terry's university president, Bill Medlandis, and the Mathy family's dedication to this partnership resulted in the Amie L. Mathy Center, a club located on the campus of Viterbo University that enriches academic support for children.

The number of lives Terry has positively affected throughout the years is impossible to quantify. I know my two boys have greatly benefited from their experiences with the club and from Terry's selfless example. Because of Terry's guidance, the Boys and Girls Club of Greater La Crosse has created a haven for youth and a sense of community in the area.

Terry simply brings out the best in people, whether they are young children and students who benefited from the club's many activities, or the countless adults who have volunteered their time to make the La Crosse club one of the premier models in our country.

It has been said that great teachers enjoy a special immortality because their influence never stops radiating. I just hope that upon his retirement, Terry appreciates the wonderful teaching that he has done and the countless lives that he has influenced.

I am proud to count myself as one of Terry's products, and I am even prouder to call him my friend. Although Terry's service and commitment to the children of the La Crosse area will be deeply missed upon his retirement, the solid foundation he has laid for the club will empower children for decades to come.

I also want to congratulate my childhood friend and classmate Kevin Johnston, who was chosen to take over for Terry at the club. I couldn't imagine a better selection, given Kevin's history with the club, his passion for youth of our community and his close relationship with Terry throughout the years. I know Kevin will excel in his new position.

I commend Terry for his unyielding service and dedication to the community. As in any lengthy undertaking, Terry's service to our children required tremendous personal time and sacrifice by himself and his entire family. That's why, on behalf of all the children in the La Crosse area, I would like to thank Terry, Sue and their entire family for the impact that they have had in the La Crosse community. I wish Terry and Sue all the best as they close this chapter in their lives and begin a new one. But knowing Terry, I am sure the best interests of our youth will be close at hand.

Congratulations, Terry. Thank you for a job well done. We all wish you Godspeed.

The SPEAKER pro tempore (Mr. HALL of New York). Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

NEW AL QAEDA TAPES FEATURE U.S. CAPITOL UNDER ''ATTACK''

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. Mr. Speaker, President Bush today gave a speech, and he talked about the terrorist threat, and he talked about the attempts on the United States that have taken place since 9/11. He talked a little bit about the attempted attack last week at Fort Dix.

Yet I don't believe any of the media is paying any attention to that. It seems like every time the President talks about the threat, it just never makes the television networks.

That is very troubling to me, because after 9/11, the President said we are in a world war against terrorism, and it may go on for a long, long time. It may go on for more than my tenure in office. It may go on for decades.

When you are fighting a war of terrorism like that, you have to be resolute of purpose. There's no question that the war that's going on in Iraq and Afghanistan has been very trying on the American people, but this is a war against terrorism, and we must be resolute of purpose.

This week on the Internet, al Qaeda had put out a new message to possible recruits for them around the world. I would like to read to you what was on the Internet.

It says, al Qaeda has a new opening graphic for its propaganda tapes, the U.S. Capitol, that's this place right here, under attack. His quote, ''The Islamic State of Iraq . . . March Towards Washington,'' reads the headline in English superimposed over a digitally created scene of the U.S. Capitol under attack in the introductory sequence of one tape released on the Internet this week.

Another from al Qaeda's ''as Sahab'' production arm announces, ''Holocaust of the Americans in the land of Khorasan,'' and shows an image of the U.S. Capitol. They introduce a short clip of al Qaeda fighters.

''This is a disturbing trend,'' says Laura Mansfield, an Arabic expert who monitors jihadi videos on the Internet. ''Recall that in January of 2006, Osama bin Laden said that plans for attacks in the U.S. were in progress,'' Mansfield told the Blotter on ABCNews.com. ''It may be that this new imagery is designed to motivate terrorist activity in the U.S., but it is certainly intended as a recruiting tool and perhaps intended to reassure al Qaeda's jihadi followers that they haven't forgotten their goal of an al Qaeda attack on Washington, D.C.,'' this city.

I don't tout television shows very often, but occasionally I urge my colleagues to watch something that I think is important. I just say to my colleague, I understand that tonight on the O'Reilly show on Fox Network, he is going to talk about a poll that was taken among Muslims in the United States. There are approximately 6 million Muslims in the United States, and I believe that 99 percent of them or 95 percent of them are very patriotic Americans. But in this poll they found that the Muslims between the ages of 18 and 29, approximately around 20 percent of them, are sympathetic to the terrorists who kill themselves, blow themselves up in an attack on American targets. This is a very disturbing poll that was taken.

This is a very trying time for Americans and for this country. I urge all of my colleagues to remember what the President said after 9/11. Remember, this is a world war against terrorism. Remember what I just read here that was on the Internet, that their ultimate goal is to attack Washington, D.C., and remember that there is a growing number of young men in America, Muslims, who are very sympathetic to the terrorists who blow themselves up.

We need to make sure that the American people understand the gravity of this situation. To back down to the terrorists now would be a big mistake. It's very important that we stay our ground in Iraq and throughout the world and send a message to the terrorists that we will not surrender and we will not be defeated.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Utah (Mr. MATHESON) is recognized for 5 minutes.

(Mr. MATHESON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

BUSH AUTHORIZES COVERT ACTION AGAINST IRAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. MCDERMOTT) is recognized for 5 minutes.

Mr. MCDERMOTT. Mr. Speaker, the President and the Vice President have vowed to repeat the mistakes of history, and they have put into motion a plan to do just that in Iran, even as the House is about to send the President a box of blank checks for Iraq against the will of the American people.

History is worth noting. In 1953, the United States and the United Kingdom launched Operation Ajax, a covert CIA operation to destabilize and remove the democratically elected Government of Iran, including Prime Minister Mossadegh. Why? Oil.

Under Mossadegh, the Iranian Government decided to reclaim Iran's rightful ownership to its national oil treasure, which had been exclusively controlled by the British, who were taking 85 percent of the profits. Oh, by the way, the United Kingdom also kept the books secret, merely telling Iran what its 15 percent take was.

As soon as Mossadegh began to reclaim Iran's oil, it was all over. Operation Ajax was set into motion. The U.S. Embassy in Tehran provoked phony and internal Iranian dissent, while the Brits engineered an Iranian financial crisis by orchestrating a global boycott of Iranian oil. We brought down the Iranian Government and installed the Shah. For two decades we propped him up against the will of the Iranian people. It was all about controlling Iran. It still is.

Today ABC News is reporting exclusively that this President has authorized a new covert CIA plot to bring down the Iranian Government. I ask to submit for the RECORD the report produced by the chief investigative reporter Brian Ross and Richard Esposito of ABC News. This is the lead sentence in their story: ''The CIA has received secret Presidential approval to mount a covert 'black' operation to destabilize the Iranian Government, current and former officials in the Intelligence Community tell the Blotter on ABCNews.com.''

[From ABC News, May 22, 2007]

BUSH AUTHORIZES NEW COVERT ACTION AGAINST IRAN

(By Brian Ross and Richard Esposito)

The CIA has received secret presidential approval to mount a covert ''black'' operation to destabilize the Iranian government, current and former officials in the intelligence community tell the Blotter on ABCNews.com.

The sources, who spoke on the condition of anonymity because of the sensitive nature of the subject, say President Bush has signed a ''nonlethal presidential finding'' that puts into motion a CIA plan that reportedly includes a coordinated campaign of propaganda, disinformation and manipulation of Iran's currency and international financial transactions.

''I can't confirm or deny whether such a program exists or whether the president signed it, but it would be consistent with an overall American approach trying to find ways to put pressure on the regime,'' said Bruce Riedel, a recently retired CIA senior official who dealt with Iran and other countries in the region.

A National Security Council spokesperson, Gordon Johndroe, said, ''The White House does not comment on intelligence matters.'' A CIA spokesperson said, ''As a matter of course, we do not comment on allegations of covert activity.''

The sources say the CIA developed the covert plan over the last year and received approval from White House officials and other officials in the intelligence community.

Officials say the covert plan is designed to pressure Iran to stop its nuclear enrichment program and end aid to insurgents in Iraq.

''There are some channels where the United States government may want to do things without its hand showing, and legally, therefore, the administration would, if it's doing that, need an intelligence finding and

would need to tell the Congress,'' said ABC News consultant Richard Clarke, a former White House counterterrorism official.

Current and former intelligence officials say the approval of the covert action means the Bush administration, for the time being, has decided not to pursue a military option against Iran.

Vice President Cheney helped to lead the side favoring a military strike,'' said former CIA official Riedel, ''but I think they have come to the conclusion that a military strike has more downsides than upsides.''

The covert action plan comes as U.S. officials have confirmed Iran had dramatically increased its ability to produce nuclear weapons material, at a pace that experts said would give them the ability to build a nuclear bomb in two years.

Riedel says economic pressure on Iran may be the most effective tool available to the CIA, particularly in going after secret accounts used to fund the nuclear program.

''The kind of dealings that the Iranian Revolution Guards are going to do, in terms of purchasing nuclear and missile components, are likely to be extremely secret, and you're going to have to work very, very hard to find them, and that's exactly the kind of thing the CIA's nonproliferation center and others would be expert at trying to look into,'' Riedel said.

Under the law, the CIA needs an official presidential finding to carry out such covert actions. The CIA is permitted to mount covert ''collection'' operations without a presidential finding.

''Presidential findings'' are kept secret but reported to the Senate Select Committee on Intelligence, the House Permanent Select Committee on Intelligence and other key congressional leaders.

The ''nonlethal'' aspect of the presidential finding means CIA officers may not use deadly force in carrying out the secret operations against Iran.

Still, some fear that even a nonlethal covert CIA program carries great risks. ''I think everybody in the region knows that there is a proxy war already afoot with the United States supporting anti-Iranian elements in the region as well as opposition groups within Iran,'' said Vali Nasr, adjunct senior fellow for Mideast studies at the Council on Foreign Relations. ''And this covert action is now being escalated by the new U.S. directive, and that can very quickly lead to Iranian retaliation and a cycle of escalation can follow,'' Nasr said. Other ''lethal'' findings have authorized CIA covert actions against al Qaeda, terrorism and nuclear proliferation.

Also briefed on the CIA proposal, according to intelligence sources, were National Security Advisor Steve Hadley and Deputy National Security Advisor Elliott Abrams. ''The entire plan has been blessed by Abrams, in particular,'' said one intelligence source familiar with the plan. ''And Hadley had to put his chop on it.''

Abrams' last involvement with attempting to destabilize a foreign government led to criminal charges. He pleaded guilty in October 1991 to two misdemeanor counts of withholding information from Congress about the Reagan administration's ill-fated efforts to destabilize the Nicaraguan Sandinista government in Central America, known as the IranContra affair. Abrams was later pardoned by President George H. W. Bush in December 1992.

In June 2001, Abrams was named by then National Security Advisor Condoleezza Rice to head the National Security Council's office for democracy, human rights and international operations. On Feb. 2, 2005, National Security Advisor Hadley appointed Abrams deputy assistant to the president and deputy national security advisor for global democracy strategy, one of the nation's most senior national security positions.

As earlier reported on the Blotter on ABCNews.com, the United States has supported and encouraged an Iranian militant group, Jundullah, that has conducted deadly raids inside Iran from bases on the rugged Iran-Pakistan-Afghanistan ''tri-border region.''

U.S. officials deny any ''direct funding'' of Jundullah groups but say the leader of Jundullah was in regular contact with U.S. officials.

American intelligence sources say Jundullah has received money and weapons through the Afghanistan and Pakistan military and Pakistan's intelligence service. Pakistan has officially denied any connection.

A report broadcast on Iranian TV last Sunday said Iranian authorities had captured 10 men crossing the border with $500,000 in cash along with ''maps of sensitive areas'' and ''modem spy equipment.'' A senior Pakistani official told ABCNews.com the 10 men were members of Jundullah.

The leader of the Jundullah group, according to the Pakistani official, has been recruiting and training ''hundreds of men'' for ''unspecified missions'' across the border in Iran.

We are back in 1953, and it worked so well then. Of course, the Vice President wanted to invade Iran, so we can be sure he will spin new tales of fear in coming days to keep his preferred option, invasion, by land or by air, very much alive. The President knows only one way: My way or the highway. His Vice President knows only one way: Invade and seize control of what you want. And he wants the oil treasure of Iraq and Iran to become wholly owned subsidiaries of the Western oil companies he favors.

With Iraq in civil war, the President has authorized a secret plan to repeat the doomed mistakes of history in Iran. How many billion dollars of reconstruction money from Iraq will be siphoned off to deconstruct Iran?

The American people are virtually shouting at us to pay attention and get our soldiers out of Iraq now. Vast sums of U.S. money are flowing into Iraq, and billions of U.S. dollars are missing. The Special Investigator for Iraq Reconstruction told a San Antonio newspaper last week that corruption in Iraq is endemic and debilitating.

But Prime Minister Maliki has granted Ministers and former Ministers immunity from prosecution by Iraq's Commission of Public Integrity, and, in turn, the Ministers can shield their own employees from prosecution, a government that has been told by this President and Vice President to pass an oil law that transfers control and profits to Western oil companies, just like the good old days in Iran. Overthrowing Iran in 1953 was all about oil. Invading Iraq was all about oil, and the new secret plot against Iran is all about oil.

Oil is the only benchmark this President and Vice President want, and they will keep American soldiers fighting and dying until an oil law is passed in Iraq that gives Western oil companies total control of the spigot and the profits. It's time to unmask the latest doomed plot to overthrow Iran, and it is past time to get our soldiers out of Iraq.

Nothing less than protecting our troops is acceptable.

NIGHT LIFE IN SALT LAKE CITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Utah (Mr. BISHOP) is recognized for 5 minutes.

Mr. BISHOP of Utah. Mr. Speaker, almost a fortnight ago, one of our colleagues, the gentleman from Massachusetts, was waxing eloquent about congressional experts, which he considered to be an oxymoron, as he said, similar to jumbo shrimp or Salt Lake City night life.

I have the opportunity of representing the central and western side of Salt Lake City, along with my colleague, who hopefully will be here later, who lives in and represents the east side of Salt Lake City, Mr. MATHESON. Now, it's true I don't live in Salt Lake City. I live in a much quieter area 60 miles north of a town appropriately called Brigham City. But in my younger, wilder college days, I did live in areas that I now represent in Central City and Capitol Hill in Salt Lake, an area similar to this except about 4,000 feet closer to the heavens.

I want you to know in the night life, every evening when you went out, on almost every corner you could find an ice cream parlor. If I ever wanted to forget my worries and drown my sorrows, I could easily have a second glass of warm milk. There are some nights we put our pajamas on before 8:00, the one without the feet. Even now we will occasionally stay up long enough to watch Letterman go through his top 10. Our night life, and he says there is no night life, when we wanted to go out at night, we would take off the working Wranglers, put on the clean Wranglers and go down to 7–Eleven and find the new Slurpee flavors of the month.

For a gourmet night, we could even load up the minivan and supersize number 5 with extra mayo, for everyone except for the driver, because we don't allow drinking and driving. That's why some of our cabbies die of thirst. And you say we have no night life?

It's true our happy hours are determined by how much green Jell-O is available, because a party is not a party without green Jell-O and carrot bits. Indeed, if you order a mixed drink, it will definitely involve chocolate syrup and milk, but you still have to stir vigorously with the straw. And he says we have no night life?

Our baseball fans, after the seventh inning, can order all the root beer they want. Admittedly, it causes road rage. I remember the last time I came out when my buggy was cut off by a buckboard wagon, and I have to admit, I said some expletives, like, oh my,

heck, move that frigging nag. But to say we have no night life?

Now, lest any other myths continue on here, I do want to tell the gentleman from Massachusetts, if he wants to see Tony Award-winning regional drama, he will have to come to Utah, and he will fly into one of the busiest hubs in the Nation, which is Salt Lake International.

If he finds himself seated at Pioneer Memorial Theater or Kingsbury Hall or Rose Wagner Theater, Capitol Theater, he will be seeing Broadway-quality plays all done by equity actors, or he will be listening to some of the finest music done by the Utah Opera Company or the premiere ballet of the West, which is Ballet West, which is headquartered in Utah, or watching the award-winning Repertory Dance Theater.

If he finds himself in Abravenal Hall, he will be listening to one of the best symphony orchestras in the Nation. If he is at Franklin Covey Field, he will watch the sun shine on the eastern mountains in the Wasatch over the left field berm as he sits in probably what has been considered one of the nicest and most beautiful baseball stadiums, watching the AAA-Division-leading Salt Lake Bees. He can find private clubs and dance clubs and comedy clubs and concerts and even, although I don't recommend it, get drunk in Salt Lake City.

□ 1915

He might even be able to listen to a debate between a publicity-seeking mayor and a radio talk show host about Iraq, in which case he would probably want to be drunk. It may just have been under those night lights that he didn't see much going on; that it was one of the nights when the Utah Jazz, even though they have had two rough difficult nights, were still involved in the hunt for the NBA title, something which a team in his State can't say.

In short, I would simply recommend and invite the good gentleman from Massachusetts to come and visit our State. I would suggest, perhaps, though, he should bring an interpreter with him, because in Utah we still do not put an R at the end of our vowels.

The SPEAKER pro tempore (Mr. HALL of New York). Under a previous order of the House, the gentleman from Pennsylvania (Mr. PETERSON) is recognized for 5 minutes.

(Mr. PETERSON of Pennsylvania addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

DEAMONTE'S LAW

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Speaker, I rise today to announce that I have introduced Deamonte's Law, a bill to establish a dental home for every American child by increasing dental services in the community health centers and training more individuals in pediatric dentistry.

The legislation is named for Deamonte Driver, a 12-year-old Maryland boy who died on February 25, 2007 when a tooth infection spread to his brain. A routine dental checkup might have saved his life, but Deamonte was poor and homeless and he did not have access to a dentist.

When I learned of this senseless tragedy, I was deeply shaken. I simply cannot comprehend how in this country, where we have sent men to the Moon, we let a little boy's teeth rot so badly that his infection became fatal.

I often say that as adults we have a responsibility to provide for and to protect our children, and we failed miserably to meet that responsibility for little Deamonte. I think we all should be ashamed by that fact. I know I am.

That is why I have made a commitment to addressing this issue from every single angle. I knew that if Deamonte was suffering in my home State of Maryland, other little boys and girls like him were probably also suffering.

To be clear, Deamonte's case was rare and extreme. However, even the most casual investigation reveals that children across this great Nation are living with painful, untreated tooth decay, many of them dangerously close to acquiring life-threatening infections.

The Centers for Disease Control and Prevention reports that tooth decay in baby teeth has increased 15 percent among United States toddlers and preschoolers 2 years old to 5 years old between 1988 to 1994, and 1994 to 2004. Tooth decay is the single most common childhood chronic disease, and it disproportionately affects poor and minority children. Eighty percent of dental decay occurs in just 25 percent of children, and parents are three times more likely to report that their children's dental needs are unmet when compared to the general medical care needs.

A silent epidemic of dental disease is plaguing our children, and our inability to address this issue has simply been horrifying. That is why I have introduced Deamonte's Law, which would address two critical factors contributing to the inability of children like Deamonte to access a dentist.

Deamonte's Law would ensure that children like Deamonte have access to dental services in communities where they live. Community health centers provide a health safety net to underserved areas, such as rural and urban communities. However, an estimated 42 percent have gaps in their capacity to provide dental care. Deamonte's Law would address this issue by establishing a 5-year, $5 million pilot program to provide funds for dentists, equipment, and construction for dental services at community health centers. The program would also provide support for contractual relationships between centers and private practice dentists.

Deamonte's Law would also address the dentist shortage. The United States Department of Health and Human Services estimates that there is a shortage of 4,650 dentists, and pediatric dentists are even more scarce. Deamonte's Law would address this issue by establishing a 5-year, $5 million pilot program to enhance training and academic programs in pediatric dentistry, recruit and train dentists to study pediatrics, and provide continuing education for practicing dentists.

The legislation is endorsed by the American Dental Association. I was joined in introducing this legislation by my good friend, Chairman HENRY WAXMAN of California, and Subcommittee Chairman DENNIS KUCINICH of Ohio. I want to thank both Congressmen for their leadership and dedication to this issue.

On May 2, 2007, at my request, we conducted an oversight hearing entitled ''Evaluating Pediatric Dental Care under Medicaid to Investigate Deamonte Driver's Death.'' At the hearing, it became apparent that the Centers for Medicare and Medicaid Services has categorically failed to meet its oversight responsibility with regards to ensuring the State health departments and the managed care organizations that they contract with are in compliance with the law.

Section 1905(r)(3) of the Social Security Act ensures that every Medicaid-eligible child will have access to medically necessary dental care under the early and periodic screening, diagnostic, and treatment provision. However, it is evident from our investigation that this has not been the case, and so I urge my colleagues to join in sponsoring this legislation.

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 addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

PREFERENCE POLICY PLAN FOR ILLEGALS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, the Senate's new repackaged immigration proposal, the ''Give America Away Act,'' has a provision that should be of concern to college students and parents who foot the bill for college. It gives the illegals in the United States a better deal than U.S. citizens or legal immigrants when it comes to the cost of college tuition for State universities.

If this idea becomes law, besides granting amnesty to 12 million to 20 million illegals in the United States, it will treat those illegals better than U.S. citizens and legal immigrants when it comes to college costs. The idea is to grant all illegals a status so they can attend State universities as an in-State tuition even though they illegally entered the United States.

Some States already allow illegals to attend State universities and pay in-State tuition. Unfortunately, my State of Texas was one of the first, along with California.

Currently there are about a dozen States that allow this absurd policy of preference. Some States are considering opposite laws that require illegals to pay out-of-State tuition. No matter what the people want or the States want, a proposal in this new immigration policy plan will require all States that allow illegals to attend State universities to pay only in-State tuition, not out-of-State tuition.

So, what's the difference in cost? Well, if you are an in-State resident in Texas and attend the University of Texas, you pay about $1,500 for 12 semester hours. If you are an out-of-State student, say a student from Tennessee, you pay over $4,000 for 12 semester hours. So this proposal will discriminate against American citizens and legal immigrants, and favor and prefer illegals.

An example. If you are from New York and you want to get admitted to the University of Texas, you have to pay out-of-State tuition because, simply, you are not from Texas. Or, as we say, ''You're not from around here.'' But if you are an illegal and get admitted to the University of Texas, you will get to pay in-State tuition.

If the Senate plan passes, this preference policy will be law and apply to every State, whether they like it or not. This is blatant discrimination against Americans and legal residents. So American students and parents, get your checkbooks out, because you are going to pay more for college than people who illegally enter the United States. You will be discriminated against by your own government. So, if you want to attend a State college somewhere in America other than your own State, and you don't have the money to pay the extra tuition, well, it's just too bad.

Mr. Speaker, this is just another reason this so-called new immigration reform proposal is a bad idea for America. It is nothing more than a preference policy for people illegally in the United States.

And that's just the way it is.

HONORING THE LIFE OF RABBI ROLAND B. GITTELSOHN AND HIS STIRRING EULOGY ON IWO JIMA

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. Mr. Speaker, I rise today during Jewish American Heritage Month to honor the life and memory of Rabbi Roland B. Gittelsohn, who was the first Jewish chaplain ever appointed by the Marine Corps.

Most Americans don't recognize the name of Rabbi Gittelsohn, but they should. Rabbi Gittelsohn delivered a stirring eulogy to the war dead on Iwo Jima that is second only to the Gettysburg Address of President Lincoln as a stirring ode to the principles of democracy that are the bedrock of this country and the young men and women who paid the ultimate price for our freedom.

During World War II, Rabbi Gittelsohn was assigned as a Jewish divisional chaplain of the 5th Marine Division. During the Battle of Iwo Jima, Rabbi Gittelsohn was right in the heart in the action, ministering to the needs of Marines of all faith, with the knowledge that his life was in grave danger.

After the fighting was over, Rabbi Gittelsohn was asked to give a sermon at an ecumenical memorial service dedicating the 5th Marine Division cemetery on Iwo Jima, but due to prejudice he only gave remarks at a small Jewish service. Here are his words.

''Here before us lie the bodies of comrades and friends, men who until yesterday or last week laughed with us, joked with us, trained with us, men who fought with us and feared with us. Somewhere in this plot of ground there may lie the man who could have discovered the cure for cancer. Under one of these Christian crosses or beneath a Jewish Star of David, there may now rest a man who was destined to be a great prophet, to find the way perhaps for all to live in plenty, with poverty and hardship for none. Now they lie here silently in this sacred soil, and we gather to consecrate the earth in their memory.

''It is not easy to do so. Some of us have buried our closest friends here. To speak in memory of such men as these is not easy. No, our poor power of speech can add nothing to what these men have already done. All that we can even hope to do is to follow their example, to show the same selfless courage in peace that they did in war; to swear that by the grace of God and the stubborn strength and power of the human will, their sons and ours will never suffer these pains again. These men have done their job well. They have paid the ghastly price of freedom.

''We dedicate ourselves, first, to live together in peace the way they fought and are buried in this war. Here lie officers and men, Negroes and whites, rich men and poor, together. Here, no man prefers another because of his faith or despises him because of his color. Here, there are no quotas of how many from each group are admitted or allowed. Among these men there is no discrimination, no prejudices, no hatred. Theirs is the highest and purest democracy.

''Any man among the living who fails to understand that will thereby betray those who lie here dead. Whoever of us lifts up his hand in hate against a brother or thinks himself superior to those who happen to be in the minority makes of this ceremony and the bloody sacrifice it commemorates an empty, hollow mockery. To this, then, as our solemn, sacred duty, do we the living now dedicate ourselves to the rights of Protestants, Catholics, and Jews, of white men and Negroes alike, to enjoy the democracy for which all of them have paid the price.

''When the last shot has been fired, there will be those whose eyes are turned backward, not forward, who will be satisfied with wide extremes of poverty and wealth in which the seeds of another war can breed. We promise you, our departed comrades, this too we will not permit. This war has been fought by the common man. Its fruits of peace must be enjoyed by the common man. We promise, by all that is sacred and holy, that your sons, the sons of miners and millers, the sons of farmers and workers, the right to a living that is decent and secure.

''When the final cross has been placed in the last cemetery, once again there will be those to whom profit will be more important than peace. To those who sleep here silent, we give our promise: We will not listen. We will not forget that some of you paid the ultimate price for men who profit at your expense. We will remember you as you looked when we placed you reverently, lovingly, in the ground.

Thus do we memorialize those who, having ceased living with us, now live within us again. Thus do we consecrate ourselves to the living to carry on the struggle they began. Too much blood has gone into this soil for us to let it lie barren. Too much pain and heartache have fertilized the earth on which we stand. We here solemnly swear, this shall not be in vain. Out of this, and from the suffering and sorrow of those who mourn this, will come, we promise, the birth of a new freedom for the sons of men everywhere.''

My father served in the 5th Marine Division on Iwo Jima, and it is to his memory and the memory of Rabbi Gittelsohn that I offer these poignant words.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. BILIRAKIS) is recognized for 5 minutes.

(Mr. BILIRAKIS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□ 1930

THE CONSTITUTION CAUCUS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

Ms. FOXX. Mr. Speaker, I am a member of the Constitution Caucus, and we take it as an important responsibility

to come to the floor every week to talk about an issue related to the Constitution.

Tonight, we are here to talk about the Federal Government's role in education through the No Child Left Behind Act. But I question whether the premise of Federal involvement is even legitimate.

The tenth amendment to the Constitution that enumerates States' rights throws Federal involvement in education into question.

The tenth amendment tells us that the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

No Child Left Behind has a problem. The problem is that the individual States have learned that Federal Government involvement in local education is often uninformed, inefficient and unnecessarily burdensome.

What many Americans don't know or don't remember is that No Child Left Behind is simply a reauthorization of the Elementary and Secondary Education Act, a law first passed in 1965 and signed into law by President Lyndon Johnson. It has been revised and reauthorized so many times that it barely resembles the original law.

Today the law spawned by the repeated tinkering over four decades is increasingly complicated and burdensome. It attempts to tie Federal money to disparate yardsticks that may or may not make sense for the thousands of local school districts around the country.

How can one law effectively regulate both a rural school in North Carolina and an inner-city school in L.A.? I believe it cannot. Accountability needs be a State and local issue left to parents and teachers. It should not be delegated to Washington bureaucrats who don't even step inside the thousands of schools that are scrambling to comply with cookie-cutter regulations that often don't make sense on the local level.

According to the Congressional Research Service, the Elementary and Secondary Act of 1965 was primarily concerned with the relationship between poverty and low educational achievement. That is, indeed, a noble goal. But the law has since gone far afield. Now it infringes on States rights to oversee school systems and strays into unconstitutional areas.

Again, the 10th amendment to the Constitution says, ''The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved for the States respectively, or to the people.''

The Constitution does not give the Federal Government the express right to dabble in local education. We need to give States back their full constitutional right to set education policy and encourage innovative solutions to the unique education issues faced by every State.

Tens of billions of Federal dollars cannot fix faulty schools. Broken schools need to be held accountable on the local level. By pushing accountability to the Federal level, we've produced a counterproductive system that is not responsive to the local needs of students, parents and teachers.

As we look towards the next reauthorization of this law, we must take States rights into account, lest we again fail the most important people in this equation, our Nation's children.

BRING THE TROOPS HOME FOR MEMORIAL DAY

The SPEAKER pro tempore (Mr. HALL of New York). Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, the sacrifices of those who have dedicated their lives in defense of our country are an important reminder of the price of freedom. These brave heroes have served this country with distinction, and it is our absolute responsibility to honor them.

Memorial Day is an opportunity to reflect on how we must support our troops, which means honoring our responsibility to provide the best protection and support for the men and women who serve in our Nation's Armed Forces. It means honoring our promise to provide lifelong health care and benefits for our veterans when they return home, and it means doing everything we can to bring our troops home from Iraq, out of harm's way.

As we reflect on the sacrifices and the accomplishments of our veterans, it's vitally important to reaffirm our support for our troops on Memorial Day. And Memorial Day is an opportunity to commend all who have defended our country and safeguarded the values cherished by every single American. It's a chance to repeat that while we strongly disagree with this administration and its continuing occupation of Iraq, we support our troops.

This administration refuses to hear the calls of the vast majority of Americans demanding that we bring the troops home. It continues to believe that the only way forward in Iraq is to spend more money, send more troops for an open-ended debacle. This administration maintains its strategy for delay and denial, refusing to plan for an end to the Iraq occupation, a blank check and no accountability.

As the administration stubbornly refuses to accept that we cannot win an occupation, the men and women serving in Iraq are suffering the consequences of these mistakes. Nearly 20 percent of the soldiers returning from Iraq experience some symptoms of post-traumatic stress disorder, or PTSD, which puts them at significantly higher risk for suicide and drug addictions. More than 34,000 of our servicemembers have been injured in Iraq, and more than 3,400 have been killed.

Sending our soldiers back into an increasingly deadly civil war on extended tours with worn-out equipment is not supporting the troops. We cannot let this neglect for our veterans become the hallmark of the occupation. We must strengthen our commitment to our troops. We must provide them with the support they deserve.

That's why I've introduced H.R. 508, the Bring the Troops Home and Iraq Sovereignty Restoration Act, which will end the occupation within 6 months of passage and will provide for full physical and mental health care for all of our Nation's veterans. Our troops deserve no less.

Mr. Speaker, this Memorial Day is an opportunity, an opportunity to celebrate the honorable service of those who were in past wars, those who have served in between wars, and those who are serving today. And we can do that by providing our veterans with the support that they need. It's an opportunity on this Memorial Day to support the troops who are in Iraq by demanding that they come home.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. GRANGER) is recognized for 5 minutes.

(Ms. GRANGER addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

OPENNESS IN THIS INSTITUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FLAKE) is recognized for 5 minutes.

Mr. FLAKE. Mr. Speaker, one of the hallmarks of this institution is openness. Every minute of debate in this Chamber is captured on C–SPAN cameras. Every minute of debate and dialogue in the committee rooms are transcribed and recorded. This practice is premised on the principle that the public has a right to know what factors go into our decisions here.

I don't think the public would be very pleased to learn how much of this decisionmaking process is moving behind closed doors, particularly as it relates to earmarks.

Over the past several years it became common practice for appropriators to include earmarks in committee and conference reports, rather than the text of the bills. Frequently, a committee report containing thousands of earmarks would come to the floor only hours before the final vote on the bill. At times the committee report would be made public only after the bill had already passed.

The bottom line is that, over several years, earmarks endured very little scrutiny from this body. I think the voters have become very aware of this failing on our part. My party, the Republican Party, allowed the practice of earmarking to get out of hand. Taxpayers have paid the price. This institution has paid the price. Finally, we

Republicans paid the price at the polls this November.

When the new majority took over in January of this year, they moved to include more transparency in the earmarking process. Members of Congress would, at long last, have to put their names next to the earmarks. We Republicans had done this in the fall, but only after the appropriations season was nearly done. This was a good move by the majority party in January. As I said at the time, they had the guts to do what we hadn't when it mattered, at the beginning of the appropriation process.

There is reason now, however, to doubt the sincerity of these moves. House rules are only as good as our willingness to enforce them. And we have, as yet, not been willing to enforce these rules.

When a bill comes to the floor now, there must be a list of earmarks with Member names next to them, or a certification that the bill contains no earmarks.

When the supplemental came to the floor, there were clearly earmarks in the bill, yet there was a certification that there were no earmarks contained in the bill.

The problem is, a point of order can only lie against the bill if there is no certification. So a certification, even though it might be patently wrong, has to be accepted by the Speaker or the Parliamentarians.

The intelligence authorization bill came to the floor without a list of earmarks. The list of earmarks only came after the deadline to submit amendments to the Rules Committee; so then, again, there was no opportunity to challenge any of the earmarks in the bill. Then, despite the fact that there were more than 680 earmarks in the defense authorization bill, no amendments related to earmarks were allowed by the Rules Committee, even though some of the earmarks clearly had no relationship to defense.

Now, we hear that the Appropriations Committee plans to keep earmarks secret until the appropriation bills this year have passed the House floor. Those earmarks would later be ''air-dropped'' into the conference report where no amendments are possible, where no scrutiny of these amendment or, I'm sorry, of these earmarks is possible.

The vaunted sunlight that we said we were going to bring into this process is gone. We closed the drapes. We've snuffed out the candle.

Mr. Speaker, this institution deserves better than this. We can do better. We should, on a bipartisan basis, bring this sunlight back. We need to subject earmarks to the scrutiny that they should have. No spending should occur in this body without the Members' knowledge, and that's what happens when earmarks are ''air-dropped'' into a conference report.

Mr. Speaker, I'm convinced that in the end, the majority party will pay the political price. I hope that we would move before that time. I hope that we can, on a bipartisan basis, simply move forward and bring sunlight back into the process. That is what I think the citizens of this country deserve. It's what the taxpayers need to have.

□ 1945

SURGING GASOLINE PRICES

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, surging gas prices at the pump surely tell us, just before Memorial Day, that something has gone wrong again with the rigged oil markets.

We've seen gasoline prices in our country set all-time highs. Ohio families are paying $3.50 to $3.93 a gallon, with no end in sight. And when President Bush took office, they were paying $1.46 a gallon. In fact, when Vice President CHENEY was sworn in, Halliburton's stock was worth one-fourth of what it's worth today.

So we think about America's families and our consumers. They're being hurt. Car and truck sales are being hurt. Our economy is being hurt. It's all so unnecessary.

When you fuel up, the chances are 7 out of 10 that the crude oil for the gasoline came from an undemocratic foreign country, Saudi Arabia, Nigeria, Venezuela, Angola, Mexico, maybe even trafficked out of Iraq, places that do not exactly love thriving democracy.

Meanwhile, in oil-rich Iraq, this week, eight more American soldiers were killed in roadside bomb attacks near Baghdad. And this brings to nearly 3,400 U.S. service-member deaths in Iraq, plus additional Department of Defense civilian employees, and the death toll keeps mounting.

The major oil pipeline and refinery in Iraq is now being guarded by our best, the 82nd Airborne, and sundry private contractors. They're guarding oil lines and the refinery. In fact, some of that oil has been stolen and even trafficked throughout the war.

Meanwhile, a new hydrocarbon law is being pushed in Iraq, which boasts the second largest oil reserves in the world, that would privatize the majority of oil in that country to who? That's the trillion-dollar question. That's the $23 trillion question.

How disgusting to me that our finest military have to die in an oil war. When will the American people begin to connect undemocratic oil regimes, imported oil, and the lives of our sons and daughters while our gasoline-consuming public is subjected here to the oil marketeers?

I don't think anybody would admit it is a free market in oil. It's a cartelized market. It has been for half a century.

Exxon and the other major oil companies are raking in historic profits at the expense of our sons and daughters. We see U.S. military power fully projected in Kuwait, in Iraq, benefiting their neighbors, too, like Saudi Arabia and Bahrain, who have had to hire growing legions of private security firms to hold up their kingdoms and emirates. Saudi Aramco is the largest privately held company in the world, and Exxon Aramco the most profitable oil company in history. Are you starting to see the picture?

Let me ask a critical question: Would any of the oil profits made off the pocketbooks of Americans be going to hire more security guards in Saudi Arabia, or in Bahrain, or in Kuwait? As Will Rogers would say, ''You betcha.''

Our Nation's military power is now fully projected in the deserts over there, and here in Washington sits Congress and a President who say they want to break oil addiction from imported sources. But since President Bush took office, we are importing a billion more barrels a year, a billion more barrels a year every year since 2001. It is projected we will spend a trillion dollars on the war in Iraq, and it is not anywhere close to over. Yet we passed a bill out of the House a few months ago that just put a thimble full of additional resources in renewable energy. Is there any dispatch here? Is there any urgency? Is there any seriousness? Let the American people tell us. Do you see it? Do you hear it? Do you feel it in your pocketbooks?

Citizens are expressing their frustration with our inability to rein in the abuses of the oil companies. And I have got a partial solution. This week I am introducing a bill to give something back to the American people tired of being gouged by the oil companies. It is called the ''Give America Something Act of 2007,'' the GAS Act, G–A–S. Give every American a one-time immediate $100 gas payment refund. They can use it to pay for higher gas prices. They can use it to pay for higher transit costs. And we pay for it by imposing a windfall profits tax on oil revenue to provide the revenue to finance the program. This is long overdue.

HONORING OFFICER ROB TARGOSZ

The SPEAKER pro tempore (Mr. HALL of New York). Under a previous order of the House, the gentleman from Arizona (Mr. FRANKS) is recognized for 5 minutes.

Mr. FRANKS of Arizona. Mr. Speaker, in the very earliest days of this Nation, Edmund Burke said, ''All that is necessary for the triumph of evil is for good men to do nothing.''

That belief became the personal creed and call to action of Officer Rob Targosz. Mr. Speaker, this man was a hero and a model human being determined to utilize every ounce of his mind, soul, and body to protect the lives of thousands of his fellow Americans so that we could all live in a safer, more peaceful Nation. Rob Targosz was a second lieutenant in the 12th Airborne Special Forces. He was a member

of the SWAT team, and he was a police officer of the Gilbert Police Department in Gilbert, Arizona, for 12 years. He served there on the DUI Task Force because Rob felt that one of the greatest purposes of his life was to combat and prevent drunk driving.

The license plate on the back of his police motorcycle displayed the title ''Agent of Justice.'' He defended our citizens and our laws, and he sought justice with a determination so real that it led him face to face with the very tragedy he had dedicated his life to protect others from. In one of life's great paradoxical mysteries, while on duty, Rob Targosz was killed by a drunk driver.

Mr. Speaker, drunk driving is the embodiment of apathy, callousness, and selfishness, which is the very opposite of everything that personified Officer Rob Targosz. The enemy that took Rob's life was the very thing that broke his heart and fueled his desire to battle against it. But it did not defeat him, because Rob Targosz was a man of abiding faith in Jesus Christ, whom he held as his eternal Savior. And Rob left behind him in this life a legacy of heroism, love for America, and countless Americans whose lives are preserved because he protected them with his own.

Therefore, his battle continues and his search for justice pulsates in the hearts of other Americans, who, like him, continue to defend and protect us all. Rob's life also continues in the lion heart of his beloved wife, who walked by his slain body, picked up his armor and weapons, and continues his fight by educating the public about the unspeakable destruction caused by drunk driving.

Mr. Speaker, one of the many reasons that human life is so precious is because it allows the world to see when a single man can live and do and live his life, however short it might be, so that others may be the better for it. Americans are alive and families are whole because of the life and work of Officer Rob Targosz. And the world is better because he showed us an example of a truly noble and excellent soul. May his example fire the souls of us all to continue his enduring quest to protect the innocent.

God bless Rob Targosz and his family.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Virginia addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EVERYONE DESERVES A SECOND CHANCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, the United States of America has more of its people in prison per capita than any other developed nation in the world, more than 2 million. The vast majority, 95 percent, of the men and women in our prisons will eventually return to the community. This means that every year more than 650,000 offenders are released from State and Federal prisons and return back to civilian life.

These men and women deserve a second chance. Their families, spouses, and children deserve a second chance. And their communities deserve a second chance. A second chance means an opportunity to turn a life around, a chance to break the grip of a drug habit; a chance to support a family, to pay taxes, to be self-sufficient.

Today, few of those who return to their communities are prepared for their release or receive any supportive service. When the prison door swings open, an ex-offender may receive a bus ticket and spending money for a day or two. Many leave prison to return to the same environment which saw them offend in the first place. But as they return, they often face additional barriers to reentry: serious physical and mental health problems, no place to stay, and lack of education or qualifications to hold a job. As a result, two out of three will be rearrested for new crimes within the first 3 years after their release. Youthful offenders are even more likely to reoffend.

One-third of all correction departments provide no services to released offenders, and most departments do not offer a transitional program, placing a heavy burden on families and communities. Considering the cost of incarceration, as much as $40,000 per year, and all the social and economic costs of crime to the community, it is just plain common sense to help ex-offenders successfully reenter our communities and reduce recidivism.

That is why I have sponsored the bipartisan Second Chance Act of 2007, H.R. 1593, along with Representatives CANNON, CONYERS, COBLE, SCOTT of Virginia, SMITH of Texas, JONES of Ohio, FORBES, SCHIFF, SENSENBRENNER, CHABOT, JACKSON-LEE of Texas, CUMMINGS, JOHNSON of Georgia, CLARKE, and 75 other Members of Congress.

A companion bill, S. 1060, has been introduced in the Senate by Senators BIDEN, DURBIN, SPECTER, BROWNBACK, LEAHY, OBAMA, and 10 others.

The Second Chance Act will provide transitional assistance to assist ex-offenders in coping with the challenges of reentry. It will reduce recidivism. It will help reunite families and protect communities. It will enhance public safety and save taxpayer dollars. It is the humane thing to do. It is the responsible thing to do. And, of course, it is the right thing to do.

The Judiciary Committee held hearings on the bill last month and quickly voted to send the bill to the full House. I fully expect it to pass soon. The bill has the support of more than 200 criminal justice, service provider, faith-based, housing, governmental, disability, and civil rights organizations. President Bush has signaled his support of the legislation as well.

No single piece of legislation is going to solve the reentry crisis we are facing, but the Second Chance Act is a good start. I hope that with passage of this bill, we will begin a new era in criminal justice.

Mr. Speaker, I am convinced that any serious effort to facilitate the reentry of men and women with criminal records to civil society must be prepared to do two things. First, we must be prepared to help with drug treatment on demand for everyone who requests it. Second, we need to find work for ex-offenders. Programs don't supply jobs. After ex-offenders have undergone rehabilitation and received appropriate training, employers will have to open their hearts and put these men and women back into the workforce. They do not belong in prison.

Many of them don't need prison, but they do need a second chance. Congress can give them that. And we should.

THE A-PLUS ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. WALBERG) is recognized for 5 minutes.

Mr. WALBERG. Mr. Speaker, as a member of the Constitution Caucus, I am convinced that today, at a time when our Nation lags behind other countries in math and science testing and the Federal Government has a larger role in education than ever before, this Congress must find a way to give our schools greater flexibility, reduce the bureaucracy involved in education, and ensure these opportunities really are being given to our children.

In years past Congress has attempted to solve problems in education by simply throwing piles of Federal money into the education system. The original purpose of No Child Left Behind was to return some education policymaking authority to the States. Unfortunately, during the process of crafting, passing, and enacting this legislation, No Child Left Behind took the form of a massive spending bill that increased the Federal Government's presence in classrooms.

As a December 22, 2006 editorial in the Detroit News stated, ''What our Federal legislators come up with in the Nation's Capital doesn't always translate well into the classroom.''

The editorial continues: ''Michigan should have the flexibility to decide how and when to measure student progress.''

My daughter-in-law is a hardworking and talented teacher who has experienced firsthand the problems No Child Left Behind creates for teachers, parents, and students. As a classroom teacher forced to teach to the tests required by local, State, and No Child

Left Behind, she actually considered quitting because of the paperwork and restrictions imposed upon her. She struggled to have time to give individual attention to each of her ''special needs'' students.

Ironically, she obtained her teaching position due to her performance the year prior as a permanent substitute teacher in a classroom. Because she was not required to fill out all the forms and paperwork required by No Child Left Behind, she excelled and the school offered her a permanent position.

In its origin, No Child Left Behind attempted to provide greater school choice and reduce Washington's involvement in education. But instead this expensive and largely unsuccessful legislation has broadened the scope of the Federal Government's role in education. Enshrined in our Constitution is the 10th amendment, which reads, ''The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved for the States respectively, or to the people.'' Federal control of education is listed nowhere in the Constitution. And in accordance with the 10th amendment, education should be the responsibility of State and local governments.

Because I believe each child's educational path should be determined by a child's parents and not by the Federal Government, I am an original cosponsor of the A-Plus Act. The A-Plus Act would give States, teachers and parents the freedom and authority to determine what educational path a student should take.

As part of this legislation, States can opt out of Federal programs, and State leaders can decide how to use Federal education funds to improve student achievement.

We all are seeking the best possible educational opportunities for our children, and the way to achieve this is to let States and local communities be accountable for academic achievement and educational reforms.

With that, I yield back, Mr. Speaker.

□ 2000

IN HONOR OF THE 100TH ANNIVERSARY OF ST. JOSEPH'S CHURCH

The SPEAKER pro tempore (Mr. HALL of New York). Under a previous order of the House, the gentleman from Texas (Mr. CONAWAY) is recognized for 5 minutes.

Mr. CONAWAY. Mr. Speaker, I rise today to share with my colleagues a small story from a small corner of America called Rowena, Texas.

The 20th century began with a tremendous movement of people to west Texas in search of good land, opportunity and prosperity. Among these intrepid travelers were many Czech and German Americans whose forefathers had come to Texas to farm, ply trades and create better lives. Their descendants found these lives in Rowena.

In 1906, four Rowena Catholics, William Glass, Mike Feist, Frank Schwertner and John Jansa, sought to erect a church to serve their community and better practice their faith. After a year of toil, the church opened and celebrated its first mass, a wedding, on November 20, 1907. The church was aptly dedicated to St. Joseph, the patron of immigrants, families and working people.

St. Joseph's grew rapidly during its early years, reflecting its growing significance in the community. In 1916, the church opened St. Joseph's School, with the Sisters of the Divine Providence serving as teachers. And in 1924, a new church in the gothic style was dedicated, and the annual fall festival was begun to support the church. To this day, the gothic church still stands, and the fall festival is still celebrated each year.

Soon the church began to host community-service organizations and social clubs as well. The Knights of Columbus, St. Ann's Altar Society, Catholic Daughters of America, the KJT, KJZT and the Immaculate Conception Society would all call the church home through the coming decades.

The Great Depression and World War II would see an especially important role for St. Joseph's and its parish organizations to play as they led their rural community through troubling times.

As the church aged in the 1950s and in the 1960s, it prospered. It marked its 50th anniversary in 1957, and a new community space was constructed in 1961. And all the while, the high school continued to educate and graduate the youth of Rowena.

Unfortunately, as with all institutions, the church inevitably faced a period of decline. As the small town of Rowena began to lose population, difficult times ensued for the church. The parish school finally closed in the late 1970s, and church membership shrunk.

Shaken by these developments, the parish renewed its commitment to the sacraments, its members and its community. They reestablished religious instruction, revitalized their parish organizations, and moved into the modern age. Today, St. Joseph's is fittingly led by another immigrant, Father Bhaskar Morugudi from India.

2007 marks St. Joseph's centennial celebration. The belief of four men led to the creation of the parish, but it took the faith of a community to sustain it. Throughout the last 100 years, St. Joseph's has been the rock for the people of Rowena. It has educated their children, guided them through trouble and saved their souls.

As the parishioners of St. Joseph's look to the future, I urge them to remember the rich history that lies in their past. The legacy of their founders created in Rowena through service, education and salvation is inspiring. The church is woven into the threads of Rowena itself and highlights the history of America herself, and I feel privileged to share this story with you all.

No matter who we are or where we're from, we can all find common ground in the story of St. Joseph's parish. It is a story of individuals seeking and creating a better life for themselves and their descendants, and of a people of deep devotion seeking to practice their beliefs and enrich their community. We should all strive to be so noble in our ambitions and generous in our spirits.

Today I celebrate and honor the parishioners of St. Joseph's in Rowena, Texas as they reflect on the past and embark on another 100 years of ministry and service.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

(Ms. JACKSON-LEE of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

THE WAR IN IRAQ

The SPEAKER pro tempore (Mr. MURPHY of Connecticut). Under a previous order of the House, the gentleman from Tennessee (Mr. DUNCAN) is recognized for 5 minutes.

Mr. DUNCAN. Mr. Speaker, the war in Iraq, since its beginning, has gone against every traditional conservative position I've ever known, especially fiscal conservatism. There is nothing conservative about the war in Iraq. So it should have been no surprise when William F. Buckley, often called the ''Godfather of Conservatism,'' wrote in 2004 that if he had known in 2002 what he knew then by 2004, he would have been against the war. But listen to what he wrote in June of 2005, 2 years ago.

William F. Buckley. ''A respect for the power of the United States is engendered by our success in engagements in which we take part. A point is reached when tenacity conveys not steadfastness of purpose, but misapplication of pride. It can't reasonably be disputed that if in the year ahead the situation in Iraq continues about as it has done in the past year, we will have suffered more than another 500 soldiers killed. Where there had been skepticism about our venture, there will be contempt.''

That was William F. Buckley in 2005. And his main point was, quote, ''A point is reached when tenacity conveys not steadfastness of purpose, but misapplication of pride.'' Unfortunately, we are losing our young soldiers at a much faster rate than the 500 a year that Mr. Buckley said would move the American people from skepticism to contempt; 103 U.S. soldiers killed in April alone, at least 71 more killed through May 21, including 15 this past weekend, and someone told me 8 more today.

Saddam Hussein was an evil man, but he had a total military budget only a

little over two-tenths of 1 percent of ours, most of which he spent protecting himself and his family and building castles. He was no threat to us whatsoever.

Mr. Speaker, we all respect, admire and appreciate those who serve in our Nation's Armed Forces. As I said a few days ago on this floor, serving in our military is certainly the most honorable ways anyone can serve our country. I believe national defense is one of the very few legitimate functions of our national government, and certainly one of the most important. However, we need to recognize that our military has become the most gigantic bureaucracy in the history of the world, and like any huge bureaucracy, it does many good things, of course, always at huge expense to the taxpayer. And like any huge bureaucracy, our military does many things that are wasteful or inefficient. And like any huge bureaucracy, it tries to gloss over or cover up its mistakes. And like any huge bureaucracy, it always wants to expand its mission and get more and more money.

Counting our regular appropriations bills, plus the supplemental appropriations, we will spend more than $750 billion on our military in the next fiscal year. This is more than all the other nations of the world combined spend on their defense.

The GAO tells us that we presently have $50 trillion in unfunded future pension liabilities, on top of our national debt of almost $9 trillion. If we are going to have any hope of paying our military pensions and Social Security and other promises to our own people, we cannot keep giving so much to the Pentagon. No matter how much we respect our military, and no matter how much we want to show our patriotism, we need to realize there is waste in all huge bureaucracies, even in the Defense Department.

There is a reason why we have always believed in civilian leadership of our Defense Department. The admirals and generals will always say things are going great because it is almost like saying they're doing a bad job if they say things are not doing well. And the military people know they can keep getting big increases in funding if they are involved all over the world. However, it is both unconstitutional and unaffordable, and, I might add, unconservative, for us to be the policemen of the world and carry on civilian government functions in and for other countries.

National defense is necessary and vital. International defense by the U.S. is unnecessary and harmful in many ways. Now we are engaged in a war in Iraq that is very unpopular with a big majority of the American people. More importantly, every poll of Iraqis themselves shows that 78 to 80 percent of them want us to leave, except in the Kurdish areas. They want our money, but they do not want us occupying Iraq. Surely we are not adopting a foreign policy that forces us on other people, one that says we are going to run Iraq even if the people there want us to leave.

The majority of the Iraqi Parliament has now signed a petition asking us to leave. It is sure not traditional conservatism to carry on a war in a country that did not attack us, did not even threaten to attack us, and was not even capable of attacking us. And it is sure not traditional conservatism to believe in world government, even if run by the U.S.

Mr. Speaker, President Bush, when he ran for office in 2000, campaigned strongly against nation building. Unfortunately, that is exactly what we have been doing in Iraq. The President, in 2000, said what we needed was a more humble foreign policy. That is what we needed then, and it is what we need now.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. INSLEE) is recognized for 5 minutes.

(Mr. INSLEE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

U.S. SHOULD NOT SELL ARMS TO PAKISTAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, I come to the floor this evening to discuss a contract recently awarded by the U.S. Government to Lockheed Martin for 18 Sniper Advanced Targeting Pods, or ATPs, to be sold to the Government of Pakistan. Sniper ATPs allow aircrews to perform intelligence, targeting, surveillance and reconnaissance missions from extended standoff ranges.

Mr. Speaker, I believe it is irresponsible for the U.S. Government to sell high-grade weapons technology to Pakistan, a nation that has turned a blind eye to the increasingly dangerous Taliban insurgency in the western region of its country.

Numerous press accounts in recent months have discussed the growing presence of Taliban training camps and bases in the tribal regions of western Pakistan that border Afghanistan. Just last week, in the port city of Karachi, over 40 people were killed, with even more injured during 2 days of gun battles and mayhem in response to an antigovernment rally. Most reports claim that this violence against protesters was perpetrated by the Muttahida Quami Movement, or MQM, which is an ethnically based Mafia allied with Pakistani President Musharraf.

In a country that claims to be somewhat democratic, the actions of the MQM and President Musharraf seem to be just the opposite. Coupled with the Pakistani President's refusal to put forth a good-faith effort to root out Taliban insurgents in his country, it hardly seems like a good idea for the United States to be selling arms to the Government of Pakistan.

Earlier this year, Democrats passed H.R. 1, which implemented the recommendations of the bipartisan 9/11 Commission. Included in this bill was language that would end U.S. military assistance and arms sales licensing to Pakistan in the 2008 fiscal year unless Pakistani President Musharraf certifies that the Islamabad government is ''making all possible efforts to end Taliban activities on Pakistani soil.''

I believe that the U.S. should live up to this commitment by ceasing the sale of arms to the Government of Pakistan. I fear that if we do, in fact, provide these weapons technologies to countries in unstable regions, such as Pakistan, they could be used against U.S. allies, such as India.

This U.S. policy of military sales to Pakistan will contribute to increasing security concerns throughout South Asia. The U.S. has no way of knowing if these technologies will be used against al Qaeda and the Taliban, and not against India or other peaceful nations. In fact, the government has simply watched while terrorist groups like Lashkar-e-Tayyaba, or LET, committed terrorist acts in Jammu and Kashmir and other parts of India. The actions within its own country prove themselves not fit for, in this case Pakistan, for receiving these weapons.

Mr. Speaker, although Pakistan has claimed to be an ally in the global war on terror, it clearly has not taken the necessary steps to end terrorism in its own backyard. I strongly believe that economic assistance is necessary to support economic restructuring that will stop Pakistan from becoming a breeding ground for terrorists.

At the time after 9/11, when we decided that we would allow economic assistance to Pakistan and development assistance, I was all for it because I think it makes sense; that's the way to lead to a democratic and stable Pakistan. But military assistance is another matter. Allowing this sale sends the wrong message, I think, particularly in the climate that we live in here today, and what Pakistan has been doing in not living up to its part of the deal in fighting the Taliban.

APPOINTMENT OF MEMBERS TO BOARD OF VISITORS TO THE UNITED STATES MERCHANT MARINE ACADEMY

The SPEAKER pro tempore. Pursuant to 46 U.S.C. 51312(b), and the order of the House of January 4, 2007, the Chair announces the Speaker's appointment of the following Members of the House to the Board of Visitors to the United States Merchant Marine Academy:

Mrs. MCCARTHY, New York

Mr. KING, New York

□ 2015

THE 30-SOMETHING WORKING GROUP

The SPEAKER pro tempore (Mr. MURPHY of Connecticut). Under the Speaker's announced policy of January 18, 2007, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes as the designee of the majority leader.

Mr. MEEK of Florida. Mr. Speaker, it is an honor to be here on the floor tonight. It is like old times, Mr. RYAN and Ms. WASSERMAN SCHULTZ. And we have the gas pump there, and it is just, you, know a wonderful feeling.

Mr. Speaker, just to see you in the Chair there inspired me as an American to continue to be a part of this great democracy of ours. Our good friends from the Clerk's office and the Capitol Police and all the folks that make it possible for us to be here tonight, we are just forever appreciative.

As you know, in the 109th and 108th Congress, this was the trio here. Ms. WASSERMAN SCHULTZ brought quite a bit of class to our operation. She came in the 109th Congress, and, Mr. RYAN, we started to wear better ties and study more so that we could keep up with an educated policymaker.

Mr. RYAN of Ohio. I started wearing pink ties, because we had the whole goddess thing going on.

Mr. MEEK of Florida. Mr. RYAN started wearing his pink ties, which my daughter always says, real men wear pink. That is actually salmon, but we won't talk about it.

Mr. Speaker, in all seriousness, we have an awful lot of business that will be taking place in the next 24 hours. We are approaching Memorial Day, and there have been a lot of reports about the Iraq emergency supplemental. There has been a lot of discussion about lobbying reform. There has been a lot of discussion about the reauthorization of the agriculture bill. But I can tell you one thing, Mr. Speaker: Unlike previous Congresses, the work is being done here by those of us that are under the dome, doing what the people of America sent us up here to do.

As we talk about the war, I think it is important to know that the issues in Iraq and Afghanistan are very, very serious to all of us here, to all of us in Washington, D.C., and Americans throughout the country, and especially the family members of those serving in Iraq and Afghanistan. We always give this report. As of 10 a.m. this morning, the death toll in Iraq as it relates to the men and women in uniform is 3,424; wounded in action and returning to duty is 14,073; and wounded in action and not returning to duty is 11,476. I think it is very important that we pay very close attention to those numbers.

The days of six supplementals passing off of this floor, half a trillion dollars spent and no strings attached to any of those appropriation dollars, those days are over. I am very proud of the leadership in the House and the Senate in fighting with the White House and bringing about the kind of accountability that the American people have called for.

You heard me say here on this floor in the past, Mr. Speaker, that there have been bills that in the spirit of the bill, I voted for those bills, but as it relates to the substance of those bills, I have had a few problems with the lack of accountability. That is paramount now in this bill that hopefully will pass the House floor tomorrow. There are benchmarks. There are reporting periods that the President has to report back to the Congress. In September, we will be coming in for a landing and making some real decisions.

The Iraqi Parliament, as you know, Ms. WASSERMAN SCHULTZ, they have been holding quite a few conversations, as a matter of fact, talking about going on vacation for 60 days. The Defense Minister called his Ministers together to plan for an immediate U.S. withdrawal of troops, because I believe they know with this new Congress in place, the days of the Iraqi Government drawing down on the taxpayer dollars, the U.S. taxpayer dollars, without accountability, are over; and if they are not willing to reform themselves, then we should not be willing to have our men and women on the streets of Iraq fighting on behalf of safety and patrolling the streets, when the Iraqis are not doing what they are supposed to be doing.

With that, I will yield to one of my good friends. I will yield to Ms. WASSERMAN SCHULTZ, who is a very good friend, and then Mr. RYAN comes in after her in my friendship.

Ms. WASSERMAN SCHULTZ. You have just known me longer.

Thank you, Mr. MEEK. It is a pleasure to be here. We have been trying to get the three of us back together again. It is a good problem to have. We have a lot more on our plate now that the Democrats are in the majority. The other good part of our problem is that we have expanded the active members of the 30–Something Working Group, with the Speaker that is in the chair this evening and a number of other Members, Mr. ALTMIRE, and we are really happy about that.

But I am glad the three of us were able to come back together this evening to continue our effort to speak to both our generation and to the American people, the rest of the American people, about our concerns and the Democratic new direction that we have been successful in moving in since November 7th when we were victorious in the election and when the American people indicated to this Congress that they wanted to move in a new direction.

We struggled through the last number of years. Gradually, and unfortunately a cloud hung over this institution and this Capitol, a culture of corruption had developed, Mr. RYAN, and we just could not allow it to continue any longer. The American people were fed up with it, and that is why tomorrow we are going to be considering lobbying reform and ethics reform, so that we can inspire the confidence of the American people once again in their leaders, both as individuals, because traditionally they have said to pollsters that they support their Member of Congress, they like their Member of Congress, but they can't stand the institution.

That is a sad state of affairs. We need to make sure that our institution, the one we are proud to serve in, is one that the American people can be proud of as well. There has been too much corruption here, unfortunately led by individuals formerly in the leadership in this institution on the other side of the aisle for far too long, and we need to take some significant steps to clean it up, which is why we are going to be considering this legislation on the floor tomorrow.

We also talked about during the campaign and leading up to, and now since NANCY PELOSI, our Speaker, took office, that we are going to implement the priorities that were important to the American people, including the minimum wage. We passed our ''Six in 06'' agenda in the first 100 hours that we were in the majority. The minimum wage was part of that. The implementation of the 9/11 Commission recommendations was a part of that. Making sure that we could repeal the $14 billion in subsidies that we gave away to the oil industry under the Republican leadership, that was a part of that package, and a number of other provisions.

Our priorities since taking control of the House of Representatives have been a reflection of the priorities of the American people.

We have been interacting with this President, which in my experience the only thing I can analogize it to, Mr. RYAN, is like trying to move an iceberg. This is a person who occupies the White House now that seems to have no respect for the system of checks and balances, no respect for the fact that the Founding Fathers created three branches of government that were considered coequal, and that he was not elected king of this country. The Founding Fathers very definitely intended for us not to have a monarchy, not to establish a monarchy, and he doesn't get to just decide what is going to happen, particularly when it comes to war and executing the powers of the Presidency. He does have to have input from us.

I can tell you from my perspective, I think from your perspective, Mr. MEEK, and Mr. RYAN as well, that this is the beginning of the end. The actions we have taken, insisting upon him not having a blank check and ending the blank check and the open-ended commitments that have been there, it is the beginning of the end.

Mr. RYAN of Ohio. While we are hitting on the war, I think it is important for us to maybe go back and reevaluate

why the Democrats have the position of redeploy out, wind this thing down, and I think it is important for us to go through some of the numbers.

Mr. MEEK had already mentioned the number of troops killed. We have had another nine that were killed in the last couple of days, and our hearts and prayers go out to all the families that have been affected by this and who have lost soldiers over there. The most heartbreaking thing we have to do is go to these funerals and see a 20-year old kid who has been married for a year with a 7-month-old son or daughter.

It is heartbreaking when we don't even know what winning is. Ask the President. What is winning this war? What does that mean now? We can't really get an answer from the President.

But a couple of things, why we think the President and his policies have made this situation worse. The number of insurgents in Iraq in 2003 was 5,000. The number of insurgents in Iraq in March of 2007 is 70,000, all Sunni, mostly Sunni. What I love now is the President is starting to say, Mr. Speaker, ''bin Laden is now saying we need to attack Americans in Iraq. See why we got to stay there?''

No kidding. Right? No kidding. Bin Laden? Of course. We have 150,000 soldiers in a war zone. Of course, bin Laden is going to say go hit them over there.

But the problem is that we are creating more terrorists. And if you are trying to win the hearts and minds of people, okay, the number of civilian casualties in Iraq since the invasion, estimates range from 54,000 to 76,000. Those are innocent civilians in Iraq. Do you think we are going to be able to go over there and win their hearts and minds if we are killing innocent civilians with the bombs we are dropping? This needs to be won diplomatically. When it needs to be won diplomatically, it becomes very difficult when you have 50,000 to 75,000 civilian casualties.

One more thing, and then I will wrap my portion up here. The average daily number of daily attacks by insurgents in July of 2003 was 16 daily attacks in 2003. The number of daily attacks by insurgents between November of 2006 and February of 2007, 149. From 16 to 149. We are aggravating the situation. We are making it worse, and the surge is making it worse.

I yield back to my friend.

Ms. WASSERMAN SCHULTZ. Thank you. What we are doing, you are absolutely right, Mr. RYAN, is creating an incubator for al Qaeda. That is exactly what has occurred. In fact, if you recall, we heard a few years ago a lot of back and forth from the President about whether he did or didn't say that the reason that we actually went into Iraq was because of the connection, supposed connection, between Saddam Hussein and al Qaeda. Then I know Tony Snow, the White House Communications Director, has said no, we never did say there was any connection between Saddam Hussein and al Qaeda. Now, yesterday and this morning at the Coast Guard Academy graduation, now, finally, how many years into it, he can hang his hat on there being a connection between al Qaeda and our involvement in Iraq.

Why? Because he created that situation there. Because we created an incubator and a hotbed that is an environment for that. Of course, if you have a culture like that, and I mean the culture in which bacteria will grow, just like a petri dish, if you create a petri dish like that and culture it, of course you are going to see the bacteria grow. If you create an environment in which bacteria can grow, it is going to explode like wildfire.

No wonder. It boggles my mind why he believes that what he is saying is not transparent to the American people. It certainly is transparent and evident in the polling numbers, because he has literally an approval rating in terms of the way he has handled this war that is below 30 percent now.

You would think that politically we would delight in that as Democrats. But it actually makes me sad, because how can a President be effective on any other issues when he clearly won't even be able to get the American people to listen to what he is saying because they are so soured on the direction that he has taken this country? That makes it very difficult for us to even reach out in a bipartisan way and attempt to work with him, because he has no credibility at all. He has his own party Members who are finding it very difficult to do anything in terms of their agenda domestically, and we don't see any outreach. He has created an impossible situation, Mr. MEEK.

Mr. RYAN of Ohio. If I could just say, as we have increased the number, the incubation that a lot of our friends on the other side have supported, where more and more not only insurgents, but as Ms. WASSERMAN SCHULTZ has said, more and more al Qaeda, more and more terrorists; so if you have a situation where you only have, for the sake of the example, 100 al Qaeda, and then we have the war, and now we have 1,000 al Qaeda, and then the President says well, we need to fight them over there or they are going to come over here, we have 900 more coming gunning for the United States because of the inability to actually execute this war.

□ 2030

To say we are making progress, and we have some amazing ability to find some of this information out, the number of hours per day of electricity in Baghdad prior to the war was between 16 and 24 hours a day. Now in May of 2007, the number of hours per day average 5.6 hours per day. That is feeding the problem that we are having over there.

Production of barrels per day prior to the war, 2.5 million. Production of barrels per day in May 2007, 2.16 million, so almost 400,000 less than prewar production.

Unemployment rate in Iraq went from 20 up to 40 percent in December of 2006. This problem has increased. I know our friends on the other side of the aisle continue to try to tell us there are improvements, but the statistics tell us otherwise.

Mr. MEEK of Florida. Thank you, Mr. RYAN. Mr. RYAN, you gave one great floor speech when you came down and said these are the same people who told us we will be greeted as liberators. These are the same people who told us oil revenues will be used to pay for the war. These are the same people who told us this will be a sweeping mission. These are the same people that told us there were weapons of mass destruction. These are the same people that told us there was a connection between Saddam Hussein and al Qaeda. These are the same people that went on and on and on. You can go on YouTube and watch it. I remembered and watched it, and I thought it was one of your better speeches on the floor. I will reserve comment on how many you have made, but that is one of the better ones.

Mr. RYAN, it is very unfortunate that right now we are breeding terrorists, people that will dislike the United States of America for the rest of their lives. That wasn't our mission in Iraq, and that is the reason why, before the election, a majority of Democrats were saying, and some Republicans were saying, that we should redeploy our troops to the peripheral and not do the street patrols in Iraq.

How are we losing our troops? Going door to door, kicking in doors, riding down the streets. IEDs are blowing up and killing many of our men and women. They are not being killed in the training missions. I haven't heard one casualty, maybe there has been one, but I haven't heard of one casualty of any of our men and women training Iraqi troops in how to protect their country and how to protect their own streets.

Case in point, let me paint this picture because I think it is important as we debate this emergency supplemental. When you look at the fact that the U.S. troops with the flag on their shoulder kicking the door searching for the three that were missing, going door to door, those children, that son, that grandfather, that mother will say that the United States kicked my door in. How do we get to this point, I am innocent and we are laying on the floor at 2 a.m. with semiautomatic weapons pointed at my family? Those individuals end up listening to the rhetoric of radical terrorist groups that are saying, they are not here for you, they are here to terrorize your family.

That is why we have to get out of the position of this door-to-door and street-to-street combat in Iraq when the Iraqis themselves should be carrying out that mission. It is so very, very important.

Like I said, six emergency supplementals, half a trillion dollars of

blank checks to this administration; no more. That is the reason why we are having benchmarks. That is why the White House has to come here and report to Congress.

I heard one of the Republican Members say we are supposed to receive reports. Well, that is a revelation. Here we are in charge of the Federal purse. We are responsible. We are the board members, if you want to put it that way, over the U.S. Treasury, and all of a sudden now many of our Republican Members are saying, yes, we are supposed to receive reports.

That should have been happening from the beginning. Maybe then the death toll wouldn't be what it is, and maybe we may have more coalition partners in this effort if it was run right from the beginning versus send us a blank check and don't ask any questions.

So the President can say what he wants to say. Memorial Day is coming up. We have men and women who have laid down and sacrificed. Many of them have paid the ultimate sacrifice. Many of the men and women that fought with them remember those who paid the ultimate sacrifice, and still we are here playing games with the democracy that they allow us to celebrate today, under what we may call kingdom politics of the President feeling that you shouldn't ask any questions; I trust my advisors, and I trust the generals in the field.

Well, I trust the generals in the field, too. And I have a level of trust for the administration, but the track record doesn't support don't ask any questions; we don't need any strings attached; you are trying to take my power away. We are not trying to take power away, we are just trying to make sure that the Federal tax dollar is spent in an appropriate way and we save as many American lives as possible.

Ms. WASSERMAN SCHULTZ, no one, Democrat or Republican, should apologize for what is going on right now in Washington, DC. I think many of our friends who believe we should be out of Iraq tomorrow, we should send every plane we can possibly send, take our troops out, redeploy our troops and just leave it as is, there is a process in doing that. We are going through that process right now. A lot of it is very painful.

Some say, why are you giving the President another opportunity to continue this war and continue to fight this war? Haven't you learned over the last 5 years that the strategy they are using is a combat strategy, not a diplomatic strategy, not making sure there are benchmarks on the Iraqi Government, and they had that opportunity.

I encourage, Ms. WASSERMAN SCHULTZ, when we do get a bill on the floor, we do have a number of Republicans voting on behalf of this next supplemental, and a number of Democrats voting on behalf of the supplemental. And those that feel the war should end tomorrow should understand that this is a major accomplishment in the effort in taking away what the President has had for the last 5 years: a blank check, do as you want to do, Donald Rumsfeld and all of them.

As Mr. RYAN says, as I close on this point, the real issue here is the truth will surface. Some of it has already surfaced, and a lot of it will continue to surface as we learn more about what the Congress was not told and as we learn more about what we were told incorrectly. And as Americans reflect back on this time, they will see some of the worst misinformation and secrecy at a time of war and a time of economic strain on this country.

We have borrowed more from foreign nations than we have ever borrowed in the history of the Republic; and still, we have Members standing here asking what is wrong. Well, the reason we are in the majority on this side of the aisle, we are very busy leading on behalf of the American people, is a perfect example of what is wrong.

The American people know what is going on. I am not talking about a bunch of proud Democrats. I am talking about Independents and Republicans and those who have never voted before in their life, they decided to get involved and vote. If this was just about politics, we would just go home or be in our offices doing the things we need to do for tomorrow, and let the Democratic majority get bigger and bigger because we would lead the Republicans to doing and saying what they have been doing all along.

But this is bigger than politics. This is about our democracy. This is about our finances here in the country, and this is about saving U.S. lives that are in harm's way right now when we can work out a better plan and force the Iraqi Government to take the responsibility of their streets, take the responsibility of their patrols, and make sure that they meet benchmarks just like every U.S. mayor has to meet with Federal dollars, just like every U.S. Governor has to meet when they are spending Federal dollars. Just like every U.S. agency should be accountable to the taxpayer dollars, the Iraqi Government and those in the Iraqi Government should be just as accountable and greater with the U.S. taxpayer dollars.

I don't want to get all emotional, like Mr. RYAN said, but I can't help but do it when I think about Memorial Day coming up and when I think about the veterans' benefits that we have in the emergency supplemental.

We have some folks saying we shouldn't have any domestic spending in here, and we have troops coming back and still waiting a long time to get their service. It was the Democrats that put forth the dollars to make sure that Walter Reed was repaired. That is also in this emergency supplemental. We will talk a little more about that as we move along.

I know we are going to talk about gas prices in the time left. Ms. WASSERMAN SCHULTZ, I think we should commend every American for being focused on this issue of Iraq and encourage a discourse.

I was out behind the Chamber today on the balcony, and I noticed a person out there on a bullhorn saying, ''Stop the war.'' I wasn't bothered by that because the men and women that we are going to celebrate on Monday fought for that lady to be out there saying what she was saying.

Ms. WASSERMAN SCHULTZ. That is what it is all about.

Mr. MEEK of Florida. That is right. That is what it is all about. And this is not a kingdom, this is a democracy, we have to tolerate one another now and then, but we have to make sure that we make sound decisions on behalf of the Republic.

Ms. WASSERMAN SCHULTZ, I yield to you.

Ms. WASSERMAN SCHULTZ. Thank you, Mr. MEEK.

I have to tell you, I have thought recently when people come up to me, you would think that there are people that would say, DEBBIE, KENDRICK, TIM, what does it really matter? We have been spending billions of dollars for the last 5 years. We are over there in Iraq. Yeah, the American people are opposed to this, and we are in a pretty bad situation over there, and there doesn't appear to be any end in sight, but how does this affect my life? At the end of the day I am eating, my children are eating, they are going to school. Iraq is far away, and it is not impacting me whether we continue the war in Iraq or don't continue the war in Iraq.

Gradually day by day, the percentage of people that don't feel that way, that get it, that understand what the impact is, not just on the perception of America in the world, but what the domestic day-to-day impact is, is growing.

Besides the President's popularity ratings, which are in the toilet, we have a situation here where people are realizing, for example, that our National Guard is unable to be 100 percent ready to take care of us and do the job that we actually created the National Guard to do.

Mr. MEEK, next Friday is June 1, the official start of hurricane season, even though we have had activity a few weeks in advance of the beginning of hurricane season. And yesterday NOAA came out with their prediction on how busy this storm season is likely to be, and their prediction is 10 to 14 named storms, and a good chunk to be in the category 3, 4 or 5 category.

We have a National Guard that has equipment that is still over in Iraq, and when it does come back, it comes back in such terrible shape, it isn't going to be ready to take care of Americans who are in need after the aftermath of a natural disaster. That is a direct result of our inability to extricate ourselves from Iraq, our inability to hold the Iraqi Government accountable, to establish benchmarks, to make

sure that there is some progress made, and that they don't have an open-ended commitment and a blank check even after the Iraqi Parliament, Mr. RYAN and Mr. MEEK, have indicated that they don't want us there anymore.

There was a resolution that came out of the Iraq Parliament that indicated they didn't want us there. There is an incredible frustration among the Iraqi people about our being there. There is a worldwide concern about our presence there; and, most importantly, the American people want us to bring the troops home so that we can refocus the attention that we are paying in Iraq on training those troops to stand up on their own and for the Iraqi Government to function on their own.

Mr. MEEK of Florida. I have a question for Mr. RYAN.

Ms. WASSERMAN SCHULTZ. And, Mr. MEEK, I would have segued into the issue of our skyrocketing gas prices.

□ 2045

Mr. MEEK of Florida. We will.

Mr. RYAN of Ohio. Chief cardinal, too, so if she wants to talk about gas, I want to talk about gas.

Mr. MEEK of Florida. You know what they say. They have Democrats and Republicans and members of the Appropriations Committee, and I happen to be on the floor with two of them. One is a cardinal and one thinks that he's actually running the country, but I would say that as we continue to talk about this, especially in Armed Services, and Chairman Ike Skelton has done an excellent job in the defense authorization bill, getting us to a readiness stage where we can deal with the issues, Ms. WASSERMAN SCHULTZ, that you outlined.

These are very important issues, especially the Gulf Coast States or any State that has a, Kansas for instance, it has a natural disaster or have a disaster where they need the National Guard to have the equipment that they need, it's in that authorization bill, and I want to thank not only my colleagues on the committee but also Mr. SKELTON for all of his hard work on the authorization end.

But I think it's also important for us to note that our mission, we talk about redeployment. We're talking about redeployment and deploying a diplomatic corps to work with the Iraqi Government and have a surge in diplomacy or an escalation in diplomacy. Why can't we get other countries to join us? Well, why would they want to join something that is going to create more terrorism or terrorists in their country? That's what we're doing, and so I think it's important for everyone to understand that.

And I share that with my constituents when I go out to speak to them. We're in here having this meeting here, we're sitting in this living room, and someone kicks in the door and come in and do a security search; how would you feel? Who would be responsible for that? You would be outraged.

Iraq is not the United States, by far, but I want to share with you that many of our men and women are following the duty that we've asked them to carry out, and they trust us that we will ask the questions that we should ask here in Washington, DC and carry it out.

I just want you to respond to that because I know that you have some words of wisdom, especially on that end, in all seriousness, because it's just simple common sense to do the things we should be doing. It does not take a rocket scientist, and you don't have to be a four-star general to understand that what we're doing is not working. And to say let's keep doing it and declassifying information and saying this is the reason why I did this, this is the reason why I did that, it still does not equate to why we're still doing the same thing and expecting different results.

I will use this analogy before I yield to you. It's almost like going to the refrigerator and taking out a carton of milk, taking a smell of the milk and saying, wow, it's sour, I will put it back in and maybe it'll be fresh tomorrow. It works against logic.

And what's happening now is that the strategy that the White House has works against logic, but unfortunately, it would be okay if it was just an individual, but it's dealing with U.S. lives. I know all of us want to save lives, but we have to make sure that we do everything we can to send a message to the White House, and also man up and woman up here in Congress, and be leaders in that direction towards safety and accountability and moving the Iraqi issue in a new direction.

Mr. RYAN of Ohio. All we really have to do is talk to some of the soldiers who are over there and who have come back, which I'm sure most of us have. And when they explain what's going on on the ground, it's mind-boggling to think in cities of 140, 150, 160, 170,000 we've got American troops, for example, on the west side of the city, with 1,000 Iraqi troops on the west side of the city, and 1,000 on the east side and 1,000 Iraqis; 2,000, 4,000 total for the whole city, 2,000 of the 4,000 being American. How are you going to control a city of 170,000 people? And a surge of an extra 1,000 or 2,000 is not going to make a difference. It's going to make it worse.

This surge is not the first time we've tried this. This is like the fourth time, and every time that we've tried a surge in certain areas there has been an increase in the number of daily attacks, not a decrease, because it incites the area, and you still don't have enough.

And we've all said from the beginning, if we went in there with 3- or 400,000 troops, where we were able, after the statue fell, to secure the State, to secure the country of Iraq, that would have been a different story, and all the looting was going on and the museums and everything, and then Secretary Rumsfeld said, well, they're just blowing off steam. At that point, you lost control and it went all downhill from there.

But my point is that you talk to these soldiers who are on the ground, and they see that they can't handle this situation the way it is and that the only way to do it is through diplomacy, is to try to patch up some of these political problems, which gets worsened because of the innocent civilians that are dying in Iraq, which makes them not like us.

Ms. WASSERMAN SCHULTZ. Like happens to you sometimes, my blood is starting to boil because all that it takes, I'm sitting here listening to this back and forth that we're going through here and example after example about the reasons for the American people's outrage, for our outrage, for our persistence in trying to move this iceberg and get some progress and end the blank check and establish some accountability.

You know, it's very simple. All the President has to do is be a diplomat himself and agree to come to the table and compromise and negotiate and end the my-way-or-the-highway politics. He is not king. Yes, he was elected President, but he was elected to one branch of the government, which, the way our government is set up, is designed to work coequally with this branch of government.

He has disdained the legislative branch, and this is the representative body of the United States of America. The people who elect us elect us to be their voice. They elect one person, an executive, and they elect 435 of us so we can have a collective diversity of opinion and that the result in terms of the outcome of policy is a combination of that diversity. And he has no respect for it, and that's why his numbers are where they are. That's why the support for this President, the bottom has dropped out of it.

And that's why over the next several months we will push this iceberg with all our might, and I can feel it, that their ability to continue unabated with the disdain and disregard that this administration has shown for the American people and our opinion, it will come to an end and it's going to come to an end in a fashion that we will help bring about the change that the American people ask for. And that is the only way that this is going to happen, if we continue to fight, we continue to push hard, we make sure that we go out to our communities like we will all do next week.

I know I'm having a town hall meeting next Wednesday in my district to talk specifically about the war in Iraq and how people feel about it, get their feedback, talk about the other issues that are important to them, because people are tired. They're tired of the war. They're sick of the deaths. They're sick of the death toll, and they want us to be able to talk about how we're going to expand health care.

We have the SCHIP program that we need to reauthorize later this year. We

have 9 million kids that we need to find the money to cover. We have to make sure we can reduce the cost of health care for small businesses. We have a deficit that has ballooned out of control, that we're trying to get a handle on, no thanks to our friends on the other side of the aisle.

We have a lot to do, a long to-do list, and it would be great if the President would just recognize that we all need to work together and end his disrespect for the American people and for the democratic process because it's gone on for far too long. And we have a lot at stake here.

And I just have reached my level of frustration. I know my constituents have, and that's why I'm proud of our caucus because we have hung together. We have stuck together and pushed and pushed and pushed each other so that we can get behind a policy that not all of us are 100 percent behind. Everybody didn't get their way with the legislation that we put forward with benchmarks and timelines. But you know what? That's what this representative body that we were elected to is all about. It's about compromise and it's about standing up for the people who don't have a voice. They elected us to be their voice and I have been very proud to be a Member of this institution, really proud of our Democratic leadership.

And I'm just hopeful that we can get beyond this war and start talking about things like the $3.22 a gallon that our constituents are paying, on average, for their gas as we approach the summer season as well.

Mr. RYAN of Ohio. In a very practical way, we're pushing. I mean, I think this Congress has done everything that it can do, but if we're not getting any help from our Republican friends, a couple have shown great courage to try to end this thing, but not getting the support where we can override the President's veto.

Now, this is the stark reality that is frustrating for all of us, the Speaker I know for sure, and all of us, is that we're trying to end this war. The first bill we passed had a hard deadline. The second bill we passed had a goal to get out. The President still vetoed that, Mr. Speaker, and we're trying the best we can within this institution to move this iceberg, as you say.

But the President consistently vetoes these bills that we're trying to pass. And so now we're to the point where we've got to figure out what's the best we can do, and it looks like the best we can do is try to get him to at least have these benchmarks that are in there, report back in September, July and September, with some of this, and get our veterans the support and the funding they need.

Nobody likes that. I don't like it. I don't even know if I'm going to vote for it, to be quite honest. I'm so frustrated with the President at this point, but we've got decisions to make as to can we take a step in the right direction even though it's not as far as we want to go.

But I think this is a call, Mr. Speaker, for the citizens of this country to step out and step up, not the ones that we see wearing the pink, not the ones that we see with the bull horn, but if we're going to end this war, it's going to be average people who support our philosophy but have yet to say anything, and not in your district or my district but in districts where their representatives come down here and support the President.

You can't sit on the sidelines on this one, not as a politician, but as a citizen you've got to come out here and help us do this, and I think there needs to be a direct call to a action.

Just to let you know, Mr. Speaker, we are sending a letter to the U.S Conference of Catholic Bishops from me and several other Members, asking them to reengage the war issue; that this is the issue of our day and that they need to be more active and they need to get involved in their local parishes and demand that their citizens get off the pews and start participating and getting legislators to move off the dime. We've got to do this by September, or in the fall while we're beginning the process for 2008. Or we're going to continue to be here and legislators are going to continue to get away with voting to support the President when 71 percent of the American people don't think he's handling this job properly.

Ms. WASSERMAN SCHULTZ. I think you are right. I think also, as the summer begins and then wears on and we have an opportunity in the summertime to go home and spend some time in our districts and interact with our constituents, that the issues that pile up, at we're going to have a difficult time dealing with, because we are still mired in this hopeless war in Iraq, are going to continue to fray the patience of the American people, and I think our friends on the other side of the aisle will hear from their constituents.

I keep wanting to move a little bit and talk about gas prices, and I'm chomping at the bit to do that because you've heard me talk about this before. I'm one of those minivan moms. I drive my kids around in my minivan to soccer games and to school. And last summer when we were frustrated with the rise in gas prices, I remember exploding on the floor here talking about how it cost over $55 to fill up my gas tank. And then, of course, conveniently, right before the election, the prices came down again. I'm sure it had nothing to do with the fact that an election was imminent, and I'm sure the oil industry didn't do anything deliberate to ensure that that would happen.

But amazingly it is now May and those gas prices have not just crept but leapt back up, and I want to just share with you the timeline that has existed since this administration took over in the executive branch.

We are now paying more than double for gas than when President Bush first took office. This chart will illustrate that the average price per gallon on January 22, 2001, at the beginning of the Bush administration, was $1.47, and then as of May 21, 2007, just a couple days ago, the average price per gallon today is $3.22.

Now, what that means is that amounts to real money. When you're talking about it costing 20 or so dollars to fill up your tank or $25 to fill up your tank, that's a manageable amount of money.

□ 2100

But when you get to $50, $50, Mr. MURPHY, is an amount that I think about. I mean, when I am faced with paying a bill that's $50, that's real money to me. To me, that gives me pause. I have to make a decision, normally, about other things unrelated to things that I absolutely have to have like gas, about whether or not I am going to actually spend $50. Do I have the money? What else will I not be able to buy if I spend $50 on this item?

Gas is not like that. Gas is something that's not optional. You have to drive your kids to school. You have to make sure you can get your car to the grocery store. If you don't go to the grocery store because you don't have gas, your family doesn't eat. If your kid is sick and you can't fill the gas tank, then you can't take them to the doctor, and they get sicker. How are you going to get them to the emergency room if they get so sick that you need that kind of health care? Those are real problems that Americans face when gas prices reach that point.

What we are doing in the Democratic Caucus and as we continue to fight to move this country in a new direction is we are working on an energy package that we will bring to the floor by July 4, an energy independence package that will ensure that we can crack down on price gouging, like the legislation that we passed off this floor yesterday, that we can really start to respond to the oil cartel and make sure that they are pursued for the antitrust violations that they engage in, and that we really invest in alternative energy.

The President's remarks during the State of the Union last year were just words. When he referenced his desire to see America end our addiction to foreign oil, nice words, but no action to speak of. Nothing that I can see in any policy is reflective of the words that we heard in this Chamber during that State of the Union. We, on the other hand, are going to make a difference.

Mr. MURPHY.

Mr. MURPHY of Connecticut. Thank you for letting me come down here for just a couple of seconds and add my voice to the chorus here.

You are absolutely right. When you are talking about something as essential as gas for people driving to and from work bringing their kids back and forth to school, it's not an optional expenditure. Now, in Connecticut we love to say there is another choice, people

could get on some train or get on some bus, but they don't exist. They don't exist because unfortunately in some parts of this country we have neglected our mass transit infrastructure, and we have forced people to rely on their vehicles to get themselves around.

I just saw a statistic today that said in Waterbury, Connecticut, in the heart of my district, that one in six people in public housing are spending 66 percent of their income on rent, 66 percent of their income on rent. There is not much left for food. There is not much left for medicine. We know they have to pay more for medicine because less of them have health care. There is certainly not a lot left for transportation costs. This is hitting at the heart of the American middle class, at the heart of the American working class.

In just a second we will show a chart that would suggest that the reason for these increased prices at the pump is certainly not that the oil companies are crying poverty, certainly not because the bottom lines of American oil companies and national oil companies are hurting. It is hard to understand with the record profits, year after year. The last 3 or 4 years, every year, comes new record profits for these oil companies. How on Earth can we continue to see these prices go up?

I just want to say one more thing that was touched on. We have to talk about what national independence means, dependence on oil means for national security as well, over 170,000 barrels of oil from Saudi Arabia in 2006 and other OPEC countries. If you want to talk about why we can't bring a country like Saudi Arabia to the table, have a conversation about why they are creating a society in which their most marginalized members feel that their only resort is to extremism and violence; if you want to find out why we can't hold some of these Middle Eastern countries accountable for the societies that they are creating and the terrorism they are helping fuel, it's because we rely on their oil. It's because in the end we can't make them angry, because if we do, they are going to cut off the food that our cars eat.

Now, energy independence is about lowering gas prices. Antitrust legislation, price-gouging legislation, is about getting to the heart of the problem for middle-class consumers and drivers, the prices at the pump. But ultimately we have to figure out how to walk away from some of these quagmires we are in with countries that provide oil to us. We have got to understand that energy independence is about doing the right thing for middle-class families, to minivan moms.

It is also about doing the right thing for national security. It's also making sure that my future kids and grandkids are going to grow up in a society that's safe. That's why it's a triple whammy. Energy independence is about lowering energy prices, it's about cleaning up our environment, and it's also about national security. That's why I had to drag Mr. RYAN up to the rostrum to allow me get down here and say my 2 cents on this.

This is what the Democratic majority is going to deliver. It's going to go from a time when we could complain about gas prices and not see much action at all from Congress to a time now where we are still going to complain about it, but we are actually going to have a group of people here in the House and Senate and step up to the plate and do something about it.

Ms. WASSERMAN SCHULTZ. We are wrapping up in a few minutes, but I have got this gas tank replica here, which is pretty ancient-looking. It's actually decrepit itself. I bring it with me to the floor because it is the only explanation that I can find as to why our good friends on the other side of the aisle and this President seem totally unresponsive in trying to address this problem and work with us.

My only explanation is that perhaps they don't pump their own gas, or perhaps the last time they actually filled their own tank, and saw that ticker, and realized how much it cost to fill up a tank is when gas pumps look like this. That's my only explanation, given this is the 30-something Working Group. Maybe it has been since the 1950s that they filled their own tank, unlike the people that we represent, who are trying, struggling to fill their tank every day.

We are going to continue to back up our words with action. I look forward to working with my colleagues in the 30-something Working Group under the leadership of our Speaker, NANCY PELOSI.

Mr. MEEK of Florida. Very good. As we close, I know that we have our Web site that we need to give out. Well, we don't have time, but let me just do this. Mr. MURPHY talked about this.

These are another record year for oil company profits, in 2007, record profits, $30.2 billion they have been able to achieve, and $6.5 billion in 2002; and 2007, $30.2 billion. I think those are pretty good years for oil companies. It seems to happen, and I am not a Member of Congress with a conspiracy theory, but, with the Bush administration and the White House, looked like oil companies have done better than many Americans have done.

As I talk to my friends and those that have F–10 pickup trucks, what have you, it's costing upwards of $80 just for a small business to run that truck, which is going to end up costing the U.S. taxpayers even more when they go for goods and services. We do have our Web site, and we will give that real quick, and we will close.

Ms. WASSERMAN SCHULTZ. We encourage you, any of the Members, anyone listening, to sign onto our Web site. The charts that we have been describing tonight are up on that Web site. You can reach us, e-mail us, at 30somethingdems@mail.house.gov, and you can also reach our Web site by signing on to www.speaker.gov and look for the 30-something link, and you can find all the things that we are working on in the 30-something Working Group.

Mr. MEEK of Florida. Thank you very much. I want to thank you and Mr. RYAN.

Mr. Speaker, I want to thank you for your time here on floor. It's always an honor for us to address the House of Representatives.

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore (Mr. MURPHY of Connecticut) laid before the House the following communication from the chairman of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, May 18, 2007.

Hon. NANCY PELOSI,
Cannon House Office Building,
Washington, DC.

DEAR SPEAKER PELOSI: I am writing to inform you that the Committee on Transportation and Infrastructure approved thirteen survey resolutions for the U.S. Army Corps of Engineers at a Full Committee Markup on May 2, 2007.

Pursuant to the provisions of 33 US.C. §542, I have enclosed the resolutions for your review.

With all best wishes.

Sincerely,

JAMES L. OBERSTAR,
Chairman.

RESOLUTION—DOCKET 2768—MOSS LANDING HARBOR-ELKHORN SLOUGH, MONTEREY COUNTY, CALIFORNIA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army review the report of the Chief of Engineers on Moss Landing Harbor, California, published as Senate Document 50, 79th Congress, 1st Session, and other pertinent reports, to determine whether modifications to the recommendations contained therein are advisable at the present time in the interest of navigation and environmental restoration, with emphasis on the health of Elkhorn Slough, and other related purposes.

RESOLUTION—DOCKET 2769—NEW HAVEN HARBOR, CONNECTICUT

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army review the report of the Chief of Engineers on the New Haven Harbor, Connecticut, published as House Document 517, 79th Congress, 2nd Session, and other pertinent reports, to determine whether modifications of the recommendations contained therein are advisable at the present time in the interest of navigation, sediment control, environmental preservation and restoration, and other related purposes at New Haven Harbor, Connecticut.

RESOLUTION—DOCKET 2770—MERAMEC RIVER, BRUSH CREEK, PACIFIC, MISSOURI

Resolved by the Committee on Transportation and Infrastructure of the United

States House of Representatives, That the Secretary of the Army review the report of the Chief of Engineers on the Mississippi River between Coon Rapids Dam, Minnesota, and the mouth of the Ohio River published in House Document 669, 76th Congress, 3rd Session, and other pertinent reports, to determine whether modifications to the recommendations contained therein are advisable at the present time, in the interest of flood control, environmental restoration, and related purposes along the Mississippi River and its Tributaries with particular reference to the Meramec River in the vicinity of Pacific, Missouri, including the counties of Franklin, Jefferson, and St. Louis.

RESOLUTION—DOCKET 2771—ST. LOUIS, MISSOURI

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army review the report of the Chief of Engineers on the Mississippi River between Coon Rapids Dam, Minnesota, and the mouth of the Ohio River published in House Document 669, 76th Congress, 3rd Session, and other pertinent reports, to determine whether modifications to the recommendations contained therein are advisable at the present time, for the purpose of reconstructing the facilities of the St. Louis Flood Protection System, Missouri along the Mississippi River in the city of St. Louis and St. Louis County, Missouri to return the pump stations, gravity drains, pressure sewer emergency closure gatewells and other pertinent features to their original degree of protection.

RESOLUTION—DOCKET 2772—ESOPUS AND PLATTEKILL WATERSHEDS, GREENE AND ULSTER COUNTIES, NEW YORK

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army review the report of the Chief of Engineers on the New York and New Jersey Channels, published as House Document 133, 74th Congress, 1st Session; the New York and New Jersey Harbor Entrance Channels and Anchorage Areas, published as Senate Document 45, 84th Congress, 1st Session; and the New York Harbor, NY Anchorage Channel, published as House Document 18, 71st Congress, 2nd Session, and other pertinent reports, to determine whether modifications to the recommendations contained therein are advisable in the interest of navigation, streambank stabilization, flood damage reduction, floodplain management, water quality, sediment control, environmental preservation and restoration, and other related purposes in Esopus and Plattekill Watersheds, New York.

RESOLUTION—DOCKET 2773—HASHAMOMUCK COVE, SOUTHOLD, NEW YORK

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army review the report of the Chief of Engineers on the North Shore of Long Island, Suffolk County, New York, published as House Document 198, 92nd Congress, 2nd Session, and other pertinent reports, to determine whether modifications to the recommendations contained therein are advisable in the interest of navigation, streambank stabilization, flood damage reduction, floodplain management, water quality, sediment control, environmental preservation and restoration, and other related purposes in Hashamomuck Cove and Tributaries, New York.

RESOLUTION—DOCKET 2774—MANHATTAN BEACH AND SHEEPSHEAD BAY, CONEY ISLAND, NEW YORK

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army review the report of the Chief of Engineers on the Atlantic Coast of New York City from Rockaway Inlet to Norton Point, published in House Document 96–23 and other pertinent reports, to determine whether modifications to the recommendations contained therein are advisable at the present time, in the interest of storm damage reduction, floodplain management environmental preservation and restoration, and other allied purposes at Manhattan Beach and Sheepshead Bay, New York.

RESOLUTION—DOCKET 2775—PECONIC BAY WATERSHED, SUFFOLK COUNTY, NEW YORK

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army review the report of the Chief of Engineers on the Long Island Intracoastal Waterway from East Rockaway Inlet to Great Peconic Bay, published as House Document 181, 75th Congress, 1st Session, and other pertinent reports, to determine whether modifications to the recommendations contained therein are advisable in the interest of environmental restoration and preservation, streambank stabilization, flood damage reduction, floodplain management, water quality, and other related purposes in the Peconic Bay Watershed, New York.

RESOLUTION—DOCKET 2776—RONDOUT WATERSHED, SULLIVAN AND ULSTER COUNTIES, NEW YORK,

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army review the report of the Chief of Engineers on the New York and New Jersey Channels, published as House Document 133, 74th Congress, 1st Session; the New York and New Jersey Harbor Entrance Channels and Anchorage Areas, published as Senate Document 45, 84th Congress, 1st Session; and the New York Harbor, NY Anchorage Channel, published as House Document 18, 71st Congress, 2nd Session, and other pertinent reports, to determine whether modifications to the recommendations contained therein are advisable in the interest of navigation, streambank stabilization, flood damage reduction, floodplain managment, water quality, sediment control, environmental preservation and restoration, and other related purposes in Rondout Watershed, New York.

RESOLUTION—DOCKET 2777—KEY WEST HARBOR, FLORIDA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army review the report of the Chief of Engineers on Key West Harbor, Florida, published in Senate Document 106, 87th Congress, 2nd Session, and other pertinent reports, to determine whether modifications to the recommendations contained therein are advisable with particular reference to widening the navigation project at the present time at Key West Harbor.

RESOLUTION—DOCKET 2778—CHOWAN RIVER BASIN, VIRGINIA AND NORTH CAROLINA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army review the report of the Chief of Engineers on Chowan River, North Carolina, and Blackwater River, Virginia, published as House Document 101, 76th Congress, 1st Session, and other pertinent reports, to determine whether modifications to the recommendations contained therein are advisable at the present time with particular references toward flood damage reduction, environmental restoration, navigation, erosion control, and associated water resources issues in the Chowan River basin, Virginia and North Carolina.

RESOLUTION—DOCKET 2779—WESTCHESTER COUNTY STREAMS, WESTCHESTER COUNTY, NEW YORK

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army review the report of the Chief of Engineers on the Streams in Westchester County, New York, and the Mamaroneck and Sheldrake Rivers Basin and Byram River Basin, New York and Connecticut published as House Document 98–112, and other pertinent reports on the Hutchinson, Mamaroneck and Sheldrake Rivers to determine whether modifications to the recommendations contained therein are advisable at the present time in the interest of water resources development, including flood damage reduction, storm damage reduction, environmental restoration, navigation, watershed management, water supply, and other allied purposes.

RESOLUTION—DOCKET 2780—ROARING FORK RIVER, BASALT, COLORADO

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, in accordance with the Flood Control Act of 1938, That the Secretary of the Army study the feasibility of and alternatives for Roaring Fork River, in the vicinity of the Town of Basalt, Eagle and Pitkin Counties, Colorado, to determine whether modifications to the recommendations contained therein are advisable at the present time in the interest of flood damage reduction, environmental restoration, recreational, and other related purposes along the Roaring Fork River, Colorado.

There was no objection.

REPUBLICAN STUDY COMMITTEE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Texas (Mr. NEUGEBAUER) is recognized for 60 minutes as the designee of the minority leader.

Mr. NEUGEBAUER. Mr. Speaker, I was listening with interest this evening about all of the things that are going, supposedly, not well in Iraq. So I hope to spend the next hour with some of my colleagues talking about the things that are going well. I thought it was interesting as the other side was talking about how they support our troops, and are thankful for the wonderful job they are doing, yet they have made them wait 107 days for much-needed resources to do the job that we have asked them to do.

We are going to talk about that later on this evening, of all of the things that our young men and women have

had to wait for as we have been playing a political game, or the other side, I would say, has been playing the political game, and our young men and women have been doing and continue to do the professional job that they have been doing for so many times.

I have been to Iraq three times myself, and tonight I am joined by some of my colleagues that have also been over there. We are going to talk about this war, because it's a real war. I think some people try to minimize what is going on in this global war on terrorism, but, in fact, it is a real war. We will talk about where this war is being fought. It's not just being fought in Iraq and Afghanistan. We are also going to talk about the fact that Iraq is a central front for the war on terrorism.

Finally, we are also going to talk a lot about the progress that's being made over there. General Pace was in Congress today briefing Members on what's going on in Iraq and brought forth a very positive report in many ways.

I look forward to this time. I am certainly glad that some of my friends on the other side weren't around when we fought the Revolutionary War, because it might have been too expensive, or we might have lost too many lives. What we do know is freedom and democracy has never come cheap. It comes with a price.

We enjoy the freedoms. In fact, we enjoy the freedom to be on the floor tonight with our colleagues because of price that many have paid that have gone before us. I am very proud of them. Every time that I have had the opportunity to travel and be with our soldiers, it makes me proud to be an American.

I would like to recognize my good friend from New Mexico, my neighbor Mr. PEARCE. Mr. PEARCE has also been to Iraq on three different occasions. He has seen many of the things that I have been alluding to. I would ask him to talk about his perspective of what is going on in the global war on terrorism.

Mr. PEARCE. I would just remind the Members of the Chamber that we are a part of the Republican Study Committee, that's the RSC here. We have the Web site, www.house.gov/hensarling/rsc. So take a look at the things that we are talking about, the things that we all believe in. It's the conservative arm of the Republican Party.

I think the first thing that we would want to talk about is basically what is happening in Iraq. If the gentleman doesn't mind, I would like to use one of the charts here. If we take a look at the charts, these are reconstruction projects, but also they mirror very closely the conflict, the different fights that are going on.

If you look at this whole part of the country, this entire section is actually pretty secure. This al-Anbar province out in the west has been the subject of a lot of discussion. Baghdad, of course, is very near the center part. You can see where we are spending more money on reconstruction there and up north. We can see, also, that if we have the reports of firefights, the reports of IEDs, we would see the same sort of clustering there.

People ask, well, why did the British leave? The British were serving in the southern section here. The British actually had secured their area that had been turned over to the Iraqis.

I think all of our troop commanders are telling us that when we have Iraq secure, that when the Iraqi forces are in charge of their own security, both police and then the army, then we are going to see troops start coming home. That's exactly what happened.

Now, the risk that we run, I would cover that just briefly, Iran touches on the eastern side of the country. If we pull out, Iran will take over these massive oil fields in the southern part of Iraq. That's going to destabilize even more the price of gasoline. Our colleagues were just talking about it. Really, the price of gasoline is quite simple. I majored in economics in college, and I did so because economics is very easy. It's just got two moving parts: supply and demand.

□ 2115

If you will consider the demand for our product, the demand for gasoline, we have 300 million people today. That is significantly more than what we had in the 1950s when the price of gas was low. So our demand is increasingly higher, but also our supply is becoming more restricted.

Then we look at the worldwide picture, and you understand that the Chinese, if you overlay the price of oil, the price of natural gas, the price of gasoline with the demand in China for the last 20 years, you would see that the demand of the Chinese is almost exactly mirroring, is exactly causing our high price of gasoline right now.

There is a compelling fact today; we heard the same statistics that just a couple years ago the price of gasoline was actually $2.47, today it is about $3.29. And, again, the law of supply and demand, the Middle East, that OPEC group is actually cutting their exports. They are trimming back their exports. They are cutting the supply. It is driving the price up. It is actually quite simple. Our friends on the other side of the aisle in charge of governing the Nation really should stop and consider these two moving parts, supply and demand. They have got two hands, maybe they could write one on one hand and write one on the other hand and try to keep them organized, because they make this far more complex than what it actually is.

So what we are doing in Iraq is trying to stabilize the Middle East, because I would guarantee everyone in the Chamber that if Iraq fails, if we leave Iraq, Iraq falls. We were just in Israel about 2 months ago, and the Israelis said that you are going to lose Saudi Arabia. That is, the terrorists are going to go in and topple that regime, they are going to go in and take over that government. Now, Saudi Arabia has about 60 percent of the world's known reserves; that is the reserves of normal petroleum. So that would destabilize between losing the production in Iraq, losing the production in Saudi Arabia. And, don't forget Kuwait, because the general assumption is that Kuwait and Jordan would fall. Then you see a picture where the worldwide oil market would destabilize.

At that point I think that we would really have to worry about the security of the entire world economy. And if you worry about the security of the world economy, you also have to worry about social stability, because the terrorists know they are not going to beat us militarily. That has never been their attempt. Their attempt is to destabilize us economically. That was the reason they hit the World Trade Center in 1993. They came back and hit it in 2001. And they knew that if they could strike at that vibrant nerve center of the U.S. economy, they would destabilize us economically. If they destabilize us economically, they destabilize us politically.

So right now we are finding that actually our surge of troops, those troops are mostly in the Baghdad area, because how goes Baghdad, that is how goes Iraq. The governing structure is in Baghdad. If we secure Baghdad, then we secure Iraq. If we do not secure Baghdad, we do not secure Iraq.

We put about 110,000, 120,000 troops into Baghdad. We are also joining those up with about 100,000 Iraqi troops that are there already. Both of those numbers are increasing, and I will tell you that we are hearing already that the violence in Baghdad itself is beginning to diminish significantly. Again, we can take some of the instability that is moving out to the outlying provinces if we first secure the capital, if we can have those essential government functions that cause the people to believe that their society is intact, and that even though there are difficulties that they can get their garbage service, they can get their water service or whatever. Those are the underlying factors that we are seeing playing right now in the troop surge.

I think that everyone believes by September or October, we are going to know the outcome of the surge. It doesn't mean we will know the outcome of the battle, it doesn't mean we will know the outcome of the war. But I think that it is essential that we fund our troops, that we quit playing games.

We have consistently asked our leaders, the majority leaders, if you do not like the war, that is a credible position. Just come to the floor, have the vote about withdrawing the troops. Do not play games with the funding. Do not play games with our troops in harm's way.

But they refuse to have that vote. Instead, what they do is they put the money here and they put conditions.

Now, I know that college football coaches and pro football coaches get fired every day. It is because they become too predictable. Their offense is too well known. When an offense is well known, the defense knows exactly where to play. Now, our friends on the other side of the aisle want us to give our playbook; they want us to put into legislation the benchmarks that will determine if we go or leave, if we come home from Iraq or if we stay in Iraq. And we will tell you, that simply tells our opponents where to go to defeat us. If the benchmarks are in writing, then that is going to give our playbook to the opposition.

We as the American Congress, we as the United States Congress, owe it to the men and women in uniform, who are in harm's way, to support our troops or to please bring them home.

I was in Vietnam at a period of time when the Nation began to turn its back on its troops. I was in Vietnam at a time when they began to play games with the funding. I was in Vietnam during the time that Jane Fonda went to the North and gave aid and comfort to the enemy. I will tell you that I have personal experience that this is not the way that we want to treat our young men and women who are in harm's way.

So we owe it to our troops to have the vote on the supplemental budget that we are discussing tonight, because the future of our country depends on it. But more than that, the lives of our young men and women rest today, today, on what we do.

So I yield back to the gentleman from Texas. I have other comments, but I see we have a lot of people here tonight. I thank him for the opportunity to speak and thank him for taking his leadership and giving leadership to this great subject, because it is the right thing for us to do. It is the right thing for America to do. It is the right and honorable thing for this Congress to do, to give the funding to our troops or bring them home. Those are the two choices we have in Congress. And I thank the gentleman.

Mr. NEUGEBAUER. I thank the gentleman from New Mexico. He brought a lot of insight to this discussion tonight. There is nothing better than, if you want to see what's going on, to go to the battlefield yourself.

What I was wondering with some of my colleagues this evening is the Democrats have made our troops sit and wait for 107 days to see if, in fact, they are going to fund the very resources that they need. And I have got to wonder how demoralizing that has to be when you get up every morning and you are putting yourself in harm's way for this great Nation of America, keeping America safe, and also helping liberate and begin to bring peace and democracy to another country, and how that must feel to know that your own home country is sitting over here and playing political games while you are doing the heavy lifting.

So I have to say to the young men and women that are in harm's way tonight that I am hopeful that this Democratic leadership will finally step up and do what they should do.

Before I yield to the next gentleman, I wanted to let the American people know what our young men and women have been waiting on. In this bill that we hopefully can pass this week is $8 billion for body armor, armored vehicles, and base security surveillance. In other words, these are the things that would help to keep them safe. Yet we have to wait 108 days for the Democrats to decide that they want to keep our troops safe. That just isn't right; $2.4 billion to help use some new technology and some things that we are learning about IEDs, which is one of the things over there that has caused so much damage and death and destruction in that country and harmed and injured, severely, many of our young men and women. And yet they have had to wait 108 days for these resources, for this Democratic Congress, this Democratic leadership, to give them the resources that they need.

Another important piece of this supplemental is the fact that $2.7 billion is allocated for updating our security and our surveillance and our intelligence. Let me tell you, today in Iraq and Afghanistan and all around the world, knowing where the bad guys are is a very important piece of how we defend this country and we prosecute the war on terrorism. Yet we have had to wait 108 days and counting for this leadership to do the right thing by our young men and women.

It is my honor and privilege now to recognize a fellow Texan, a former judge, a good friend, Congressman CARTER from Texas, who has also been to Iraq. I believe the gentleman has been three times, if I am correct.

Mr. CARTER. That is correct. And I thank the gentleman for yielding. As it turns out, we have got a whole room full of folks here that want to address this issue. But we talked earlier between you and our neighbor from New Mexico, and we have each been three times.

But let me point out that as Congressman PEARCE pointed out, the men and women that are in Iraq today, most of them are on their fourth rotation over there. Many of those people have been there four times, four times for a year, sometimes, or better, each time they've been. When we go, we are very blessed to be able to go over there, but generally time is very short and if we spend 3 or 4 days in country, we have been there a long time. These soldiers have gone over there voluntarily.

You know, one of the things that I think is a misconception that seems to be played out both in our coverage in the media and in the comments that we hear from our colleagues across the aisle is that they think that we are dealing with people who are being forced to go over there. These people volunteered. These men and women are true American heroes, and they know what their mission is, and they will tell you they know they are accomplishing that mission. They wonder why what they are accomplishing is not what they are viewing on American television. They wonder that a lot, and they say that to you a lot when you go over there to visit them.

And so it has been said here tonight already, but I think it is very important that the American people think about this. The Democratic Party in this House and in the Senate is in the majority. They have a responsibility now to govern this Nation. They ran on a campaign that promised what they were going to do when they got here to govern this Nation. And as we heard in the early hour, we do have three distinctive parts of the government. The President is one, but this is a coequal branch of government with the authority to take charge and be responsible for what you promise. And if it means to the American people what they think it means to the American people, that we have to get out immediately of Iraq, they have the authority and the ability to vote to bring our troops home.

But you see, it is easy to talk about wanting the responsibility, but taking the responsibility becomes very difficult. In fact, the real story of this debate that we are having on what should happen is they don't want to take the responsibility because they really, I would hope, in their heart of hearts, realize that the consequences are dramatic.

My friend Congressman PEARCE mentioned to you, and I think it is everybody's opinion that looks at that map of Iraq, that should the American troops strike their colors and march home tomorrow, that the southern part of Iraq falls almost immediately into the hands of the Iranians, because they fought a whole war over that issue; and only because the Iraqis stood up their Armed Forces and fought to a standstill that the Iranians didn't take those southern oil fields. But the Iraqi Army, which we are in the process of building up, would not be able to do that in today's life. They are too busy straightening out their own country.

We hear so much about the American soldier. And God bless the American soldier. The American troops are doing an outstanding job, but so are the Iraqi troops. And that is the news item that is not out there these days. The Iraqi troops are dying actually at much greater numbers than the American troops, side by side with the American soldier, learning as they go how to fight the kind of war that professional soldiers fight. And they are doing a good job. And we have to give them the opportunity to finish the job and stand up their military and stand up their police force.

And that is what our soldiers tell us when they go over there, and they tell

us that from the corporal or the private all the way up to the four-star general.

And the surge has a purpose. It is more than just feeding in troops. It is clearing a neighborhood, and then having the Iraqi troops, along with Americans, to hold those neighborhoods until we are able to get this thing done.

□ 2130

And you know, al-Anbar Province, when I was over there the second time, that was the Wild West. That was the worst province in Iraq, al-Anbar Province. Now the Marines report to us on a daily basis that because the sheiks who are the tribal leaders of that area, and particularly one sheik who's got the vast majority of the tribes in that area, have joined the fight, told their people, when you shoot at an American, you shoot at one of us; join us in getting rid of this al-Qaeda that's trying to come in here and turn all sides against each other to create turmoil in our country. And we are having outstanding success in that area, because the indigenous population is joining in the fight.

When an Iraqi hears a pounding on his door and calls the local policeman, this war is won. But they have lived for a long time under a dictatorship where the local policeman was the bad guy. We have changed that.

Ask a soldier, what was your mission, and he will tell you, sir, we've accomplished a whole lot of our mission. Our first mission was to go in and take out Saddam Hussein, and, sir, we did that. And I'm proud to say that the 4th Infantry Division from Fort Hood, Texas, which is in my district, pulled that tyrant out of that hole and started him in a lawful judicial process established by a government that the 1st Cavalry Division, which is also from my district, helped to defend as they voted, and in a properly impaneled judicial process we took care of Saddam Hussein. That's part of our mission. Mission accomplished.

The second mission was to help rebuild the Iraqi people. And if you look at that map at the number of projects that we're working on currently, and then you have a young soldier say, you know, sir, they reported last week that they killed an American soldier, what they didn't report is that we got water for the first time almost in the history of this country to a village of 400 people that never had water, because that's not a big fancy news item for The New York Times and the Washington Post. But that is a very, very important news item for the 300 people who had to pack their water in small jugs to have drinking water, that we got water, drinkable water, usable water to those people in the desert community. This is the kind of thing that changes the future of Iraq. If we pull out of Iraq, we create disaster.

Now, as I pointed out, the Democrats have an opportunity to do what they promised everybody to do and stop this war, but they don't have the will, and they don't have the courage to be responsible for their actions. So instead, they have prevented necessary supplies to keep our men and women in combat safe now, for 100 and what days?

Mr. NEUGEBAUER. Soon to be 108 days.

Mr. CARTER. For 108 days.

I got a phone call last night from Fort Hood, actually from a newspaper in Fort Hood, asking about the fact they a bad rain out on Nolan Creek, and some people got stranded out there. And, of course, when you are next to the largest military facility on Earth, the helicopters went out and started pulling people off of the roofs.

And this reporter called and was worried that she had heard that maybe the resources were not as available as they had been before or wouldn't be as available because there were cuts going on on the post. We had already checked that out with Fort Hood, and that actually was not true of this event.

But I told her, you know, you are from a military community, so we who have a military community know what happens when the Congress doesn't do its duty to the military when they have troops in harm's way, like in Iraq and in Afghanistan.

The Army doesn't leave, or the military doesn't leave their soldiers without the gear. What they do is tighten their belt back home. And that's happening now, and it's going to get worse and worse as this delay continues over and over.

It means training missions could be in jeopardy. It clearly means that operations on these large military posts around our country have to be reduced. Expenses have to be cut so that we keep the people in harm's way supplied, because we don't leave our dead or wounded on the battlefield, and we certainly don't leave our fighting soldiers on the battlefield without the equipment it takes to do the fight.

And so the Army, the Navy, the Air Force, the Marines and the Coast Guard will all be contributing from home to the war zone until this Congress does its duty. And I think it brings shame to know that those folks back home just came back from their fourth rotation, and their resources they are counting on for their year back home are being cut back. They're doing it willingly, but they are being cut back so they can supply their fellow men and women in arms over in Iraq, in Afghanistan.

This is a crisis that people don't realize the strain we're putting on our soldiers. And then to constantly tell them, like the leader, the Democrat leader in the Senate, this war is lost; and those soldiers are looking around and saying, what war is he talking about? Where's he see the loss? We haven't lost. We're winning this war. That's what the people who are there are saying. Give those folks a chance.

Mr. NEUGEBAUER. Well, I thank the gentleman. And you alluded to something that I want to point out, and several of our previous speakers have talked about this chart. And basically, people say, well, what's going on in Iraq? And I think what we hear is the news media portrays, well, there's a lot of fighting going on. But really what's been going on in Iraq at the same time is some nation building. And what you see on this chart is over 14,000 projects that have either been completed or are underway, and as the gentleman referred to, as some of these provinces for the first time have water. Some of them, for the first time in a long time, have electricity.

But let's get down to really talking about what's making a difference in the lives of the Iraqi people. And for the first time, young men and women are back in school again, and commerce is going on in these communities, and people are being able to live a life that's less fearful of this tyranny that Saddam Hussein would reign over his people. And so 14,000 projects, either completed or underway. And all of those green dots, and I know that it doesn't show up on the C–SPAN that well, but this map is dotted with projects.

The other thing that the gentleman brought up, and I think you're going to hear from some of the other speakers tonight, is that most of the time when we go to Iraq, we spend some time with the troops. I have meals, almost with every chance we always say to the military, we want to eat with the troops. We want to hear from the young men and women that are out there with boots on the ground what's going on.

And my most recent trip to Iraq, I was sitting with a young man, and it was one of the last, I think we were in Baghdad, and he looked over at me, and he looked me right in the eye and he said, Congressman, this is my third trip to Iraq. He said, nobody has more invested in this effort than me. Would I like to be home with my family? Absolutely. But, Congressman, go back and tell your colleagues, please let us finish this job. We are winning. We are making a difference. And it would be a true shame for us to leave this job undone and to let the Iraqi people down.

The other thing, and the gentleman alluded to, was the fact that now we've been hearing that tens of thousands of calls are coming in now to the security forces of people in the neighborhoods saying, there's some bad folks roaming in our neighborhood. They're trying to do bad things; they're trying to harm us. And so they're turning in the bad people. So the Iraqi people are buying into the fact that this is their country. They have a responsibility. They're standing up the troops.

One of the interesting things the gentleman talked about the fact that we're standing up an Iraqi Army. Every once in a while, and we know it's unfortunately, but our suicide bombers will bomb a recruitment area. And the next day, what shows up at that same

site but more recruits because they went their country back.

They've had a number of elections, and so the fact that now that the sheiks, and not just the sheiks but the people in the communities are getting engaged in this process, and what we're hearing is that now these leads are turning into being able to not only get the bad guys, but get their weapons. And hundreds of thousands of pounds of ammunition has been seized because of these tips that we're not getting from our soldiers, but from the people in Iraq.

I believe the gentleman from New Mexico wanted to make a comment about that.

Mr. PEARCE. I would. And I thank the gentleman. As he's talking about this new willingness of Iraqis to report suspicious behavior, I would remind my colleagues that it was our bill, my bill that was introduced, that simply said that you cannot be sued in American courts for reporting suspicious behavior, that you cannot be terrorized in our own courts of law for reporting the same sort of behavior that you're talking about being reported in Iraq creating stable responses, stability in the country.

And yet, we had 121 of our Democrat colleagues vote against that legislation. They voted with the terrorists to say, you can sue Americans in court for reporting suspicious behavior. I think that shows the difference between the Republicans in this Congress. All Republicans voted with the American citizens to limit those capabilities. But the difference between the Republicans and Democrats is that the Democrats are still soft on security. They're soft on terrorism, and they're soft on funding the troops who are fighting the battle.

And I just wanted to, your comments about the Iraqis now turning in evidence, bringing those actions to our attention, caused me to remember that bill on the floor of the House where we actually had a vote here, and the Democrats voted, 121 of them, to let terrorists sue us in our own courts.

I'd yield back to the gentleman.

Mr. CARTER. If the gentleman would yield just a moment.

Mr. NEUGEBAUER. I would yield to the gentleman from Texas.

Mr. CARTER. Hearing my colleague from New Mexico reminds me of another vote that was taken on the floor of this House that had to do with our intelligence for our United States military. And in the bill, the Democrat Party had diverted millions of dollars to take our Intelligence Community and have them study global warming. I have this vision of one of our spy satellites being relocated over the North Pole to check on the polar bears that was sitting over Baghdad checking on the terrorists.

I think the American people want our American soldiers, sailors, airmen, marines and coastguardsmen to have on the ground intelligence, which they cut, and in-the-air intelligence, which they want to move to study global warming, so that we can make sure that our soldiers, our American citizens in harm's way, have the security of good intelligence. But there's a vote that we took. We tried to fix that, and that fix was voted down. And so now we have an intelligence bill that has a big chunk of it set aside for global warming.

Meanwhile, it was discovered when we had the debate that there are 13 agencies in this government studying global warming right now. And why does our Intelligence Community have to study global warming at this point in time when American soldiers, sailors, airmen, marines and coastguardsmen are at war? That's a question that the American people ought to ask themselves.

Mr. NEUGEBAUER. And the gentleman's correct. In fact, the money that was taken out to fund the studying of global warming and intelligence was taken out of some of our more crucial intelligence areas, the intelligence that's used to help our young men and women in the battlefield know where the bad guys are before the bad guys know where they are. So that just doesn't make sense.

We're joined by some additional colleagues this evening, and certainly my good friend from Georgia, Congressman GINGREY, he's another Member that's been to Iraq three times. That seems to be the theme tonight. And I'm pleased to yield to the gentleman from Georgia.

Mr. GINGREY. I thank my friend and classmate from Texas, Representative NEUGEBAUER, and, of course, Mr. Speaker, I am very pleased to be here on the floor this evening with our colleagues and my classmate, Representative PEARCE of New Mexico and Judge JOHN CARTER from Texas. And you'll hear soon from another classmate of ours from Iowa, Representative STEVE KING, and, of course, a new Member, but a very experienced one, TIM WALBERG from Michigan.

It's an honor to be with them, Mr. Speaker, tonight, because this is a time really of victory for our men and women who are the patriots fighting this war in the Middle East. It's not a time for bragging, and we're not here to stick our finger in the eye of the Democrats and say, you know, you were wrong, you were wrong all along, and finally, after 107 days, you have admitted you were wrong, and we have won this argument.

Actually, Mr. Speaker, it's been a tremendous loss for the country to go 107 days, or whatever it is, from the time the President asked for the money that the Department of Defense has requested to continue to conduct this war for the rest of this fiscal year, 2007, the $100 billion with no strings attached, Mr. Speaker.

The Commander in Chief and the combatant commanders in the field and General Petraeus brought us a new way forward. It's what the American people wanted. It's what the Congress wanted. And our combatant commanders responded to that. And we put in place the highest-ranking four-star general on the ground in Iraq, General David Petraeus, who wrote the manual 6 months before on counterterrorism and knew and knows.

□ 2145

And it wasn't just his plan, but it was a plan that was worked out in combination with the Iraqi Government, with Prime Minister Maliki, and it called for essentially all of the things that the Iraq Study Group asked for. That report, Mr. Speaker, was a bipartisan report chaired by two very distinguished political public servants, the Honorable Jim Baker, Republican, the Honorable Lee Hamilton, a long-term member from Indiana, a Democrat, and this is exactly what the President tried to do. And yet the Democratic new majority wanted to insist on these benchmarks that weren't really performance benchmarks but they included a timetable, a timeline, for giving up no matter what the circumstances on the ground were. And the worst and most egregious of those, my colleagues, was to say that in August of 2008, just a little more than a year from now, that no matter what was happening in Iraq, even if it got like when Andrew Jackson had the British running down the Mississippi to the Gulf of Mexico, as the song goes, even if we were in that situation, winning this battle, in August of 2008, this Democratic majority wanted to blow the whistle and bring the troops home.

And I am telling you at this particular time, as we approach the Memorial Day weekend, what kind of message does that send to those who have given the last full measure of devotion in this war, and in any war, while the Democratic majority tries to get the last full ounce of political blood on the floor of this House? It is shameful, Mr. Speaker and my colleagues.

Every one of us have gone to some funerals in our districts. And I stand here tonight and I think about the Saylor family, Paul, their son, 22 years old from Breman, Georgia. I think about young Justine Johnson, another 22-year-old from Armuchee, Georgia, up in Floyd County. I think about the former president of my student body at my alma mater, the Georgia Institute of Technology, who 2 years after serving as student body president at that great institution, that first lieutenant gave his life in Iraq, shot down by a sniper while leading his troops. I think about Command Master Sergeant Eric Cooke, who served 30 years in the military, multiple deployments at the tip of the spear, and on Christmas Eve, 2003, my first trip to Iraq, one day after I met him and gave him some books and school supplies for the Iraqi children; he promised to deliver them, but, unfortunately, he took that right seat in a Humvee so that one of his troops

could stay home and call his wife and his family and talk to his loved ones on Christmas Eve. And Command Master Sergeant Eric Cooke gave his life one evening when that Humvee went over an improvised explosive device.

In the history of this country, we are about to honor those who have given their lives on Memorial Day, the last Monday in May. And at that time I think about and I want my colleagues to think back to World War I when Dr. McCrae wrote that poem ''In Flanders Fields.'' I am not going to try to quote the poem, although it is a very short poem, but the last stanza basically says don't forget it us. Just don't forget us. We fought the battle. Whatever the cause, you may not agree with it, but don't forget us.

And I think that is why we felt so strong. I commend this President for vetoing bad bills that would forget the troops and would let them die in vain.

So it is an honor to be here tonight to say thank you maybe to the Democratic majority for finally coming to your senses and letting the combatant commanders and the Commander in Chief fight the war. Certainly we could talk about policy and we can talk about funding but not with strings attached. Let's give victory a chance. And I think we have an absolute chance, as my colleagues pointed out, and some of the progress is being made. The news media, of course, doesn't report good news. Good news is an oxymoron, isn't it? So they don't talk about that. But thank you, colleagues, for letting me come tonight and talk about this.

I know if the troops are watching over in Iraq and Afghanistan, I think they are very proud that the Congress is supporting them and we are not going to pull the rug out from under them.

With that, I want to yield back to my colleague from Texas, Mr. NEUGEBAUER. I know there are a couple of other speakers and I thank the gentleman for giving me the time.

Mr. NEUGEBAUER. Mr. Speaker, I thank the gentleman.

And he brings a point that many of us have had to experience, and that is to make that call of condolence to a mom or a dad or to a wife.

And I thought it was interesting, one of the previous speakers talked about being in the majority means you lead. And, in fact, we have gone 107 days without the much-needed resources for our young men and women, and it took the Republicans having to write to the Speaker of the House and saying it is going to be hard for us to go back home and talk about memorializing the sacrifice our young men and women have made in the past when we aren't even funding the troops of today. So we said we are not willing to go back on a recess for Memorial Day without taking care of the business of supporting our troops.

And I am hopeful that tomorrow, and certainly before we adjourn, that the Democrats do begin to deliver to our young men and women the resources they need so that when we do go home for this Memorial Day, we can celebrate the sacrifices of the many that have gone before, that we can do it with our heads held high that we have taken care of our part of the business.

I am pleased to be joined by a new Member of Congress from Michigan, someone who has a number of military bases in his district, who also has taken a keen interest in the Walter Reed issue and making sure that when our young men and women get injured that they get 21st century care. So I am pleased to yield to the gentleman from Michigan, Congressman WALBERG.

Mr. WALBERG. Mr. Speaker, I thank the gentleman from Texas for yielding.

Mr. Speaker, it is a privilege to stand with men here who have served with distinction and consistency on this issue and the most important issue, as I understand it, as a new Member of Congress, taking that oath of office for the first time on January 4 to uphold the Constitution of the United States, which gives us the primary responsibility, number one responsibility, for security and defense of this great Nation not only for its people but for the impact that this Nation has given and continues to give worldwide.

We are the greatest bastion of hope for liberty, for individualism, for opportunity. And for us to be now in an arena that, frankly, with my colleagues I can't say that I have been there yet. I look forward to being over in the arena of this war and having the opportunity to sit with our heroes, our warriors over there who understand the process. I look forward to that experience to be able to hear directly from them in the field. But until that time, I have to resort to memories, including a memory my wife and I will never forget in sitting on the parade grounds in Fort Knox, Kentucky, watching my son graduate with the rest of the young recruits, troops that volunteered, all volunteers to serve their country, all of whom understood that in signing up for this austere and wonderful choice of patriotism, yet also put their lives on the line potentially.

And I will never forget watching my son, who had changed before my eyes during the course of the past number of weeks at Fort Knox, and had become a man with an understanding, as he was preparing to be a combat medic. That was unique. And meeting with his fellow soldiers and understanding that they had a purpose in mind, what an encouraging thing that was.

And now to look back on that and realize that not only have numerous of his fellow comrades gone to the arena, some who have come home with the impact of that time on their life never to leave them. Others have not come home alive and have given the supreme sacrifice. We would do well to honor them not only by our words but by our actions.

I have stood at Walter Reed Hospital on numerous occasions now, with my wife alongside several times, and I have met these troops, these fallen warrior heroes. I have prayed at their bedside. I have thanked them. I have had the opportunity to hear from them: Mr. Congressman, don't thank us. It was a privilege to serve. Don't thank me, though I appreciate your being here, but I want you to go back and tell your colleagues that we would appreciate their unquestioning support, that they would stand with us, that they would encourage us, that they would support us with the necessary resources, both armaments and financial resources, to complete this passion that we have, to stand for the defense not only of Iraq and its citizens who long to be free, but stand for our fellow citizens at home so we don't have to fight this war on our home turf as well. They understand this.

I don't understand why many of my colleagues, whom I respect highly, yet don't seem to understand, on the other side of the aisle, that we are fighting so it doesn't come home here as well.

I have also had, and I call it a distinct honor, though difficult as well, to speak to families who are now dealing with the impact of the war. I think of Travis Webb from Adrian, Michigan, who is still at Walter Reed, who came home missing two legs but not missing his heart, and still with a passion for his comrades back in the field and expressing the desire that we stand firm with them, thanking him and hearing him say ''I wish I could go back.''

Just a week ago, I called the mother of Daniel Courneya of Vermontville, Michigan, and expressed my sincere sympathy to her. Her son has not come home alive. He along with three other of his fellow troops were killed with an IED explosion, and three of his troops are still missing. We have read about them in the media. And we pray for their safe return. We know also that they have given their service for a cause. And I will be at the funeral of Daniel Courneya this coming Friday, in fact 2 days from now, and will stand proudly and yet humbly, recognizing the sacrifice that they have given for a cause greater than all of us even on this floor tonight.

Mr. Speaker, 108 days ago, on February 5, President Bush requested from Congress funding for our troops in Iraq. And even though current funding for our troops is set to expire at the end of May, and I say this as a new Member and I guess I say it as a Member that doubts until I actually see the bill in front of me to vote on, this funding is set to expire at the end of May. The new leadership in the House of Representatives has yet to put in front of me a bill that even comes close to properly financing the troops. And I say that saying until proven otherwise, it hasn't been in front of me to vote yet, and that is a shame.

Our American commanders need an opportunity to implement the new strategy. We are handcuffing our generals on the front line. That is not the

way it ought to be. New House leadership first introduced a bill in March that not only micromanaged the troops but also contained millions of dollars of unrelated pork-barrel projects to buy a few votes for bad legislation. That is not what I understood that I signed up for in supporting our troops and protecting and defending this great country.

□ 2200

The bill was a salad bar of egregious earmarks: $25 million for payments to spinach producers; $120 million to shrimp industries, $74 million for peanut storage; $5 million for shellfish, oyster and clam producers are just a few examples. And again, as a new Member of Congress, I couldn't believe that, that we were dealing with that type of funding with a war going on.

This bill was rightfully vetoed. In response, House leadership scrambled, and now we see supposedly that there is a bill before us.

I heard my colleague, the gentleman from Georgia, express appreciation that we have a bill now that we can vote on that will fund our troops. But again, I haven't voted on it yet. And so I say, let it come before us. No wonder this body, this Congress, this great symbol of American freedom has a 29 percent approval rating, when we mess around with the lives of our troops and the freedom of our citizens.

House leadership seems to have finally relented, and hopefully has decided to provide the necessary funding for our brave men and women. I am glad to hear that we will put aside any plans to go on break until a clean funding bill will pass, and I trust that that will take place tomorrow, to support our men and women in combat. Our troops deserve this respect.

Recently, the Iraqi Government, after complaints from myself and other Members of Congress, decided to forego its plans for a 2-month summer recess so important decisions such as the development and distribution of Iraq's oil and how to deal properly with sectarian violence can be made and laws can be passed.

This Congress similarly has decided not to go home for more than a week and leave our troops in limbo until we finish this job. We have to stay here and finish our job so our brave troops, our men and women in uniform, can finish theirs.

House leadership needs to allow Members to vote as early as possible tomorrow on a clean bill, devoid of wasteful, nonmilitary spending. We need a bill that doesn't handcuff our generals, but instead gives our troops the resources they need. Setting timelines on American involvement in Iraq is good policy, but not publicly in front of our enemies. Our military commanders need to have control of the situation, and not the terrorists.

The Congress needs to give General David Petraeus, the new Commander in Iraq, who was confirmed unanimously by the Senate, a chance to fully implement the new strategy instead of telegraphing surrender to terrorists.

In the Anbar Province, one of the most dangerous areas in Iraq, violent crime is dropping, and 20 of 22 tribal leaders of that area now support the U.S. and Iraqi forces against al Qaeda. Granted, the level of violence remains high, and the hot spots are numerous, and many challenges persist. But the wounded soldiers I've met at Walter Reed and Bethesda deserve our support. They have indicated that our Armed Forces can secure Iraq enough so that an Iraqi Government and a security force there can take over.

Time is running out. Congress needs to move past political posturing and partisanship and allow the men and women serving in Iraq the opportunity to crush the terrorists in the Middle East so our families will have a more secure future here at home.

I want us to win this war. There are only two options, as we mentioned tonight already, only two options: One, victory; and the other, defeat. I do not believe that Americans countenance, by and large, the option of defeat.

I am asking my fellow Members of Congress, those that I am proud to stand with here on the floor tonight, as well as those who have wavered and waffled at times, to buck up. FDR called our America to a strength of sacrifice together, to win a war as brave people that sustain this great world as well. We, as well, have the privilege tonight, as Members of Congress, to call our Nation by first standing together, calling them to sacrifice in support of our troops, calling them to bravery and courage in standing for this country, calling them to one decision, and that being the decision for victory.

Memorial Day is upon us. I will experience this Memorial Day like I have experienced no other Memorial Day, because I have stood next to these wounded heroes. I have defended these brave troops. I have spoken with them. I have had family members, including my son, sign up to do that brave duty. And I will say to the troops who may hear us tonight, God bless you. We stand with you, and we will support you.

Mr. NEUGEBAUER. I thank the gentleman. And as the gentleman has said, he has been to Walter Reed with his wife; I have, also. And I think about one time I went and I was there with a soldier that had gotten a new prosthesis. He had lost part of his leg. And he said he was so proud of it. He said, Congressman, this is state-of-the-art, and I'm going to be able to walk again, and do you know what I want to do? I said, what do you want to do? He said, I want to go back and be with my buddies and finish the job that I went to do.

Those are the kind of men and women that I'm going to be celebrating during this Memorial Day weekend.

I am proud to see that a great Member of Congress from Iowa, the gentleman from Iowa Mr. KING, who I know has been to Iraq on a number of occasions, and I am pleased that he has joined us this evening and would yield to the gentleman.

Mr. KING of Iowa. I thank the gentleman from Texas for organizing this Special Order and each of the Members of Congress who came down here to the floor to stand up for our he brave men and women who defend our freedom. And I know you will be there when they need you.

I just would add a few pieces to this, as I have listened to the dialogue that has gone on here tonight, and one of them is that we all have constitutional responsibilities. And 435 of us come down here to this floor, and we take an oath together to uphold this Constitution of the United States. Now, you would think that would mean something to everyone, ''So help us God.''

And by the way, I bring my Bible here to make sure that I am swearing on a Bible at the time. But I also carry with me this Constitution. And you don't have to be a constitutional scholar to read this, you can read it pretty well with a sixth- or eighth-grade education. But what it says in here is Congress has three responsibilities when it comes to war. One of them is to declare war, which we haven't done since World War II. The second one is to raise an Army and a Navy and, by implication, an Air Force. And the third one is to fund it.

And, yes, there are conditions in there that allow us to regulate some things that go on within the military, like how they're going to run their military courts and how we are going to do promotions and things of that nature, but there is no provision in this Constitution for micromanaging a war or for being a general if you're in the United States Congress. In fact, the experience that our Founding Fathers had with the Continental Congress and the Continental Army brought them to draft into this Constitution the office of Commander in Chief because they wanted to avoid the very circumstances that we are fighting off here in this Congress.

So if anyone thinks they ought to be a general, they ought to be in the military to do so. You can't be a general here from Congress. Your job is to be a generalist, someone who stands up for this Constitution, and someone who adheres to your oath to uphold this Constitution. That means maybe on a very sad day we may someday be obligated to declare a war.

Let's keep raising the Army and the Navy and the Air Force, and let's keep funding our military men and women that are out there in harm's way with their lives on the line for our freedom. That is the constitutional responsibility.

As I look back through the history of this country, I find no place where we have come to a constitutional challenge where the President had to make a decision to veto a funding bill and

have to face a veto override, which everyone knew was not going to pass, and now held the line. And I am really glad that it isn't coming down to the line where we are mothballing some of the development of our military equipment just so we can play this political game out here. That's not our job.

Even if you go back to the Vietnam War, the President signed the appropriation bills that took the military out of North and South Vietnam, Laos and Cambodia, out of the skies over them and out of the seas around them and said not 1 dollar will be spent in support of the military effort of the South Vietnamese and defending them themselves. And there are 3 million lives that paid in the aftermath of our lack of keeping our promise with the South Vietnamese.

That is on the conscience of the people of this Congress that didn't adhere to this Constitution. We don't need that on our conscience, and we don't need the enemy of Iran with a nuclear weapon in their hands on the control of the valve at the Straits of Hormuz, where they control the economy of the world as well as the development of the military within themselves. They can buy as many nuclear scientists as they want if they can just put their hands on the valve of the oil that goes to the world.

So that is where the problem is. We must succeed. There is far more at stake than the people on the other side of the aisle understand or will admit.

I will yield back to the gentleman who organized this Special Order, Mr. NEUGEBAUER of Texas, and thank him for organizing this meeting.

Mr. NEUGEBAUER. I am also pleased that another colleague and a fellow Texan has joined us this evening, Congressman BURGESS.

PRICE OF GASOLINE

The SPEAKER pro tempore (Mr. COURTNEY). Under the Speaker's announced policy of January 18, 2007, the gentleman from Florida (Mr. KLEIN) is recognized for 60 minutes.

Mr. KLEIN of Florida. Mr. Speaker, it is a pleasure and an honor to be here tonight with the Members of the freshman class. All of us were elected this past November with great ideas brought to us by the people that we represent; lots of good suggestions on how to solve some of the problems that our country, of course some of them are overseas and some of them are home, but the great news is all of them are solvable. Every problem that we have in this country is something that there is a solution to. And it typically requires good faith, working together, Democrats and Republicans, Independents, people of good minds and good faith, to solve the problems.

Tonight we are going to start out our conversation as the freshman class with something that all of us came to this Congress to talk about and to work on and to solve. And it has unfortunately risen up as another significant problem that I think that we are very unhappy about right now, and that, of course, as everyone who has filled up their tank lately knows, is gas prices.

I am from Florida, the 22nd District, which is parts of Broward and Palm Beach Counties in southeast Florida. It is fascinating to me because I have watched gas go up and down and up and down over the years, and Congress has never seemed to have the backbone, if you will, the President and this administration hasn't shown much interest in dealing with gas prices. Maybe it's because of the backbone of some of the people of the administration, or maybe not; but the bottom line is that we have a situation now where gas prices in my area are at about an average of $3.25 a gallon, and as much as $3.59 a gallon.

We understand what this means. This is a real problem for consumers, it is a real problem for our businesses. Whether you have transportation, whether your personal transportation to and from work or the shipping of goods to and from a location, this is something that is beginning to affect our economy.

And I think I am going to throw it over to my colleagues here, but I just want to throw out a few rhetorical questions, because every time we go through this and the price spikes, we hear excuses. You know, last time the excuse was we had a hurricane called Katrina, and it shut down refineries. No hurricane this time. Last time we heard there is a disruption in the oil deliveries out of the Middle East. No disruption. Last time we heard, well, there is a summer spike because of demand during the summertime. It's May, no summertime. What is the excuse? What is the bottom line?

What I am so pleased about is the fact that our freshman class, along with a more senior Member, Mr. STUPAK, took on this issue this year and passed today, out of this Congress, in a bipartisan way, I am very proud to say that all the Democrats and I think 70 or 80 Republicans, I think, joined us and passed something called the Federal Price Gouging Prevention Act. The purpose of this act is to allow the FTC, the Federal Trade Commission, to go in with some teeth and enforcement authority, to go in and investigate what's wrong. If the price of oil per barrel is the same or even less than it was last year at this time, how could gas prices be so much higher? And all the commonsense things that we know.

What I am going to do is I am going to introduce each one of you, and I am going to ask you all, I know you all have your own perspectives and some thoughts on this. I am going to start out with Congressman PERLMUTTER from Colorado. Please give us your thoughts.

Mr. PERLMUTTER. Thank you, Mr. KLEIN.

Every other Saturday I have a ''government at the grocery.'' I visit different grocery stores throughout my district. This past week I was at a grocery store in Edgewater, Colorado, and the number one topic was the price of gas. Usually it has been Iraq, and we certainly are going to talk about Iraq tonight, but the number one conversation was about the price of gas. And people were saying, look, we understand that on a per-barrel basis, it's down, the cost is down, the price is down. Why is the cost at the pump up?

And, you know, we have excuses. The excuses this time, Mr. KLEIN, have been, well, we just needed to clean the refineries. They clean the refineries right at the beginning of the summer travel season because by restricting the supply, you drive up the price, and we can't have that anymore. We can't have our people being gouged in this country by manipulation of the market in that fashion.

□ 2215

What we are seeing is too few companies controlling too critical an item, a commodity, like gasoline, and that is what that price gouging bill was all about today. So I can assure you in Colorado, it is a major topic of conversation, and people want to see a change, and we are bringing that change to them by the bill we passed today and the direction we are taking this Congress.

With that, Mr. KLINE, I would like to turn it over to my friend from Vermont, who always has something to say on any topic, but particularly I know he has something to say today on this gasoline price gouging.

Mr. WELCH of Vermont. Thank you, Mr. PERLMUTTER. The gas issue, obviously the price going way up is hitting people pretty hard. But it is a real metaphor in my view for the two economies we are seeing emerge in this country. We are at a time now where the stock market has never been higher. People who have significant assets have never been doing better. Large corporations are making record profits. Executives, CEOs at large corporations, have never gotten better and sweeter pay packages.

But the vast majority of Americans are finding that their wages are stagnant, and the prices of things that they need, daycare, gasoline to get to and from work, to and from daycare, groceries, those things are going up and concealing this so-called ''tame'' inflation.

So what we are having in this country is the emergence of two economies, and our goal here in Congress is to start having a Congress that stands up and represents the needs and aspirations of average folks. We give them a leg up.

Every time the price of gasoline goes up about 10 cents, that is like a $16 billion hit on the consumer in this country. So you think about it. We have got a chart over here that shows gas prices going up, really doubling during the presidency of George Bush. But just

take a $1 increase in the price of gasoline, that is like $160 billion tax increase that all comes out of the pockets of working Americans, the people who can afford it the least.

You look back at the last couple of years, what has happened when we have been talking about the oil industry are a couple of things. Number one, there has been very favorable legislation that has benefited the oil companies. At a time when the oil companies had record profits, $125 billion over 3 years, $125 billion over 3 years, at that time not our Congress, but the Congress that preceded us, the Republican Congress, gave tax breaks to the oil companies. The mature and very profitable industry got $13 billion out of taxpayer funds on top of the record profits they had received.

What we have done here is try to change the rules of the game and say that there has got to be a cop on the beat. It doesn't make sense for the prices to be going up on gasoline when we have seen the price of a barrel of oil go down and we haven't seen an increase in the demand, so that the laws of supply and demand are really being thwarted by the oligopolistic power of the very few oil companies that are able to manage the price and inflate their profits.

What we are doing is first taking back those tax breaks that went to big oil. We did that earlier on this year, hoping our friends on the Senate side join us. But, secondly, we are saying that the Federal Trade Commission should be active and aggressive in answering these questions on behalf of the American consumer.

Every 10 cents, $16 billion, that is a tax increase right out of the pockets of working Americans. Our responsibility to the American people is to make sure that consumers are protected so they are not getting ripped off. It is that simple. They need to keep that money in their pocket and not just be subject to the abuse of the monopoly power really of big oil.

So, that is a little perspective from Vermont. I will turn it over to my colleague from Connecticut, Representative MURPHY.

Mr. MURPHY of Connecticut. Thank you very much, Mr. WELCH. I just want to point out to the Speaker and the Chamber that Mr. WELCH just used a word with six syllables in it, oligopolistic. We have freshmen that are courageous, we have freshmen to take on big industry, but we also have some pretty smart freshmen too in this case. So I don't want that to go unnoticed.

Mr. WELCH, let's call it for what it was. For a long time this Congress was run by the oil industry. Whatever they asked for, they got here. It was sort of a sense that if you did really, really well in this economy and you came and asked for something from this Congress, then they were going to give it to you. You were going to be rewarded, in essence, for coming out on top of the heap. The same could be said for the pharmaceutical industry, the same could be said for multimillionaires, as was the case for the oil companies.

If you probably turned on the television and you watched people get up here on the other side of the aisle for the last several years, you probably heard them say a lot things like we are saying. You probably heard them complain about gas prices. You probably heard them say that they were going to do something about it.

Well, they didn't. They didn't do a single thing about it, and we see the evidence of it today. Gas prices spiraling higher and higher. Mr. PERLMUTTER is going to show a chart here which shows the average price of a gallon today pretty soon. You are going to see the average price for today is on an 8½ by 11 piece of paper sort of precariously stuck on to the poster board. Why? Because, guess what? It moves every single day. We have to change that piece of paper on that chart every day as the price goes higher and higher and higher.

So what happened when a bunch of us went out there and decided that we were going to come to Washington to try to change the priorities here, do what Mr. WELCH said, which is finally put regular middle-class folks, working-class folks in charge of government again, was that we started matching action with words.

We are going to get up here and talk about how gas prices are hurting regular Americans, how they have less and less ability to spend money on other family needs, but then we are going to go and do something about it. We started with the price gouging legislation. We are going to take on some pretty important legislation to end the antitrust exemptions for OPEC and international oil cartels.

Then we are going to take on the big enchilada. We are going to start making this country energy independent. We know that is a triple whammy. That is about gas prices and energy prices, it is about making energy more affordable for people, that is about cleaning up our environment, and it is also about national security.

That is what happened here for a long time, was that the inaction wasn't just about trying to stem the bleeding in one particular summer, it was about avoiding a problem that could have been solved 5, 10 years ago, if they had started doing the things that we are about to do to invest in alternative and renewable energy.

So I am so proud to stand here with members of the freshman class, because we can stand here and talk about what we want to do to start transforming this society back so that the priorities of regular middle-class Americans matter again. But we also need to do something about it.

We also get to stand here and cast some votes that have not been cast in this Congress for a very long time, and that is what makes me especially proud to be a member of this freshman class, certainly proud to be a member alongside my friend from Iowa, Mr. BRUCE BRALEY, who I will turn the microphone over to at this point.

Mr. BRALEY of Iowa. Mr. Speaker, I thank my friend from Connecticut. I am just a simple country lawyer from Iowa, which is the center of the renewable fuels explosion. I don't think I have ever used a six syllable word, so I feel a little inadequate.

Mr. MURPHY of Connecticut. I think you get locked up in Iowa if you do that.

Mr. WELCH of Vermont. I think people are making fun of me.

Mr. BRALEY of Iowa. Here is a three syllable world I will throw out right now: Paradox. Right now it is planting season in Iowa, and farmers are going out and growing renewable energy, so that we can become energy independent, we can reduce our dependence on Mideast oil, we can promote national security, we can promote economic security, we can provide jobs, good paying jobs, to the people of this country.

Yet, at the same time, while those Iowa farmers are out there driving around in their pickup trucks, getting deliveries from their co-ops for their crop inputs, the cost of producing renewable fuels is directly impacted by what you see on that chart. Whether it is gasoline in the pickup truck, whether it is diesel fuel that is affected by periodic price influxes, one thing we know is that the cost of getting energy independence goes up. And is it any wonder when we look at who we are shifting our dependence from, people who create energy from fossil fuels, and look at who is going to benefit from these record oil company profits, that many of us campaigned on and made the case to the American people, give us a chance to have an impact.

That is why I was very proud to be a cosponsor of Representative STUPAK's bill. This whole Congress has been about increased accountability, increased oversight, because that is what the American people demanded when they sent us to Congress.

Yet every day in these oversight hearings we are talking about important problems that the people demand solutions to. We take important votes on progressive bills that are going to change the direction of this country. And every day we get the same message from the White House: If you pass this bill that is good for the American people, I won't sign it.

A good example of that. The first bill I had to be voted on on the floor of the House of Representatives, the Small Business Fairness in Contracting Act. It sounds pretty good. It sounds consistent with the President's statement on the importance of creating fair contracting opportunities for small businesses in 2002. Overwhelming bipartisan support in committee. Everybody voted for it. Overwhelming bipartisan support here on the floor. 409 people voted for it. Yet the President said it was a bad bill.

That is a symptom of the greater problem we are talking about. It is an interrelated problem, whether you are talking about energy, whether you are talking about ethics. That is why we are here tonight, to start shedding some light on the important point of where the buck stops on the problems we are talking about.

I yield back on that to my distinguished friend from the great State of Florida, which, unfortunately, entered the Union right before the State of Iowa, Mr. KLINE.

Mr. KLINE of Florida. But who's keeping track?

I think everyone in the room here sees that there is some good logic, some common sense, that is being applied in the development of this legislation. I just want to touch on a couple points ever the legislation itself, this law that we passed today so overwhelmingly, because Americans really are hurting.

We talked about teeth, the Federal Trade Commission, which is an existing Federal agency that is responsible for fair trade. It is self explanatory, fair trade. What can we do to make sure that organizations, businesses, big oil in this case, that in fact if there is market manipulation, if it is going on, what can we do to get to the bottom of it?

Well, the questions will be asked. What does it cost to drill? What does it cost to refine? Why is there a difference between the cost of crude and the cost of a gallon of gas? Why does gas cost more in Fort Lauderdale, right near a port where the gas comes in, than it does 500 miles inland? These are common sense questions. When there is transparency in pricing, there is no price gouging.

So what we are asking for is something very simple. We want competition. We all believe in the capitalistic system. We want to see thriving competition. Competition is good for quality, pricing and everything else. But when there is something so out of whack here, when you see there is no common sense, a barrel costs less, price is up. No disruption in the oil, no disruption in the refining. Nothing that really should cause this kind of surge.

In fact, we see by this chart on the day that President Bush was sworn into office, back January of 2001, gas was at $1.47. Today, it is $3.22 on average in the United States of America. What is wrong with this picture?

Now, this is a matter, as it was said by one of our colleagues, a matter of national security. It is a matter of our economy. Certainly it is a matter of our environment over time.

So one of the other things that we are also committed to, I know every one of us in the whole freshman class, and I would say many of the Republicans came with the same view, but we are going to take some action this time in a bipartisan way, we have to move this country toward energy independence.

Mr. BRALEY of Iowa. If the gentleman will yield for a question, the argument we hear over and over in this body is just let the market play out. Let it take its course. What is wrong with that argument?

Mr. KLEIN of Florida. Well, I think it is fairly clear. Unfortunately, what has happened in this industry is there is a consolidation. Do you remember there was a term a number of years ago called the seven sisters? That was a term many years ago talking about large oil companies. Well, there has been big consolidation with multinational oil companies that obviously have lots of different people that are tending to their interests. And at this point in time, if you look in any community, I can look at my own community in Palm Beach and Broward Counties, there are fewer competitive stations, company stations versus independents, fewer independents, you don't see a lot of independents at all, which really drives the market a little bit. Then, at the end of the day, there really is very little activity that would show there is true competition.

But I think the real question, of course, and what this law is going to get to, is there is market manipulation, are there antitrust violations. We are going to define it, we are going to strengthen it, and there are consequences.

By the way, don't let anybody tell you, some of the Republican debate on the floor, some of the Republicans that opposed it said, oh, we are going to knock down the independent service stations, the little mom and pop groceries that have a pump in front of them.

We are not talking about them. The minimum size of activity that can become subject to this is a company that sells $500 million of fuel.

□ 2230

So we are not talking about the mom and pops. We are the one who are protective and interested in our communities in the mom and pops.

I think there are lots of questions out there that need to be answered. Again, I think the consequences of violating our Federal law is what is going to change this.

Mr. PERLMUTTER. If the gentleman would yield, I think we have to get back to basics here. We have to have a diversified energy portfolio.

One of the things that you were talking about and Mr. BRALEY was talking about was renewable energy. The American people are way ahead of Congress, and it is our job to change the direction of the Federal Government on this subject because it is good for national security, and it is good for the climate, and it is good for jobs.

Quite frankly, if we have a diversified portfolio where we have biofuels, and where we use solar and wind where appropriate, and have hybrid types of cars, we will not be so beholden to a particular company or companies in the gasoline business.

Also we are going to stop funding both sides of the war on terror.

We need to talk about the war in Iraq. We will be voting tomorrow on supplemental funding to the President that will keep him on a short leash through September to see exactly where we are going with this war.

We have asked for a timeline. The President has rejected. He vetoed it. We have set benchmarks. He doesn't like those; but apparently, based on conversations we have seen in the paper, he may accept benchmarks. We need to see what is happening.

We had a briefing today from General Pace and from Secretary Gates and Ambassador Negroponte. The best they could say about what was going on in Iraq, mixed results. With the surge in one part of Baghdad, there was some reduction in casualties in Baghdad, but an explosion of casualties in the suburbs. You push in one place, and it pops out another place. They call it the balloon effect or toothpaste effect, the squeeze effect.

We have to make some changes here, and that is what this Congress is about. We will be keeping this President on a short leash. We will be imposing some benchmarks to see if there really is any progress in Iraq.

I know we all want to see progress and stability, but that is not what we are seeing on the television or reading in the newspaper. And the American public knows that. They are not being fooled any longer. We are going to change the direction of this war. We cannot continue by paying this kind of money at the gas pump funding both sides of the war on terror.

One of the things I am going to talk about tomorrow is the fact that by being in Iraq, we have stretched our military forces to the breaking point, both Active military and our National Guard. The National Guard, 88 percent of the equipment of the National Guard has been deployed to Iraq and hasn't come back. We are coming into a hurricane season. We have forest fires that are plaguing the West and Florida. Is our National Guard prepared to deal with that?

Their mission, they have three missions. The first mission is homeland defense, protecting our country against attacks that might happen here, whether it is a 9/11 or some other type of attack. The second is civilian support, helping in the event of another Hurricane Katrina. The third is to be deployed overseas.

Now, we know that our National Guard, I don't know if, in fact, in either of your States, but the Colorado Air National Guard is going to be deployed for the third time within the last 3 or 4 years to Iraq, which is stretching their ability to deal with things in Colorado or to assist other State National Guards in the event of a natural or man-made disaster.

We as a Congress have an obligation to look after this country and not to continue to pursue things where we are

refereeing a sectarian civil war. Things have to change.

I heard our friends on the other side of the aisle in the hour that proceeded us saying we have an obligation to protect and defend the Constitution, and they are absolutely right. And we have an obligation to protect and defend this country. We cannot continue the way we are going in Iraq. So the President wants to stay in Iraq. He vetoed a timeline that establishes a thoughtful redeployment of our troops. But at this point we will let him have, I believe tomorrow's vote will allow him, mostly with Republican votes, to have funding through the end of September. At that point we will see where this surge is going, whether it is better than mixed results. If that is the best you can say about the surge, it is mixed results, that is not very good, and it is time for a change, and we intend to bring a change to this country.

We all know that one of the issues in Iraq is oil. We can't forget about that. We need to decrease our dependence on foreign oil so that we don't have to be in a place like Iraq unless it is there for real humanitarian reasons and not there for oil or other purposes.

Mr. KLEIN of Florida. When we went into Iraq in the first place, they were supposed to be able to pay for their entire rebuilding through their own oil revenues. Unfortunately, that has not happened.

I know Mr. PERLMUTTER has been one of our leaders on renewable energy, as has Mr. WELCH.

Mr. WELCH, you have brought many ideas forward on renewable energy and alternative energy and energy independence. Why don't you bring us up to date on some of your thoughts.

Mr. WELCH of Vermont. First of all, Mr. PERLMUTTER is right, oil has made us vulnerable in foreign policy. A big reason we are in Iraq clearly is related to oil. I think we have to be much straighter with the American people than Congress has been.

We are doing two things here. One, with this legislation, the price gouging legislation, we are providing basic protection against rip-offs, and that is just the fundamental responsibility that people's government has is to make sure that the people with a lot of money, corporate power, don't use that power to rip them off. That is one.

Second, we have to develop an energy policy. An energy policy, as has been said, is going to give us a lot more freedom in foreign policy, not create these enormous pressures to get involved in wars that we shouldn't be involved in.

Secondly, it is obviously good for the environment.

Third, as the gentleman from Iowa (Mr. BRALEY) has been saying, it is good for the economy. The legislation we have to pass is not just on protecting the consumer, it is about creating a projobs, pro-high-tech, progrowth approach to addressing in a straightforward, confident way the energy challenge that we face.

One of the small bills that I have sponsored and you are a cosponsor of, Mr. PERLMUTTER, and I am soliciting more, is to make our offices carbon neutral here in Washington. When I got here, I was concerned about global warming. I checked into how much carbon pollution did I create just by turning my lights on here in Washington and Vermont, flying back and forth to my district, and then driving around. It is quite staggering: 754 tons. That is a lot just to show up for work.

I tried to find out how to offset that. Change the light bulbs, turn the thermometer so you don't use as much air conditioning or heat, and then invest in renewable energy that would allow a farm in southern Vermont to do a digester, a methane digester, which adds to the bottom line of farms, and all of our farms are struggling to make ends meet. We have to keep our farms in production and have local production of agriculture for the ag economy, but also for a way of life that a lot of folks in Vermont and Iowa want to maintain.

Mr. PERLMUTTER. If the gentleman would yield, following your lead on this carbon-neutral office, we actually next week are going to have a press conference on a carbon-neutral office. We are buying power from a wind energy farm in Lamar, Colorado. We have talked our landlord into putting solar on top of the office building. We use the stairs and not the elevators, and we are working with the National Renewable Energy Lab, which is the lab Mr. KLEIN was referring to, to assist us in coming up with a carbon-neutral, energy-efficient, sustainable type of office.

In Colorado, we don't have the moisture or quite the fertile ground as it is in Iowa, so there is a lot of dry-land farming. One of the other ways for farmers to derive an income is going to be through wind energy. We have a number of wind energy types of plants developing in Colorado as well as solar farms.

Mr. WELCH of Vermont. Right. What you are describing is the fact that you are going to produce your energy locally, so you are not going to have to go to the Middle East and ship it all of the way back here. The money you spend on energy are going to be dollars that stay in Colorado or Iowa. Every dollar you keep in your local economy gets circulated and multiplied. That is what creates jobs. We have to break the stranglehold of our addiction to oil. It is all about building a local economy.

Mr. KLEIN of Florida. We all are very committed, and we are seeing some great ideas. This is about business and consumer behavior changing.

You also mentioned something about National Guard. In Florida, we are coming up on our hurricane season June 1. The National Guard has played a big role in emergency services.

Mr. BRALEY, I know you have a lot of specific information about your National Guard.

Mr. BRALEY of Iowa. All of us have our own natural disasters we deal with on an annual basis. This point was driven home with me in February when a huge ice storm hit my State. We had 350,000 people without power. The 133rd of the Iowa National Guard has been stationed in Iraq for over a year and had their deployment extended by another 120 days. They were struggling with people available to respond to this very significant demand for assistance. So that is when you understand in a very real way how foreign policy affects domestic policy in your district.

But as my friend from Vermont knows, when he was talking about the need to preserve the heritage of agriculture in this country and its importance to our economy, my great-great-grandfather, George Washington Braley, walked from Vermont in Mr. WELCH's district to Iowa in 1855 looking for better farmland, Mr. PERLMUTTER, better rain.

My parents both grew up on farms in Iowa during the Depression, and the whole sense of stewardship and preserving the land for the next generation is something that is almost a spiritual quality about farming. I know there are very many people looking for ways to diversify their agricultural economy.

Mr. KLEIN, you raised a very good point about the multiplier effect of renewable energy. Right now Iowa ranks third in the production of wind power, which surprises people. They go to Palm Springs and see those huge wind farms, and they know there is also a lot generated in Texas, but Iowa ranks third. Part of the reason for that is windmills have been a way of life in my State for over 150 years.

But there is a very acute shortage of wind turbines in this country. People who want to convert to wind energy and want to have the ability to produce electricity from wind are facing significant shortages of turbines, specifically those manufactured in the United States. A lot of people, municipalities that are looking to convert to wind have to go to the European market because they are on long waiting lists from U.S. wind turbine manufacturers.

Recently there has been an incentive to factories that are creating new wind turbines. There is a new factory in Iowa that opened up recently. So when we are talking about how this has a ripple effect throughout our economy, it creates jobs and incentive for people to try new and innovative energy technologies, and we all benefit from that. That needs to be part of the overall discussion we are having about how we create incentives to move people to clean energy sources.

Mr. KLEIN of Florida. Another big issue that many of us ran on was ethics reform and lobbying reform and the whole notion of this connection between lobbyists and legislators and Members of Congress.

I know in Florida before I left Florida, and I was in the Florida Legislature for a number of years, we passed a law that said you can't take a cup of

coffee. It used to be fancy meals, fancy trips and wine. You know something? The average person and most of us who ran said that was not necessary. It creates an impression that there is this unholy connection between a lobbyist and a Member of Congress.

□ 2245

Of course, we also know that many people who give us information are lobbyists, too, but they come in the unpaid variety. One of my teachers talked to me about No Child Left Behind. That's a lobbyist as well. We're talking about the paid ones.

I'm very proud that this Congress, this House, in the earliest going, one of the first packages we passed out of this chamber was to change the rules that this House governs itself by, and the freshmen of this class, of course, once again took the lead because we felt we were the closest ones, having heard the most from the public that we said no more cups of coffee, no more fancy meals, none of that.

You know something? It works just fine. I think all of us can buy our own cup of coffee. We had a little cup of coffee before. Mr. WELCH and I, we had our dinner together and were glad to pay for it ourselves.

Mr. WELCH of Vermont. A good chicken sandwich, $7.16.

Mr. KLEIN of Florida. But it goes beyond that. I think there are other ways that we can break this link, and I think some of the discussions going on right now of continuing to do things and disclosure and all those kinds of things are very important in making sure that the history of this Congress, particularly over the last few years, whether it was the Cunningham and the Tom DeLay and the Bob Ney.

Mr. WELCH of Vermont. That was illegal. That was beyond us. That was pure criminal conduct.

Mr. KLEIN of Florida. That's right, and there's still unfortunately a few that are still being investigated, and that's going on and that's wrong. It's wrong at home, in any business. It's wrong in any community whether it's done person-to-person, and certainly when you run for higher office in Congress, you have a higher responsibility to make sure that you do the people's business and you're an independent thinker.

So I think I'm very proud and I know these discussions are going on right now.

Mr. PERLMUTTER. Very first thing as you said that we did was an ethics reform to the rules. So we took a huge step the first day we were in this Congress. Tomorrow, we are going to add to that from a bill that came over from the Senate as to certain other parts of lobbying reform. So we are continuing to make strides so that this place is open and transparent and people really know that we're working for the betterment of the entire country, you know, not a select few, and that's really the change that's going on here.

That's why people wanted to see a new direction in this Congress. They wanted to see a new direction in Iraq. They wanted to see a new direction in how we did business within this chamber, and they're getting those very things.

I'm proud to be part of the impetus, the catalyst to make those kinds of changes, to make the big change when it comes to energy. We can't wait any longer to change the way we deal with energy in this country, whether it's because we're just continuing to put more and more exhaust into our climate or we want to wean ourselves from foreign oil or we want jobs.

I mean as Mr. BRALEY was saying, we need turbines, we need solar panels. There's construction jobs by the thousands and thousands as we move to a new type of energy for this country, and we're making that change.

This Democratic Congress is making the change that was so desired by the people of this country. They wanted a new direction, and that's what we're giving to them.

And I do want to tell you that your great-grandfather was George Washington Braley. My grandfather was George Washington Bristow anyway, for just pure information.

Mr. WELCH of Vermont. It's very important the American people know that.

Mr. KLEIN of Florida. I thought it was George Washington Perlmutter.

Mr. BRALEY of Iowa. I have to say I'm really the rookie of this group because all of my colleagues who are still here tonight had the great privilege of serving in their State legislatures. They've had to struggle with these issues, especially these important issues on ethics.

One of the things that I talk to people a lot about coming from Iowa is how it just amazes me how other people really struggle with the sense of open and fair government because the State that I come from has probably the most fair reapportionment system of any State that I know of. In fact, there's been national news articles written about it.

Mr. WELCH of Vermont. Remarkable.

Mr. BRALEY of Iowa. Because there's a bipartisan commission every 10 years that is balanced by geography and that's required to come up with a plan that is fair and equitable, and the State legislature can only vote the plan up or down on the first two tries, and not until the third try can they tinker with the boundaries. And in all the years that plan has been in place, not once has the legislature ever gotten to the point of redrawing districts, and people accept it because it's done in a way that creates a sense of fairness, a sense of openness and a sense of accountability.

And I think that really gets to the heart of what we're trying to talk about in the need to make sure that people have confidence that this body that we are proud and privileged to serve in is that same type of open, honest and accountable place to do business.

So I'm very, very excited to be with my freshmen colleagues talking about why we ran on a platform of restoring ethics and accountability in Congress, and I'm very pleased that we are bringing together collective experiences from all over the country, the experience that you bring from your backgrounds of working in your own State legislatures, and knowing that people have a right to expect this type of accountability when they walk into the voting booth and put your name on their ballot.

Mr. KLEIN of Florida. If you think about accountability and confidence, if you have confidence in the people that are representing you, you will certainly have a lot more confidence in the policies and the things that they do in Washington.

And what happens in Washington, whether it's dealing with Iraq or whether it's dealing with the cost of health care, which is another huge issue which hopefully we're going to start tackling soon, or whether it's dealing with any number of issues that we are talking about right now, I feel so much better now just watching the process than looking last year and seeing the Medicare bill that was drafted by pharmaceutical companies that had a big donut hole and really took advantage of people's good intentions of needing health care at an elderly age. And certainly in Florida, in all of our communities, we have a lot of senior citizens.

So the Medicare and the pharmaceutical issues unfortunately were not handled the right way, you know, the energy issues. These are solvable problems. We started talking about that in our opening tonight, solvable issues.

Little bit of backbone, little bit of roll up your sleeves, and turn off the air conditioning, and put a coffee down and nobody's getting up and out until you finish the job, that's the kind of can-do attitude that I think we have and we're going to continue to have over the next year.

Mr. WELCH of Vermont. I agree with you. It is very exciting and an incredible privilege for all of us to be here. And there aren't free meals and there aren't free trips and all of the things that have been abused in the past, and that cuts across Republicans and Democrats, and it's all so that we can try to do a good job and give confidence to the American people.

But the challenge we have is giving us confidence, giving this Nation confidence that the Congress actually has as its first priorities the needs of the American families, not the needs of the corporations that are doing really well, which is not to say get in their way because we've got to have jobs and corporations do good things and create wealth, but we have to have a commitment to building a middle class.

What's always been the great hallmark of American democracy has been we've had an economic agenda that has said to people, who are willing to work, that they could climb the ladder of opportunity, and we pursued policies that gave them the chance to do it. Affordable and accessible education, affordable and accessible health care, nondiscrimination, the big fight that this country had for years that ultimately we've made enormous progress on. So people, regardless of the color of their skin, their sexual orientation, their religion, they have something to offer and they want to work, they're going to have a chance to get ahead.

Much of what we're trying to do on ethics, I agree with you. We served in the State legislatures. We had sunshine laws. We didn't have lobbyists buying things. It's all an alien situation that has been described here in D.C., but we're trying to bring the Iowa values and Vermont values, Florida, Colorado, here to D.C., and we've got to hang on to that. But it's all in service of trying to get the job done so that we have an economic agenda that helps average people.

Mr. BRALEY of Iowa. I want to just follow up on your comment that I think is very prudent that we hear about that people don't talk about a lot, and that is the disappearing American middle class. And I'm here surrounded by distinguished colleagues, and I'm going to make you the economic physicians and make a diagnosis.

If you look at the symptoms of what we talked about, all of us, out on the campaign trail leading up to last November's election, you look at the fact that you've got 47 million Americans without health insurance, 37 million Americans living below the poverty line. That sets a floor of where your middle class starts, and when those numbers keep growing, we know, at least I think we should know, that we've got a problem, that we need to do more to drive those numbers into what we've traditionally associated with the middle class, which says that if you work hard, you play by the rules, and you get minimum opportunities to assist you to get up a rung on the economic ladder, you're going to do better, your family's going to do better, your children are going to do better and you're going to create a stable environment that contributes not just to this society but to the way that we think of ourselves as Americans.

Mr. KLEIN of Florida. I was just thinking as you're talking about the economic dream and the responsibility, and one of the things that I heard on the campaign trail over and over and over again, and I just felt that in my own heart as a small businessman, we had 75 employees in our business, was the fact that this government, for so many years, was just operating in this deficit higher and higher, spend and spend and spend.

And it's one thing we talk about lower taxes, which obviously we want lower taxes, but you have to have lower spending. It has to balance, and it still just goes beyond my imagination as to why Members of Congress over the last number of years could spend and spend and borrow 10s of billions of dollars.

Mr. WELCH of Vermont. Hundreds.

Mr. KLEIN of Florida. From China, and seems like such an unfathomable, unsustainable kind of thing. Did you ever operate your small business that way or you personally? You balance your checkbook.

Mr. WELCH of Vermont. Well, all of us come from States where you've got to pay your bills.

Mr. KLEIN of Florida. A balanced budget. Every one of our States at the end of the year, we all participated in a balanced budget, for 14 years.

Mr. PERLMUTTER. If I could jump in here, I mean what was happening under the prior Congress and under this President, President Bush, is a classic borrow and spend, borrow and spend. There was no limitation on what you would buy or what you'd spend, but you'd cut taxes and you'd prosecute a war that's cost us, by the end of 2008, $750 billion. The budget of Colorado is about $15 billion for a year. We'll have spent $750 billion in Iraq by the end of 2008. Right now we're at about $550 billion.

Mr. BRALEY of Iowa. My math is not good, but that sounded like about 30 years of a Colorado State budget to me.

Mr. PERLMUTTER. It's a long time, and it means that we've given young men and women to this fight in Iraq, we've given our treasure to Iraq, and we did it without the sacrifice that ordinarily comes when you fight a war and that is through taxes. So we ran this gigantic deficit.

Now, the Republican Congress last year didn't even pass a budget, and this year the Congress sent a budget to the President that balances the budget within 5 years, as opposed to continuing to run deficit and deficit and grow the debt and grow the debt. We will balance this budget within 5 years. Quite a feat. There's some places where we've got to tighten the belt, but as you said, we rolled up our sleeve, made some tough decisions and took on a budget that was absolutely out of control under the prior Congress, and we're doing something to benefit the American public and not saddle them with debt.

Mr. KLEIN of Florida. The discipline it takes to do this Federal budget, which we're doing right now and I'm really proud we're doing it, is the same discipline that you do with your own family budget. You don't keep borrowing and borrowing and borrowing if you can't afford to pay it back. And these are the kinds of things that are absolutely necessary. What is this principle that we passed I think unanimously in this House.

Mr. WELCH of Vermont. Pay-as-you-go.

Mr. KLEIN of Florida. PAYGO, pay-as-you-go. You can't keep borrowing, you can't keep spending, adding new programs unless there's money in the budget. You can't pretend there's some trickle-down future great thing. If it happens, wonderful, but you know something, we all want lower taxes. We all want a reasonable amount of spending, but you've got to be fiscally responsible.

I'm just proud that we're getting things back on track. So maybe like in the 1990s, when we moved into a budget surplus, which we should have been proud of and sustained that over time, we want to go back to the old ways of the 1990s and certainly not the way of the last seven or eight years.

□ 2300

Mr. BRALEY of Iowa. I think one of the things that the American public doesn't really fully appreciate is how difficult it is to operate under pay-as-you-go budget rules, where you have to find someplace to cut in order to introduce a new program. Everybody has needs, everybody has wants, everybody comes here with their wish list.

But the harsh reality is we have to make difficult decisions every day about how we are going to allocate resources. That's one of the things that makes this job so important and so difficult.

Mr. PERLMUTTER. One of the things that I think is also important is we have taken steps to be fiscally responsible. We dealt with a budget early on in February. We are dealing with a budget right now. We are dealing with the supplemental emergency request.

We are able, in those budgets, to put our fingerprints and our values, our budgets reflect our values, and one of the things, that we had a number of bills that came through here today, some things that are going to happen tomorrow, is back in February, we increased benefits to veterans like hasn't been done in the 77 years of the Veterans Administration, because we recognized the service and the sacrifice that these men and women made for our country.

We have increased their benefits; instead of scrimping along and they get the last little bits, we are increasing those benefits. We are working on the military hospitals, the hospitals. We changed the fingerprint. That's a value that we hold. We added money for renewable energy research. That's another value that we hold. We are increasing money for children's health insurance, another value that we hold dear.

We have done this within these budgets where Republicans in the prior Congress couldn't even pass a budget. We are showing the values of improving the lives of the people in the middle, not the wealthiest 1 percent, but the hard-working people in the middle and the veterans who so valiantly served our country over the many years.

I am just proud to be part of a Congress, part of a class with all of you where we really are changing the direction of this Nation. This is a big ship

that we are steering here. It doesn't change very easily, but in the last 3 or 4 months, we made some major changes.

Mr. BRALEY of Iowa. I would just like to encourage all of my colleagues to watch a very special edition of ''60 Minutes'' this week. It's going to be focusing on the Ironman Battalion, the 133rd, based out of my hometown of Waterloo, Iowa. It is the whole 60 Minutes program. They are currently stationed in Iraq.

A member of the Iowa Legislature, Representative Ray Zirkelbach, has been serving and has missed two sessions of the Iowa Legislature because of the extension of their deployment.

I am very, very proud of the Ironman Battalion. I am in frequent contact with their commanding officer, Lieutenant Colonel Ben Correll, who is also from my district, Strawberry Point. I think it's significant that as we head into this Memorial Day weekend, people like me, my father served in the Marine Corps on Iwo Jima, that affected his entire life, my brother works at a VA hospital in Knoxville, Iowa; it's important that we pause and reflect on these sacrifices that we talk about every day in this Chamber, but also that we honor the brave men and women serving this country.

I think this program is going to do an excellent job of exposing everyday, middle-class Americans who picked up out of their very busy lives to serve this country in its time of need, and I think it will be a very informative and rewarding experience for everyone.

Mr. KLEIN of Florida. I thank you for that close, because as we do approach Memorial Day, we do want to extend our appreciation and our acknowledgment to our families all over the United States whose lives were affected by brave men and women who served our country and made the ultimate sacrifice.

We conclude this evening. I would like to thank my colleagues, Mr. PERLMUTTER, Mr. BRALEY of Iowa and Mr. WELCH, representing our freshmen class. We look forward to, every week, coming back here and giving a little update on what is going on.

We look forward to another busy week, and, of course, a working week at home catching up with our friends and family. Have a nice weekend, everyone, and we will see you soon.

ILLEGAL IMMIGRATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from California (Mr. BILBRAY) is recognized for 55 minutes.

Mr. BILBRAY. Mr. Speaker, I appreciate the chance to speak before the House today, and it's about an issue that many Americans all over this Nation are discussing, are listening about, and, frankly, are very concerned, if not outraged, and that is the proposal before the Senate this week that would actually not only allow, but demand amnesty for 12- to 20 million illegal immigrants in this country while millions wait patiently outside to immigrate into our country legally.

Tonight I am honored to be able to have colleagues here to be able to address the issues and actually talk about what's going on in their districts and address the issue that where does America go from here? How do we stop the Senate from making this terrible mistake? How do we turn the President and the Senate away from the path of amnesty that was followed in 1986, which caused the greatest influx of illegal immigration? How do we get the elite here in Washington to wake up to the fact that you do not stop illegal immigration by announcing to the world that you are now going to reward up to 20 million people who are illegally in the country?

I have the privilege to recognize the gentleman from Texas at this time.

Mr. CARTER. I thank my friend from California for recognizing me on this very important issue to the people of the United States of America, the opening of our borders and the pouring in of somewhere between 12- to 20 million people who have broken the laws of the United States of America.

I want to talk a little tonight about what's going on in my district and what's going on in Texas and what's going on in the country. But, first, I would like to respond to some talk that took place in the last hour, just for a second.

When we talk about gasoline prices, you know, all this talk about gasoline prices, I saw in this last hour, they kept trying to say all this was President Bush's fault. The Democrats are in charge of Congress. They have told us tomorrow that they are an equal branch of government, and that they are, in fact, in charge of this Nation at this time, and they are responsible for these gas prices. It's time to be responsible to go along with your rights. The Democrat majority has something they can do about gas prices, but, of course, let's look at what they have done.

The first thing they did in Six for '06 was take away the incentives to encourage domestic drilling and, in fact, place a tax on gas production, and, thus, decrease the availability of American petroleum to replace our burden on foreign petroleum. They proposed a cut-and-run theory on dealing with the issue in Iraq, which, if we cut and run, would turn over the second largest oil reserve in the world to Islamic terrorists.

They propose now, out of the Senate, to open our borders to the illegal aliens that are already here and to put together a policy which would encourage more illegal aliens to come across our borders and consume 20 million people's worth of oil and gas in this country. These are the things that they are criticizing the Republican minority for causing the gas prices to go up?

But that all just gives you a picture of where we are going right now. Now the Democrats have come out of the Senate, remember, they are the majority in the Senate, too, and they have come out with a proposal to, they say, solve our immigration crisis.

I want to say, and I have told this to the White House, and I have told it to my colleagues here in Congress, and I tell them again, the American people want a solution to the illegal immigrant problem. That's where they see and know the crisis is, and they are saying you have the tools and have had the tools to do something about this problem for a long time, over 20 years, and nothing has been done. The American people see this as a crisis, and they are right.

You know, for 20 years I sat on the bench as a district judge in Texas. When people broke the law, the people of our country, in Williamson County, Texas, they wanted the laws enforced. They called upon our sheriffs and our law enforcement officers to enforce the law, and they called upon our courts and our juries to enforce the law. I am proud to say we did.

This issue is a law enforcement issue as much as any other issue. There are between 12- and 20 million people in this country, we are told by some, came here to start a new life. You don't start a new life by breaking the law, and the American people know that. The American people want something done about it.

The American people want us to defend our sovereign borders of the United States and to tell these people, you cannot break the laws of the United States and then expect to come into this country and get the benefits and the privileges of being a United States citizen. They are unhappy.

When the Senate bill was announced, I believe it was last Friday, before the end of the day and into Monday, we had over 1,000 phone calls, an estimation. I know we had over 400, I think it was, right here in D.C. Then our other two offices were overwhelmed with phone calls, all from citizens who we, you know, who are people of our community, who live and work in our community, and every one of them said this is an outrage. Do not support this concept of amnesty for people who have broken our laws. They have to be responsible for their own behavior. We raise our children to be responsible for their behavior, and we expect them to be.

We tell the American citizens, we set up a series of laws, we call it the rule of law. It is a basic principle of the Republic of the United States that the people respect the rule of law. Without it, democracy and the Republic cannot function. Yet we have proposed a bill that will waive the rule of law for up to 20 million or possibly more than 20 million people that are in this country illegally.

That's just not right, that's just basically old country boy not right to the folks back in Texas and to the folks, I believe, across this Nation. They get up

every day, and they abide by the laws of the United States. They pay their taxes. They do the right thing for the right reasons because that's what Americans do. That's the kind of people we want in the country, people who abide by the law.

To just say that it's a good way to start a new part of our population by letting them break the law to become part of our Nation, it just flies in the face of everything America thinks is right. We hear the argument, we are sure they are good people. I am sure they are good people. They are hard-working people. I have lived in Texas all my life, and I have seen this phenomena all my life.

These are hard-working people. I have visited with many of them in my limited Spanish and find them to be people looking for a job and who are hard-working. But it doesn't change the fact that they are starting their life in the United States of America illegally. This is wrong, and the American people know it's wrong.

Mr. BILBRAY. One of the things, I think, people misunderstand when they talk about the amnesty, that people that are here illegally working in the United States are not just violating immigration law. A lot of people don't realize that about 73 to 75 percent of everyone who is here illegally is working illegally because they acquired false documents, stole somebody's ID or identification to work, which is a felony.

The Kennedy proposal in the Senate not only gives amnesty, an exemption from prosecution, for being illegally in the country, but exempts them and gives amnesty for the felony they committed when they used somebody else's identification or used false documentation to acquire a job.

So we have got to remember that we are not only giving amnesty for immigration, we are now proposing that we will pick a certain population to be exempt from a felony violation and not only forgiven for that violation, but to be given a special program, the Z visa, that only those who have broken the law qualify for. Those individuals who have been waiting patiently to immigrate into this country illegally are not allowed, under this proposal, to have the Z option, to go for the Z visa.

That is a concept of rewarding illegal behavior, a little felony illegal behavior, when you are telling those who have not broken our laws that you are not going to offer them the same thing.

□ 2315

Mr. CARTER. Absolutely. And you hit on a very good point, and I thank the gentleman for yielding. The point that you hit on is that there are people that are trying to do it the right way, that have been waiting patiently to do this the right way in countries around this world; not just from our neighbors to the south, but all over this world that have waited patiently to get the opportunity to come to the United States, following the rules in the effort to go to work, enjoying the freedom of the world we live in, and ultimately by doing the right thing, the right way, hopefully become American citizens.

Mr. BILBRAY. Reclaiming my time. I am chairman of the Immigration Caucus, and I am proud that my mother is an immigrant, a legal immigrant. She came here, played by the rules; and, as she reminds me again and again, it is an insult to her and everyone else who played by the rules to gain legal status in this country to watch anybody, let alone the Senate of the United States, announce to the world that they are going to give up to 20 million people the cherished ability to live permanently in the United States and to give them a vehicle towards citizenship.

At this time, I have the honor to yield to the gentlewoman from North Carolina.

Ms. FOXX. I thank the gentleman for taking on the task of serving as chairman of our Immigration Caucus. I appreciate the leadership that you have given to it and I appreciate the comments that you and Congressman CARTER have made tonight. I have several points I would like to make.

The members of our caucus know that I am very keen on the use of language, and that language makes a big difference. And we keep hearing over and over from the supporters of this Senate bill that this is not amnesty. But I think it is important that we define the word ''amnesty,'' so I looked it up under dictionary.com unabridged.

The first definition: a general pardon for offenses, especially political offenses against the government, often granted before any trial or conviction.

And then I like this one, another one from Online Etymology Dictionary: pardon of past offenses, intentional overlooking.

I think that is what we are talking about here. And, again, I think it is important that we define what we are talking about. That is exactly what the Senate is proposing.

Now, the other thing that I want to say is that I am really concerned with the way this bill has come out. It is being debated in pieces. It was written in secret, sprung on us late in the day, and it didn't go through a committee structure as most of our bills do. It was brought straight to the floor of the Senate. The leadership of the Senate, the Democratic leadership of the Senate wanted to cram it through before the Memorial Day holiday.

Those kinds of actions are not the actions of people who are proud of what they are doing. If they were proud of this bill, they would have brought that bill to a committee, they would have debated it, they would have heard the arguments pro and con, and then they would have come up with something that was discussed openly with lots and lots of people. That is the way, as Congressman CARTER says, our Republic operates. We don't operate in secret. We don't do things like that. We don't cram bills through in a hurry, especially when they are so controversial.

You know, you mentioned, we want to talk a little bit about our districts. I live in, I think, the most beautiful area of the world, the Fifth District of North Carolina. I am very blessed to live there. And I live among, I think, the brightest, hardest-working people in the world. And they are very intelligent, very conscientious, very patriotic people. They are upset about this proposal. They don't like it.

Since I came to Congress a little over 2 years ago, I have been telling everybody who would listen, this is the biggest issue in my district, it is the biggest issue in most districts. And why? Because the American people, and again particularly the people in my district, have played by the rules and they understand the importance of the rule of law.

I tell folks over and over what makes this country so special are three things: the rule of law, our moral underpinnings, and our capitalistic way of life. But you can't have moral underpinnings and you can't have the capitalistic system if you don't have the rule of law.

Now, we can do something about illegal aliens who are here in our country. People say, oh, we can't do anything about them. We surely can. What we can do is start enforcing our laws. We have not been doing that. Both Democratic and Republican administrations are guilty of it. I can't forgive our Republican administrations because they are guilty of it, too. But we can close down our borders and we can enforce the laws as they are now. And I think that what we have to do is we have to look at this issue of illegal immigration in a very careful, law-respecting way. The solution doesn't lie in wholesale amnesty.

And the President has said that this bill will treat people with respect. Well, I respect the President, but I have to strongly disagree with him. Because from what I have seen so far, this bill fails to respect the millions of people who have worked within the system and have immigrated to our country legally. And those people who want to come to this country legally, they are doing it the right way. These people have done it the wrong way. We are not going to reward, we cannot reward illegal behavior by uttering platitudes about respect and fairness. Our first principle on immigration reform has to be upholding American laws. If we do not do that, then our system will be fundamentally flawed.

The bill that the Senate is proposing is going to legalize these people immediately. They talk about triggers being in there, but the triggers don't really go into effect. And the triggers are nothing but laws that we have already had in place for a long, long time. And if this bill passes and is signed by the President, we will be, I think, doing severe damage to our country, not just in the short run, because I think that it

will be both in the short run and in the long run. There will be a huge battle ahead of us if we pass this bill, because we are going to be facing more and more illegal immigration.

In addition, as I said before, the people of the Fifth District are very bright people. They know amnesty when they see it, and they know that if this bill or something even vaguely like it passes, it is going to dilute the meaning of citizenship in this country, and that is the last thing we want to do. We are the last best hope for freedom in this world; and if we don't enforce our laws and help people come here legally who want to come here, and deal with things on a case-by-case basis, we are simply going to destroy what it is that is wonderful about our country.

Congressman BILBRAY mentioned that his mother was an immigrant but came here legally. My father's parents came from Italy in the early 1900s; my mother's ancestors came much earlier than that from Scotland. But the Ellis Island model was a very, very good model. People had to come here, prove that they were healthy, prove that they either had a job or had a sponsor for them to be here. That worked wonderfully well in this country for a long, long time. And think that we have to have something akin to the Ellis Island experience again in this country, where we know that the people who are coming here are coming here because we need them here or they provide a benefit and they can be independent. They will not have to have public assistance.

Mr. BILBRAY. If I may reclaim my time. I think the one thing we don't talk about enough in this country is that there is this perception that we don't allow very much legal immigration inside.

The United States today, Mr. Speaker, accepts more legal immigration than all the rest of the world combined. We are accepting more legal immigration today than at any other time in the history of our Republic. This country is one of the most gracious and welcoming countries, the most welcoming country in the history of the world. And so we have nothing to apologize for when it comes to accommodating, except for the fact that we made a terrible mistake in 1986.

When you were talking about the definition of amnesty, it actually comes from the Latin word for amnesia. And maybe what the Senate is forgetting in having this amnesia is what happened the last time they proposed this type of amnesty.

Einstein said that insanity is doing the same thing over and over again and expecting a different result. Let's just look at what happened when Mr. KENNEDY, who promised in 1986 this would be the last amnesty that America would ever have, clearly stated, ''It will never happen again.''

Twenty years ago, we tried this experiment of rewarding illegal immigration. We were promised that it was only going to be 1 million illegals that were given amnesty. It turned out it was 3 million. Now, 20 years later, rather than having 3 illegals in our country we have 12 to 20. Mr. KENNEDY, did your amnesty really eliminate illegal immigration?

I will tell you as somebody who was down at the border, I was actually the chairman of San Diego County on the border, a county of 3 million. The greatest influx of illegal immigration that we have seen in this country happened immediately after the last amnesty. And anyone who says that we are going to stop illegal immigration by announcing to the world that 20 million illegals got rewarded is either ignorant of the facts or willing to fabricate verifications that are absolutely outrageous. And you cannot stop illegal immigration when you announce that you are going to reward it, and the proof is in history. Last time, Mr. KENNEDY, you did this, we had the largest illegal immigration population.

And, frankly, I think there are people who are proposing this amnesty who know what it will do but will not come clean with the American people. And I think the one thing we saw this week, and I think all of us will agree, is that the elite in Washington think that the American people don't understand this issue. Well, the American people understood it. Within 45 minutes after Mr. KENNEDY and the Senators were doing their press conference, the American people started making phone calls, they started e-mailing, they started faxing. They sent a signal to the Senators and they sent a signal to us that, Washington, we are watching and we are not going to fall for it this time. We are going to stand up and defend our grandchildren's birthright, and we are going to start demanding that you start doing the right thing.

And I think the guilt goes both ways. The public is fed up with the Republicans and Democrats, because they have not seen an administration enforce the law. We have to gain credibility that we really can be trusted with the security of this country by being willing to do the right thing and enforce the immigration laws here. And not until we do that, no matter who is President, no matter what party is in power, will the American public trust us to move on with a lot of other agendas.

Ms. FOXX. I just want to ask one question. I think that you have touched on a very important point again, and that is that we here in the House of Representatives are the Representatives of the people. We are the people's House. And I think the Senate is completely out of touch with what the sentiment is in this country.

And I agree with you, the American people get it. The people of my district get it, and they are very, very bright. I think that we need to be listening to those people. And the House generally does listen to the people.

And I hope that they are going to send a very, very strong message to the Senators about how they feel about this, and turn this around in the Senate, because we need this bill to be killed in the Senate and not even come to the House of Representatives to be debated. But I know that we as Republicans are going to have some alternatives that we will be presenting in this House, and I hope that the majority party, which has made so many promises, none of which it has kept in this session of the Congress, will listen to the people and say, we are going to take up legislation that will do what needs to be done, which is protect our borders and provide for national security and give the people a true immigration reform.

□ 2330

Mr. BILBRAY. I appreciate that. And actually, I guess we've got to remember that 11 months ago, I was standing exactly where you are and gave my acceptance speech for being sworn into Congress. And there were 18 candidates for the 50th District in California. And the people of San Diego wanted to send a clear message to Washington that this illegal immigration issue is something that people need to address. And I think today you're hearing not just one district scream loud and clear that they want the illegal immigration issue addressed, but you're seeing people calling from all the districts, calling their Representatives and demanding that we finally do the right thing and not sell out on this issue.

I'd like yield to the gentleman from Texas.

Mr. CARTER. And I thank the gentleman for yielding. And you mentioned that your wife came here as an immigrant, and my wife came here as an immigrant also. And I'd like to share just a little bit of our story because I think it gives us a good comparison to what's being proposed in the Senate today and what we used to operate under in this country when you do it right.

I am very blessed to the fact that my wife, Erica, fell in love with a law student from the University of Texas law school back in 1965. And I happen to humbly be that law student. And we married in 1968.

And to be very honest, I really never even thought about the fact that my wife might have to actually apply to come to the United States after she had married a red-blooded American. You know, I thought that was just the ticket, but quickly found out that wasn't the ticket.

We had to go down to the embassy, and we had to fill out all these papers. We had to have someone pledge $5,000 to ensure that she would have a sponsor who would take care of her when, if she was allowed to enter the United States and ultimately get a green card to be a resident alien of the United States.

She had to take a physical, and as she took a physical with several other women her age, one of whom looked very much like her, when they got the lung exams back, this is a personal

thing that happened to us, they came to us and said, I'm sorry, but our exam of your wife's X-Rays shows that she's got tuberculosis, and she may not enter the United States, which we were newly married. We hadn't even been married a month at that time, maybe a month and a half. We were crushed. And then the doctor came back and said, I'm sorry, we got the wrong X-Ray. This is something we will never forget. And unfortunately, that X-Ray was for another redheaded girl who was in the same physical group that had their physicals, and so I felt very sorry for her, who was also marrying an American, but she was not going to be allowed to come to the United States because she had tuberculosis. But, praise God, it wasn't my wife.

So we paid our fee. We took our physical examination, we had the background check which is required for all people coming into the United States, and then when we arrived in the United States, in those days every year you had to register with the Federal Government. Every person who was not a citizen but had a green card, between January 1 and January 31 you went down to the post office and you filled out a form every year and told the United States Government where you were if you were a green card holder in the United States. We don't have that provision anymore. It went away.

We did all those things. My wife learned American history. She learned the English language. In the meantime, she had three American children, but she still met all the qualifications that you had to have to get to be an American citizen. And in 1976, I was very proud to see my wife raise her right hand and take the oath of allegiance to the United States of America and become a United States citizen. And I am proud of her for many, many reasons, and that's one of them today.

That's how you do it to do it right, to do it legally, and to become part of what this mysterious wonder that is America. It's not to sneak across a border in the middle of the night and hide out as a lawbreaker to make money. That's not the way you're supposed to come into the United States of America.

And as you pointed out, we have a procedure where people legally come here by the millions, and we welcome them.

And let me point one more thing out, and then I'm going to yield back, and that is here about a month ago we had about, I don't know, looked like several hundred people walking around this building with T shirts on that said ''Legalize the Irish.'' And I stopped some of them in the elevator and said, what in the world does that mean? And they said, well, we're all here illegally, and we want to be made legal.

This is not an Hispanic issue. This is an issue for the people who came to Disneyland and never went home. This is the people from all over the world that have overstayed their visas and are staying in the United States, as well as those who come across our borders. They are just as big starting life as a lawbreaker as people who swam the Rio Grande or walked across the desert of Arizona or California or New Mexico in the middle of the night. This is something that is not the right way to become an American citizen, and we can do better than this, and we must. And I yield back.

Mr. BILBRAY. Reclaiming my time. I mean, the American people are such a patient, humanitarian people that maybe sometimes we forget there's a fine line between being the nice guy and being a patsy. My mother immigrated from Australia. She got her citizenship, and she's very proud that she was one of the first Australian war brides to get her citizenship, April 1946. And when she sees that there are not only illegals in the country saying they want to be legalized, they want amnesty, what shocks her is that the United States allows people to be here illegally and demand, demand that America change its laws to accommodate them because they do not want to play by the rules.

What other Nation on Earth would allow people to be illegally in their country and then demand that their duly elected representative government modify its statutes to accommodate them because they do not want to be bothered by following the laws of their host country?

What kind of relationship do we expect to come from a situation to where we accommodate people who come to this country illegally, while we tell those patiently that want to come here legally, sorry, you get put on the back of the list?

And, you know, I'm very impressed. Learning a new language is always a big challenge, and your wife did that. My wife didn't immigrate from a foreign country. She came from New Orleans, and we're still trying to understand some of the things she says. My mother immigrated from Australia, and the Australians are going to have to learn English someday themselves.

But I think the real sad fact is that there are actually people that think that there's some good that can come out of this not only for America, but for the immigrants and immigrants around the world if we think breaking the law is now going to be a standard. If you want to live in a country where their law is bought and sold and shifted around by politicians just for political expediency, there's a lot of countries you can go to. Those countries tend to be poor, downtrodden, and poverty-stricken, and, by the way, happen to be the places that a lot of these illegal immigrants are coming from. But why transfer that corruption from those Third World countries into this country and destroy the mother's milk of freedom, the concept of the rule of law, while at the same time you're saying that the economic backbone of freedom, the middle class, is expendable at the same time?

In fact, there are people that try to accommodate illegal immigration to such a point that this bill that the Senate is proposing will say that an illegal alien qualifies for in-State tuition, even though a United States citizen doesn't qualify. And this really hits me personally, because in the State of California, where I have been a resident since the day I was born, I have paid taxes my entire adult life, I was told that my children, to get in-State tuition, I had to show a personal tax return. But somebody that they suspect is an illegal alien doesn't have to show their personal records; they just have to show utility bills. And when I said, I'll show you my utility bills, I'll show you all the way back to the '70s; oh, excuse me, sir, you don't qualify because we don't think you're illegal.

So if the American people think this is just about illegals and just about, you know, 12- to 20 million, they've got to remember that they are going to be put in a position of having to prove more than somebody who is illegally in this country; that American citizens will become second-class citizens to those who are not even citizens and not even legal. This is how absurd this line goes if you follow Mr. KENNEDY off the edge.

And remember, this is the same man, in 1986, that said no more amnesties anymore. I guarantee it. That is a sad state of affairs that the American people are facing, that same big lie, 20 years later. And it's time we say no.

And I'm so proud, I am so proud to be an American, knowing that the American people called those Senators, e-mailed them, faxed them and wrote them to where the Senate, rather than trying to cram this through this week, were forced to back off and give some time. And now this next week the American people will have more time to read the fine print, read about things like in-State tuition and loans to illegal aliens, and read about what is really in this bill and how bad it really is.

And I'd like to yield back to the gentleman from Texas.

Mr. CARTER. And I thank the gentleman for yielding. There are a lot of interesting things in this bill that common sense tells you that nobody's thinking about this. I'll just give one example. They have told us that there are people that have been waiting legally, and they're going to make sure that these illegals will get behind those people, and it will take approximately 8 years to process these people.

Now, I just sat down and looked at it. If you take the people that are in the pipeline right now, and I don't remember the number, but it's a couple of million, I think, and we're going to process them over 8 years to get them processed in doing it the right way, these are people doing it the right way, and I can tell you this, I know this for a fact. The last time I checked, which was about 3 months ago, those people we were helping who were doing it

right processed their papers through the San Antonio office, which is where, our part of Texas, I live just north of Austin, San Antonio office, they were still working on 1999 and 2000. They may be up to halfway to 2001 right now. So they're 7 or 8 years behind. So they got the number right.

Now they're going to tell us that they're going to take 12 million and instantly process them for a Z visa. About 18 months they say it'll take. So that tells you right off that the standards have got to be different. They have to be different.

And I was asking questions of someone who seemed to have some knowledge of the bill, and he said, well, you take a full handprint, you run it through all the criminal records, and you find out whether they've got a criminal record. Well, if that's so easy, why is the number one answer that we get from the Immigration and Naturalization Service when we call them, why are we delayed, FBI's got to do background checks? These things are extensive. They take a long time. Wait a minute. Take a full handprint and run it through the records. That's what we're told we're going to for these Z visas. That's not enough for the legal people, but it seems to be enough for the illegal people.

How about the fact that we've got diseases south of our southern border which are incurable, like a strain of tuberculosis? Shouldn't everybody that's here have a medical check? Where is it? Is it going to be there? It doesn't sound like it is.

Mr. BILBRAY. Not even mentioned.

Mr. CARTER. Not even mentioned.

So, you know, I think there was some good-hearted people tried, but they tried miserably on this bill. The American people want to take our time and do this right. And right now their concern, if you ask them, you don't hear them say, I want new immigration policy. You hear them say, I want the illegal immigration problem stopped, which means pour the resources to the border, pour the resources to law enforcement, enforce the laws that are on the books. And then when the American people say, you know what, we can trust our government again to enforce the law, that's when they will be willing to say, now let's work with coming up with alternatives to make this whole thing work. And we can do it right the next time.

This is the wrong bill, the wrong time and, as Ms. FOXX pointed out, shoved down our throat by the Democrat majority.

□ 2345

Mr. BILBRAY. Congressman, you hit on the real point. In a Republic where the governed get to choose the government, trust is an essential component. And there isn't any trust in the American people when it comes to the Federal Government enforcing our immigration laws. There isn't any credibility in the Federal Government when it comes to stopping illegal immigration.

The American people believe, and rightfully so, that special interests manipulate the Federal Government to stop illegal immigration from being controlled in the past, and that unless they really scream loud and start holding elected officials accountable at the polling box, that they are going to continue to have that type of corruption delivered to them when it comes to the immigration issue.

I want to just say clearly, a lot of people say why am I feeling so strong on this concept of amnesty? Why can't we just do it one more time? Let me tell you something. I have talked to people south of the border and in Third World countries all over the world. And if people would take the time to listen.

To give an example, a congressman in Zacatecas, Mexico, a Mexican congressman, says to me, Look, BRIAN, you know you have got to educate these people because we all down here know you are going to give amnesty again. They are all going to be U.S. citizens. Why do you think they are coming up illegally? They know you are going to reward them.

You go down to places like Central America. They say, Look, we are told come on up now. America is going to give us amnesty. We are going to become citizens. The way to America is come illegal. That message is being heard around the world. We need to send a clear and defined message that says no more amnesty, no more rewards for illegal behavior. You want to be an American? You follow the law and play by the rules. If you are not willing to do it, we will never give amnesty again. And, believe me, if we send that clear message, if we stop this amnesty, people around world will finally understand, no, it is no longer the option to come here illegally. You have got to play by the rules.

And then and only then will we see the ability to control not just our border; but our neighborhoods, our jobs, our parks, our hospitals, our schools, are finally going to be ours, and those that we choose to be our neighbors, not somebody who snuck in and stole away in the middle of the night.

I am so honored to stand here today with you, sir. I appreciate the hard work that you have given the people of Texas and your district, and I look forward to working with you to make sure that we present a workable, enforceable immigration policy that will stop illegal immigration and not allow this proposal in the Senate to move in and allow another illegal immigration wave being caused by another ill-fated amnesty scheme. Thank you very much.

Mr. CARTER. If the gentleman would yield, I am very honored to appear here with you, Mr. Chairman, with all the great work you are doing on the Immigration Caucus trying to come up with a solution to this illegal immigration in this country. I salute you and all of our colleagues who join you in this effort to come up with reasonable solutions for a very difficult problem.

I want to join you in saying to the world, we are asking the rule of law to prevail. It's very simple. This Nation was built on the rule of law. Let the rule of law prevail. And the rule of law does show compassion on the poor and the downtrodden, but it has to exist or they have no protection. And if we start to tear down the rule of law, it is going to be as harmful to those who are downtrodden and poor as it is to the richest man in the world because the rule of law is the basis of our Republic.

So I reach out to the Hispanic community who feels like this is targeted to them and say, no, it is targeted to all who come into our country illegally. I reach out to those friends back home that say be compassionate, and say to them we can be compassionate. Let's get law and order back in our land and then let's show compassion. But law and order must come first. It is what this country was built on.

Mr. BILBRAY. I would like to close, Mr. Speaker, by announcing that the American people have really spoken this week, stopped the Senate from forcing something through the Senate. And not only that, they have sent the message to their Members of the House of Representatives. And I would like to announce today that this week, because of all the reaction and the backlash against the Senate amnesty scheme, five new Members have joined the Immigration Reform Caucus in the House of Representatives. And I am very happy to welcome new Members in that are committed and working hard to be able to finally do the right thing on illegal immigration and start enforcing our laws the way the American people want to do; securing our borders and securing our neighborhoods and securing our future for our grandchildren.

RECESS

The SPEAKER pro tempore (Mr. COURTNEY). 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 50 minutes p.m.), the House stood in recess subject to the call of the Chair.

N O T I C E

Incomplete record of House proceedings. Except for concluding business which follows, today's House proceedings will be continued in the next issue of the Record.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1940. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received April 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1941. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Public Access to HUD Records Under the Freedom of Information Act (FOIA) and Production of Material or Provision of Testimony by HUD Employees [Docket No. FR-5015-F-02] (RIN: 2501-AD18) received April 16, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1942. A letter from the Assistant to the Board, Federal Reserve System (Board), transmitting the Board's final rule — Expanded Examination Cycle for Certain Small Insured Depository Institutions and U.S. Branches and Agencies of Foreign Banks [Docket No. R-1279] received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1943. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Illinois [EPA-R05-OAR-2007-0138; FRL-8302-5] received April 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1944. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Standards for Business Practices and Communication Protocols for Public Utilities (Docket No. RM05-5-003; Order No. 676-B) received May 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1945. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — List of Approved Spent Fuel Storage Casks: HI-STORM 100 Revision 3 (RIN: 3150-AH98) received April 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1946. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Chemical Weapons Convention Regulations: UDOC ''Change in Inspection Status Form;'' Amendments to Records Review and Recordkeeping Requirements; Additions to the List of States Parties to the Chemical Weapons Convention (CWC) [Docket No. 060831231-7030-02] (RIN: 0694-AD53) received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

1947. A letter from the Assistant Secretary Legislative Affairs, Department of State, transmitting the Department's final rule — Death and Estates. [Public Notice: 5582] (RIN: 1400-AC24) received April 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

1948. A letter from the Acting Assoc. Director, PP&I, Department of the Treasury, transmitting the Department's final rule — Sudanese Sanctions Regulations; Iranian Transactions Regulations — received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

1949. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Allowances and Differentials (RIN: 3206-AL07) received April 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1950. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast (NE) Multispecies Fishery; Modification of the Yellowtail Flounder Landing Limit for the U.S./Canada Management Area [Docket No. 04011-2010-4114-02; I.D. 041707E] received May 14, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1951. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species (HMS); U.S. Atlantic Billfish Tournament Management Measures [Docket No. 070307055-7099-02; I.D. 022607F] (RIN: 0648-AV25) received May 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1952. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Total Allowable Catches for Georges Bank Cod, Haddock, and Yellowtail Flounder in the U.S./Canada Management Area for Fishing Year 2007 [Docket No. 070227048-7091-02; I.D. 020807C] (RIN: 0648-AU63) received May 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1953. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; 2007 Georges Bank Cod Hook Sector Operations Plan and Agreement and Allocation of Georges Bank Cod Total Allowable Catch [Docket No 070322064-02; I.D. 030607E] (RIN: 0648-AV20) received May 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1954. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; 2007 Georges Bank Cod Fixed Gear Sector Operations Plan and Agreement and Allocation of Georges Bank Cod Total Allowable Catch [Docket No. 070321063-7098-02; I.D. 031607E] (RIN: 0648-AV22) received May 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1955. A letter from the Federal Liaison Officer, Department of Commerce, transmitting the Department's final rule — Correspondence with the Madrid Processing Unit of the United States Patent and Trademark Office [Docket No.: PTO-T-2007-0005] (RIN: 0651-AC11) received April 17, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1956. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule — Claims Collection (RIN: 0991-AB18) received March 8, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1957. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule — Salary Offset (RIN: 0991-AB19) received March 8, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1958. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Certification and Funding of State and Local Fair Housing Enforcement Agencies [Docket No. FR-4748-F-02] (RIN: 2529-AA90) received April 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1959. A letter from the Administrator, Department of Homeland Security, transmitting notification that funding under Title V, subsection 503(b)(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, has exceeded $5 million for the cost of response and recovery efforts for FEMA-3274-EM in the State of Indiana, pursuant to 42 U.S.C. 5193; to the Committee on Transportation and Infrastructure.

1960. A letter from the Director of Reg Management, Department of Veterans Affairs, transmitting the Department's final rule — Administration of VA Educational Benefits — Centralized Certification (RIN: 2900-AL43) received April 25, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1961. A letter from the Director of Reg Management, Department of Veterans Affairs, transmitting the Department's final rule — Medical: Informed Consent — Designate Health Care Professionals to Obtain Informed Consent. (RIN: 2900-AM21) received April 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1962. A letter from the Regulations Coordi-

nator, Department of Health and Human Services, transmitting the Department's final rule — Child Care and Development Fund State Match Provisions (RIN: 0970-AC18) received May 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1963. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Section 1274.—-Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property (Rev. Rul. 2007-36) received May 21, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1964. A letter from the Acting Regulations Officer of Social Security, Social Security Administration, transmitting the Administration's final rule — Privacy and Disclosure of Official Records and Information [Docket No. SSA 2006-0074] (RIN: 0960-AE88) received May 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

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PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, FIRST SESSION

Vol. 153 WASHINGTON, WEDNESDAY, MAY 23, 2007 No. 85

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Our Father in Heaven, we thank You for the freedom we enjoy. Thank You for freedom of the press, speech, religion, assembly, and petition. Thank You also for a government of the people, by the people, and for the people.

Lord, today, bless the Senate and our Nation. Deliver us from internal and external forces that seek to destroy our liberty. Give the Senators strength and wisdom. Help them to remember Your promise to keep them from temptation and to deliver them from evil. Remind them that they face no test that You cannot help them pass. Let this Nation be a tool for the fulfillment of Your purposes on Earth. Lord, let Your kingdom come, let your will be done on Earth as it is in Heaven.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BENJAMIN L. CARDIN led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 23, 2007.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. CARDIN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, this morning, following any time used by the leaders, there will be a 60-minute period of morning business. The majority will control the first half hour and the Republicans will control the second half hour.

Following this period of morning business, we will resume consideration of the immigration legislation. The next amendment to be offered this morning will come from the Republican side. Yesterday, I announced that the next Democratic amendment will be that of Senator BINGAMAN relating to the guest worker program.

Members can expect votes throughout the session today on the immigration bill.

Also, I had a meeting with Senator KENNEDY this morning. He indicated he would like to work into the evening on amendments. So Senators should plan to be here until at least 8 o'clock tonight with votes.

We are making progress on the supplemental. It is not done yet, but we are very close.

IRAQ

Mr. REID. Mr. President, I cannot let the day go by without at least acknowledging a conversation I had yesterday afternoon with the father of another fallen soldier from Nevada. We lost two in 1 week. His boy just turned 19. I talked to his dad who was very sad.

I listened to the news this morning, and nine American soldiers were killed yesterday in Iraq. So we are going to continue doing what we can to have the President change course in Iraq. The present course is not working. We need a plan to bring our soldiers home.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business for up to 60 minutes, with Senators permitted to speak therein for up to 10 minutes each, the time to be equally divided, with the first half of the time under the control of the majority and second half of the time under the control of the Republicans.

The Senator from Rhode Island is recognized.

HEALTH CARE

Mr. WHITEHOUSE. Mr. President, on Tuesday, I came to the Senate floor to present ideas on health care reform, particularly on the problem of fixing the internal operations of our broken health care system so that it runs better, at less cost, and with improved care.

I suggested that three fundamental things are wrong with our health care

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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system: One, it doesn't adequately provide quality care or invest in prevention; two, the system doesn't have adequate information technology infrastructure; and, three, the way we pay for health care sends perverse price signals that misdirect market forces.

I am here today to speak about quality reform, about those areas in our health care system where improving the quality of care will lower the cost—let me repeat that—where improving the quality of care will lower the cost.

There is a lot at stake, in money and in lives. Up to 100,000 Americans die every year as a result of unnecessary and avoidable medical errors. By some measures these outcomes are even getting worse. A 2003 article published in the New England Journal of Medicine revealed that the rate of hospital-acquired infections has actually increased over 36 percent since 1999. This increase has occurred even though we have shortened the average length of stay in a hospital and decreased the number of inpatient surgeries. In other words, infection rates rose that much even though the opportunities for exposure decreased.

Pennsylvania has recently chronicled hospital-acquired infection data for its 168 general acute care hospitals. The numbers are staggering: 19,154 patients acquired an infection while in the hospital in 2005, resulting in average commercial insurance payments of $45,601 higher than for patients who did not contract infections. That is big money that could be saved.

Remember the example I gave on Tuesday from Michigan's intensive care unit reform. In a 15-month span between March 2004 and June 2005, the project saved 1,578 lives. It saved 81,020 days patients would otherwise have spent in the hospital, at great expense; and it saved over $165 million just in a 15-month period.

However, it is not easy to pursue these quality reform initiatives. Funding is scarce, collaboration is required in an environment where people are pretty mad at each other, and the economics are perilous. When doctors and hospitals go to the trouble to figure out quality reform and implement it and pay for it, the effect on them is lowered revenues. Investing time and effort and capital in projects that reduce your revenues is not a great business model, but that is our health care system.

Thankfully, efforts to pursue quality reform—in all these indicated States and locations on the chart—are flickering to life around the country, in local initiatives such as the Puget Sound Health Alliance in Washington, the Utah Health Information Network, the Indianapolis Network for Patient Care, and our own Rhode Island Quality Institute. These groups have gathered health care industry players together to seek the holy grail of improved care at lower cost.

The fact that this is happening is itself a small miracle. The health care system is acrid with soured, angry relationships. When I was attorney general of Rhode Island, negotiations took place between one of our major hospital chains and our major health insurer in my office. It was not because I was a great mediator or that there was a role for the attorney general in this, it was simply because they were so angry with each other that I needed to calm things down and keep them in the room so the negotiations could proceed. For a bunch of reasons, through our Government policy to shortchange providers, through the perverse reward structure of our health care system, and our HMO experiment, we have encouraged combat among hospitals, doctors, and insurers, each trying to push their costs onto somebody else rather than working together for the common good.

So these local health care quality initiatives from this toxic climate are as marvelous as that spontaneous Christmas truce in World War I, when the soldiers began singing Silent Night across the barbed-wire wasteland, as they came out from the cold, muddy trenches to share cigarettes and schnapps with the enemy, men they had just been mustard-gassing and machine-gunning.

Let me tell you about the Rhode Island Quality Institute. By the time I became attorney general, I was already deep into health care, having served as insurance regulator, hospital trust administrator, fraud prosecutor, and health care reformer. I had seen firsthand the anger and the vitriol in the system. I had been successful in reforming the workers' compensation system and was optimistic about what sensible reforms could do to repair a broken administrative system. I saw common ground on how quality could lower cost. In 2001, I began to pull doctors, nurses, insurers, regulators, pharmacists, academics, and hospital administrators together. Over many months, we developed a concept of a statewide collaboration that would focus on producing significant, measurable improvements in health care quality, safety, and value in Rhode Island. The Rhode Island Quality Institute was born.

Since then we have made significant progress in e-prescribing, electronic health records, ICU infection rates, and health information interoperability. This happened because the Quality Institute is a place where health care leaders can work through health care problems, despite economic signals that punish them for doing the right thing.

For example, in Rhode Island, our hospitals are pursuing a quality improvement project in every intensive care unit in the State, modeled on the Michigan program. The Rhode Island ICU program had a significant hurdle to overcome, however. The cost was expected to be $400,000 per year to be borne by the hospitals. The savings, estimated to be $8 million per year, went to the payers. For its $400,000 invested, a hospital actually stood to lose money from shorter intensive care unit stays and fewer procedures.

For hospitals, truly pushing that quality envelope and striving for zero tolerance in infections in errors was economically self-abusive behavior. It took the Christmas truce relationships developed within the Rhode Island Quality Institute to overcome that obstacle.

Now similar things are happening all over the country, in little flickering beginnings of reform. The easiest and best way to promote quality reform that lowers cost is to feed, with Federal grants, a little kindling into these flickering flames; to tend them gently with Federal encouragement and support, to network them together to share energy and information and ideas, to have Federal officials clear away regulatory obstacles to their initiatives, and to report on the best and brightest ideas and successes that emerge—in a nutshell, to create a MacArthur genius grant program to encourage these efforts and to clear the way for them through the bureaucracy.

My legislation proposes a Federal grants program to do just that. A little money will go a long way. The CVS/Caremark charitable trust just guaranteed the Rhode Island Quality Institute $500,000 per year for the next 5 years, a great expression of business support and confidence, and it has made a world of difference. Compare that half-million-dollar yearly investment to the savings from the Keystone project in Michigan over a little more than a year, 15 months—$165 million. What if every Quality Institute-type organization got a half million dollars? There are somewhere in the neighborhood of 50 such organizations around the country now. The total savings they can generate could be hundreds of millions, billions of dollars perhaps, based on a yearly investment of perhaps $25 million.

Don't forget, it is not just money. The Keystone project saved over 1,500 lives. Quality reform is already on the march in local communities. To make a significant difference, we need do no more on the Federal level than support these initiatives, encourage new ones, transmit best practices and ideas, and, when necessary, secure waivers for them to help realize the promise of quality reform in both lives saved and dollars saved.

I will close today by noting that if we can do three things together—quality reform, health IT investments, and reimbursement alignment—they will reinforce each other and compound the beneficial effects. Remember, health care is a dynamic system and cannot just be told what to do. We have to identify the problems, find their causes, and repair them. That is not a partisan or even a political effort; it is a repair job, and it has no more a Democratic or a Republican nature to it than an engine tune-up or a plumbing repair. We should work together on

this issue to get it right. Hundreds of billions of dollars are at stake, and terrible consequences await American families and businesses as health care costs mount if we fail in our duty. While we still have the time before the economic, fiscal, and health consequences become too urgent for deliberate action, let us not fail in our duty. Let us grasp the controls of change.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Washington is recognized.

ENERGY PRICES

Ms. CANTWELL. Mr. President, I rise this morning to talk about the high gas prices we are seeing all over America and certainly on the west coast, where Washington State is paying some of the highest gas prices in the Nation.

My point this morning is that we are approaching the Memorial Day weekend in which Americans will be remembering loved one and wanting to spend time with their families, but this Memorial Day might go on record as having the highest gas prices in our Nation's history. That means we in the Senate need to act on energy legislation that not only diversifies us off fossil fuels into more renewables and alternative fuels, as well as pass energy conservation measures, it also means we need to protect consumers with a strong bill that makes price gouging and market manipulation of energy markets illegal. We need to assure that there are tough Federal penalties on the books so that any kind of market manipulations will be met with fines and penalties.

I know many people think this is all just about supply and demand. It is pretty hard to tell the people of Washington State it is just about supply and demand when we have five refineries in the State of Washington and most of our oil comes from Alaska. And people say we are an isolated market. In fact, there are schools in our State that are feeling the brunt. One of the school districts in the Yakima Valley, where buses travel more than 2,200 miles each day, will have to spend about $125,000 more this year on fuel. That is revenue which could go to books or hiring teachers or other needs for the school. In Spokane, the volunteers for Meals on Wheels, which usually delivers 350 meals a day to homebound elderly and disabled residents, are having to cut back on their routes. Another constituent called the office to say he was having trouble paying for gas he needed to make the 80-mile round trip to the Tri-Cities to get kidney dialysis for his wife. That loving husband said he was either going to have to quit his job or move closer to the facility so they could avoid paying high prices of gasoline. So while the pundits are talking about just supply and demand, my constituents and many constituents across this country are feeling the pain at the pump.

It is time that we act and pass the Cantwell-Smith bill, which we will have a chance to do when we return after the Memorial Day recess. This legislation is based on a New York law that has been held up in the courts and gives the Federal Trade Commission the ability to do the job that is needed to investigate potential market manipulation and price gouging. Many of the statutes that are on our books today are inadequate for looking at markets when there is a tight supply.

I heard a great deal about supply and demand during the Western energy crisis. For probably my entire first year in office, that is all we heard about from various people who wanted to say that the Enron problems were nothing more than supply and demand and the failure to build more capacity. In fact, when it came down to it, there was a lot more to this question than lack of supply in California. It turned out that there were elaborate schemes to manipulate energy markets, with names such as Death Star, Get Shorty, Fat Boy, schemes in which people deliberately took supply off line or manipulated it just to drive up prices by suppressing supply.

My colleagues have worked hard in the last several years to put into statute protections for consumers to make sure electricity and natural gas markets are not manipulated. This law is based on the same protections the Commodity Futures Trading Commission and the SEC use to make sure there is not manipulation in those markets. Why not have the same protection for consumers as it relates to oil and gasoline markets?

I hope that when we return, we will give great attention to this issue and not be swayed by those who think this is a simple market-demand issue. If we want to protect the consumers of this country, we will pass a strong law that gives the ability for Federal regulators to do their job. I believe there are real U.S. jobs, pensions, and businesses on the line if we do not act and act aggressively. The American people want to know that the Senate is going to stand up and do something about these record gas prices. They want to know that they are paying a fair and market-based rate for fuel and that they will continue to have the transparency in oil markets to make sure prices are reasonable and affordable, and they want to be sure we are empowering the right people to make sure an investigation takes place.

As I said, there is much that we need to do in the near term and the long term for our energy markets to diversify and to give consumers real choice at the pump, to make sure we are investing in conservation and fuel efficiency. But in the meantime, with tight energy markets, we need to make sure we are giving consumers the protection they need and to pass this legislation when we return after the recess.

I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator is recognized.

IMMIGRATION

Mr. GRASSLEY. Mr. President, I am going to use time in morning business to discuss the very important bill that is before us that we will be going on in about 20 minutes, and that is the immigration bill. This sometimes is referred to as the ''grand compromise.''

It is no secret that I have had concern about the immigration issue, and now specifically this bill, and in my opinion it contains an amnesty program. I know around here those who are backing this ''grand compromise'' don't want us to use the word ''amnesty,'' but I think if it walks like a duck and quacks like a duck, it is a duck. So I am going to refer to it as the amnesty program for illegal aliens already in the United States.

Not too many Senators today can say they voted for the 1986 amnesty bill. That was the Simpson-Mazzoli Act, the present law we are amending. I did vote for that amnesty bill, so, in a sense, I voted for amnesty. I am here to tell you that I felt at that time as though I were doing the right thing. I can also tell you that now, looking at history, it was the wrong thing to do. I thought then that taking care of 3 million people illegally in the country would solve the problem once and for all. I found out, however, if you reward illegality, you get more of it. Today, as everybody has generally agreed, we have 12 million people here illegally.

I did believe that bill would solve our problems, but it was not only shortsighted, the one we passed 20 years ago, it turned out to be unworkable. It was soft on enforcement and weak on legal reforms. We believed a legalization component was in the best interest of the country.

The American people, myself included, thought that illegal immigration would decline with an amnesty program. We were wrong. The 1986 legislation failed us, as well intended as it was. That was not a bill that went through very quickly. That bill was worked on over a period of 6 years, as we have been working on other immigration legislation at least over a 3- or 4-year period of time.

Today we are back as a body we call the Senate to put another bandaid on this issue. I don't blame the American people for being angry or rejecting the promises some are making that we will enforce our laws from now forward because I heard that same thing in 1986—from now forward. I think it is fair to say the people of this country are cynical on this issue. They don't have any

faith that the law is going to be enforced.

One specific aspect of this bill that is so concentrated on enforcement, first, before we do anything else, is called the trigger mechanism. I am going to talk about that trigger mechanism. Before I get to the amnesty program and trigger, I want to point out that the trigger that is included in this substitute, the trigger says the Y and the Z visa program would be subject to a trigger. I wish to point to the famous Trigger, Roy Rogers' Trigger. I think everybody knows about that Trigger. I point to that because I think, if Roy Rogers were here today—and he has been dead about 20 years—he would say: Boys, saddle up. There is going to be a rough ride ahead for us.

The ''Trigger'' is coming in handy today. He first galloped into this Chamber when I used ''Trigger'' during a budget resolution because there is a trigger in the budget resolution just adopted. Now ''Trigger'' is back for the immigration debate because there is a trigger mechanism in this bill.

You can see from the chart that Trigger is a very impressive-looking horse. He looks big and strong and probably can help do some of the chores around the farm. I am sure my grandkids would like to ride Trigger, if they knew he was safe to ride. This horse and its rider look very safe and confident. But I wish to make the point, in this bill, with a trigger mechanism, we can't trust the trigger in this bill. It is false and it is misleading and that is what I wish to point out.

I have heard Members of this body talk about how amnesty would not start until the trigger is pulled. It says on page 2, ''with the exception of the probationary benefits,'' the Y and Z visa programs cannot start until certain actions and certain items are completed. So 12 million illegal aliens will apply and likely get a probationary card. This card gives the illegal alien a work authorization, a Social Security number, and protection from removal. That is problem No. 1. Amnesty is given away before we even get to the trigger.

I wish to talk about four of the key actions that the trigger requires. First, it requires the establishment of an electronic employer verification system. I am a champion for that concept—make the employer responsible for making sure the person is legally in the country. In fact, I wrote title III last year. It could be a very solid enforcement tool. But the trigger only says it needs to be established. It says nothing about requiring all businesses to use it. Under the compromise, employers would not be forced to use it until up to 3 years after the date of enactment.

Second, the trigger says that 18,000 Border Patrol agents have to be hired. According to the Department of Homeland Security, we already have 14,000 agents, so the trigger requires that 4,000 more are hired. Sure, we can hire these agents. But the trigger doesn't require that the agents be trained and stationed and doing their job.

Third, the trigger says we have to construct 370 miles of real fence along the border. I understand this construction is currently underway. Congress authorized 700 miles of fencing in the Secure Fence Act of last year. We also provided billions of dollars for fencing and infrastructure last year. Why doesn't the trigger require that all 700 miles has to be constructed?

The trigger also says the Department of Homeland Security needs resources to detain up to 27,500 aliens per day on an annual basis. If they are caught, you have to have someplace to secure them. The problem is these spaces are full this very day.

How do these trigger actions, then, add to our present day enforcement? The impression is left by the author of the trigger—and I think it is the intent of that author and the ''grand compromise''—that all these security provisions are going to be in place before any of the other provisions of the law, such as allowing legality of people here illegally—before those provisions can go into effect.

Fourth, the trigger requires the United States to end what we call the catch-and-release practice. Maybe it is late-breaking news to some around here, but we ended that practice already. Secretary Chertoff was on TV, telling the world on August 23, last year, that he ended catch and release.

However, further along in the bill it says—and it is referred to as OTMS, ''other than Mexicans''—can be released into our community on a $5,000 bond. The policy of catch and release will not end. This part of the trigger in my judgment is false and misleading.

There is a lot missing from the trigger. For example, title I of the compromise has border security requirements, but they are not in the trigger. The bill requires the Department to have a national border security strategy and surveillance plan. One would think a plan is necessary right away in order to secure the borders, not after the trigger is pulled.

The trigger does not include authorizations for a number of Homeland Security personnel. While the bill requires the Department to hire more investigators for alien smuggling and more interior enforcement personnel, these requirements are not part of the trigger.

I think, before an amnesty starts, we should require interior enforcement measures to be met. Our national security is not just a border issue.

Finally, I think the trigger should include something we have been trying to do since 1996, after the first attacks on the World Trade Center. Congress enacted a law that requires an entry and exit system to track all foreign travelers. That is known as the US-VISIT Program. We had to endure another attack in 2001 before people took the entry and exit system seriously. We got it partly implemented, but the administration decided on their own that the exit portion was not worth the cost, so that 1996 mandate still remains ignored.

After 10 years, for us in Congress it is still like pulling teeth, trying to get an implementation schedule out of the agency bureaucrats. I think we should be ashamed that is not done yet. This trigger is not legitimate or worthy of the tradition of Roy Rogers. It is only a coverup for amnesty.

I wish to address the flaws that I found in title 6, the part of the bill that gives probationary status and Z visas to illegal aliens currently in the United States. I am simply going to list my top 15 flaws. I don't have time to go into them in great detail. I will be glad to supply more detail if people want it.

No. 1, probationary benefits are not subject to the trigger. Probationary benefits, including work authorization, protection from removal, and a Social Security number are granted to illegal aliens immediately, even if the alien's background check is not complete. I wish to emphasize that point—even if the alien's background check is not complete.

No. 2, many criminal provisions may be waived. Numerous criminal provisions are waived for eligibility purposes. For example, an alien who falsely claimed U.S. citizenship would be considered eligible for amnesty, even though it is a crime.

No. 3, background checks are taken too lightly. An illegal alien can apply for probationary status and a Z visa without thorough background checks. Immediately after the bill passes, the alien can apply for probationary legal status and receive a card, even if the alien's background check is not complete.

No. 4, illegal aliens are protected from removal. If an alien is in removal proceedings or being detained at the time of enactment, the alien can still apply for amnesty. Aliens who apply for amnesty cannot be detained or deported while their application is being processed, essentially giving them immunity from justice.

No. 5, terrorists and criminals can apply for amnesty. The Secretary of Homeland Security is allowed to waive the grounds of ineligibility for those who have an outstanding final administrative order of removal, deportation or exclusion. Currently, there are more than 637,000 alien absconders in the United States who have defied orders to leave.

No. 6, taxes. Illegal aliens are required to provide the Internal Revenue Service information about tax payments only when applying for legal permanent residence if that avenue is pursued. Illegal aliens can skirt the Federal, State and local tax laws because it is not a requirement to prove one has paid outstanding tax liabilities to get probationary or Z status.

No. 7 limits eligibility to illegal aliens. It creates a Z nonimmigrant

visa program for illegal aliens and illegal aliens only. No one else is eligible for this program, particularly those waiting their turn in line. Also, there is no cap on the number of eligible participants.

No. 8, indefinite renewal of the Z nonimmigration visas. Z nonimmigrant visas are valid for 4 years and may be renewed indefinitely. This is a disincentive for illegal aliens to pay the $4,000 penalty, touch back to their own country, and prove that they paid their taxes or receive a very important medical exam.

No. 9, health standards are ignored. No medical exam or immunizations are needed to get a Z visa.

No. 10, there is no incentive to learn English. There is no English requirement to get a Z visa. Each Z nonimmigrant must only demonstrate ''an attempt to gain an understanding of the English language'' upon the first renewal of the Z visa. There are waivers even for that requirement.

No. 11, green card applicants are not required to return to their home country. Green card applicants, only for the principal alien, must be filed in person outside the United States but not necessarily in the alien's country of origin.

The alien can then reenter, likely on the same day, under a Z nonimmigrant visa because it serves as a valid travel document. Again, there are exceptions for the requirement.

No. 12: Fault with these provisions. Fines are, quite frankly, false and misleading. Not everyone is required to pay the $5,000 penalty. The principal alien pays some fines and fees, and the dependents only have to pay a processing and State-impact fund fee. To get a green card, if an alien intends to pursue this route, a Z–1 nonimmigrant must pay a $4,000 penalty. Z–2 and Z–3 aliens are only required to pay application fees.

No. 13: Fines will not adequately pay for the cost of amnesty. The bulk of the monetary fines are required at the end of the program. All fines may be paid in installments, and waivers are available in extraordinary circumstances.

No. 14: Impact on State and local government. State impact money will be granted to States to provide services for noncitizens only, instead of providing services to all citizens impacted by the large number of illegal immigrants. Examples would be school systems and health care services.

No. 15 and last: Revocations of terrorist visas. You know that visas revoked on terrorism grounds—I am talking about terrorists—if a visa is revoked on terrorism grounds, it would allow Z visa holders to remain in the United States and use the U.S. court system to appeal those terrorism charges.

The bill, including the amnesty program, does not address visa revocation for any visa holder.

I would like someone to tell me that this is the last time we will do an amnesty because I heard that 20 years ago. I will not hold my breath. Nobody is making any promises that this is the last amnesty, and that is because we all know amnesties will continue. We are on a path to make what I consider a mistake that I made in 1986. We ought to get it right and focus on the long-term solutions to this problem.

So I am going to be offering some amendments to fix some of these 15 flaws, but I am not sure it can be repaired at the end of the day. It is my plan, when we go into the bill, to offer an amendment, to lay an amendment before the body.

Madam President, I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mrs. McCASKILL.) Morning business is closed.

COMPREHENSIVE IMMIGRATION REFORM ACT OF 2007

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1348, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1348) to provide for comprehensive immigration reform and for other purposes.

Pending:

Reid (for Kennedy/Specter) amendment No. 1150, in the nature of a substitute.

AMENDMENT NO. 1166 TO AMENDMENT NO. 1150

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. Madam President, I have an amendment at the desk that I would like to call up.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Iowa [Mr. GRASSLEY], for himself, and Mr. DEMINT, proposes an amendment numbered 1166.

Mr. GRASSLEY. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To clarify that the revocation of an alien's visa or other documentation is not subject to judicial review)

At the appropriate place, insert the following:

SEC. _____. JUDICIAL REVIEW OF VISA REVOCATION.

(a) IN GENERAL.—Section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)) is amended by striking ''There shall be no means of judicial review'' and all that follows and inserting the following: ''Notwithstanding any other provision of law, including section 2241 of title 28, United States Code, any other habeas corpus provision, and sections 1361 and 1651 of such title, a revocation under this subsection may not be reviewed by any court, and no court shall have jurisdiction to hear any claim arising from, or any challenge to, such a revocation.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall—

(1) take effect on the date of the enactment of this Act; and

(2) apply to all visas issued before, on, or after such date.

Mr. GRASSLEY. Madam President, the amendment I have before you is dealing with an issue I just described in morning business as one of 15 flaws in a very important part of this legislation. This amendment is going to revise current law related to visa revocation for visa holders who are on U.S. soil.

Now, we have this situation which does not make sense. My amendment is meant to bring common sense to this. Under current law, visas approved or denied by a consular officer in some of our embassies overseas would be nonreviewable. In other words, what that consular office said would be final. That person being denied a visa to come to this country would not have access to courts because consular officers have the final say when it comes to granting visas and allowing people to enter a country. So if you are a consular officer and you believe somebody is a terrorist or a terrorist threat, you can deny the visa, no review.

However, if that person gets a visa and they come to this country and we find out later on that they are a potential terrorist and should not have come here in the first place and you want to get them out of the country as fast as you can—because that is surely what we would have done with the 19 pilots who created the terror we had on September 11—then that decision made when the person comes to this country, that decision by the consular officer is reviewable in the U.S. courts.

Now, everybody is going to say: Well, that just does not make sense. You know, the same person over in some foreign country wants to come here, and the consular officer says: We can't let that person come here because he is a potential terrorist threat. Well, then they do not get to come here and nobody can review that. But if that very same person came here and we decided they shouldn't have been here in the first place, then they have access to our court system before they can be removed. Thanks to a small provision inserted during conference negotiations on the Intelligence Reform and Terrorism Prevention Act of 2004, the visa holder at that point has more rights than he or she should have. I think that is very obvious.

Now, the ability to deport an alien on U.S. soil with a revoked visa is nearly impossible if the alien is given the opportunity to appeal the revocation. This section has made the visa revocation ineffective as an antiterrorism tool.

My amendment would treat visa revocations similar to visa denials because the right of that person to be in the United States is no longer valid. In other words, if it was not valid for him to come here in the first place and it

was not reviewable by the courts, and then they get here and for the same reasons they should not be here—because they are a terrorist threat—they should not have access to our courts.

So this exception has made the visa revocation ineffective as an antiterror tool. My amendment would treat visa revocations similar to visa denials because the right of that person to be in the United States is no longer valid. If they were originally denied a visa by the consular officer, there would be no right to dispute; they would not be here in the first place.

I asked Secretary Chertoff about the problem with our current law on the visa revocation, and I want to quote from what he told the Judiciary Committee in March because I have been working on this problem for a while. To quote Secretary Chertoff:

> The fact is that we can prevent someone who's coming in as a guest. We can say ''You can't come in overseas,'' but once they come in, if they abuse their terms and conditions of their coming in, we have to go through a cumbersome process. That strikes me as not particularly sensible. People who are admitted as guests, like guests in my house, if the guest misbehaves, I just tell them to leave; they don't get to go to court over it.

We can equate the role of homeowner to that of a consular officer. Currently and historically, all decisions by consular officers with regard to the granting, the initial granting of visas are final and not subject to review. Revocations shouldn't be treated differently in the case of terrorists.

Why is this important to do? Consider visa revocations related to terrorism. Consider the 2003 Government Accountability Office report revealing that suspected terrorists could stay in the country after their visas had been revoked on the grounds of terrorism because of a legal loophole in the wording of revocation papers. This loophole came to light after the Government Accountability Office found that individuals were granted visas that were later revoked because there was evidence the persons had terrorism links and associations.

The FBI and the intelligence community suspected ties of terrorism in hundreds of applications. The FBI did not share this information with our consular officers in time, so the consular officers granted the visas. So I suppose at that point you cannot blame the consular officers when they did not have the information the FBI should have given to them. So then when they got the derogatory information about these individuals from the FBI, then it was too late. They had already been granted visas. They were already here. The consular officers then had to go through the process of revoking the visas. What the Government Accountability Office found was that even though the visas were revoked, immigration officials could not do a thing about it. They were handicapped from locating the visa holders and deporting them.

I wish to give you an example of how this hurts us today. A consular officer grants a visa to a person, and that person makes his or her way where they were intended to come, to this great country of the United States. After arriving in the United States, a consular office finds out that the foreign individual has ties to terrorism. Maybe the consular officer found out that visa holder attended a terrorist training camp or maybe the intelligence community just informed the consular officer that the visa holder was linked to the Taliban or maybe our Government just learned that visa holder gave millions of dollars to a terrorist organization before they applied for a visa. These are all very good reasons for revocation of a visa. If a person should not have received a visa in the first place, then the consular officer has to revoke it. Well, I mean if they had the visa then, you have to go to the trouble of getting it revoked.

Three key points to consider: First, the decisions to revoke a visa are not taken lightly. If a consular officer needs to revoke a visa, the case is thoroughly vetted. In fact, the case is decided back here in Washington, DC, at the highest levels. Second, consular officers do not have the authority to revoke a visa based on suspicion. A revocation must be based on actual finding that an alien is ineligible for the visa. Third, consular officers give the visa holder an opportunity to explain their case. They may ask them to come to the embassy and defend themselves. So when a visa is revoked, it is very serious business. But the current law handicaps law enforcement and makes it nearly impossible to deport the alien if they already made it to the United States.

Current law allows aliens to run to the steps of our country's courthouses and take advantage of our system. Allowing review of a revoked visa, especially on terrorism grounds, jeopardizes the classified intelligence that led to the revocation. It can force agencies such as the FBI and the CIA to be hesitant to share any information. Current law could be reversing our progress on information sharing, the very major thing we did to make sure September 11 didn't happen again. Prior to September 11, the FBI and the CIA could not share information. Now they can, in hopes that we will stop September 11 from happening again. But if all this information is going to get out through the court system, one of two things will occur: It isn't going to be given to the State Department in the first place, or, secondly, if it is given and it gets into the court system and gets out, we are going to have a damper put on the sharing of information.

We ought to be able to make sure a terrorist doesn't get into this country without exposing the source of our information and, once here, get them out. We need to secure this country, and we need the ability to revoke visas without terrorists or criminals seeking relief from deportation. I remind my colleagues of our poor visa policy contributing to the attacks on September 11. Nineteen hijackers used 364 aliases. Those people who killed 3,000 people in New York and 300 people here at the Pentagon knew how to play the system. They had 364 aliases. Two of the hijackers may have obtained passports from family members working in the Saudi passport ministry. Nineteen hijackers applied for 23 visas and obtained 22. The hijackers lied on the visa application in detectable ways. The hijackers violated the terms of their visas. They came and went at their convenience.

The 9/11 Commission pointed out the obvious by stating:

> Terrorists cannot plan and carry out attacks in this country if they are unable to enter the country.

In the Midwest we call that common sense.

The 9/11 Commission recommended that we intercept terrorists and constrain their mobility. This amendment would do that. Allowing aliens to remain on U.S. soil with a revoked visa or petition is a national security concern and something the 9/11 Commission would suggest is needed. We should not allow potential terrorists and others who act counter to our laws to remain on U.S. soil and get the protection of our courts, stay in this country for years through the appeals process of seeking relief from deportation.

Terrorists took advantage of our system before 9/11. We cannot let that happen again. This amendment will be helpful in making sure that doesn't happen again.

I hope my colleagues will support the amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Madam President, I thank the Senator from Iowa.

I see the Senator from Georgia and I know the Senator from New Jersey wishes to speak on this issue. I will speak briefly. Will the Senator agree to an hour of time on the amendment?

Mr. GRASSLEY. Yes. Will the Senator let me check with our leadership?

Mr. KENNEDY. That is fine. We don't expect to vote at that time. I have been informed by the leader we are going to try to do this amendment, then the Bingaman amendment, and then vote on both at 2 o'clock. I won't propose that as a time, but if the Senator would think in those terms, we will go ahead with other Senators and then come back to the Senator from Iowa.

Mr. GRASSLEY. Madam President, may I say to the Senator that it is not my idea to take a long time, but I was asked to offer my amendment now by the leadership. I want to check with them.

Mr. KENNEDY. I thank the Senator.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Madam President, in deference to the distinguished Senator from New Jersey, I will only be a minute.

To the distinguished Senator and my ranking member on the Finance Committee and my dear friend, I commend him on his words and his effort. I do want to correct or at least amplify on a simile he used in his remarks where he had the picture of a stuffed horse named Trigger and made an analogy to the triggers in this bill.

I have worked for 18 months on these triggers. They actually are a complement to what he wants to do in terms of deporting people who are in this country on expired visas. One of the triggers in the bill that is a prerequisite to any of the rest of the bill going into effect is a biometrically secure ID which will prohibit exactly what happened with the hijackers on 9/11, because every business, school, employer, university, training center, and the like will be able to swipe that mag tape, and if they have an expired visa, they will know it. Secondly, because of the biometrics of a fingerprint, you cannot have a forged ID, nor can you have a stolen ID, because the holder of the stolen ID's print will not match.

With regard to the other triggers—and I appreciate the time of the Senator from New Jersey to amplify on the remarks I made yesterday—the triggers in this bill provide 2,700 redundant miles of barriers and visual security on the border, more miles than there are on the common border; 18,000 Border Patrol agents; 27,500 beds to detain anyone who is caught until their hearing date comes forward; 375 miles of barriers; 1,640 miles of ground positioning radar; 600 miles of constant surveillance in the air, plus all the ground sensors and the cameras that allow those 18,000 agents, when they are on duty, to immediately intercept the people who are violating the border, immediately put them in one of the 27,500 beds, and hold them until their case comes up and they are deported. I have no qualm with the Senator's amendment whatsoever, but I don't think it is exactly correct to make the reference to Roy Rogers' horse as an analogy to the triggers in this bill because, in fact, these triggers are meaningful. In their absence and in the absence of the President seeing that they are done, Homeland Security executing, and the Congress appropriating, this bill self-destructs. It is the predicate upon which complementary things such as the Senator is trying to do actually are made more meaningful and more helpful.

I appreciate the Senator letting me amplify on that.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I have two purposes for rising at this point. One is to speak to the amendment offered by the distinguished Senator from Iowa and then to speak substantively, as we get into a full debate of comprehensive immigration reform, to lay out some parameters I hope all of our colleagues will consider.

Let me start off with the Grassley amendment. I rise in strong opposition to the amendment. It abolishes the last—underlined—remnant of judicial review on visa revocations. During the course of this week and the week when we come back, we are often going to hear terrorism invoked as the reason we must act in certain ways. Some of those ways ultimately undermine the essence of the Constitution of the United States and the equal protection clause. I think it is a false choice to be put in a position between the suggestion of terrorism and the suggestion that we should undermine the Constitution. I raise that as a warning flag now, as we look at all other amendments that are going to be coming. We are going to hear a wide range of reasons why we should dramatically change judicial reviews, the essence of protection under the Constitution. I hope our colleagues will understand that is a slippery slope to go down.

I hope we are not going to undermine due process, rule of law, and judicial review, because they are not just limited to suggestions on terrorism. Maybe if they were limited only on that, we could consider supporting such amendments. But it is eliminating judicial review totally, as it relates to visa revocation.

Right now what is the law? Right now judicial review of a visa revocation is already severely restricted. In fact, visa revocations are insulated from any judicial review when the visa holder is outside of the United States and the consular officers—these are our representatives abroad—have exceptionally broad authority to make revocation decisions. If you are outside the United States, you are not even coming. You don't even get a chance at judicial review. Let's make that clear.

The only area where limited judicial review of visa revocation remains available is with respect to individuals who are in the United States and then are placed in removal proceedings as a result of the revocation. Then judicial review is permitted in the context of those removal proceedings, if revocation is the only ground for that removal.

This is a critical check on Government authority to make arbitrary decisions. It is vitally important to allow the court review of removal proceedings because a person's ability to remain in the United States is at stake. We know immigration authorities have on more than one occasion made a mistake in the person's case or the person may have compelling circumstances that warranted consideration by a judge. We have seen cases time and time again that have so dictated and have said the Government is wrong, the individual is right. This would nullify that opportunity totally. This amendment would eliminate the last remaining remnant of judicial review.

Mr. KENNEDY. Will the Senator yield on that point for a question?

Mr. MENENDEZ. I am happy to yield.

Mr. KENNEDY. I listened with great interest—I hope our colleagues are—to the point the Senator from New Jersey is making. I wish to ask his comment on a situation. Some months ago we had a raid in New Bedford, MA. The people were picked up. They were sent up to Fort Devons and flown out of there, and many of them were transported to El Paso. Then some of them were deported. I have in my hand a May 3 article from the Boston Globe. The headline is ''U.S. Deports Wrong Raid Detainee In Case of Mistaken Identity.''

A man arrested in the March 6 raid of the Michael Bianco leather factory in New Bedford was deported by mistake, Federal officials said yesterday. Juan Sam-Castro, a native of Guatemala, was taken for a man of the same name, said the spokesman for the U.S. Immigration and Customs Service. As soon as the Customs Service became aware, we took immediate steps to bring Castro back to the United States. We are trying to locate him.

Here is an American citizen who has been deported and they are trying to locate him. Is the Senator not saying that in the situation where last year we deported 187,000 individuals and even in the last few weeks where we have this kind of mistake, at least some opportunity for an expedited kind of a review that effectively is not slowing the process down with this individual, between the time he was arrested and the time he was deported, was very few weeks, let alone the time he had the hearing, does this illustrate at least part of the points the Senator is trying to make with regard to the immigration service and the need for at least permitting the kind of review that currently exists? I do not believe we have had testimony to the contrary that this is an undue burden on the system.

Mr. MENENDEZ. Madam President, I appreciate the question and description from the Senator from Massachusetts. In fact, it is clearly one element—one very dramatic element—of the Government acting wrongly: deporting someone who had every legal right to be here in this country—making that mistake, and then, realizing they made a mistake, are now trying to find that individual whose life has been turned upside down.

In the process of doing that, under the amendment of the Senator from Iowa, they do not even have a chance to go to court. So the human faces we are talking about here are real. That is not about terrorism.

Now, let me give you another example. The Senator from Massachusetts gave a very vivid one. Let me give you another example of what happens when we do not permit basic due process as a part of our law.

This amendment would eliminate judicial review for all visa revocations unnecessarily, and it unduly expands the already broad discretionary authority of the executive branch. Let me

give you an example—a different case. A foreign government that wants to rein in one of their dissidents provides false information to the U.S. consulate that leads the consul to revoke the visa. This is someone who is speaking against maybe a totalitarian regime, a dictatorship, people who are oppressing people's human rights, but they are here in the United States. They got a visa, and they are here speaking out. That government wants to make sure that person can no longer speak out, so they give false information to the consul, and the consul reviews it and makes a factual determination: Do you know what. This looks right. Let's revoke the visa.

That person, that dissident, struggling to make a difference in the lives of people in that country—we want to see people like that challenging their own systems; we want to see people like that fighting in their own countries so we never have to send our people abroad—that person does not even have one chance to make the case in a court of law that what is being said is false.

Exposing individuals in this country to such arbitrary and capricious action is un-American. We should be striving for more balance and more transparency, not less.

Let me say there is another case, a case decided here in the United States in June of last year, where a U.S. Federal judge issued an order soundly rejecting the Government's contentions against an individual—the same type of case that would not, under this amendment, have access to this type of judicial review where this Federal judge determined that the Government was wrong, the individual was right.

What was the individual saying? He was saying his point of view, which separated him from the administration's point of view. Because it separated him from the administration's point of view, they revoked his visa. The judge held the decision was not a due authority, a use for the revocation of the visa, and that person was allowed to stay simply because they were expressing their points of view different from this administration.

Is that what we want to do? Eliminate the possibility for someone to be able to go to court and say: ''I am being hushed because I have a different point of view. My visa is being revoked with not one chance to go to court''?

By the way, finally, if we are going to talk about terrorism, if I have a terrorist in my possession, under other provisions of law I do not want to deport them. I want to arrest them. I want to throw them in jail. I want to make sure they do not get out of the country to do harm back to this country. Why would I want to deport them? I want to arrest them. I want to jail them under other provisions of law. I want to prosecute them. I do not want to let them go free so they can try to do harm again to the United States.

This amendment actually works to the opposite of our national security interests. I urge my colleagues to oppose it.

Now, let me speak more broadly about the overall immigration effort. Since I have already heard some of the commentaries on the floor, I think it is important for us to have a framework of where this discussion, I hope, will go in a civilized fashion that understands the better angels within us.

From the congressional district I had the honor of representing for over 13 years in the House of Representatives, one can see the Statue of Liberty. You can almost touch it. Ellis Island has been a gateway to opportunity for millions of new Americans. For me, it is a shining example of the power of the American dream, a place that launched millions down their own road to success.

As Americans listen to this debate, I hope they understand and are honest with themselves—whether their family was part of the men and women who made the voyage on the Mayflower or part of the millions who stepped off of Ellis Island or part of those who were brought to this Nation against their will or, if like my own parents, they came to this country fleeing tyranny and searching for freedom—we all have a connection to immigration.

America has a proud tradition as a nation of immigrants and a nation of laws. History is replete with examples of the United States of America being a welcoming Nation. But, unfortunately, very often the public dialog through the years has been less than welcoming. Over the decades, the influx of immigrants of various ethnicities has caused concerns and, in many cases, heated comments against such immigrants to our Nation. In some cases, there were even laws enacted to limit or ban certain ethnic groups from being able to come to the land of opportunity. Let's remember some of this history so we do not repeat it again in these debates.

Before the American Revolution, Founding Father Benjamin Franklin wrote of the influx of German immigrants to Philadelphia:

> Those who come hither are generally the most stupid of their own nation.

Henry J. Gardner, the Governor of Massachusetts in the middle of the 19th century, saw the Irish as a ''horde of foreign barbarians.''

In 1882, Congress enacted the Chinese Exclusion Act, which made it nearly impossible for additional Chinese to enter America. The law was not repealed until 1943, in the middle of World War II, when the United States and China were allies against Japan.

In the early 1900s, H.G. Wells, a British novelist, stated that the arrival of Eastern Europeans, Jews, and Italians would cause a ''huge dilution of the American people with profoundly ignorant foreign peasants.''

Congressman Albert Johnson, coauthor of the Johnson-Reed Immigration Act of 1924, which severely restricted immigrants from Southern and Eastern Europe, and entirely prohibited East Asians and Asian Indians, stated that:

> Our capacity to maintain our cherished institutions stands diluted by a stream of alien blood, with all its inherited misconceptions respecting the relationships of the governing power to governed. . . . The day of unalloyed welcome to all peoples, the day of indiscriminate acceptance of all races, has definitely ended.

Finally—to give you a sense of some of these things that have been part of our past—a 1925 report of the Los Angeles Chamber of Commerce stated that Mexicans are suitable for agricultural work ''due to their crouching and bending habits . . . , while the white is physically unable to adapt himself to them.''

That was in 1925.

These are just a few statements from the past that have taken issue with and criticized the relatives and forefathers of various segments of our Nation's population today.

We must all remember that just in the last Congress the House of Representatives passed H.R. 4437, better known as the Sensenbrenner bill. Beyond the heated rhetoric that existed during the debate on that legislation, the bill itself was shortsighted and even more mean spirited and would have made felons out of anyone who was here in an undocumented status. That bill would have also criminalized citizens of the United States through a much broader definition of smuggling that would have allowed the Government to prosecute almost any American who had regular contact with undocumented immigrants. Luckily, that did not pass.

But today we continue to hear across the landscape of the country hateful rhetoric used to polarize and divide our country on this issue. But we must never allow ourselves to buy into the rhetoric. We must never subscribe to the policies of fear and division, driven by xenophobia, nativism, and racism.

The responsibility is on all of us—not just on Members of Congress, but everyone in this Nation. We must reject the rhetoric of hatred, division, and polarization. We must demand a comprehensive immigration policy that does not denigrate or demonize, but is tough, smart, fair, and humane.

However, on this issue, we must be completely honest with ourselves. Our country's immigration system is unarguably broken. In light of these failures, we must enact tough, smart, and comprehensive immigration reform that reflects current economic and social realities, respects the core values, I hope, of family unity and fundamental fairness, and upholds our tradition as a nation of immigrants.

In the absence of Federal legislation, what is happening is many local governments in my State of New Jersey and, for that matter, across the Nation are passing ordinances to address issues surrounding undocumented immigration in their communities. Unfortunately, many of these ordinances

violate constitutional equal protection guarantees and create divisions in communities that did not exist.

In addition to the moral imperative, our society would greatly benefit economically if we enacted comprehensive immigration reform. Such reform would allow undocumented immigrants to come out of the shadows and fully pay their taxes, ensuring accurate census counts, which translates into equitable funding levels for programs and schools. Additionally, we can reduce law enforcement demands since the need for day laborers, forged documents, and driver's licenses, along with the use of exploitation and human trafficking would largely be shut down.

As to those who don't come forward when such an opportunity is presented, we would be focused on asking: Why are they not coming forward? We would be able to determine who is here to pursue the American dream versus who is here to destroy it.

We need to aggressively curtail unauthorized crossings at the border, protect both undocumented immigrants and American workers from corporations exploiting undocumented labor, and provide a pathway for immigrants to earn—and I repeat: earn—permanent residency in order to ensure our immigration system is safe, legal, orderly, and fair to all.

Our goal should be neither open borders nor closed borders but smart borders. The specter of terrorism in a post-September 11 world creates an even greater imperative for us to succeed in this endeavor. The underlying bill has a whole host of triggers that go to the very heart of those elements.

We have all seen some of the consequences. We have seen lawlessness along the borders. Crime in our border communities is increasing and overwhelming local law enforcement's ability to address these challenges. So-called coyotes, or human smugglers, charge thousands of dollars to bring people into this country, creating a multimillion dollar industry for organized criminal organizations to exploit and fuel their other illegal activities. In fact, several reports have indicated there is more money in smuggling these undocumented immigrants into our Nation than smuggling drugs.

However, history proves it is not enough to rely on enforcement alone, even though I am totally for the enforcement. Over the past two decades, the Federal Government has tripled—tripled—the number of Border Patrol agents and increased the enforcement budget tenfold—tenfold. Yet, despite tripling the Border Patrol and increasing the budget tenfold, these efforts have yet to stop those who have either crossed the border or overstayed their visas. So it is about border protection, but it is also about a more comprehensive effort to make sure you deal with the push-and-pull factors of immigration.

Securing our borders is the first step to ensure an orderly, fair, and smart immigration system, but by no means is it adequate in isolation. We must also crack down on companies that illegally hire undocumented workers—something that is long overdue. I know under the Clinton administration, employers were held accountable for hiring undocumented workers, as 417 businesses were cited for immigration violations in 1999 alone. In contrast, a mere three—three—employers were issued notices of intent to fine by the Bush administration in 2004 for similar violations, making it 22 times more likely for an American to be killed by a strike of lightning in an average year than prosecuted for such labor violations.

So much for enforcing the existing law.

What happened in the span of those 5 years? What happened? Did companies suddenly decide to start abiding by the law by not hiring undocumented immigrants? No. The truth of the matter is, similar to border enforcement, this administration made a conscious decision to look the other way in order to once again serve the interests of corporate America to the detriment of average American citizens.

That is why I support stronger immigration enforcement not only at the borders but at the workplace. Unscrupulous companies that intentionally hire undocumented immigrants do so because they know they can exploit these people without fear of retribution. They know this because undocumented immigrants are forced to hide in the shadows of society and subsequently have no avenues to report labor abuses. Not only does this hurt the immigrant being exploited, it also directly impacts American citizens who must compete in the market with exploited labor. We must immediately end these abuses and in doing so create an equal playing field to ensure that the wages, benefits and health and labor standards of the American worker are not undercut.

While securing our borders and enforcing strengthened workplace employment laws will enable us to regulate the influx of new immigrants, it does nothing to solve our current dilemma of an estimated 12 million undocumented immigrants who currently reside in the United States. That is why our immigration policy must be about more than simply enforcement. It must be about providing a safe, orderly, timely, and legal process that deals with the economic realities of our time.

So in order to make our immigration system overall workable, we must be practical, fair, and humane in dealing with the estimated 12 million undocumented immigrants living in the United States. To do otherwise would require the most massive roundup and deportation of people in the history of the world—in the history of the world. I believe this is both highly unlikely and impractical on many levels, including due to both budgetary and economic impacts on the Nation and its economy.

Such a mass deportation of the undocumented population, even assuming 20 percent could leave voluntarily if such a policy was enacted, would cost us over $200 billion over a 5-year period, according to the Center for American Progress. That is not going to happen. So fully securing our borders is impossible unless efforts to include a temporary guest worker program and a path to earn residence for undocumented immigrants is part of the overall reform.

This solution will encourage immigrants to come out of the shadows and legalize their status. By doing so, we will learn who is here to seek the American dream versus who is here to destroy it through criminal or terrorist acts. Most of the people who cross our borders come looking for work, as many of our ancestors did. These immigrants contribute to our economy, provide for their families, and want a better life for their children.

Let me say I am, first and foremost, in favor of hiring any American—any American—who is willing to do any job that is available in this country today or tomorrow, but let's remember the jobs we are talking about. The fruit you had for breakfast was picked by the hands and bent back of an immigrant laborer. The hotel room and bathroom you use in travels through the country is likely cleaned with bended knee by an immigrant worker. The chicken you had for dinner yesterday was likely plucked by the cut-up hands of an immigrant laborer. If you have an infirmed loved one, their daily necessities are probably being tended to by the steady hands and warm hearts of an immigrant aide. Let us remember that.

So we have to create an equal playing field to ensure that the wages, benefits, health, and labor standards of the American worker are not undercut. But it is also in our best interests to have these workers participate and contribute to our society, especially when we had a 4.5-percent unemployment rate in April of this year and a declining ratio of American workers to retirees.

By coupling enhanced enforcement efforts with new immigration and labor laws, we will not only regulate how workers come into the country but finally give our border and law enforcement agencies a fighting chance to fulfill their duty.

Now, much of what the underlying bill does meets some of these challenges, and I respect those elements. But I wish to talk about one very compelling issue that I believe it does not meet: the importance of family. I said throughout the negotiations that were had, with a massive, complex bill such as this one, the devil is in the details. There are a number of details in this deal that would create an unfair and, in my mind, impractical immigration system, undercutting the more sensible provisions.

This is especially true when it comes to the issue of family. The deal struck virtually does away with a provision for family reunification which has been the bedrock of our immigration policy throughout our history. This idea not only changes the spirit of our immigration policy; it also emphasizes family structure, and all without a single hearing on the issue of family and our immigration system by the Senate Judiciary Committee, either in the 109th or the 110th Congress.

Under this bill, they change the fundamental values of our immigration policy by making an advanced degree or skill in a highly technical profession the most important criteria—the most important criteria—for a visa. This Nation has been built by immigrants who came here to achieve success, but the deal tilts toward immigrants whose success stories are already written. They are already written.

Family reunification will be deemphasized under this deal, serving to tear families apart. From a moral perspective, this undermines the family values I hear so many—in different contexts—so many of my colleagues talk about all the time.

As the late Pope John Paul II said:

> The church in America must be a vigilant advocate, defending against any unjust restriction of the natural right of individual persons to move freely within their own Nation and from one Nation to another. Attention must be called to the rights of migrants and their families and to respect for their human dignity.

Practically speaking, a breakdown of family structure often leads to a breakdown of social stability. I took it to heart when President Bush said: ''Family values don't end at the Rio Grande,'' but this agreement, similar to his proposal before it, belies those words.

Yet here we are with a piece of legislation which the White House promoted that undermines the very essence of that. Even under a new point structure that is envisioned under the bill, it seems to me that the essence of family should be given more weight and points within the context of a whole new process of how we are going to move our immigration system forward. Family, I would hope, even under a new system, is a critical value, in our country.

I would like to take a little time to get into some of the details of this agreement and how they would impact families.

Under current law, foreign-born parents of U.S. citizens are exempt from green card caps when applying for legal permanent residency as they fall in the immediate relatives category. Now, remember, this is someone—a U.S. citizen already—a U.S. citizen or a U.S. permanent resident who has a right—who has a right—to claim their relative. In this case, I wish to talk about parents. Unfortunately, the agreement removes these individuals from the immediate relative category and sets an annual cap for green cards for parents of U.S. citizens at 40,000. Last year, 120,000 visas were given to such parents, and the annual average number of green cards issued over the past 5 years to parents is 90,000, so this bill would slash required green cards by more than half for a U.S. citizen to be reunified with their mother or father. So we are automatically creating a new backlog, even though the bill is intended to end such family backlogs.

Another area that would be negatively impacted under the deal is the spouses and minor children of legal permanent residents of the United States. The bill before us does not lift the visa cap on the spouses and minor children of lawful permanent residents; it actually lowers it, ensuring that backlogs continue indefinitely. The separation is not only immoral in my mind, but it exacts an economic toll, as lawful immigrants who are productive members of society move to rejoin their families. Moreover, unification with immediate family members gives rise to an undesirable incentive to break the law and live in the United States illegally. Families want to migrate to each other, and that is a natural, human instinct. We undermine that in this respect.

Now, the so-called ''grand bargain'' also moves us to a point-based immigration system which would turn current immigration on its head—a system that hasn't received any hearings by the Judiciary Committee. Yet, in the agreement, we are moving to a point system that is geared toward people with degrees who are highly skilled or educated. Fine. We can have people who are highly skilled and educated as part of the equation, but in my mind it shouldn't ultimately undermine dramatically the ability of families to have a fighting chance. In fact, in the point system that is contained in the bill, families would receive no points at all—no points at all, none—unless the applicant has obtained at least 55 points through other elements: employment, education, language. So much for family values under that system, in my mind.

In addition, if the applicant meets the 55-point threshold, they would be eligible for a maximum of 10—a maximum of 10—additional points; that is out of 100 maximum points. I guess that some who preach family values don't believe that family should count for more than 10 percent—10 percent.

Now, this legislation also curtails the ability of American citizens today, permanent residents, to petition for their families to be reunified here in America.

As I mentioned earlier, there is a family backlog of people who have applied for legal permanent residency who are claimed by U.S. citizens. This legislation, as currently drafted, does away with several of the family categories such as adult children of a U.S. citizen and lawful permanent residents and siblings of citizens. These categories will be grandfathered in and dealt with as part of clearing the backlog during the first 8 years but only if you filed your application before May 1 of 2005. What is the consequence of that? The consequence of that is over 800,000 people who have played by the rules, applied under the normal process, didn't come across the border, didn't violate any law, did the right thing, that all of those who did all the right things but applied after that date, will not be cleared as part of the family backlog. They lose their chance under this law.

More importantly, it vitiates—it takes away—the right of the U.S. citizen to have them claimed because they lose it. They have a petition pending under existing law, and yet that petition is gone with the flash of this bill.

So the legislation, as currently drafted, says that if you legally apply for a visa after May 1, 2005, you have to compete under an entirely new system. It is an arbitrary date that was picked out of the thin air.

Let's think of how fundamentally unfair that is. Imagine you are a lawful, permanent U.S. resident. You have fought for your country, you have shed blood for your country, and in some cases, you may have even died for your country. In fact, a noncitizen, a legal permanent resident of the United States, Marine LCpl Jose Antonio Gutierrez, originally of Guatemala, was the very first, the very first U.S. combat casualty in the war with Iraq. Had he not been a combat casualty under this bill, he would not have been allowed to claim his family. If this bill moves forward the way it is, these legal permanent residents are also not only—there are thousands of them in the Armed Forces of the United States, and they are protecting our airports, our seaports, and our ports. They risk their daily lives in Afghanistan, Iraq, and other places around the world to protect us here at home, yet we would do away with their right to petition to have their sister or their brother come join and live with them in America. Under this bill, you lose that right if you file after May 1, 2005. It is hard to imagine that one would have that right taken away from them.

Here is another case for you to consider. You are a U.S. citizen. You have paid your taxes. You may have served your Nation. You attend church. You make a good living. You are a good citizen. You have petitioned to have your adult child come to America, but you did so after the date of May 1, 2005. Under this bill, that U.S. citizen loses their right. However, those who are undocumented in the country after May 1 of 2005, they actually get a benefit under the bill. So if you obey the law, follow the rules, do all the right things, you are a U.S. citizen, paid your taxes, maybe even served your country in the Armed Forces, doing everything you should do, you lose your right to claim your relative under the existing law and be part of the backlog, but the person who came in an undocumented

fashion over the border, they actually will get a benefit as of January 1, 2007. It seems to me that the legal permanent resident, the U.S. citizen, should have at least the same date as those who have not followed the law and the rules. It is hard to imagine, but it is true.

So these are a few of the shortcomings contained in the bill we are moving forward. This deal would have prevented my own parents, a carpenter and a seamstress, from coming to this country. They wouldn't have qualified under this point system. I would like to think that they and others whom I have heard about around this Chamber—I have heard so many stories from my colleagues in the Senate and formerly in the House, talking about their proud history.

Their parents would not have been eligible to come to this country under this bill. I would like to think that, on both sides of the aisle, they have contributed to the vitality of this Nation. I have listened to so many of the stories of our colleagues, and I know many of their parents never would have qualified to come to this country under this bill. It seems to me a new paradigm could have been structured where family values and reunification have more of a fighting chance than under the framework agreement that we consider.

The story of the legislation is not finished. We still have the historic opportunity this week to craft tough, smart, and fair immigration reform. It is my intention, starting, I hope, later today, through a series of amendments, to get to the heart of the issues I have mentioned, to change and to improve this deal. I know many of my colleagues are committed to the same issues of practicality, fairness, and family values, and I will work with them to turn this unworkable deal, in those respects, into sound policy we can all support.

As we have throughout our Nation's long and proud history, I believe we can create a pathway to the American dream for those who contribute to our Nation and allow them to fully participate in our economy and our society. As the President told Congress in this year's State of the Union speech: Let's have a serious, civil, and conclusive debate, so you can pass, and I can sign, comprehensive immigration reform into law.

It is a rare moment, but I agree with the President. Reform is long overdue. I want to just say that I have the greatest respect for the Senator from Massachusetts in his advocacy in this regard. I look forward to trying to—even though he may not be able to support some of these things as part of his commitment to a grand bargain—change it in a direction that we can all be proud of. But for him, we probably would not be on the Senate floor debating this issue today, or in the past, and I admire him greatly in that respect.

However we got here, from wherever we came, we know we are in the same boat together today as Americans, and together I hope we can make this journey a safe, orderly, and legal process that preserves and fulfills the American dream for all, that upholds the right of U.S. citizens to seek the reunification of their families. It takes those who serve our country and who are not U.S. citizens yet and gives us the right to say: You fought for America, you may have been wounded in the process. You have done everything we would want of any citizen. Your right to make a simple claim to have your family reunited for you will not be snuffed out by this legislation.

If we do that, this process deserves our respect. I hope this preserves the Constitution, as well as the due process of law that makes America worthy of fighting for and dying for—the Constitution and the Bill of Rights. When we seek to erode and undo it, we undermine the very essence of America's greatness. Those are our challenges in this debate and also our opportunities.

I yield the floor.

Mr. KENNEDY. Madam President, first of all, I commend my friend from New Jersey for an excellent presentation, particularly on this issue of the Grassley amendment, and for also reminding us about the importance of family in the consideration of our immigration bill.

I think we are going to have an opportunity during the course of the day to deal with those issues in greater detail, and we will look forward to that. I think we have made some important progress in terms of family issues, but I think we have also seen some changes in the existing law in those issues. And it is important for the American people to understand exactly the areas we have made progress in and the areas that we have altered as we deal with this underlying bill.

I wish to take a moment to address the points that are included in the Grassley amendment, which is the pending amendment. Then I understand the Senator from New Mexico will be coming down shortly to offer an amendment that deals with the temporary workers. We will have an opportunity during the noontime to address that issue. Then, according to the leadership, we will have the two votes. If there are side-by-sides, other votes—at 2 o'clock or in the time close to 2 o'clock. I say that for the benefit of our colleagues here.

Madam President, on the Grassley amendment, I think it is important to understand that people who come into the United States under visas have to go through extensive background checks before they are granted visas, and again before they are admitted. We are talking about millions of visitors, about hundreds of thousands of scholars and researchers and workers. These are not criminals or terrorists. Anybody who is a terrorist or criminal is not eligible for a visa.

I will just mention the various crimes that individuals have committed that have denied them the opportunity to come to the United States to get a visa: crimes of moral turpitude, such as aggravated assault, assault with a deadly weapon; aggravated DWI, fraud, larceny, forgery; controlled substance offenses, such as the sale, possession, and distribution of drugs, and drug trafficking; theft offenses, including shoplifting; public nuisance; multiple criminal convictions, any alien convicted of two or more offenses regardless of whether the offense arose from a scheme of misconduct; crimes of violence; counterfeiting; bribery; perjury; certain aliens involved in serious criminal activity who have asserted immunity from prosecution; foreign government officials who have committed particularly severe violations of religious freedom; significant traffickers of persons; money laundering; murder; rape; sexual abuse of a minor; child pornography, as well as attempts or conspiracy to commit most of those offenses.

Those, obviously, who are denied on security-related grounds include espionage or sabotage; engaging in terrorist activity, and that is broadly defined; likely to engage in terrorist activity, broadly defined; association with terrorist activity; representative of a terrorist organization; spouse or child of an individual who is inadmissible as a terrorist; activity that is deemed to have adverse foreign policy consequences for the United States; membership in a totalitarian party.

All of those ban individuals from coming into the United States. So if a visitor here has his visa revoked, he should be entitled to review. This doesn't create a burden on our courts but simply preserves basic due process. Courts review these cases every day, and we have heard no evidence of any undue burden on the courts. These cases can be handled expeditiously.

Immigration judges ordered 220,000 people deported last year. Only 9 percent of these decisions were appealed. We have no abuse in the system at the current time. So providing review to a few more people whose visas are revoked won't flood the courts.

Again, we are talking about the mistakes that can be made with the Department of Homeland Security, as a Member of the Senate, I was put on the no-fly list by the Department of Homeland Security and denied the opportunity to even fly out of the Nation's Capital to go back to my home city of Boston. In Boston, I had the temporary approval by the Department there, which had to overrule Homeland Security. Despite the head of the Homeland Security then saying we have cleared that up, it wasn't cleared up for 3 more weeks, and with the airlines, it was 4 more weeks. If that happens to a Senator, what is happening to other individuals?

I have given the example of a person in my home State of Massachusetts

who was deported. Now the Immigration Service is trying to find that individual down in Guatemala. It was because of similar names.

So I think, as the Senator from New Jersey pointed out, the system we have included in the legislation is appropriate. It is not burdensome. We have had no complaints even during this long period of time. We have had no complaints from any of those who have been involved in the system that it is an undue burden, or any complaints from the judicial system. We have found out that we have 23 different incidents reported by my own Boston office of individuals who are very substantial citizens in New England, including a dean of a medical school, who were put on the list by mistake.

So mistakes happen. All we have in this is a simple process of review. That process has been outlined and stated by the Senator from New Jersey, and it should be preserved.

I look forward to not closing off the time to the Senator from Iowa, but we are trying to move this process along and consider the amendment of the Senator from New Mexico and then see if we cannot continue to consider the follow-on amendments. The Senator from South Carolina has an amendment as well. We will be looking forward to having debate on his amendment.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CASEY). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Massachusetts.

IRAQI TRANSLATORS

Mr. KENNEDY. Mr. President, I wish to take a moment to congratulate the House for moving on the issue of Iraqi translators. I am talking about translators who have worked for the American Armed Forces in Iraq. They have to follow a very detailed procedure, and then they get certified. Most of them have to work on it for more than a year.

These people have been particularly targeted by the terrorists. Their names are printed in mosques and other places of worship, and if they are found, they are executed. We have a limitation, I believe, of 50, and we have taken in 18. Many of these individuals have risked their lives for American service men and women and this legislation will be a very small downpayment in terms of their safety and their security. It is important, and I am hopeful we will be able to address this issue.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New Mexico.

AMENDMENT NO. 1169 TO AMENDMENT NO. 1150

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the pending amendment be set aside, and I send to the desk an amendment to the underlying substitute and ask for its consideration.

The PRESIDING OFFICER. Without objection, the pending amendment will be set aside.

The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN], for himself, and Mrs. FEINSTEIN, Mr. OBAMA, Mr. DODD, and Mr. DURBIN, proposes an amendment numbered 1169 to amendment No. 1150.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To reduce to 200,000 the number of certain nonimmigrants permitted to be admitted during a fiscal year)

Strike subparagraph (B) of the quoted matter under section 409(1)(B) and insert the following:

''(B) under section 101(a)(15)(Y)(i), may not exceed 200,000 for each fiscal year; or

In paragraph (2) of the quoted matter under section 409(2), strike '', (B)(ii),''.

Mr. BINGAMAN. Mr. President, this is an amendment to reduce the number of visas issued each year under the new guest worker program that is in this bill—reduce it to 200,000. This is 200,000 new visas each year which would be permitted if my amendment were to be adopted.

The amendment I am offering is cosponsored by Senators FEINSTEIN, OBAMA, DODD, and DURBIN. It is essentially the same amendment I offered when we had the debate on the immigration bill last year when we were fortunate to have the support of 79 Senators for the amendment.

Let me talk a little bit about the context of this before getting into the detail of the amendment. The Kyl-Kennedy or Kennedy-Kyl substitute amendment allocates 400,000 new guest worker visas per year, and it has in it also an increase mechanism that allows the annual allocation to go from 400,000 up to 600,000 per year. After a few years, presumably, we would be at a level of 600,000 per year from then on. Workers are allowed to stay for a total of 6 years under this program. They would work for 2 years—and Senator DORGAN described this very accurately as part of the debate on his amendment yesterday—and they would be allowed to work for 6 years; that is, they work for 2 years, leave the country for 1 year, work for an additional 2 years, leave the country for another year, and work for an additional 2 years, then leave for good. That is the structure of the system as it now stands. I can go into whatever details Members are interested in to explain how the increase mechanism provided for in the law is structured, but before I get into that, let me just talk about the larger context.

This bill, the Kennedy-Kyl substitute, contains really three so-called temporary worker programs which are very distinct, and individuals can come to our country and work in our country under any of these three programs.

One program is what I would refer to as the true temporary worker program, and that is where you bring people in for seasonal work. Clearly, that is something we have done for a long time. I think the limit in the law today is 66,000 are permitted to come in each year for temporary work—to work at resorts or work in some kind of a seasonal job—and then that 66,000 is then allowed to be increased to reflect those who have come the previous year or two. In fact, I think the estimate I have seen is that there are about 135,000 people in our country each year doing that kind of temporary seasonal work.

This bill, this Kennedy-Kyl substitute, would change that 66,000 to 100,000. It would contain an increase mechanism similar to what is in this new guest worker program, and so the 100,000 would eventually go to 200,000 after a few years. As I understand it now, there is also written into the law, written into the substitute, a provision that says the 200,000 number for the seasonal guest workers does not include people who have been here under that same program working in any 1 of the previous 3 years. Obviously, you have the potential for a great many more than 200,000 to come in as seasonal temporary workers under that provision.

Another separate provision of this substitute bill which allows for temporary workers to come in is the agricultural workers program. I point out to my colleagues, that is without limit. There is no cap on that. There is a tremendous opportunity for people to come into this country and work in agriculture. We do not have numerical limits on that, so, to anyone who says we are not going to be allowing people to come into the country to do the work Americans don't want to do, the truth is, if they want to do work that is related to agriculture, we can bring them in, in whatever numbers, without any limits being imposed by this law.

The third opportunity to come in as a so-called temporary worker is this new guest worker program. This is a little bit of a misnomer, when we talk about temporary worker, because these are permanent jobs that we are bringing people in to fill. People need to understand that. These are not temporary jobs, these are permanent jobs. We are bringing people in for a temporary period, or a designated period of 2 years, three different times, to do the work.

But these are not temporary jobs in the same sense that a seasonal job is a temporary job—that you have it for a few months and then the ski resort closes and you no longer have a job. That is not the kind of jobs we are talking about.

As I see it, there are several fundamental problems with this guest worker program as it is currently constructed. The most significant problem is the bill anticipates letting way too many people come into this country in a new, untested program. This is a new program. There is nothing in the current law that is comparable to this new guest worker program that we are talking about. The amendment I and my cosponsors are offering tries to restrict the size of the program until we find out how it is working, until we figure out whether this makes sense. Let's not build into the law automatic increases in a program we have never tested before. Let's not start this program at 400,000 and have it escalate up to 600,000. The amendment I am offering is trying to bring down the size of the program.

Another problem with the program is the structure, and I described that. This idea we are going to bring people in for 2 years, kick them out for 1 year, bring them in for 2 years, kick them out for 1 year, is not good for the employee, obviously. That is not good for the employer, obviously. It is not a realistic expectation. I think anyone would have to recognize that is not a good structure.

The third problem I have with the bill is there is no real avenue for any of these individuals we are talking about to ever gain legal status, so we are creating a group of workers who have come to this country and worked for 2 years or 4 years or 6 years, to whom then we are saying: Your time is up, go home. There is a tremendous likelihood that we are going to have a lot of people staying over and overstaying their visas. I think that is unfortunate.

That is a change from the previous legislation. We passed that bill Senator KENNEDY brought to the Senate floor last year and I supported it. There was a much more realistic opportunity for people who came in under the guest worker program to pursue legal status at some time, so the incentive to essentially go underground to try to avoid deportation was not the same in that bill.

I think the most significant thing we can do at this point to try to correct the most significant problem with this guest worker program is to reduce the number. Let me show a couple of charts, for my colleagues to understand what we are talking about.

The current bill calls for 400,000. The first year this law is in effect, 400,000 are permitted to come in under this guest worker program. Then there is a complicated process if that total is reached. If there is a demand to bring in 400,000 during the first half of the year, then there is an automatic increase of 15 percent. So you bring in an additional 15 percent at that point, which is 60,000, so you are at 460,000. You start the next year at 460,000, but you add another 15 percent to that immediately, and if there is another demand, using up all of those, you can go up another 15 percent.

In any event, it rachets up pretty rapidly. It says if the 400,000 is not used up until the second half of the year, then there is only a 10-percent increase each year from then on.

What we have done on this chart—and I think people need to try to understand this—is we have tried to show with this graph how many so-called guest workers under this program—not under the other two, not under the ag workers program, not under the seasonal workers program but under this program—how many people we would actually have in the country as the bill is currently written. You would have 400,000 the first year; the second year you would have 840,000 because you would have the first 400,000, plus the second 400,000, plus the increase, 10 percent. You would have 924,000 the third year, you would have 1.4 million the fourth year, you would have 1,958,000 the fifth year, and this keeps going up so, by the eighth year, you would have 3,158,000 people in the country legally working under this program.

There is a very important assumption built into this chart. The assumption is that everybody who comes in under this program goes home when their visa says they ought to go home; nobody overstays his or her visa. If, in fact, that assumption is false and people get to the end of their 6 years and say: Wait a minute, I am not ready to leave the United States, I am staying, and they stay here on an undocumented basis at that point and overstay their visa, then they go on top of these numbers.

So you have a tremendous number of new people. This is a brandnew program. We have never had this program before. I think that is too large.

Let me show what the amendment I am offering does. I did not support Senator DORGAN's proposal to eliminate the guest worker program entirely. I think there is a legitimate argument that some number of guest workers is appropriate to bring into the country to do some of the work. But as I say, this is a brandnew program and we ought to do this in a judicious way and feel our way along. In this proposal that I have put forward, it says let's bring in 200,000 the first year and 200,000 each year after that and see how this goes. We can make judgments and we can alter this in future years. Congress meets every year, so we can alter this if we decide that is not the appropriate number. But let's start with a number that we think makes sense.

Even at that very substantial reduction, we would wind up in the eighth year with 1.2 million people in the country under this program, legally working as guest workers. It is not that there are going to be 200,000 people working here each year, there are going to be 1.2 million people working here each year. Again, the assumption is there will only be 1.2 million, assuming everyone goes home when their visa says they ought to go home, which I think is a fairly questionable assumption.

That is what the amendment does. I think it is a far better way for us to proceed than what the underlying bill calls for. I know there are some who are coming forward and arguing that this is terrible, that we are not going to have enough people to keep the economy running, that there are going to be all kinds of jobs going unfilled. I point out again that there are other ways people can come to our country and obtain employment. They can do so under the seasonal workers program, which is being increased very substantially under the bill. They can do so under the ag workers program, which has no limits on it at all. Of course, there are other ways that people can immigrate into our country that are provided for in the legislation as well.

This is an amendment that I think makes all the sense in the world. I was very pleased we had such strong support for it when we offered it in the previous debate that we had on immigration last year. I hope we can adopt it again this year. By doing so, I think we begin to bring a little more judiciousness to this process if we are going to start a brandnew program.

Let me also point out there is provision in this legislation for a commission to be established to review how this new program is working and to make recommendations back to the Congress. I think that is entirely appropriate. To me, that is another reason why we should not be building in automatic escalators in the size of this program. We should not be starting with a program that is so large as 400,000 and going up to 600,000. We should start at 200,000 and keep it right there until we get those recommendations and find out what we think at that point about whether to increase the size of the program or terminate the program or whatever steps we might take at that point.

That is the basic gist of my argument. I hope colleagues will support the amendment. I think it is a meritorious amendment. I think it will improve the legislation substantially.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I commend my friend from New Mexico for his thoughtful presentation on this issue. As he mentioned, he offered this amendment last year and it passed overwhelmingly. I expect there will be a similar result today.

I appreciated the fact in our earlier debate he understood we need this temporary worker program. All of us want to have a strong border, but we do understand there will be pressure on the

border, and we will either have a front door or a back door, the back door being for those who are going to try to penetrate that border, or the front door so they can come in and have a temporary worker program.

The real issue is the size of this program. The Senator has mentioned the other provisions that are included in the legislation. We have the longstanding temporary worker, the H–2B, which is about 100,000 workers. Those are the seasonal workers, for the most part, who work in many of the resorts during the summer or wintertime and are truly temporary workers. They are entitled to bring their families. They do not. That program has been very modestly expanded over this program.

You have the H–1B, which is sort of high tech, which is 150,000—it will go up to 180,000; and the ag jobs, which is 40,000 to 60,000.

The reason the 400,000 was reached is that is the general estimate, although there are some a good deal higher, of individuals who penetrate now. I think it is safe to say it is probably closer to 500,000 undocumented who come across the border and are able to gain employment here. So the 400,000 represented an evaluation, an estimate from results of hearings. That is how we built that in. Then, in the legislation, there is the possibility it can either go up or go down. The Council of Economic Advisers thinks we need probably close to a million new jobs every year.

I think what we, in our considerations, were thinking about establishing is some panel that would be made up of workers as well as members of the business community and people who could help give an assessment, and make a recommendation of what that number would be.

I think that is probably the best way to go in the future. But that is not where we are today. Where we are today in the bill is 400,000 and the possibility of an escalator to go up or an escalator to go down.

The Senator says: Let's start off in this area, we are not sure how this program is going to work. Let's start off with just 200,000, watch it very carefully, find out if the kind of mix we have with this and with the point system we have been able to develop is going to function and work, whether after 2 years people will really go back or they will not go back.

I think he makes a strong case. I did not support this last year. I feel sort of compelled—under the agreements we have made earlier in terms of the totality, I feel the same restraint this time. But I commend him for the thoughtful presentation. It was thoughtful last year, and it is thoughtful this year. He makes his points very effectively. It ought to be considered by the Members. I do not, as I mentioned, tend to support it, but I certainly would ask our colleagues to look at it very closely because it is a thoughtful presentation. He raises some very important and worthwhile points.

I thank him also for coming over here and offering this amendment. I think the time has been set for voting at 2 o'clock.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. MENENDEZ.) The senior Senator from Pennsylvania.

Mr. SPECTER. Mr. President, it is obviously hard to calculate what is the precise figure among the Senators who crafted the so-called ''grand compromise.'' We thought the figure we had here was correct. We are aware that the Senator from New Mexico offered an amendment last year and was successful in reducing the amount to 200,000. But I think either figure would be understandable. But I will stand by what we have worked out in the bill.

In arriving at the compromise legislation which has been proposed, there was a great deal of give-and-take. While we are facing a tremendous number of objections from both sides of the political spectrum, for every point someone does not like, there were concessions made by others for some points the person does like. There is no doubt that we are facing very substantial criticism in the initial stages of the consideration of this bill. The criticism came before the bill was even printed. The criticism has continued after it was printed, before people had a chance to read it. There is a great deal of analysis and consideration being undertaken at the present time.

I think Senator LOTT has expressed the issue very succinctly; that is, do we have a problem? The answer to that is, categorically, yes, we have an enormous problem. We have a border which is porous. We have anarchy in the way the immigration system works at the present time. People are complaining that it is amnesty. In my legal judgment, it is not. It is not amnesty because people have to pay a fine, people have to have a job, people have to contribute to our society, people have to pay their taxes, people have to learn English, people go to the very end of the line, are not even considered until they have been here 8 years, and it may take as long as 13 years. That is not amnesty.

But the fact is that these 12 million undocumented immigrants are going to be here whether we pass this bill or not. The only difference will be whether they will be here in a way where we regulate their presence here. If we have a registration system, we will have an opportunity to identify people who ought to be deported. It is not practical to deport 12 million people. But when we cull through the list, we may find those who should be deported, if in a practical sense they can be deported. To deport someone, you have to take them into custody. Then you have to have detention facilities, and then you have to have judicial proceedings. It is a total impossibility to think of deporting 12 million undocumented immigrants, but at least we would move toward regulation.

As part of the comprehensive system, we are structuring border security as outlined by the Secretary of Homeland Security, Michael Chertoff. The entire border would be covered either by fences, by obstacles, or by drones. So the entire border would be covered, fences covering the populated areas.

It is not possible to structure border security so that no one slips through, but by moving toward employer verification, we will be eliminating the magnet. Until we have a system to positively identify who is legal and who is illegal, you cannot impose tough sanctions on the employers. But now that we have that system, those tough sanctions can be imposed, and that has the objective, a realistic objective, of eliminating the magnet.

There is great distrust, and understandably so, as to whether the enforcement procedures will occur. Bear in mind that there are preconditions to having the guest worker program or the processing of the 12 million undocumented immigrants.

I think it is fair criticism that since the 1986 legislation, no administration, Democratic or Republican, has enforced the law. There are ideas which are now being formulated to move to a very prompt appropriation immediately after the bill is passed—if and when it is passed—so that we have a structure here.

Senators LOTT's first question is: Do we have a problem? Yes. Is this bill an improvement? Yes. Again, categorically. Will there be a better chance at a better time to improve the system? Categorically, no. If we do not get it done at this setting, as we are moving ahead, hopefully shortly after the Memorial Day recess, then we are off into the appropriations process, and next year is an election year. So that if not now, if not never, certainly not soon.

When we come to the Bingaman amendment, as I say, my preference is to stick with the bill. A certain understanding has been reached among those who were parties to the negotiations of the structuring of the bill to stand together on it. If the Bingaman amendment is adopted, then it is my hope we will retain the adjustment features so that if we find that more or fewer guest workers are necessary for our economy, realizing they perform a very vital function in so much of our economy, in the restaurants and the hotels, on the farms, landscaping, so many facets—talked about that yesterday with the hearings which we held in the Judiciary Committee last year, cited the economists who testified about the importance of immigrants in our economic structure—I hope we will at least retain the so-called adjustor factors so we can make adjustments should that become necessary.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. Mr. President, first of all, let me take a moment to acknowledge the senior Senator from

Pennsylvania, the Senator from Arizona, the Senator from Massachusetts, Mr. KENNEDY, for their leadership and Herculean efforts on this legislation. In the spirit of praise I heard just a moment ago from the Senator from New Mexico on bringing judiciousness to this process, I rise in opposition to amendment No. 1166 offered by the very distinguished Senator from Iowa, Mr. GRASSLEY. The amendment would eliminate judicial review of removal proceedings where revocation of a visa is the sole ground for removal. That may sound technical and complex, but the amendment is actually quite simple in the way it works. It means that if the State Department should wrongly decide to revoke a visa, whether through bureaucratic error or misjudgment, and then the Department of Homeland Security tries to remove you from the United States, you have no opportunity to have your case heard in Federal court; the case ends at the Board of Immigration Appeals.

It means a dissident lawfully admitted to the United States on a visitors visa could find himself giving a speech one day and then the very next day learn the Department of State revoked his visa based on false information provided by his home country. The dissident may even risk punishment upon return to his home country. But there will be no means to fight his removal in Federal court. The amendment means that when DHS invokes the ideological exclusion provision which allows the Government to exclude anyone from the country who endorses or espouses terrorism or persuades others to support terrorism, there is no judicial check to make sure that is, in fact, what is going on, and that great power is not being abused.

As U.S. district judge Paul Crotty wrote in an opinion last year, rejecting the Government's efforts to exclude a Swiss citizen who had a visa to teach religion, conflict, and peace-building at Notre Dame University.

> While the Executive may exclude an alien for almost any reason, it cannot do so solely because the Executive disagrees with the content of the alien's speech and therefore wants to prevent the alien from sharing this speech with a willing American audience.

That is exactly the kind of case which would be barred by the amendment we are debating. What is the basis for this change? How can it be that review by a Federal court under these circumstances is such a serious burden to the Government that it must be eliminated? Are the courts clogged with these cases? Is it too much to require DHS to submit to a modicum of checks and balances before it exerts its power to expel someone under these circumstances? Judicial review of visa revocation is already severely limited—so severely limited, in fact, that the subject of this amendment is the only area remaining in which somebody can still seek judicial review of a removal order.

Too often, we are obliged to defend basic principles of American democracy—in other circumstances, the great writ of habeas corpus; here, the core principle of separation of powers and judicial review. We should not trample lightly on our founding principles.

I have said over and over that the cornerstone of any comprehensive immigration package must be strengthened security at our borders, enhanced workplace enforcement, and a sensible, practical solution for the 12 million people already living illegally in this country. But strong security means smart security, and smart security must include respect for the administration of justice, including our great American system of checks and balances, and a realization that sometimes the Government gets it wrong.

This amendment, by further limiting the authority of Federal courts to hear removal cases, goes too far. I ask my colleagues to oppose it.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Florida is recognized.

(The remarks of Mr. NELSON of Florida are printed in today's RECORD under ''Morning Business.'')

Mr. NELSON of Florida. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWNBACK. Mr. President, I rise to speak on the immigration bill, the underlying amendment.

I am delighted we are taking up this issue dealing with immigration. I am glad we are debating this important issue in the Senate and that the majority leader has dedicated 2 weeks to do this bill. I think we need at least that period of time to delve into this issue. I have worked on it before. I have served on the Judiciary Committee. It is a tough topic, and it needs a lot of debate.

Immigration is an issue which has seized Americans across the Nation. People are torn trying to balance two fundamental American principles: one, of being a rule of law nation; and, second, trying to be a compassionate society. Here I think we do not need to mitigate either of these desires, that we can do both of them. But it is difficult and the details matter.

America is a nation of both justice and compassion. The two are not mutually exclusive. But reconciling the two is sometimes difficult, as we find in this debate.

Currently, we have, we think, somewhere around 12 million illegal immigrants in our country. The number is growing. In 1987, there were roughly 4 million undocumented immigrants in our country; in 1997, there were roughly 7 million; and today, in 2007, there are somewhere around 12 million. In addition, according to the Pew Hispanic Center, annual arrivals of illegal immigrants have exceeded the arrival of legal immigrants since 1985. That is not the trend we want.

The reality is our immigration system is seriously broken and needs to be fixed. Some people think the solution is to grant undocumented immigrants amnesty as we did in 1986, but that won't work. Others think the solution to the problem is to simply enforce the laws we have and kick everyone out. We have taken a serious look at this option, and although our enforcement efforts over the last year have dramatically increased, I do not believe this answer alone will work either.

The office responsible for detaining and removing illegal immigrants is the Office of Detention and Removal, DRO. It is a division of U.S. Immigration and Customs Enforcement, the largest investigative agency in the Department of Homeland Security. You may be surprised to know that the DRO is actually quite large, despite the relatively small impact they are able to have. DRO includes 6,700 authorized employees, including nearly 5,300 law enforcement officers and 1,400 support personnel. To put this in perspective, the number of DRO law enforcement officers is just under half as large as the number of FBI special agents. With these resources in 2006, ICE, Immigration and Customs Enforcement, removed 187,513 illegal aliens from the country—a record for the agency and a 10-percent increase over the number of removals during the prior fiscal year. If you do the math, though, that works out to roughly 28 illegal aliens deported per DRO employee per year or 35 deportations per law enforcement officer per year. At that pace, if we shut down the border to a point at which no one crosses illegally, and successfully end 100 percent of the visa overstays and double the number of DRO agents, then it will take us 25 to 30 years to deport the estimated 11 million to 13 million illegal aliens who are currently in the United States.

As a matter of national security, we can't afford to wait 30 years to know who is in our country illegally. For the sake of our national security and our Nation's future, we need to solve the immigration problems facing our Nation now. The comprehensive bill before the Senate goes a long way toward

enabling us to fix our immigration system and the problem of illegal immigration. I might point out that people are not opposed to immigration, they are opposed to illegal immigration, and we need to get the legal system to work and fix the problems in it. I believe we need a multifaceted approach to the complex immigration problem we are facing, and the compromise bill before the Senate now will enable us to take significant strides toward fixing the problem.

That said, there are certain aspects of the bill I wish to change. I look forward to the opportunity to do so through the amendment process and to see whether I can support the final product.

With respect to solving the immigration problem, we must first and foremost secure the border, and this bill appears to do that. Section 1 of the bill ensures that we don't repeat one of the biggest mistakes of the 1986 amnesty of implementing immigration reforms without increasing border and worksite enforcement. The triggers in section 1 require the DHS Secretary to certify in writing the following border and worksite enforcement measures are funded, in place, and in operation before—before—initiating a guest worker program or issuing Z visas to current undocumented immigrants. These are the triggers: 18,000 Border Patrol hired; construction of 200 miles of vehicle barriers and 370 miles of fencing; 70 ground-based radar and camera towers along the southern border; the deployment of 4 unmanned aerial vehicles and supporting systems; ending catch and release; resources to detain up to 27,500 aliens per day on an annual basis; the use of secure and effective identification tools to prevent unauthorized work; and the receiving, processing, and adjudication of applications for Z status.

I go through the details because the details really matter in this bill.

In addition, the bill authorizes enhanced border enforcement, including a national strategy for border security, 14,000 new Border Patrol agents by 2012, doubling the current force; 2,500 new Customs and Border Protection officers by 2012; 3,000 new DHS investigators by 2010; 24,000 new detention beds by 2010; enhanced surveillance, using unmanned aerial vehicles, as I mentioned; cameras, sensors, satellites, and other technologies.

That is not enough for just taking care of the border. We also have to go to the workplace. Most people are attempting to enter the United States illegally to work. I think we have to focus on what we do at the workplace. I think we need to implement a smart worksite enforcement system, smart and tough. The primary reason for illegal immigration, as I stated, is employment. If we eliminate a person's ability to unlawfully gain employment, then we will dramatically reduce the incentive for illegal immigration. This bill includes several measures that enhance our ability to enforce immigration laws at the workplace: increasing penalties on employers who knowingly hire illegal immigrants; requiring DHS to issue a tamper-resistant work authorization document with biometric information; allowing the Commissioner of Social Security to share information with DHS so they can go after those who use fraudulent Social Security cards to gain employment; creating an employment eligibility and verification system that requires employers to electronically verify a prospective employee's work authorization.

The robust worksite enforcement system included in this bill fixes a huge hole in our current system and should curtail the use of false documents to fraudulently obtain employment.

Now let's look at the immigration system reforms. The most significant immigration reform this bill makes is the implementation of a merit-based immigration system—and this is a big shift—to choose the best and the brightest of those coming into our country. This doesn't mean we should only allow rocket scientists or brain surgeons, but education is and should be a factor. The merit-based system under the bill does that. It sets up a system in which immigrants can earn points in four categories: education, employment, English proficiency, and family.

In addition to the merit-based system, this bill ends chain migration for extended family, while preserving family unification for the immediate family. I think that is an important distinction, that we want family reunification for immediate, nuclear family, but we don't want the chain migration system for extended family members. This is an important change.

I am one of the staunchest supporters of family in the Senate. I don't think our immigration system should blindly favor, though, non-nuclear families such as siblings and adult children over skilled workers who are coming to apply their trade and contribute to our economy. It seems to me this is an appropriate balance. Throughout this bill, what we are trying to accomplish is an appropriate, workable balance for the good and the future of this Nation.

On the temporary guest worker program, once we are able to secure the border and implement worksite enforcement enhancements, we need to reform our immigration system to create sufficient legal means for well-meaning workers to come to our country and to work. The temporary guest worker program in this bill does that, while at the same time protecting American workers and wages by: requiring employers to advertise jobs to U.S. workers first; requiring employers to advertise pay, a wage equal to that of an average wage for the particular job or industry, particular in that region of the country; and prohibiting a temporary guest worker from working in a county that has 7 percent unemployment or higher.

I think there are some important changes that need to be made in the bill. As I have said, the compromise bill before us does a lot of good, but I think it is far from perfect and needs improvement.

To give some examples, section 601(h) of the bill gives certain immigration benefits to undocumented immigrants who seek ''probationary'' status, and states that an undocumented immigrant can obtain no probationary benefits until the alien has passed all appropriate background checks, or until the next business day, whichever is sooner. So you have a 24-hour check period. That is insufficient, if they want to look into the background of an individual seeking this probationary status. I will seek to change that particular provision. The impact of this provision is that 12 million or more undocumented immigrants could receive lawful status, the right to work, and other such benefits even if a background check cannot be completed in time.

I think the problems with this provision are significant and obvious. First, in a post-9/11 world, it is misguided at best and dangerous at worst to grant millions of people unlawfully present in the United States lawful status, even if a background check has not been completed. That is not wise. Second, there is no evidence that the Department of Homeland Security is capable of conducting cross-departmental and cross-governmental background checks, let alone a million of them, or millions of them, in a 24-hour time period. Third, many records relevant to a background check are not electronic and/or are not in possession of or otherwise accessible to the Federal Government, suggesting that more than one business day may be required for a thorough check, and a thorough check we must do. This is an important issue with potentially grave consequences for our national security.

I have filed an amendment to change this provision so no one would receive any immigration benefits without passing a background check. I would urge my colleagues to support this amendment.

In addition, I think the bill should require followup background checks when Z visa holders apply to extend their visa beyond the initial 4 years. As the bill is drafted, it leaves that decision to perform a background check up to the Secretary of Homeland Security.

I think we need to be able to have removal proceedings for ineligible Z visa applicants. Section 601(d) of the bill lays out certain grounds of ineligibility for a Z visa, which include multiple criminal convictions, controlled substance trafficking, trafficking in persons, and even terrorist activity.

The very same section also states:

> Nothing in this paragraph shall require the Secretary to commence removal proceedings against an alien.

The obvious question is: Why not? Why should DHS not be required to immediately begin removal proceedings against someone who is ineligible for a Z visa because they are a criminal or a terrorist? I think DHS should be required to begin removal proceedings or at the very least take steps toward removing such people from the country.

The two main reasons for providing undocumented immigrants the ability to obtain a Z visa are to separate those who are here with good intentions to work and support their families from those who intend to do us harm; and second, to create a system where people have a legal status. In order to successfully do this, this provision needs to be changed so when an individual is found to be ineligible to remain in the country legally under this program, they are removed.

In conclusion, I look forward to continuing this debate on this bill on these issues I have identified and others to strengthen this bill. As many Members have said, this bill is not perfect and can certainly be improved in ways I have noted and in others. But we can't use the bill's imperfections as an excuse for doing nothing for a system that is clearly broken.

I look forward to offering these amendments to improve the bill, and I look forward to hearing some of the ideas my colleagues in the Senate have as well. At the end of the day, I hope we can pass a bill the President can sign, so we can say we did something to improve America by enacting immigration legislation that secures our borders, restores respect for our laws, and creates an immigration system that works.

Mr. President, I yield the floor.

Mr. OBAMA. Mr. President, I ask unanimous consent that at 2:20 p.m. today, there be 4 minutes of debate prior to a vote in relation to the Bingaman amendment No. 1169, with the time divided as follows: 2 minutes under the control of Senator BINGAMAN, and 1 minute each under the control of Senators KENNEDY and SPECTER or their designees; that without further intervening action or debate, the Senate proceed to vote in relation to the amendment, with no second-degree amendment in order prior to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. OBAMA. Mr. President, I wish also to speak to the bill.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. OBAMA. Mr. President, last year, I spoke at one of the marches in Chicago for comprehensive immigration reform. I looked out across the faces in the crowd. I saw mothers and fathers, citizens and noncitizens, people of Polish and Mexican descent, working Americans, and children. What I know is these are people we should embrace, not fear. We can and should be able to see ourselves in them.

I do not say that to diminish the complexity of the task. I say it because I believe that attitude must guide our discourse. We can and should be able to fix our broken immigration system and do so in a way that is reflective of American values and ideals and the tradition we have of accepting immigrants to our shores.

I think the bill that has come to the floor is a fine first step, but I strongly believe it requires some changes. I am working with others to improve it.

In approaching immigration reform, I believe that we must enact tough, practical reforms that ensure and promote the legal and orderly entry of immigrants into our country. Just as important, we must respect the humanity of the carpenters and bricklayers who help build America; the humanity of garment workers and farmworkers who come to America to join their families; the humanity of the students like my father who come to America in search of the dream. We are a Nation of immigrants, and we must respect that shared history as this debate moves forward.

To fix the system in a way that does not require us to revisit the same problem in twenty years, I continue to believe that we need stronger enforcement on the border and at the workplace. And that means a workable mandatory system that employers must use to verify the legality of their workers.

But for reform to work, we also must respond to what pulls people to America and what pushes them out of their home countries. Where we can reunite families, we should. Where we can bring in more foreign-born workers with the skills our economy needs, we should. And these goals are not mutually exclusive. We should not say that Spanish speaking or working class immigrants are only good enough to be temporary workers and cannot earn the right to be part of the American family.

With regard to the most pressing part of the immigration challenge—the 12 million undocumented immigrants living in the U.S.—we must create an earned path to citizenship. Now, no one condones unauthorized entry into the United States. And by supporting an earned path to citizenship, I am not saying that illegal entry should go unpunished. The path to permanent residence and eventual citizenship must be tough enough to make it clear that unauthorized entry was wrong.

But these immigrants are our neighbors. They go to our churches, and their kids go to our schools. They provide the hard labor that supports many of the industries in our country. We should bring them out of hiding, make them pay the appropriate fines for their mistakes, and then help them become tax paying, law-abiding, productive members of society.

I am heartened by the agreement that we have to put all 12 million undocumented immigrants on a path to earned citizenship. I applaud those who worked on this compromise. But there are other parts of the compromise deal before us that cause me serious concern. Let me briefly address some of those concerns.

In order to stem the demand for illegal workers, we need a mandatory employment verification system that is actually mandatory. It needs to allow employers to check with the Department of Homeland Security to see that their employees are legally eligible to work in the United States. This is something I worked on last year. But this year's version of the employment eligibility verification system would give DHS too much power to force the screening of everyone working in America without appropriate safeguards. I will be working with others to offer an amendment to make this provision closer to what we proposed last year.

As for the guestworker program in the bill, it proposes to create a new 400,000 person annual temporary worker program that could grow to 600,000 without Congressional approval. And it expands the existing seasonal guestworker programs from 66,000 up to 100,000 in the first year and 200,000 after that. At the end of their temporary status, almost all of these workers would have to go home. That means at the end of the first three years, we would have at least 1.2 million of these new guestworkers in the country with only 30,000 of those having any real hope of getting to stay. I believe we are setting ourselves up for failure, and that will just create a new undocumented immigrant population.

As we have learned with misguided immigration policies in the past, it is naive to think that people who do not have a way to stay legally will just abide by the system and leave. They won't. This new group of second-class workers will replace the current group of undocumented immigrants, placing downward pressure on American wages and working conditions. And when their time is up, they will go into the shadows where our current system exploits the undocumented today.

I will support amendments aimed at fixing the temporary worker program that Senator BINGAMAN and others will be offering. And if we're going to have a new temporary worker program, those workers should have an opportunity to stay if they prove themselves capable and willing to participate in this country.

But the most disturbing aspect of this bill is the point system for future immigrants. As currently drafted, it does not reflect how much Americans value the family ties that bind people to their brothers and sisters or to their parents.

As I understand it, a similar point system is used in Australia and Canada and is intended to attract immigrants who can help produce more goods. But we need to consider more than economics; we also need to consider our Nation's unique history and values and what family-based preferences are designed to accomplish. As currently

structured, the points system gives no preference to an immigrant with a brother or sister or even a parent who is a United States citizen unless the immigrant meets some minimum and arbitrary threshold on education and skills.

That's wrong and fails to recognize the fundamental morality of uniting Americans with their family members. It also places a person's job skills over his character and work ethic. How many of our forefathers would have measured up under this point system? How many would have been turned back at Ellis Island?

I have cosponsored an amendment with Senator MENENDEZ to remove that arbitrary minimum threshold of points before family starts to count and to bump up the points for family ties.

And at the appropriate time, I will be offering another amendment with Senator MENENDEZ, to sunset the points system in the bill. The proposed point system constitutes, at a minimum, a radical experiment in social engineering and a departure from our tradition of having family and employers invite immigrants to come. If we are going to allow this to go forward, then Congress should revisit the point system in five years to give us time to examine the concept in depth and determine whether its intended or unintended consequences are worth the cost of continuing the experiment or whether we should return to the existing system that allows immigrants to be sponsored through family and employers.

In closing, we must construct a final product that has broad bipartisan support and will work. I agree with Senator BROWNBACK that the time to fix our broken immigration system is now. If we do not fix it this year, I fear that divisions over the issue will only deepen and the challenge will grow.

I also believe that we have to get it right. I think it is critical that as we embark on this enormous venture to update our immigration system, it is fully reflective of the powerful tradition of immigration in this country and fully reflective of our values and ideals.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I inquire, is the pending business the Bingaman amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. SESSIONS. Mr. President, I will speak on that. I support the Bingaman amendment. It is sort of instructive in a number of different ways for us in the Senate because I don't know how the number 400,000, for the first year of the program, got accepted as the number that we would have in the temporary worker program. The temporary worker program is a new way of doing business that I think has great potential, although I am concerned about how it can be effectuated in its details. The temporary worker program is now in addition to the permanent citizenship track that we have in our country—the track where you get a green card and then move on to citizenship.

So the temporary worker program is designed to create an opportunity for people who want to come into America and work for a period of time but who do not desire or may not be accepted on the citizenship track. It makes some sense to me. We have had a portion of our State damaged in Hurricane Katrina, and Mississippi and Louisiana have been severely damaged; tremendous reconstruction is being done. That created a real shortage of labor. Anybody can say that area of the country—at least for a certain period of time—needs additional labor, and temporary workers could help fulfill that and other needs in the country.

I wish to say that the temporary worker program, as I understand it in the legislation—remember, it was dropped in Monday night; that is the first time it has been filed as part of the legislative process in the Senate, and no hearings have been conducted on it—the 400,000 would be for 2 years. So you would have 400,000 come in year one of the bill's passage. They would stay for 2 years. The year after the first group gets here, another 400,000 would come the next year. So it is 800,000, at a minimum, after the first year. So that is a lot of people who would be coming in on the temporary worker program.

I am not aware that we have ever done any research or gone out and actually studied how many temporary workers we need. Apparently, the conferees—this group I affectionately call the ''masters of the universe,'' who met and came up with this 400,000 number, talked to some interest groups out here, and they got an idea somewhere about how many it ought to be. I don't know how they reached that number. I will say this to my colleagues. Earlier this year, when this proposal was raised about a temporary worker program and expressed to me in a way that could actually work, I thought it was a good idea. That is why I voted—reluctantly—against Senator DORGAN's amendment, because I think we need a temporary worker program. But when I asked how many, a member of the Bush administration said 200,000. So now it is 400,000 and over 2 years it becomes, at a minimum, 800,000, and there are accelerators in it that indicate to us—the way my staff calculated the numbers—and I think we are fairly accurate—it would be, in 2 years, almost 900,000 temporary workers alone, not including their family members. So I am not sure that is correct. Professor Borjas at Harvard, himself a Cuban refugee who has studied immigration more deeply than anyone in the country, I would suspect, has written one of the more preeminent books, ''Heaven's Door,'' that deals statistically and quite methodically with immigration and its consequences and how it works out.

It is calculated that the low-income workers in America have received an 8-percent reduction in their wages as a result of a large amount of immigration. So there is no doubt that more and more immigration has an increasingly adverse impact on the wages of hard-working American citizens. I don't think anybody can dispute that. Where did this come from—the 400,000—really 800,000—really almost 900,000? Where did that number come from? I don't know.

Professor Borjas, who is a part of the Kennedy School at Harvard—perhaps Senator KENNEDY needs to meet him sometime—Professor Borjas said in his opinion, 500,000 immigrants a year is the right number. I don't know what the right number is. He is a Cuban immigrant. He came here as a young man fleeing the oppression of Castro. That is what he says.

Where did this number 800,000, almost 900,000 come from? Actually, I think it kicks in with an accelerator. In the outyears, it goes up even 10 to 15 percent a year. It is complicated to read. We just haven't had much time to figure it out.

I think the deal is set up, actually. I think the people who wrote the bill knew we were not going to approve 400,000 people a year and 800,000 over 2 years—that is in the country at a given time, 800,000 to 900,000. I think they knew that. Everybody has known all along. Senator BINGAMAN has filed his amendment to cut that number in half, and then we will go to 200,000 a year, and everybody can say we did something, we made this bill better, so now let's all vote for it.

Regardless, if that is what the deal was about, I suggest to my colleagues that certainly the Bingaman amendment is a move in the right direction. Until we have some very good economic data that shows this country needs a lot more than 200,000, we ought not to be doing it because, remember, the 12 million people we see out here today who are here illegally and those who are here legally are not going to be made to leave America under the amnesty we have here.

If someone came in December 31 of last year, they would be able to stay in this country. So now we are talking about, on top of all of that, on top of the 1 million people who come into the country with green cards that we give each year, that permanent track, we are talking about another track for temporary workers which is in addition to AgJOBS, the agricultural and seasonal workers. So this is a big number.

This bill could be two times plus the current rate of legal immigration into America. I don't think the average

American would believe, when we are supposed to reform this broken immigration system, that we would be creating a system that would double the number of people legally coming into the country because even though we certainly hope any legislation that passes would reduce somewhat the number of illegal entries, we know we will still have illegal entries on top of that.

This probably is a very easy vote for colleagues to vote for the Bingaman amendment. I don't see a reason not to do so. I am not aware of any economic study or objective analysis that says we need these kinds of large numbers of immigrants.

Professor Chiswick at the University of Illinois in Chicago testified before the Judiciary Committee, of which I am a member, when we brought up this issue last year. He cautioned strongly that a large flow of low-skilled workers will pull down the wages of American workers. Alan Tonelson, who wrote about a number of job categories from 2000 to 2005, said wages of workers have not gone up, that they actually have gone down, and in each one of those areas, more than half the workers were American citizens.

This is a matter we ought to be careful about. I believe 200,000 is more than adequate based on what I know. And I support the Bingaman amendment.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MARTINEZ. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MARTINEZ. Mr. President, I rise to speak in opposition to the Bingaman amendment. The idea of 400,000 temporary workers per year was not just pulled out of thin air, but it is based on the estimates of what is needed on a yearly basis to meet the needs of our economy. It, in fact, parallels what takes place each and every year as approximately that many illegal workers cross our borders.

Much has been said about whether there is a need for a workforce. I believe there is. In my home State, the people who are more adamant in pursuing a bill on immigration reform are those very employers who cannot seem to find enough workers to fill their needs. They are in the hospitality industry, the tourism industry, our attractions, theme parks. They are also in agriculture, as well as home construction, which is a huge part of Florida's economy. All of those people seem hard pressed to have enough people available to do the work that is waiting.

So this is a number that was derived according to the Pew Hispanic Center in a March 2005 survey of the migrant population which suggested a group of about 500,000 a year. We think it is a good idea from that standpoint. It is a legitimate number. It is based on the studies of what our needs seem to be.

At the end of the day, it is about supply and demand. It is about the issue that there is a workforce available to meet the demand for workers, and that is the problem in which we find ourselves.

But there is another problem, too, and that has to do with the border. Sure, we are going to do all we can to lessen the likelihood of illegal border crossings. We are going to have more border agents. We are going to have electronic surveillance. We are going to have all that we can build physically and technologically provide, as well as manpower, to provide for safety at the border.

However, wouldn't it be a good idea if to assist safety at the border, if to assist and lower the number of illegal entries in our country, if we disincentivized and legalized the way people come to work in America? At the end of the day, that is what our 400,000 number seeks to do. Reducing it to 200,000 would diminish the effectiveness of our current approach of having a guest worker force that really is coming here legally.

I hope the Bingaman amendment does not receive the support of the Senate. I ask my colleagues to stick with the number that is in the bill.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I made remarks earlier about my estimation of the number of persons who would be admitted. I would like to be a little more precise and explain it this way. In the first year, under the bill as written, when 400,000 would be allowed in, 400,000 would come for a 2 year period. In the second year, we will have a 15-percent escalator clause. If that is met, the next year would be 460,000 new workers. So we are talking about at that point 860,000 workers. Then 20 percent of the people who come as temporary workers are entitled to bring their families.

On average—and the numbers, I think, are undisputed—when a person is allowed to bring their family, it adds 1.2 persons to the number. So I calculate in just 2 years, the temporary worker program, as written in the bill, will allow for over 1 million persons into the country. I believe that is an honest and fair statement of where the numbers are.

I take seriously these numbers because last year my staff worked their hearts out and concluded and shocked everybody that the bill as originally introduced, the McCain-Kennedy bill, would allow 78 million to 200 million persons into our country in just 20 years when it, at the normal rate, would be less than 20 million. Some objected to those numbers. The Heritage Foundation did a similar study about the same time, and their numbers confirmed our numbers.

At that point, Senator BINGAMAN offered two amendments and I offered one and it ended up bringing the number down to 53 million over 20 years to enter legally as opposed to this incredible number. With these accelerators and this large a number, I think we ought to be very cautious.

I would also note, again, that the Bingaman amendment does not reduce the AgJOBS people who would be coming under that track or the seasonal worker people who would be coming. So a number of areas will not be reduced. I think it clearly is the correct thing to do to adopt the Bingaman amendment.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Under the previous order, there will now be 4 minutes of debate on amendment No. 1169, offered by the Senator from New Mexico, Mr. BINGAMAN, with 2 minutes under the control of Senator BINGAMAN and 1 minute each under the control of Senator KENNEDY and Senator SPECTER.

Who yields time?

The Senator from New Mexico is recognized.

Mr. BINGAMAN. Mr. President, let me speak very briefly, and then I will reserve the last minute to try to close this debate.

This amendment will reduce the number of people who can come into the country under this new guest worker program. The underlying bill calls for 400,000, up to 600,000 per year coming in under this new guest worker program. The amendment I am offering would reduce that to 200,000 per year, maximum. I think that is plenty.

This is an unproven, untested, brandnew program. We need to see how it is working. We need to see the impact it is having on other wage rates in the country.

I urge my colleagues to support that amendment. I will reserve the remainder of my time in case there is someone speaking against the amendment. Then I will conclude.

Mr. KENNEDY. Mr. President, first, I thank my friend from New Mexico for his presentation on this issue. He has spoken to those of us who have been working on immigration about his concerns on the numbers. He made this

presentation the last time the Senate considered the immigration bill and was successful, and I expect he will be this afternoon.

It was very difficult for us to make an exact judgment about the total numbers. Those numbers were set at about 400,000 because that was a somewhat lower estimate of people who were coming in here who were undocumented, and it was also recommended by the Council of Economic Advisers in terms of the needs of the economy. That is where it is from.

But he makes a legitimate point—we do not have a real definite idea about what these numbers ought to be. We looked at the idea that we establish this program and then try to establish a commission that would make a recommendation to Congress in terms of the numbers on into the future. I think that is probably the best way to proceed in the future.

I will reluctantly oppose the amendment of the Senator from New Mexico, but I thank him for the thought he has given to this issue. We will be willing to work with him regardless of how this comes out.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Who yields time?

Mr. KENNEDY. Mr. President, we are prepared to yield whatever time we have—except for the Senator from New Mexico.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico is recognized.

Mr. BINGAMAN. I thank my colleague from Massachusetts and congratulate him on his leadership in getting us to this point in the debate. I do hope Members will support this amendment. We had 79 Senators support this amendment when it was offered last year. I hope we get a strong vote again this year. I think this is the prudent thing to do. It does not destroy the bill. It does allow for a guest worker program but a much more prudent one than would otherwise be the case.

I urge my colleagues to support the amendment.

I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Will the Senator suspend?

Does the Senator from Pennsylvania wish to be recognized?

Mr. SPECTER. I do. Mr. President, I believe I have 1 minute of argument?

The ACTING PRESIDENT pro tempore. The yeas and nays have been called for, and the impression was at that time that time had been yielded back.

Is there sufficient second for the yeas and nays? There is.

The yeas and nays were ordered.

Mr. KENNEDY. Mr. President, I ask consent—I think I yielded the time back before I knew the Senator from Pennsylvania, who is a cosponsor, desired to speak. It will only be half a minute. I ask unanimous consent that he be able to speak prior to the time of the vote.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Pennsylvania is recognized.

Mr. SPECTER. May I amend that, Mr. President, to request a full minute?

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The Senator is recognized.

Mr. SPECTER. Mr. President, the 400,000 figure was decided after a very careful analysis and consideration. We had hearings in the Judiciary Committee where prominent economists stepped forward to testify about the importance of immigrant help. We have an economy which relies on immigrants for hospitals, for hotels, for restaurants, for farms, for landscapers, and many lines.

One crucial feature of the Bingaman amendment would take out the adjustment factor, which is important, where we say the needs rise and fall. If the Bingaman amendment is adopted—and I know it was adopted by a large vote last year—at least I hope we will return to provide for the adjustment factor so we can raise or lower the number depending upon the needs of the economy.

I thank the Chair and yield the floor.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) is necessarily absent.

Mr. LOTT. The following Senator is necessarily absent. The Senator from Arizona, Mr. MCCAIN.

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 74, nays 24, as follows:

[Rollcall Vote No. 175 Leg.]

YEAS—74

Akaka	Dorgan	Nelson (FL)
Alexander	Durbin	Nelson (NE)
Allard	Ensign	Obama
Baucus	Enzi	Pryor
Bayh	Feingold	Reed
Biden	Feinstein	Reid
Bingaman	Grassley	Roberts
Boxer	Harkin	Rockefeller
Brown	Inhofe	Sanders
Bunning	Inouye	Schumer
Burr	Isakson	Sessions
Byrd	Kerry	Shelby
Cantwell	Klobuchar	Snowe
Cardin	Kohl	Stabenow
Carper	Landrieu	Stevens
Casey	Lautenberg	Sununu
Chambliss	Leahy	Tester
Clinton	Levin	Thomas
Coburn	Lincoln	Thune
Cochran	McCaskill	Vitter
Collins	McConnell	Voinovich
Conrad	Menendez	Webb
Corker	Mikulski	Whitehouse
Dodd	Murkowski	Wyden
Dole	Murray	

NAYS—24

Bennett	Brownback	Cornyn
Bond	Coleman	Craig
Crapo	Hatch	Lugar
DeMint	Hutchison	Martinez
Domenici	Kennedy	Salazar
Graham	Kyl	Smith
Gregg	Lieberman	Specter
Hagel	Lott	Warner

NOT VOTING—2

Johnson	McCain

The amendment (No. 1169) was agreed to.

Mrs. BOXER. I move to reconsider the vote.

Mr. DURBIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. KENNEDY. Mr. President, Senator GRASSLEY was here earlier. I understand he may be modifying his amendment. Senator GRAHAM is prepared to move ahead. Then we will alternate back and forth. The Senator from California, Mrs. FEINSTEIN, is ready to go. I see the Senator from South Carolina. If he is prepared to proceed, we will go ahead with his amendment.

The PRESIDING OFFICER (Mr. SANDERS). The Senator from South Carolina.

AMENDMENT NO. 1173

Mr. GRAHAM. I ask unanimous consent that the pending amendment be set aside, and I call up amendment 1173.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from South Carolina [Mr. GRAHAM], for himself, Mr. CHAMBLISS, Mr. ISAKSON, Mr. MCCAIN, Mr. MARTINEZ, and Mr. KYL, proposes an amendment numbered 1173 to amendment No. 1150.

Mr. GRAHAM. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide for minimum sentences for aliens who reenter the United States after removal)

Strike subsections (a) through (c) of section 276 of the Immigration and Nationality Act, as amended by section 207 of this Act, and insert the following:

''(a) REENTRY AFTER REMOVAL.—Any alien who has been denied admission, excluded, deported, or removed, or who has departed the United States while an order of exclusion, deportation, or removal is outstanding, and subsequently enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, and imprisoned not less than 60 days and not more than 2 years.

''(b) REENTRY OF CRIMINAL OFFENDERS.—Notwithstanding the penalty provided in subsection (a), if an alien described in that subsection—

''(1) was convicted for 3 or more misdemeanors or a felony before such removal or departure, the alien shall be fined under title 18, United States Code, and imprisoned not less than 1 year and not more than 10 years;

''(2) was convicted for a felony before such removal or departure for which the alien was sentenced to a term of imprisonment of not

less than 30 months, the alien shall be fined under such title, and imprisoned not less than 2 years and not more than 15 years;

''(3) was convicted for a felony before such removal or departure for which the alien was sentenced to a term of imprisonment of not less than 60 months, the alien shall be fined under such title, and imprisoned not less than 4 years and not more than 20 years;

''(4) was convicted for 3 felonies before such removal or departure, the alien shall be fined under such title, and imprisoned not less than 4 years and not more than 20 years; or

''(5) was convicted, before such removal or departure, for murder, rape, kidnaping, or a felony offense described in chapter 77 (relating to peonage and slavery) or 113B (relating to terrorism) of such title, the alien shall be fined under such title, and imprisoned not less than 5 years and not more than 20 years.

''(c) REENTRY AFTER REPEATED REMOVAL.—Any alien who has been denied admission, excluded, deported, or removed 3 or more times and thereafter enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, and imprisoned not less than 2 years and not more than 10 years.''.

Mr. GRAHAM. Mr. President, as we try to repair a broken immigration system and replace it with a new system that learns from the mistakes of the past, I believe it is time for this body and this country to get serious about enforcing border security violations. After 9/11, the immigration debate has taken on a different tone. After 9/11, it is no longer about economic and social problems associated with illegal immigration. It is about national security problems associated with illegal immigration. In the Fort Dix, NJ, case, there were allegations made that six people were conspiring to attack Fort Dix. Apparently, three of those people came in illegally as children or crossed the southern border, and three of the people charged with crimes overstayed their visas. So it is more than securing the border. That is a central concept to this bill.

Democrats and Republicans are rallying around the idea that the current system is broken in many ways. The borders are not secure. When it comes time to verify employment, fraud is rampant. The way you get a job now is to produce a Social Security card. I could take a Social Security card out of my wallet and have it faked by midnight. We are talking about replacing that kind of fraudulent system with tamperproof identification, which would be a great change in terms of understanding who is here and why they are here and employing people on our terms, not theirs.

In the future, after we begin to control our borders, Senator ISAKSON's amendment says you can't bring new people into the country in a permanent fashion until you meet border security triggers. The employment verification trigger is a great idea. Here is the question I have: After we do all this, after we spend all this money to secure our borders and replace fraudulent systems with tamperproof systems, what do we do to people who try to come across illegally in the future? What message do we send them and the world?

Here is the message: If you come across our border illegally in the future, you violate our border security, you are going to jail. No more catch you and send you back. My amendment would require a mandatory 60-day jail sentence for the first illegal reentry, up to a year but mandatory 60 days. If you come back again illegally, no less than 2 years. So everyone needs to know that America is changing its immigration laws, and we are going to be serious about enforcing them. If you break our laws, you do so at your own peril, and you will lose your freedom. That will help us dramatically make sure we don't repeat the mistakes of the past.

There is another group of people we need to deal with in terms of illegal reentry that is bone chilling. The amendment would create mandatory jail time for people who have been convicted of crimes in the United States, illegal immigrants who have committed violent offenses, nonviolent offenses, who have served jail time, that if you get deported—and you are required to be deported after you serve your sentence—and get caught coming back into this country, you are going to go to jail, not be deported again.

Let me give an example. Angel Resendiz is known as the railroad killer. Let me tell you the story of this criminal. In August 1976, he came across the border illegally. In September 1979, he was sentenced to a 20-year prison term for auto theft and assault in Miami, FL. He was paroled within 6 years and released into Mexico as a result of deportation. Over the next 10 years, he was apprehended and tried in Texas for falsely claiming citizenship. He did an 18-month prison term. He was arrested for possessing a concealed weapon in 1988 in New Orleans and received another 18-month prison term. Every time he was sentenced, he was deported and came right back to commit another crime. He got 30 months for attempting to defraud Social Security in St. Louis. He pled guilty to burglary charges in New Mexico that gained him an 18-month prison term, and he was paroled in 1992. He was apprehended in the Santa Fe rail yard for trespassing and carrying a firearm in 1995.

On June 2, 1999, he was apprehended by the Border Patrol for crossing illegally. Due to a computer glitch, they let him go. Every time he committed a crime and served a sentence, he was deported, only to come right back and commit another crime. Once we caught him, all we did was deport him. He wound up killing two people within 48 hours of being released by the Border Patrol. If this amendment had been in place for people such as this guy, once he was found back on our soil after he served his prison term for a violent crime, he would not have been deported. He would have gotten a 20-year jail sentence with a mandatory minimum of 5 years.

So there are people who have been convicted of rape and murder within the United States who have illegally come across the border, committed a crime, served their time, been deported, who have come right back, committed another crime, and nothing happens.

If this amendment becomes law, once you have been convicted of a violent crime and deported, if you are found in our country, whether you are committing a crime, that is a crime in and of itself, and you are going to go to jail for up to 20 years, with a minimum of 5 years.

Now that, to me, is what has been missing when it comes to our legal system and illegal immigration. It is now time to tell the world—our own citizens and all those who wish to come here—there is a right way to do it and there is a wrong way to do it. If you do it the wrong way in the future, you are going to go to jail.

We need to change the system that would allow nothing to happen to somebody who had been in our country illegally, who was convicted of rape or murder, who served their sentence and had been deported, who illegally comes back into our country. If they cross the border again, if they cross the border in the future, after committing a violent crime, they are going back to jail for serious jail time to protect us against them.

Now, I hope every Member of the body will understand this will make our effort to reform illegal immigration meaningful. If America does not care about enforcing its laws in the future, those who want to violate it will not care either.

So now is the time to start the clock over, learn from the mistakes of the past and make a national commitment to secure our borders and deal with those who violate our immigration law in the sternest fashion. Because this Nation is under siege. After 9/11, illegal immigration is not just about people coming here to work, it is about people coming here to commit crimes and do us harm.

So I am very hopeful this amendment will become part of the bill, and we can say, after this bill passes, we have taken a new approach, a tough approach, a long overdue approach, that we do care about the laws on our books and we are going to enforce them, and if you violate the law in the future by illegally coming across our border, you are going to jail.

Mr. President, I would like, if I could, at this time, to recognize my colleague from Georgia, Senator CHAMBLISS.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I rise in strong support of the amendment offered by my friend and my colleague, Senator GRAHAM. I am pleased to be a cosponsor of this amendment.

As I have said before, I believe the agreement we reached among a bipartisan group of Members of this body is

a step in the right direction because it gets us to where we are today; that is, we are debating this critical issue on the floor of the Senate.

Bringing this issue to the floor of the Senate allows Members of this body an opportunity to improve upon what has previously been negotiated. Senator GRAHAM's amendment is an improvement that should be adopted because it deals with the very most important part of this particular bipartisan piece of legislation, that is, border security and interior enforcement.

This amendment creates a more effective deterrent against future illegal immigration by ensuring that illegal immigrants who are caught and deported and then return to the United States in violation of our laws again serve minimum jail sentences. There is nobody who is going to be deported and gets caught coming back in who is going to escape going to jail. It is kind of unbelievable to think about that we do not already have this kind of law on the books today. That is why this piece of bipartisan legislation is so critically important to the future of our immigration laws in this country.

Under current law, if an illegal alien is caught entering the United States, that person is deported. This system is subject to abuse because an estimated 20 to 30 percent of those illegal immigrants deported simply return to the United States again in an illegal way. If that same person illegally reenters the United States again, they are subject to fines or imprisonment, but currently there is not a mandatory jail term.

So our Border Patrol agents and our Immigration and Customs Enforcement agents are faced with the problem of removing the same illegal immigrants time and time again. This amendment will ensure that everyone who is deported from the United States and reenters will serve jail time.

This is a most vital piece of legislation in getting control of our borders and in ensuring we have efficient and meaningful interior enforcement. This amendment is critical because it will make sure the resources of our Border Patrol and Customs agents are not expended on the same violators again and again.

It also sends a strong signal to everyone in the world thinking about illegally coming to the United States that we are serious about our laws and are seriously going to punish those who violate those laws.

I have to say, one problem we have, as we debate this bill and we talk with folks back home, is the credibility of this body, as well as the other body, as well as the agencies charged with carrying out the enforcement. Even though we are charged with oversight, the credibility of the U.S. Government in enforcing the current laws on the books is severely lacking.

This is a measure that does put some real teeth into the deporting and reimporting by criminals. In this particular measure, it does give our law enforcement officials an opportunity to not only be serious about enforcement of the law but in a way that is truly meaningful and will go a long way toward stopping illegal immigrants from coming across our borders, as well as doing a better job of enforcing our immigration laws from an interior standpoint.

So I urge all my colleagues to vote in support of the amendment offered by my good friend and colleague, Senator GRAHAM.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I have a good deal of respect for my friends from South Carolina and Georgia, but I am somewhat mystified by this proposal. Let me illustrate why.

First of all, this proposal by the Senator from South Carolina is a large Federal mandate. Do you understand? It is a large Federal mandate. Why? Because the Bureau of Federal Prisons now says it takes up to 45 to 60 days for any individual who is found guilty in the lower courts to get to a Federal prison. Who pays for that? The local people pay for that.

First, it takes 45 to 60 days—all of which will be included in this amendment—which is going to be paid by the local people. So we are saddling all the local communities, as they start off in their proposal.

Now, after we hear the speeches about how we are going to be tough on crime, let's look specifically at the current law and what our bill does and then what this amendment does.

For the entry of an alien after removal—no deportation or denied admission, no criminal history—under current law: fine, or not more than 2 years, or both. Our bill is the same as current law. But the Graham amendment says: not less than 60 days in jail—60 days in jail.

So we want to let Arizona, California, Texas, New Mexico know that for all those people whom we all heard about coming back across the border, they are going to be for 45 to 60 days in the local jails. Is there any kind of report about how they can handle it? Is there any sense about whether the jails are crowded? Is there any idea about what the Governors say? Is there any idea about what local communities say? No. But this happens to be the fact. There are seven different places where they put these mandatory penalties in.

Under current law, for the entry of criminal offenders, with three or more misdemeanors involving drugs, crimes against persons, or both, or a felony: fine, not less than 10 years, or both. In the bill, S. 1348, we say, three misdemeanors or one felony gets a penalty of not more than 10 years in jail. What does the Graham amendment say? New mandatory minimum creates minimum penalty of 1 year.

So they say you get 1 year. We say you can get up to 10 years. Why the difference? Because we want the judge to make the decision on the severity of the crime.

Here, we go down to the prior aggravated felony conviction penalty, which under current law is not more than 20 years. We, in the bill, say the penalty can be 15 years, or a fine, or both. Under the Graham amendment, it is 2 years and a fine.

Once more, we leave it up to the judge. If we have the serious kinds of penalties, they ought to get the serious time. Who is being tougher on crime? We are listening to the Senators from South Carolina and Georgia: We are tough on crime. Who is tough on crime? Come on.

The list goes on. If you are caught, you are a repeater, you are caught back across the border with a prior conviction for murder, rape, kidnapping, slavery, terrorism, then the penalty is not more than 20 years. Under the Graham amendment, it is 5 years—the new mandatory is 5 years. Ours is 20 years. We let the judge make that decision, but his is 5 years.

Now, I have been a strong supporter of sentencing reform from the very beginning. We have had these enormous disparities on the issue of sentencing. The Sentencing Commission was supposedly to make an evaluation about the nature of the crimes taking place in the country, the space that exists in the various States and Federal institutions and to make recommendations in terms of what the scope ought to be in terms of various crimes and what the availability is in these various penal institutions and how they compare to other kinds of crimes. It seems to me that is what we ought to be doing with the penalties in this legislation as well.

Let's listen to Supreme Court Justice Kennedy, who has vigorously criticized mandatory minimums as unfair and inconsistent with the fundamental principles of justice. In February, he was very clear in his opposition to penalties in his testimony before the Senate Judiciary Committee. He also said mandatory minimums are wrong because they restrict the ability of judges to strike the best balance between the goal of consistent sentencing and the need to give judges discretion to make the punishment fit the crime in individual cases.

That is what we have in the underlying law.

In 2003, Justice Kennedy said:

> I can accept neither the necessity nor the wisdom of Federal mandatory minimum sentences. In too many cases mandatory minimum sentences are unwise and unjust. The legislative branch has the obligation to determine whether a policy is wise.

Now, I am more than willing to establish tough penalties where appropriate, but we have to draw the line with a rash of mandatory minimum sentences in current law. We have a new Congress and a new opportunity to stop the madness with mandatory minimums that impose long and costly sentences. Moreover, there is no suggestion that these penalties make a

great deal of sense. If anything, they are already causing a terrible burden.

There is no epidemic of leniency in the Federal courts today. We have not heard, in hearings in the Judiciary Committee, about leniency in terms of the crimes—we have not—nor with regard to these different provisions.

The Federal prison population has quadrupled in the last 20 years. Now it is larger than any State system. The addition of new mandatory minimums only places further strains on the Federal prisons, which are already struggling with a growing population, along with diminishing budgets. Justice Rehnquist made the following observation about mandatory minimums: Our resources are misspent, our punishments too severe, our sentences too long.

That is his statement in opposition to mandatory minimums. We have the statements that have been made by the 2006 Conference of Mayors, representing 1,100 mayors and cities with populations over 300 that passed a resolution opposing the mandatory minimum sentences. It called for a fair and effective sentencing policy. The Nation's mayors are opposed to mandatory sentences on both Federal and State levels. Our mayors believe we should have laws that permit judges to define appropriate sentences based on the specific circumstances of the crime and the perpetrator's individual situation, and that States should review the effects of both Federal and State mandatory minimum sentencing and move forward.

As I say, that is my position on this. I am under no illusions about what the desire and the will of this institution is on this particular proposal.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. GRAHAM. Mr. President, very briefly, and I will move to have this amendment voted upon, if that is the correct order of business.

To my very good friend Senator KENNEDY, it is my understanding in terms of incarceration costs, the costs are paid by the Federal Government through the State Criminal Alien Assistance Program about 90 percent—90 cents on the dollar. So the Federal Government does help the local communities almost fully to deal with the expense of people who are caught violating or who are put in jail.

In terms of leniency—is there any evidence our laws are too lenient—I would say there are about 12 million pieces of evidence that our laws are too lenient. How can you have 12 million people come across the border and the word not be out that there is not much of a downside to doing it? Now, if you get 12 million people violating the law, it must be common knowledge among that population and others there is not much going to happen to you.

Well, that needs to stop. We need to give people who are here a chance to assimilate. Legal paths, we have more legal paths than we have ever had through this bill.

The illegal part of it has to come to an end and will only come to an end if there is a downside to breaking our law, and this amendment is about mandatory jail time. I am not trying to make it easier on people; I am trying to make it harder on people who take the law into their own hands and violate our border security. That is why we have mandatory jail time. Prior misdemeanors, you are going to go to jail 1 year if we catch you here again. If you served jail time of 2½ years and we find you on our soil again after you have been deported, 2 years. If you got a sentence of 5 years and we find you on our soil again after you have been deported, 4 years in jail. If you are convicted of three or more felonies, 4 years in jail, if we find you here again. If you are convicted of a violent crime, no less than 5 years, and up to 20 years.

It is time to get serious. This is a serious amendment for a serious problem. I know this is going to send the right message and that we need to be tough, not just in words but in deeds.

I urge passage of the amendment.

Mr. KENNEDY. Mr. President, I indicated in my earlier comments about the different provisions that exist in the law, the kind of flexibility that is out there to deal with serious crimes. But with the mandatory minimums you have a blunderbuss solution. There is no ability or flexibility at all to be able to deal with it.

The Federal Bureau of Prisons estimates it costs $67 a day for each person in jail. Estimates are it costs $90 per day to detain an immigrant. Right now each immigrant spends an average of 42.5 days in detention prior to deportation, at an average cost of $3,825. Senator GRAHAM's 60-day mandatory minimum for illegal reentry would increase the total spent in detention by 17.5 days, which increases the cost of detention per immigrant to $5,400. These increased costs couldn't be avoided because the mandatory minimum won't let the judge give any defendant a lower sentence regardless of the facts. This is a major problem with the mandatory, and this amendment would be a costly mistake.

The fact is the States pick up before the individual enters the system, the States pick up the tab. So New Mexico, Arizona, California, and Texas, you are going to have this new mandate and expenditures for it.

Last year, 11,000 immigrants were charged with the offense of improper entry. If this amendment passes, we are looking at increasing the costs by millions of dollars. According to 2005 data, the U.S. Government has the resources to hold 19,000 immigrants. It represents less than 1 percent of the undocumented population. This amendment may also require us to build new facilities to house these people, new prison beds, $14,000 per bed. We don't know how many beds will have to be built if this amendment is adopted.

It seems the provisions we have in the legislation make sense, and if the Senator wanted to alter his amendment and say: Let's let this go to the Sentencing Commission and let them make the recommendations, which we have done on other pieces of legislation to permit the penalty to suit the crime, I would say amen. But this amendment is going to put an important additional burden on the local communities, and it doesn't have the flexibility we have in the existing legislation in terms of dealing with those who are the real bad guys in this process. We have that ability in the existing legislation. The idea we are going to make it mandatory for people to go in for this period of time takes away that kind of flexibility, which is desirable.

I see my friend and colleague from New Mexico on the floor and I know he desires to speak.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I wish to speak briefly in opposition to the amendment. I have great respect for my colleague from South Carolina, but I think this is very misguided.

Chief Justice Rehnquist was speaking in 1994 to a luncheon of the U.S. Sentencing Commission and he said the following:

> Mandatory minimums are frequently the result of floor amendments to demonstrate emphatically that legislators want to ''get tough on crime.'' Just as frequently they do not involve any careful consideration of the effect they might have on the sentencing guidelines as a whole. Indeed, it seems to me that one of the best arguments against any more mandatory minimums, and perhaps against some of those we already have, is that they frustrate the careful calibration of sentences, from one end of the spectrum to the other, which the sentencing guidelines were intended to accomplish.

I think Justice Rehnquist was right, that this is—this, as I understand it, is an amendment that has not been brought up for hearing. These proposed changes in the law have not been brought up for a hearing in the Judiciary Committee. I am not a member of that committee. My colleague Senator KENNEDY is, of course, as is Senator GRAHAM. But my impression is this is not the result of a careful deliberation by the committee of jurisdiction here in the Senate. Instead, this is one of these floor amendments that is intended to demonstrate that legislators want to ''get tough on crime'' and particularly want to get tough on crime if it involves immigrants. So that is what is going on here.

I think the strongest argument I know, and I am sure this is what the Senator from Massachusetts was mentioning, is the cost that is involved in actually going ahead with this amendment. We are talking about taking people, and instead of kicking them out of the country, we are requiring those individuals be incarcerated in this country at very substantial expense to the U.S. taxpayer for a very long period of

time. I don't know that it makes good sense for us to be doing this.

One of the purposes of this immigration legislation that is before the Senate right now is to reduce the burden on U.S. taxpayers of all of the immigrants coming into the country. This amendment does the exact opposite. This amendment puts an enormous additional expense on the taxpayers of the United States by saying: If you come into this country illegally, we are going to lock you up and we are going to be sure you stay locked up for a long time. Well, that is fine, as long as you want to pay—what is it—$30,000, $40,000 per year to keep one of these individuals incarcerated. We are paying a lot more to keep an individual in one of these Federal prisons, I can tell you that, than we pay to keep people in some of our best universities.

I don't think it is a good use of our resources. I think this is one of these feel-good amendments which says we are not being tough enough on immigrants, let's tighten this thing up, let's be real tough on them.

The statistics I have—and these are statistics from the 2006 Source Book of Federal Sentencing Statistics, put out by the United States Sentencing Commission. They have a chart on page 13 where they talk about the distribution of offenders in each primary offense category. It shows that 24.5 percent of the offenders we are incarcerating today are being incarcerated for immigration-related offenses. The only other category that is larger is drugs, where 35.5 percent are being incarcerated for drug-related offenses. So 24.5 percent of our prisoners today are there because of immigration-related offenses. That number is going to go up dramatically if we actually adopt and put into law these mandatory minimum sentences that are contained in this amendment.

I wish also to point out that the penalties, the sentences these people are being given and the actual period of incarceration, the number of months of incarceration for these immigration offenses, is fairly significant. It ranges from 22.8 months up to over 25 months. So we are talking about putting people in prison for a significant period of time. As I say, they are all for immigration-related offenses.

I think it is foolhardy for the United States to be passing immigration reform legislation to reduce the financial burden on U.S. taxpayers for all of the illegal immigration coming into the country and at the same time adopt an amendment that loads an enormous additional cost on to the taxpayer so we can keep these people in prison for a long time and thereby demonstrate we are getting tough on crime.

I urge my colleagues to oppose the amendment.

Mr. GRAHAM. Mr. President, I ask unanimous consent to add Senator MCCONNELL as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. Mr. President, very briefly, to respond to my good friend from New Mexico about some of his concerns, this is not about me feeling good; this is about having the law work in a way that will deter people from crossing our borders illegally.

I point to the Angel Resendez case, and if we had this law in effect where we had mandatory jail time for those who had committed offenses and caught on our soil. In a 10-year period he committed five crimes, got deported each time, and was able to come back and commit another crime. If this amendment had been in place, he would have been in jail for a longer period of time and maybe his murder victims would be alive today. This is a case not about me feeling good; it is about somebody with a great propensity to cross our border illegally and commit crimes and not being held accountable in a serious way.

After the Booker case, the sentencing guidelines are advisory. If we want to send a message that we are flexible when it comes to immigration law violations, we are doing a great job of it. People must believe we are flexible, because they are coming across our borders in droves. Flexibility is being taken as indifference. What we need to do is to make it a crime that will sting people when they come across.

The cost to this country of having laws that are ignored and are virtually a joke is huge. Look at where we are today with illegal immigration. Let's try something new. Let's try doing something that has worked over time: If you commit a crime, you do some time.

With that, I yield the floor and ask for passage.

Mr. KENNEDY. Mr. President, briefly, to quote from the American Bar Association, this was their comment a year ago on the previous immigration bill on the same subject, on the issue of mandatory minimums when this issue came up during that time:

> The American Bar Association strongly opposes the provisions in the draft legislation—

That was the draft legislation a year ago—

> that would enhance or create new mandatory minimums. First, as a general matter, the mandatory minimums produce an inflexibility and rigidity in the imposition of punishment that is inappropriate for a system that we hold out to the world as a model of justice and fairness. To insist that all those convicted of a crime be lumped into the same category and be penalized indefinitely inevitably means the injustice of a sentence in particular circumstances will be ignored. Additionally, we are concerned at the high cost of imposing mandatory minimums. Numerous studies have demonstrated the extraordinary costs of incarcerating thousands of nonviolent offenders in our Nation's prisons and jails.
>
> The provisions to create the new mandatory sentences, coupled with those to increase the mandatory detention, have the potential to greatly increase the number of individuals being incarcerated in immigration-related cases at a significant cost to the American taxpayers.

We have provisions in the legislation that are tough and that a judge can use and must use in those circumstances which require it. But I think to effectively tie the judge's hands in these other circumstances makes little sense.

I see the Senator from California on the Senate floor. I would like to ask how the Senator wants to dispose of this amendment.

Mr. GRAHAM. I urge passage of the amendment.

The PRESIDING OFFICER. Is there further debate on the amendment?

Mr. KENNEDY. Mr. President, I suggest that we proceed with the Senator from California and then come back to that.

Mr. GRAHAM. That suggestion is well taken, yes.

Mr. KENNEDY. Mr. President, I ask unanimous consent that we go now to the Senator from California and her amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from California is recognized.

Mrs. FEINSTEIN. Mr. President, I thank the manager of the bill. I want to say a few words on the bill in general and then move to an amendment, if I might.

I am a supporter of this bill. It is not a perfect bill. I think it is easy to tell the people on the far right of the political spectrum and the far left of the political spectrum are not happy with this bill. But what this bill accomplishes—like nothing I have ever seen in my 15 years in the Senate—is that it is a piece of work that is a product of people on both sides of the aisle sitting down and trying to work something out that can get 60 votes in this Chamber and move on, and not be a useless piece of legislation, but rather one that offers a kind of comprehensive reform that has definition.

People use the word ''comprehensive,'' and nobody really knows what they are talking about. But in the case of this bill, anyone who carefully looks at the bill will understand what the word ''comprehensive'' means because the word means addressing all sides of the immigration issue, taking borders that are broken and repairing them, stabilizing a border with additional border patrol, prosecutors, detention facilities, and also strengthening interior enforcement.

Three major sections—called titles—of this bill really deal with enforcement of our borders, enforcement of the interior. Then there is the question of how do you deal with the 12 million people who have been here for some time illegally, most of whom are engaged in legitimate, bona fide work. How do you deal with what has developed to be an entire subterranean economy in this country, with its own special shops, stores, and special points of congregation for work? How do you remove the element of fear that drives all of this further and further underground?

The more the ICE agents—formerly INS—pick up people in the workplace for deportation, the more you see the inequality and injustice—there was one family, about a week ago in San Diego, by the name of Munoz, who had been here for a long period of time. They both worked and raised three children who were born in this country. They owned their home and their furniture.

Well, in came the agents, who picked up the parents. The parents were out of the country and the children were left. The home was sold and the furniture was gone. And this is a family who had the piece of the rock of America. They were contributing to the economy of America. But they were destroyed.

Many of us in this body believe you cannot find and deport 12 million people. My State of California has the largest number of people living in undocumented status, which is estimated to be in the vicinity of 3 million people. They are a vital part of our workforce. They are 90 percent of California's agricultural workforce, which is the largest of the 50 States. They also work in service industries. You see them in hotels and in restaurants, and you see them in construction and housing. So they have become an indigenous part of the California workforce.

This bill puts together reforms in immigration with a process to bring those people out of the shadows. What has bothered me over these days, as I listen to the television and read in the newspapers, is I hear the drumbeat, and I even see small signs on automobiles that simply say ''amnesty.'' This bill is not amnesty.

What is amnesty? Amnesty is the categorical forgiveness of a crime, an event, or whatever the issue may be. This does not do that. This sets up a roadmap, which is complicated for someone who wants to remain in this country, to be legal, to be able to work legally, and perhaps even someday get a green card, and maybe someday further off, become a citizen.

Well, there is an 8-year road created in this bill. There are fines of $5,000 plus an additional $1,500 fee for processing. There is a touchback, which may be changed in a further amendment, but at this stage in the debate it is this: If during that 8-year period the individual who has now achieved this Z visa, which gives them the right to work in this country, decides they want to pursue a green card, they would go to their country of origin, to the nearest U.S. consulate, and with the Z visa they can come in and out of the country at will. They don't have to stay in their country of origin. What they would do is file their papers. They would submit their fingerprints, and they would turn around and come back into the United States. Then, electronically, the evaluation would be done after the present line for green cards expires. Everybody waiting in line legally for a green card gets it. They would have the opportunity to get a green card. This is estimated to be between 8 and 13 years. During that period of 8 years, they would have to re-up, come in and prove that they have done the things the bill requires them to do. This is not an amnesty.

Now, the other part is that there are changes made in what is called chain migration. Currently, one person on a green card can bring in any number of family members. This is changed to the nuclear family. The person holding the green card can bring in their spouse and their minor children. That future green card, after the 8 years—after the list is expunged, future green cards would be granted on the basis of the point system, which deals with merit in the sense of the availability of job, work, the educational attributes of the individual, the family, and other things. I think it is as close as we are going to get to solving this problem and creating the interior enforcement, the border stability, and the laws that are necessary to secure the rule of law when it deals with immigration.

Mr. President, many Senators from both sides of the aisle worked long hours over the past several months to address immigration reform. And through the process of negotiation and compromise a tough, fair, and workable bill has been crafted.

The bill before the Senate provides solutions to restore the rule of law, fix our broken borders, protect our national security, and bring the 12 million people now living illegally in the U.S. out of the shadows.

I believe this bipartisan bill is a strong first step toward addressing illegal immigration in a fair and balanced way.

IMMIGRATION ENFORCEMENT

The bill is predicated on several fundamental principles. The first is that we must control our borders and protect our national security.

The bill ensures that before a single temporary visa is issued, or a single undocumented alien in the United States can earn their green card, several important ''triggers'' must be met—''triggers'' that show the Federal Government is taking a hard stance on enforcing the law and enforcing the border. The triggers include:

Installing at least 200 miles of vehicle barriers as well as 370 miles of fencing, 70 ground-based radar and camera towers, and deploying 4 unmanned aerial vehicles along the southern border; detaining all illegal aliens apprehended at the southern border, rather than continuing the ''catch and release'' policy; establishing and using the new Employment Verification system to confirm who can work in the United States legally and who cannot, and hiring 3,500 new border patrol agents to increase the total number of agents on the border from 14,500 to 18,000.

Then later, after the first 3,500 border patrol agents are hired, the bill requires that an additional 10,500 more border patrol agents are hired. So, the total number of border patrol agents will increase from its current level of 14,500, to 18,000 under the trigger, to eventually 28,500 by the end of five years.

The bill also requires hiring 1,000 new immigration agents, 200 new prosecutors, and new immigration judges and Board of Immigration Appeals members.

Next, the bill increases the penalties for people who illegally enter the U.S. or who overstay their visas.

Under current law, if an individual enters the U.S. illegally or overstays their visa they are barred from returning to the United States for three years, and could be barred for up to 10 years if they stayed in the U.S. illegally for over a year.

However, under the bill, if an individual is in the United States illegally the penalty is increased so that the person would be barred forever—and never be allowed to come to the United States.

The bill also includes provisions to fight passport and visa fraud based on the bill that Senator Sessions and I introduced this year.

These new provisions would punish people who traffic in 10 or more passports or visas, and increase the penalty for document fraud crimes to 20 years.

By including these tough new enforcement measures, this bill goes a long way to protecting our borders and takes a hard stand against individuals who violate the law.

EMPLOYMENT ENFORCEMENT

The bill also takes a hard stand against employers who violate the law and hire illegal immigrants.

For too long, the administration has not enforced the laws on the books, and the negligible fines for hiring illegal aliens were just a part of doing business—this bill changes that.

Under current law, an employer can be fined $250 to $2,500 for hiring an unauthorized worker; the bill increases that fine to $5,000.

The bill also increases the penalties for employers who repeatedly violate the law and hire illegal aliens. Under current law, the highest penalty that can be assessed against an employer is $10,000 for a repeat violation; this bill imposes a new larger fine of $75,000 for repeat violations.

The bill creates a new employment verification system—mandating that within 3 years, all employers must verify with the Government that all of their employees, foreign and American, are who they say they are.

This new system will require employers to submit each employee's name and social security number or visa numbers to the Department of Homeland Security. DHS will then confirm whether the employee is in fact legally allowed to work.

If the DHS says the employee is not legally allowed to work or his legal status is in question, the employee then has 10 days to challenge the Government's conclusion, and while the employee is taking steps to contest his rejection, the Secretary must extend

the period of investigation and the employee cannot be fired.

This new verification system should ensure that individuals who are hired by American businesses are actually legally permitted to work in this country.

GRAND BARGAIN

Once the security and enforcement measures were established, the negotiators sought to devise a pragmatic solution to deal with the approximately 12 million illegal immigrants currently living in the United States.

This solution to this issue is what has been referred to as ''the grand bargain.''

In order to bring Democrats and Republicans together a compromise was adopted that creates a new ''Z'' visa that will establishes a strict path for those individuals who are already in the United States to be able to earn a legal status.

In exchange, the bill reforms the current immigration system and eliminates policies that allow for ''chain migration.''

PRACTICAL SOLUTION TO 12 MILLION NOW HERE

With respect to the first part of the grand bargain, I firmly believe we have to develop a practical solution to the deal with the 12 million illegal immigrants already in the country.

While some have complained that all 12 million undocumented aliens should be deported, such a solution is not practical nor is it reasonable—for many of those individuals and families who have become integrated into the fabric of their communities deportation would be a severe outcome.

For example, in my home State of California, the Munoz family from San Diego is facing exactly what a policy of absolute deportation would mean.

In 1989 Zulma and Abel Munoz came to the United States seeking medical care for their infant son who was sick—sadly, despite their efforts, 2 months later he died. At the time, Mrs. Munoz was pregnant with her second child, a girl, and a medical worker who had helped her son urged Mrs. Munoz to stay longer in the United States to make sure their infant daughter received proper care. They took that medical workers advice, and have remained in the United States since then. Both parents found work; they bought a home, and they repeatedly tried to legally adjust their status, but their attempts failed.

Then last month, at 7:30 p.m. on a Thursday night, Mrs. Munoz was arrested and led away from the house in her pajamas. Later when Mr. Munoz returned from Home Depot, he was handcuffed and taken away—leaving behind their three children, now 16, 13, and 9.

There are many families, like Mr. and Mrs. Munoz, who are not criminals, who have lived and worked in their communities for years, and who are productive members of society, but who are also in the U.S. illegally.

Families like these should be given the opportunity to come out of shadows, to earn a legal status, and to eventually apply for a green card—and that is what this bill provides through the Z visa program.

Let me be clear, this is not an amnesty. For those who say it is, I think it is important to define what amnesty means. Amnesty is automatically giving those who broke the law a clean slate no questions asked. This bill does not do that.

Instead, to qualify for a green card each individual must wait until the backlog has been cleared—approximately 8 years—and during that time these individuals and families would need to pass a national security check; apply for a Z-visa that allows them to stay in the U.S. legally; work or get an education; pay taxes; learn English; pay a fine of $5,000, plus processing fees of at least $3,000; not commit crimes; reapply and undergo additional background checks; return to their home country for a ''touch-back'' for at least a day, to submit their application, provide a fingerprint , biographical and biometric information; and earn enough points under the same merit system that all future applicants will use.

This is not amnesty. This is not simply giving a green card to anyone who is in the country illegally. Instead, through the Z visa program and the new merit system, each individual must meet these significant demands in order to earn a green card.

GREEN CARD BACKLOG

The second component of the ''grand bargain'' is to clear up the current backlog of individuals who have been waiting for green cards and to reform how green cards are awarded by creating a point system that is based on merit.

To achieve this, the bipartisan bill would provide about 200,000 new green cards annually that will go to those individuals who have followed the rules and applied for a green card prior to May 1, 2005.

For anyone who applied after May 1, 2005, they will now be required to reapply through the new merit-based point system. This new point system is based on what has been done in other countries, including Canada and Australia. It sets up a framework to allow individuals to earn points that would qualify them to earn a green card.

Under this new system, individuals will get points for education, work history, ability to speak English, as well as whether they have U.S. citizen family members. This new point system is a balanced approach that considers multiple factors and allows individuals to earn their green cards.

TEMPORARY WORKER PROGRAM

Finally, the third component in the ''grand bargain'' is to ensure that temporary means temporary—meaning workers who come to the United States on a ''temporary worker visa'' must return to their home countries when the visa expires.

Under the new ''Y-visa'' there are 2 temporary worker programs—one that brings in workers for 2 years, and then requires the worker to leave for a year; and a second, seasonal Y-visa where workers can come in for 10 months, and then are required to leave for 2 months.

Workers who come to the United States under the longer ''2 years in the country, 1 year out of the country'' program can renew their visa so that they can work up to 6 years total; but every 2 years they must leave the United States for a year.

However, if Y-visa holder wants to bring their family with them to the United States then they would be limited to only 1 renewal and they would have to demonstrate that they can support their family. They would do this by showing that the family has health insurance and that they will earn a wage above 150 percent of the Federal poverty guidelines.

Finally, the new Y-visa program is capped at 400,000 foreign workers a year for the 2-year/1-year program and 100,000 visas for the seasonal 10-month/2-month program. Both of these caps contain escalation clauses that allow the Secretary of Homeland Security to issue additional visas up to 600,000 per year for the longer program and up to 200,000 per year for the seasonal program.

The escalation clause in the longer program gives the Secretary the discretion to increase the number of Y-visas by as much as 10 percent or 15 percent each year. According to some estimates, this means that in 10 years well over 3.4 million foreign workers could come into the United States through the longer Y-visa program.

I am concerned about the impact on our economy and our country if such a substantial number of visas were to be issued. Senator BINGAMAN has an amendment that would eliminate the escalator and reduce the cap to permit only 200,000 Y-visas each year to be issued under the longer program. I am a cosponsor of the Bingaman amendment and I voted for it last Congress.

While I agree with the grand bargain principle that temporary means temporary, I am concerned that the high cap on the longer Y-visa program and the inclusion of the escalator means that the numbers of temporary workers coming in through this program are just too high.

But with the adoption of the Bingaman amendment I believe the temporary worker program adopts the right balance and still fulfills the principles of the ''grand bargain.''

NEED FOR AGRICULTURAL LABOR

In addition to these important principles that were developed as part of the ''grand bargain'', the bipartisan bill contains two more important provisions: the DREAM Act and AgJOBS.

Last Congress, Senators CRAIG, KENNEDY, and I repeatedly tried to pass AgJOBS. This bill reforms the current H–2A agricultural temporary worker program and creates a path to legalization for undocumented farm workers currently in the U.S.

There is no industry that is suffering more from a labor shortage than agriculture. Foreign workers make up as much as 90 percent of the work force and over half of the foreign workers are undocumented—as many as 1.5 million.

But for years now we have heard from farmers and growers that they can not get the labor force needed to harvest their crops.

California growers tell me that their labor forces are already down 30 percent this year. For example, Larry Stonebarger, a cherry packer in Stockton, CA, has said that his packing house only has 650 workers, instead of 1100 he needs.

California provides a vital part of our Nation's food source. Half of this country's fruits are grown in California and, in fact, California is the only U.S. producer of almonds, figs, kiwi fruit, olives, and raisins. The importance of having locally grown produce cannot be underestimated.

This Sunday, the Washington Post reported that the Food and Drug Administration detained 107 food imports from China at U.S. ports just last month. They found dried apples preserved with a cancer-causing chemical; mushrooms laced with illegal pesticides; juices and fruits rejected as ''filthy''; and prunes tinted with chemical dyes not approved for human consumption. This situation is unacceptable. But, amazingly, as we fight to keep out foreign produce that is not protected by safety and quality controls, our own immigration policies undermine the ability of U.S. growers to produce high quality fruits and vegetables right here in our own country.

The reality is, if there are not enough farm workers to harvest the crops in the United States, we will end up relying on foreign countries to provide our food. This is not good for our economy or for ensuring that Americans are receiving safe and healthy foods.

The best way to avoid this outcome is to ensure that American farmers and growers have the workers they need to harvest the crops, and the best way to ensure we have a stable agriculture labor force is to pass AgJOBS.

Our bill will stabilize the labor shortage on our farms by allowing undocumented farm workers who have worked in agriculture and agree to continue to work in agriculture for 3 to 5 years to earn a Z–A visa and eventually a green card. This will create a path to earn legal status for those ag workers already in the country.

Secondly, AgJOBS will streamline the H–2A program so that it is usable, so that growers and farmers can have access to a consistent supply of temporary workers in the future.

AgJOBS is a bipartisan bill that needs to be enacted to ensure that farmers, growers, and farm workers can continue to provide Americans home-grown, safe and healthy produce.

Immigration reform is certainly a difficult area to tackle, but this bill strikes the right balance and reflects the best thinking on how to accommodate all the various concerns and interests.

While it is easy to sit on the sidelines and criticize, it is harder to stand up, take on the tough issues, make the hard decisions and do what is right to fix our immigration system. I want to commend Senators KENNEDY, SPECTER, SALAZAR, and KYL for their hard work in undertaking this difficult issue and crafting this important legislation.

This is not a perfect bill, but it is a good bill, and it is a bill that I hope the Senate will pass.

AMENDMENT NO. 1146 TO AMENDMENT NO. 1150

Mrs. FEINSTEIN. Mr. President, I call up amendment No. 1146, and I ask unanimous consent to add Senator MARTINEZ as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. FEINSTEIN], for herself, and Mr. MARTINEZ, proposes an amendment numbered 1146 to amendment No. 1150.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is printed in the RECORD of Monday, May 21, 2007, under ''Text of Amendments.'')

Mrs. FEINSTEIN. Mr. President, about 6 years ago, I was sitting at home and I was watching television. What I saw was, I believe, happening in Seattle. It was a 14-year-old Chinese youngster who had come to this country in a container. Her parents died in the container. She had survived. She had been in a detention facility for 7 months prior to coming before the judge. What I saw on television were tears streaming down her face, her hands in cuffs, and the chain went around her waist. She was unable to wipe away her tears. I thought this was very strange, something really must be wrong.

I found out that she is not alone. There are 7,000 unaccompanied youngsters who come to this country every year. Many of them—at least up to a recent point—were held in detention facilities for unlimited periods of time. They don't speak the language, they have no friends, they have no guardians, and they have no one to represent them. Often, they are sexually abused. It is a real problem.

This amendment is the same as a bill that passed the Senate last year by unanimous consent. There are a few changes, and those changes remove provisions that were contained in the previous version that are no longer necessary because of changes in agency practices to bring this bill in line with other laws, and to require promulgation of regulations and reporting of statistics on children affected by this bill.

Now, in the Homeland Security Act, the responsibility for the care and placement of unaccompanied alien children was transferred from the Immigration and Naturalization Service to the Department of Health and Human Services, Office of Refugee Resettlement. This amendment provides guidance and instruction to the Office of Refugee Resettlement, the Department of Homeland Security, and the Department of Justice, for how to handle the custody, release, family reunification, and the detention of unaccompanied alien children.

The amendment clarifies that any child who was deemed to be a national security risk, or who has committed a serious crime, will remain under the jurisdiction of the Department of Homeland Security or the Department of Justice and will not be released to the Office of Refugee Resettlement. For those who pose no danger to themselves or others, the amendment requires that the children be placed in the least restrictive setting possible, and it defines what those settings are.

This is the order of preference: One, licensed family foster care; two, small group care; three, sheltered care; four, residential treatment center; five, secured detention. So the least restrictive place for these children—remember, in any given year, there are a substantial number of these children. The amendment also would establish minimum standards for this custody or, where appropriate, detention of these children, including making sure they have access to medical care, mental health care, some access to phones, legal services, interpreters, and supervision by professionals trained to work with these children.

I am delighted that Senator MARTINEZ is a cosponsor, and I hope he will come to the floor because I believe he just said to me he found himself in a similar situation. I mentioned to him a case with which we are all familiar, Elian Gonzalez, who landed on the shores of Florida, whose mother drowned trying to get here. He had relatives in Florida. Florida has moved to create certain centers where these children are, in fact, secure, but many States have not.

The amendment also requires that wherever possible, these children are returned to their place of origin if there is a family member who can receive them. So a juvenile is sent home if there is a suitable placement for that child. If not, another appropriate placement must be secured for that child.

I think this legislation is very good legislation. As I said, it has passed the Senate before. We have amended it to comply with bills that have passed the Senate, and I am very hopeful that this amendment might even pass by unanimous consent today.

I will not ask for the yeas and nays at this time.

I do not see Senator MARTINEZ in the Chamber at this time, so I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I will not take much time. I commend and thank the good Senator from California. This is an extraordinary humanitarian need. I have listened to the Senator from California on the floor, I have listened to her in committee, and I have listened to her at hearings. This is a matter of enormous importance. It relates to minors, children, vulnerable people, and the record of exploitation. This amendment is well thought out. She has had strong bipartisan support for it. In the past, there has not been objection to this amendment. I know of no objection to it. It is an extremely worthwhile amendment.

I have spent a good deal of time commending her and talking about the amendment, but she has done an excellent job in its presentation. I certainly hope we will accept this amendment. I believe we are prepared to accept it.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I have 1 minute of comments to make on the amendment of the Senator from South Carolina, and then I wonder if we can proceed with the possibility of three amendments being disposed of in quick order so that then the Senator from New Hampshire can begin with his amendment.

Let me make my comments about the amendment offered by Senator GRAHAM. I support this amendment because it provides a deterrent to future illegal immigration. While there are a great deal of statistics I would like to cite, in the interest of time, let me make this point.

There is a very interesting operation going on right now in the Del Rio, TX, sector, in something called Operation Streamline in which they actually have the jail space available to detain, for up to 180 days, illegal immigrants caught coming across the border. This has been in operation now since 2005. Anyone caught entering the United States illegally faces prosecution under this particular operation unless for humanitarian reasons they need to be released. It has proven very effective in reducing the number of crossings in that area. The word has spread very quickly to people in Mexico that if they try to cross in this sector and they are caught, they are not just going to be returned home, they are going to spend time in jail. That totally disrupts their lives. They cannot afford not to be back working someplace, either in their own country or in the United States. As a result, the word has spread quickly: Don't try to cross in that sector or you are going to go to jail.

As a result, I think the amendment of the Senator from South Carolina is very well taken. It will provide a deterrent for future illegal crossings into the United States. And that is what this legislation should be all about, the stopping of illegal immigration. So I support his amendment.

Mr. President, if I may address the Senator from Massachusetts, would it be possible at this point to address three amendments that have been offered and dispense with them?

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, if the Senator will yield, I ask unanimous consent that the previous incomplete voice vote on amendment No. 1173 be vitiated and the amendment be agreed to. This is the Graham amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1173) was agreed to.

Mr. KENNEDY. I had hoped we could voice vote the amendment of the Senator from California. I have been notified that we cannot voice vote it, so we will have to have a rollcall vote on that amendment. I believe the Senator from California is prepared to go ahead.

Mr. GREGG. Mr. President, will the Senator from Massachusetts yield for a question?

Mr. KENNEDY. Yes, I will be glad to yield for a question.

Mr. GREGG. I understand I am next in order to offer an amendment.

Mr. KENNEDY. Yes.

Mr. GREGG. If the Senator from Massachusetts is not ready to go to Senator FEINSTEIN's amendment at this time, I suggest I offer mine and then we do the two amendments in sequence.

Mr. KENNEDY. That is an excellent suggestion, if the Senator from Pennsylvania thinks it is a good idea.

Mr. SPECTER. Mr. President, I think it is an excellent idea. Do we have Senator GRASSLEY's amendment to voice vote?

Mr. KENNEDY. I think we ought to do that in a few minutes. I am hopeful we will be able to do it. I hope that request will be made either during or after the debate on the amendment of the Senator from New Hampshire.

Mr. SPECTER. Mr. President, that is satisfactory.

Mr. KENNEDY. So, Mr. President, just before the Senator from New Hampshire begins, we are moving along. We are going to take up the amendment of the Senator from New Hampshire, and then it will come back to our side. We have several Senators who have indicated a desire to offer an amendment. Then I believe it will go back to the other side, and I believe Senator CORNYN has an amendment. That is how we will proceed. We intend to go back and forth. We have quite a list here. We are making progress. I am grateful for all the cooperation we have had.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

AMENDMENT NO. 1172 TO AMENDMENT NO. 1150

Mr. GREGG. Mr. President, I ask unanimous consent to set aside the pending amendment, and I call up my amendment, which is No. 1172.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from New Hampshire [Mr. GREGG] proposes an amendment numbered 1172 to amendment No. 1150.

Mr. GREGG. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To ensure control of our Nation's borders and strengthen enforcement of our immigration laws)

Strike section 1 and insert the following:

SECTION 1. EFFECTIVE DATE TRIGGERS.

(a) IN GENERAL.—With the exception of the probationary benefits conferred by section 601(h) of this Act, the provisions of subtitle C of title IV, and the admission of aliens under section 101(a)(15)(H)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)), as amended by title IV, the programs established by title IV, and the programs established by title VI that grant legal status to any individual or that adjust the current status of any individual who is unlawfully present in the United States to that of an alien lawfully admitted for permanent residence, shall become effective on the date that the Secretary submits a written certification to the President and the Congress, based on analysis by and in consultation with the Comptroller General, that each of the following border security and other measures are established, funded, and operational:

(1) OPERATIONAL CONTROL OF THE INTERNATIONAL BORDER WITH MEXICO.—The Secretary of Homeland Security has established and demonstrated operational control of 100 percent of the international land border between the United States and Mexico, including the ability to monitor such border through available methods and technology.

(2) STAFF ENHANCEMENTS FOR BORDER PATROL.—The United States Customs and Border Protection Border Patrol has hired, trained, and reporting for duty 20,000 full-time agents as of the date of the certification under this subsection.

(3) STRONG BORDER BARRIERS.—There has been—

(A) installed along the international land border between the United States and Mexico as of the date of the certification under this subsection, at least—

(i) 300 miles of vehicle barriers;

(ii) 370 miles of fencing; and

(iii) 105 ground-based radar and camera towers; and

(B) deployed for use along the along the international land border between the United States and Mexico, as of the date of the certification under this subsection, 4 unmanned aerial vehicles, and the supporting systems for such vehicles.

(4) CATCH AND RETURN.—The Secretary of Homeland Security is detaining all removable aliens apprehended crossing the international land border between the United States and Mexico in violation of Federal or State law, except as specifically mandated by Federal or State law or humanitarian circumstances, and United States Immigration and Customs Enforcement has the resources to maintain this practice, including the resources necessary to detain up to 31,500 aliens per day on an annual basis.

(5) WORKPLACE ENFORCEMENT TOOLS.—In compliance with the requirements of title III of this Act, the Secretary of Homeland Security has established, and is using, secure and effective identification tools to prevent unauthorized workers from obtaining employment in the United States. Such identification tools shall include establishing—

(A) strict standards for identification documents that are required to be presented by the alien to an employer in the hiring process, including the use of secure documentation that—

(i) contains—

(I) a photograph of the alien; and

(II) biometric data identifying the alien; or

(ii) complies with the requirements for such documentation under the REAL ID Act (Public Law 109-13; 119 Stat. 231); and

(B) an electronic employment eligibility verification system that is capable of querying Federal and State databases in order to restrict fraud, identity theft, and use of false social security numbers in the hiring of aliens by an employer by electronically providing a digitized version of the photograph on the alien's original Federal or State issued document or documents for verification of that alien's identity and work eligibility.

(6) PROCESSING APPLICATIONS OF ALIENS.—The Secretary of Homeland Security has received, and is processing and adjudicating in a timely manner, applications for Z nonimmigrant status under title VI of this Act, including conducting all necessary background and security checks required under that title.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the border security and other measures described in subsection (a) shall be completed as soon as practicable, subject to the necessary appropriations.

(c) PRESIDENTIAL PROGRESS REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, and every 90 days thereafter until the requirements under subsection (a) are met, the President shall submit a report to Congress detailing the progress made in funding, meeting, or otherwise satisfying each of the requirements described under paragraphs (1) through (6) of subsection (a), including detailing any contractual agreements reached to carry out such measures.

(2) PROGRESS NOT SUFFICIENT.—If the President determines that sufficient progress is not being made, the President shall include in the report required under paragraph (1) specific funding recommendations, authorization needed, or other actions that are or should be undertaken by the Secretary of Homeland Security.

(d) GAO REPORT.—Not later than 30 days after the certification is submitted under subsection (a), the Comptroller General shall submit a report to Congress on the accuracy of such certification.

Mr. GREGG. Mr. President, the essence of this bill for most Americans, I believe, is the need and the desire to secure the border, to make sure that people coming across our border are coming across legally, that we know who they are, and that we are able to manage our border.

It is a national disgrace that we have been unable to control the illegal flow of people into our country, especially the massive illegal flow of people across the southwestern border into this country. So I don't believe there is really ever going to be a consensus around major immigration reform, which I happen to strongly support.

I supported last year's bill introduced by Senator KENNEDY and Senator MCCAIN. I support the effort this year in concept, although I still want to see how it is going to end up in detail. But there will never be a consensus support for major immigration reform, which we need so dearly in this country, unless the American people can be confident that the border is secure as the first condition of immigration reform. Thus, I think it was really a touch of genius—and I don't think I overstate that—by Senator ISAKSON from Georgia to come up with this idea of a trigger over a year ago so that it would be clear that the precondition of major immigration reform would be that the border would be secure, especially the southwestern border. I congratulate Senator ISAKSON for that initiative, and it is included in this bill in concept in that the trigger is in place.

The concern I have is that the elements which exercise the trigger, so that we then move on to the policies of this bill relative to other elements of immigration reform, such as the guest worker program, making sure we have adequate employer verification, doing the things that are necessary in the area of creating more capacity for people to come into this country who are qualified in the area of skills, those elements are subject to a trigger today which is in this bill, and I believe the specifics around that trigger do not lead, unfortunately, to what we want, which is a secure border. It is a movement down the road, but it is a movement down the road which appears in some way to have been set not on the basis of what is necessary for controlling the border but on the basis of what would be necessary to make sure the operative part of this bill goes into action or occurs within 18 months of passage of the bill.

So it seems that the numbers which have been put down in this bill relative to how many Border Patrol agents we need, how many detention beds we need, relative to how many observation facilities we need along the border for a virtual fence, relative to other structural needs of the southern border control, those elements were not defined in terms of what would lead ultimately to full security and operational control of the southwestern border, but those elements were defined as to what was perceived as being doable in the next 18 months.

The difference between what is necessary for operational control of the border and what those numbers are is not dramatic, quite obviously, but it is significant, very significant. I had the good fortune for a number of years to chair the Homeland Security Subcommittee of the Appropriations Committee, and I served on it for a long time. So I do believe I am fairly familiar with this issue, as familiar, probably, as anybody in this body with this issue since there were a number of initiatives which I began both as a chairman of the Commerce-State-Justice Subcommittee, which was a precursor to the Homeland Security Subcommittee, and then as chairman of the Homeland Security Subcommittee which were targeted directly on the issue of upgrading the Border Patrol capability, the port control capability, the Coast Guard capability, and the detention bed capability so that we could get operational control over the border.

Throughout this period, as we have been ramping up—and we have ramped up dramatically. We have come really from a marginal capability of controlling the southwestern border to a capability that is quite high, and we are making dramatic strides every day in that area. The numbers that are necessary were fairly well vetted as we stepped with intensity into this process 3 or 4 years ago. The numbers in this bill, therefore, should reflect what was the consensus position at that time and what I continue to believe is the consensus position as to the type of resources and the number of people they need and the type of support they need on the border to gain operational control of the border.

This bill we are dealing with calls for 18,000 Border Patrol agents, of whom it is assumed 16,000 will be boots on the ground on the border. It calls for something like 21,000 detention beds. It calls for something like 70 towers where we do virtual fence activity. We just let out a contract called SBInet, the purpose of which is to replace a program which was a total failure, which would put an electronic surveillance system along the border. That SBInet is a fairly complex technological initiative which involves ground sensors, visual sensors, and heat sensors, and it involves unmanned aerial aircraft to cover that part of the border which cannot be effectively and should not be covered with physical fencing. It is a complex initiative, but it is one which will work, we hope, and one which we are well down the road toward doing. But for it to work effectively and for it to be properly built, the amount of resources that needs to be committed to it exceeds by a factor of about 30 percent what is in this bill. The same is true in the area of Border Patrol agents and in the area of detention beds, although less is needed.

So what I have done in this amendment is essentially propose that we take the numbers that we know are necessary to gain operational control over the border and put those numbers into this bill. And that we allow the trigger, which is this exceptional idea Senator ISAKSON came up with, to function off those numbers, rather than backing into the trigger by using the number of months which we think we want to use before we move on to the rest of the bill.

The difference, as I said, is not dramatic, significant but not dramatic. For example, instead of 18,000 border agents—we had a lot of testimony, a lot of discussion, and the head of the Border Patrol at the time, Robert Bonner, said he needed 20,000 agents on the border—not 16, 20. So there is a 2,000 agent difference. Now, the issue will be hiring, the issue will be how quickly you can work them through the system and bring them on board.

The issue is attrition. But the fact is, that is the number where there was consensus, pretty much, that we needed in order to get the right number of agents on the Southwest border—20,000; so 2,000 additional agents over what the bill calls for.

In the area of detention beds, the bill calls for 21,000. We are already headed well past that with the appropriations process, so that was almost picking a number that was already done. It is like saying we are going to approve this event, the trigger will occur if the Sun comes up in the east. The Sun was going to come up in the east. The fact is 21,000 beds is not enough. We know that. We know we need closer to 30,000 beds in order to have the adequate detention capability to stop completely the catch-and-release issue, which is a huge issue.

There are a couple of amendments that have already been offered. I think Senator GRASSLEY has offered that amendment. I am not sure of that, but certainly Senator GRAHAM's amendment, which was just accepted, is related to that point. So instead of 21,000 beds, the number I have put in my amendment is 31,000, which is the consensus position. Again, it is not hard to get to 31,000 from 21,000 because we are already over 21,000, or we are headed over 21,000. We can certainly get well above that number fairly quickly.

In fact, 21,000 may be wrong. Maybe the bill calls for 27,000. I apologize. The number here is 27,000. Somewhere I had seen 21,000, but if it is 27,000 the bill calls for, we are only asking for another 4,000 beds in order to accomplish the goal that was agreed to in order to reach the capacity to handle people coming into this country and not have to release them and ask them to come back, which they do not do, for their hearings.

In addition, on the virtual fence side and on the hard fencing side, this amendment doesn't call for any additional hard fencing. The hard fencing language is 370 miles. I happen to believe that is probably as close to the number as we need. Hard fencing is needed in urban areas, but most of the border is not urban. In the nonurban areas, hard fencing is not functional and doesn't add a whole lot to our security or to our ability to control the border. But we do need additional vehicle barrier fencing, probably another 100 miles over what this bill calls for, which is 200 miles, which is already in place and we are headed toward, so this calls for 300 miles of vehicle fencing, which was what we agreed to back when we did the Safe Border Initiative.

On the virtual capability, this bill calls for 70 towers. Well, we are already headed toward 70 towers. We know we can build 70 towers, but 70 towers isn't what we need to make the system work. We need significantly more than that. We believe, within a reasonable timeframe, we can build 105 towers, which would have us on track, so this language calls for 105 towers.

It also eliminates the arbitrary language in here which is a sense of the Senate that everything has to be done within 18 months. As I mentioned, if you look at these numbers, you can see basically what happened here, I suspect, was somebody said, what numbers can we be absolutely sure we are going to hit in 18 months so we can exercise the trigger and the numbers? They were good numbers that were put in, but they weren't the numbers there had been consensus built around 2 years ago, 3 years ago, even as recently as 1 year ago, that were needed in order to actually gain operational control of the border. So this amendment simply says, let us use the trigger mechanism. It is an excellent idea, and let's take it forward but use it as a real trigger that functions off of numbers that we know, if they are in place, will create operational control and which will not unduly delay the execution of the rest of this bill.

With proper resources, almost everything I have proposed in my amendment could be accomplished fairly quickly. It is more than a statement of commitment to operational control; it is a commitment to operational control before the trigger gets pulled. In addition, to make sure we are getting the operational control we need, the amendment has an independent review by the Government Accountability Office of the effort by the Department to meet these different benchmarks so we, as a Congress, will know when there is a certification that the benchmarks have been reached, the benchmarks actually will have been reached and they will have been reviewed by an independent group, specifically the Government Accountability Office, to confirm they have been reached.

The amendment's purpose is to accomplish what the bill wishes to accomplish. The purpose of this amendment is to make sure the first step in this effort of immigration reform is to secure specifically the Southwest border so we have a situation where people are not continuing to cross into this country illegally after we have passed immigration reform—or at least there is a clear roadmap which will get us to the resources and the number of people we need on the southwestern border to assure people won't be coming into this country illegally along that border because we will have the necessary support to accomplish that. It is, I believe, an extremely reasonable amendment.

Ironically, the numbers in this amendment have been offered from the other side of the aisle on numerous occasions, or pretty close to these numbers, by Senators who feel, as I do, that the border needs to be secure. I would note especially Senator BYRD has had a number of amendments right along this course where he has said, let us do what we have to do in the area of resources to assure that Homeland Security has the people they need in Border Patrol agents, has the resources they need in the area of detention beds, has the resources they need in the area of a virtual fence and regular fencing in order to adequately control the border—not adequately, but to have actual operational control over the border.

I hope this amendment would be accepted. This is an amendment which toughens up our commitment to border security and it does it in the context of what is an idea that makes a lot of sense, which is the Isakson trigger and, therefore, it is, in my opinion, a significant effort to improve the bill and give people the confidence that when we pass this immigration reform, it will have as its first element our ability to make sure we know who is coming into this country, especially across the Southwest border.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GREGG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREGG. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

Mr. GREGG. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1146

Mr. KENNEDY. The Senator from California, Mrs. FEINSTEIN, had an amendment. I understand now that we are prepared to voice-vote that amendment.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, the Feinstein amendment has been cleared on this side of the aisle. I agree with Senator KENNEDY, we can voice-vote it.

The PRESIDING OFFICER. Is there further debate on amendment No. 1146?

The question is on agreeing to amendment No. 1146.

The amendment (No. 1146) was agreed to.

AMENDMENT NO. 1172

Mr. KENNEDY. Mr. President, now we have the Gregg amendment that is pending; am I correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. KENNEDY. Mr. President, I will say a brief word about this amendment. If others want to say a word

about it, that is fine. Then I intend to make a motion to table it.

Mr. President, the Judiciary Committee, long before we developed this legislation, had extensive hearings about border security. We listened to Secretary Chertoff speak. We listened to him both in open session and in closed session.

I am convinced those recommendations were the best information that we had in terms of our border security and they are incorporated in this legislation.

It is a reflection of a bipartisan effort to make sure that we are going to do everything that is necessary and can be done to provide a secure border. We are using the latest in technology. They are using the fence areas where they believe that is appropriate and have the support to do it.

They are using the latest in terms of aerial drones, the latest in terms of barriers that are out there. All of the latest in technology will be used in terms of securing our border.

Now, the Senator from New Hampshire says he wants additional kinds, as well as dramatic increases, in the total number of Customs agents.

What we have to understand, what has been clear since we have started this whole kind of a process is, if we are going to control our border, as we have heard from Homeland Security, the leader of Homeland Security, it has to be comprehensive.

You have to have a secure border, but you also have to have some opportunity to have a border which permits individuals to be able to come through the front door if you are going to help them.

What I mean is, you are going to have to complete this in a timely way. If we just think we are going to be able to delay the completion of a comprehensive program, which the Gregg amendment will do, we are going to find out the borders are going to continue to be penetrated over the foreseeable future. That just happens to be the fact.

We made those points at the time to those who have said they want to abolish or close out a temporary worker program. If you think you can build a border and have border security there and have no opportunity for any individuals to be able to come in legitimately, you have not listened to the record and you have not listened to the testimony and you have not listened to those who have been responsible for national security.

They say you have to have some opportunity for individuals to choose the more hopeful aspect rather than risk their lives out in the desert. Now, with the Gregg amendment, what that will do is effectively ensure that we are denied a temporary worker program, we are denied the opportunity to have any chance for individuals to come through the front door.

As Governor Napolitano pointed out very clearly in her record materials that we have used previously, if you build a 50-foot high fence, those who want to come in will build a 51-foot high ladder. That happens to be the fact. That is why we have heard from those who have been involved in national security and border security who say: You need the comprehensive approach that is the underlying bill.

I think the Gregg amendment will delay the opportunity for us to do the underlying kind of effort to which we have been committed. I think, therefore, we should not accept that.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I urge my colleagues to vote against the amendment by the Senator from New Hampshire. The changes he makes are only modest in nature. I think they are not directed to accomplish a significant change: from 1,800 Border Patrol agents to 2,000; from 200 miles of vehicle barriers and 70 ground-based radar and camera towers, he moves for 300 miles and 205 ground-based radar and camera towers.

He changes the detention service from 27,500 to 31,500, and a change in some additional protection.

This has been very carefully calibrated. We are looking for an 18-month period for the completion of these triggers. The Secretary of Homeland Security, Michael Chertoff, has assured us, in testimony before the committee and in the extensive negotiations, that these are realistic. We have questioned Secretary Chertoff about whether it can be done within this period of time because they are conditions precedent. Until these barriers and fencing and Border Patrol agents are in place, the balance of the bill cannot go forward. That is the assurance to those who wonder if we are serious about securing our borders before going ahead with the other parts of the program. We do not want to tamper with what the Secretary has articulated. The additional requirements obviously will take longer to complete. We have this bill in place. I urge my colleagues to stay with the negotiated arrangement and to reject the Gregg amendment.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I move to table the Gregg amendment and ask for the yeas and nays.

Mr. SALAZAR. Will the Senator withhold?

Mr. KENNEDY. I will.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The pending question is the Gregg amendment No. 1172.

Mr. SALAZAR. I ask unanimous consent to speak for 2 minutes against the Gregg amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SALAZAR. Mr. President, I join my colleagues, the floor managers of this bill, Senators Kennedy and Specter, in urging our colleagues to vote against the Gregg amendment. There is broad agreement among all Members who have been working on this reform package that we need to secure the border. Indeed, when you look at what Secretary Chertoff has said we need to do to secure the border, he has said we need to do a number of different things which we have incorporated in this legislation. We call for 18,000 Border Patrol agents. We call for 370 miles of fencing, 200 miles of vehicle barriers, 70 ground-based radar and camera towers, 4 unmanned aerial vehicles, new checkpoints and ports of entry, and a host of other things. Those numbers were not just picked out of the sky and put into this bill; those are the numbers the Secretary of Homeland Security said we need in order to secure the borders. He has been a constant presence in the fashioning of the immigration reform proposal that is before the Senate. The Gregg amendment essentially would derail the triggers that have been set up and is inconsistent with what we have heard from the Department of Homeland Security.

I join Senator KENNEDY and Senator SPECTER and my colleagues in urging a ''no'' vote on the Gregg amendment.

Mr. KENNEDY. Mr. President, I see the Senator from New Hampshire. I would be glad to withhold if the Senator wanted to address the Senate; otherwise, I will make a motion to table the Gregg amendment.

Mr. GREGG. Mr. President, I appreciate the Senator's courtesy. I wish to respond briefly to the points which were made.

The numbers in this bill are numbers which are a fait accompli. They are numbers which we already know we will reach within the next 18 months, if we stay on the appropriations path which was set up by myself and Senator BYRD 2 years ago, but they are not the numbers on which there was consensus needed in order to bring operational control to the borders. They are not those numbers. They are good numbers. They are a-step-in-the-right-direction numbers. That is why we funded them and put in place a path to continue to fund them. But there was absolute consensus—and don't let anybody come to this floor and say something else—that the numbers for gaining control over the border are different than these numbers. If they weren't, then we wouldn't have let the contract on creating the virtual fence, because the numbers in this bill do not come anywhere near the completion of the virtual fence.

The numbers in this bill do not come anywhere near what is needed to have the detention beds necessary to completely end catch and release, nor do they reach the numbers necessary to have the number of people on the border necessary to control the border. The Commissioner of Customs, Mr. Bonner, made it very clear in testimony 3 or 4 years ago that they needed 20,000 agents on the ground on the border.

This amendment hasn't asked for a radical change from what the bill suggests. It says the bill makes a great stride, but if we are to use the Isakson trigger effectively, which we want to—and the purpose of the trigger is to make sure the border is secure before we move to the next step in the bill—then we have to have the resources on the border to accomplish that security. The resources necessary to do that are 20,000 agents, which is an increase of 2,000 over what the bill calls for; the addition to 31,000 beds is an increase of about 2,500 over what the bill calls for; an additional 100 miles of vehicle barrier over what the bill calls for; and within a timeframe we believe is reasonable, so you could still hit the 18 months or be close to it, not 70 towers of virtual fencing, which is where the communications and the optics will be operated out of, but 105. That won't be the end of the towers, but that would be enough to allow operational control over the border.

This is not dramatic or radical. It is not even a grand change from what the bill suggests. It is simply a change that meets the conditions which we know are necessary in order to give operational control over the border. The point which this amendment makes is that operational control of the border should not be determined by an arbitrary number of months going by—in other words, if 18 months go by, we will lose operational control over the border. It should be set by the resources being in place on the border which will limit the ability of people to come across the border illegally. That is what this language does. How much more will this language cost than what the bill costs? About $700 million more. That certainly should be within the funding capabilities of the Appropriations Committee. In fact, if the administration wanted to, they could send up a supplemental to accomplish that. That is a very doable event.

Then it has a second condition, which is, it simply says the certification that these numbers have been met shall be reviewed by GAO. I do think as a Congress we would want that independent review. That is reasonable.

It takes the number of Border Patrol agents up by 2,000 and gets it to the number that was agreed to as being needed. It takes the number of beds up by about 2,500 and gets the number which was agreed to. It takes the number of vehicle barriers up by 100 and gets to the number that was contracted for. It does not change the fencing requirement. It keeps that at 370 miles. It adds 35 towers for the virtual fence, which is what the contract called for.

To represent this is some sort of amendment which therefore fundamentally undermines the core agreement is absurd on its face. The core agreement was, we would put in place, using the Isakson trigger, which was a stroke of genius for resolving this issue, resources on the border which would allow for operational control of the border. This simply calls for those resources to be consistent with what the testimony has been over the last few years as to what is needed in order to accomplish that.

The great irony is less than 6 months ago, we passed the Safe Fence Act. The Safe Fence Act essentially put in place the mechanism which got us to these numbers. The Safe Fence Act called for this action. The Safe Fence Act got 92 votes. It seems to me if 6 months ago we believed these were the numbers that should be used for fencing—and that is one element of it—how can we change 6 months later and say: We are going to step back from that and that is not the number we need in order to have the trigger occur? If this were a dramatic shift, a radical shift, an undermining shift in the exercise of this bill, I would say, fine, oppose it; it is an attempt to kill the bill. But just the opposite is the case. I am one of the few people on my side of the aisle who actually voted for the Kennedy-McCain bill the last time it came through here. I am on record and my commitment is to do immigration reform.

I also know the American people will not be sold on the idea that we are going to do immigration reform until they are confident our border is secure, especially the southwestern border where the vast numbers of people are coming in illegally. The northern border is a whole other issue and a serious one, especially from the view of terrorism. But on the southern border, people want it stopped. They want to know there are in place the resources to allow us to control that border before we take the next step into immigration reform, which next steps are critical and necessary. That is, of course, the genius of the Isakson trigger for which he deserves great credit, and which this language will essentially make more effective because it accomplishes the underlying goal of the trigger mechanism.

How long will this delay over the 18 months, which appears to be the arbitrary number? In fact, a sense of the Senate in this bill says everything has to be done in 18 months. How long will these numbers I have suggested we meet, which aren't my numbers but are numbers that have been around and on which there was consensus before this bill came out of committee or came out of the working group—it never came out of committee, obviously—came out of the working group around which there was so much consensus last year that we had a 92-to-2 vote on the Safe Fence Act, how much will that extend that time period beyond 18 months? Actually, it might not extend it at all.

With proper dollars, Homeland Security could probably do all of these things within the next 18 months. Certainly, they could do the extra hundreds of miles of vehicle barrier. I am told they can do the extra 35 towers without the contractor. We have talked to the contractor. He thinks that is a very doable event. The detention beds are certainly doable because you can actually, if you can't build them—of course, what we should be doing is putting up tent cities, which we are doing, but in any event, you can contract them out, potentially. We are talking another 2,000 beds. The border agents is an issue, but if it is going to be an issue at 18,000, it will be an issue at 20,000. Hiring border agents has become a function of finding the people we know we want to do the job. But it is still very doable within that timeframe.

I am not sure it will delay it at all. I suspect you could still do all this within 18 months, but there should not be a set series of months at the end of which we are going to say: OK, we have operational control of the border, and we can move on to the next things. What we should have, rather, is a set of very determinable benchmarks which will allow us to say that benchmark has been met and there is consensus that that benchmark will accomplish what we say it will. In this instance, that is the issue of operational control of the border.

So I would hope people would not vote to table this amendment. I would note that many Members on the other side of the aisle have voted for these types of resources in the past, when the amendment had been offered by Senator BYRD. So you may want to ask yourself, are you going to be consistent if you vote against this one?

But, more importantly, I think you have to ask yourself, are these changes—an additional 2,000 border agents, an additional 100 miles of vehicle barriers, an additional 2,500 beds—so onerous that they are deal killers? If that is the case, then this bill must be dead because we just passed an amendment to cut the number of temporary workers in half. Now, that is a serious issue. This is taking procedure and putting it over policy when you take that position to the extreme.

So I hope Members will support this amendment. If the Senator from Massachusetts is inclined to move forward at this moment, I have no problem.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I will include in the RECORD the Homeland Security proposal that was shared with the members of the committee. We asked what was going to be necessary for secure borders. I have in my hand the proposal of Homeland Security. That is what we have included in this legislation, their recommendations. I am sure we could always do more and more and more, but what we have done is taken what has been the recommendations of Homeland Security in each and every one of these areas.

They have made it very clear that in carrying forward and reaching these recommendations it is going to take a combination of different elements. It is going to take their own kind of manpower to be able to reach this. It is

going to take the technology to be able to reach it—over what period of time in terms of the contracting, and all the rest.

But as to what was necessary in terms of securing the border, that was it. We are all for it. This is what they told us. That is what we have accepted. We have gone over the list. I will make it part of the RECORD. It goes over the numbers of hires, going all the way into the Border Patrol agents. They come into the whole issue of border barriers and surveillance, the number of miles each year planned, what they believe is necessary. They review what they believe is the timeline for the catch and return, the number of beds that are going to be necessary. They go through the various milestones, the start-up costs, the actual recurring costs.

They have outlined all of this in very careful detail. That is what we have done. Every Member of the Senate ought to understand, these are Homeland Security's recommendations to secure the border, and that is what we have included in the legislation. It is always possible, I am sure, to be able to do more. We have done what was recommended to secure it, and I think it is a very effective program.

Mr. President, I ask unanimous consent that the material be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STAFF ENHANCEMENTS FOR BORDER PATROL—GOAL: INCREASE BORDER PATROL AGENTS BY 6,000 BY DECEMBER 31, 2008

Projections	FY07	FY08	FY09	Total
Starting Onboard	12,319	14,819	17,819	18,319
Hires	3,900	4,350	850	9,100
Addition	2,500	3,000	500	6,000
Attrition	1,400	1,350	350	3,100
End of Year Onboard	14,819	17,819	18,319	.....

STRONG BORDER BARRIERS AND SURVEILLANCE

[Dollars in millions]

	FY06 actual [1]	FY07 planned	Calendar year 08	Total estimated cost FY06–FY08
Miles of primary fence	75	+70	[1] +225	$998M
Miles of vehicle barriers	57	TBD	200	$176M
Ground-based radar and camera towers (technology)	0	TBD	70	[2] $737M
Unmanned Aerial Systems (UAS) (A&M)	1	+1	[3] +2	$85.6M

[1] Equals 370 miles total.
[2] Reflects the fully loaded costs of the integrated technology solution, including engineering, unattended ground sensors, communications, etc.
[3] Equals 4 total UAS.

KEY ASSUMPTIONS OF TIMELINE

USCIS will publish regulations governing the TWP within 6 months of enactment, pursuant to expedited rulemaking authority.

USCIS will begin accepting and adjudicating applications 6 months after enactment of the legislation.

USCIS will stop accepting applications 18 months after enactment.

A total of 12.5 million unauthorized aliens may be eligible for the immigration benefits associated with the TWP, of which approximately 93% are expected to apply for the program.

Additional temporary sites will be established, equipped, and manned to support processing requirements above the current Application Service Center (ASC) capacity.

Not every applicant will require an adjudication interview (based upon S. 2611 requirements—currently constructing plans for interview of all applicants).

TWP applicants will be screened against all relevant security checks.

USCIS will receive the funding and resources necessary to upgrade systems infrastructure to handle increased processing demand. Funding must be made available to DHS at least 6 months before applications can be accepted.

Mr. KENNEDY. Mr. President, I now move to table the amendment of the Senator from New Hampshire.

Mr. GREGG. Mr. President, I make a point of order a quorum is not present.

Mr. KENNEDY. Mr. President, I would make a motion to table the amendment of the Senator——

Mr. GREGG. Mr. President, I will make a point of order a quorum is not present.

Mr. KENNEDY. From New Hampshire, and I ask for the yeas and nays.

Mr. GREGG. I make a point of order a quorum is not present, Mr. President.

Mr. KENNEDY. Yeas and nays, Mr. President.

The PRESIDING OFFICER (Mr. OBAMA). Is there a sufficient second?

Mr. KENNEDY. Yeas and nays.

Mr. GREGG. Mr. President, a quorum is not present. I make a point of order that a quorum is not present.

Mr. KENNEDY. The yeas and nays, Mr. President.

The PRESIDING OFFICER. There is not a sufficient second.

The clerk will call the roll on the quorum.

The assistant legislative clerk called the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, if I could have the attention of the Senator from New Hampshire, we were necessarily absent during the earlier presentation by the Senator from New Hampshire at a meeting with——

The PRESIDING OFFICER. The Senator is advised that a motion to table has been made. It is not debatable.

Mr. KENNEDY. I withdraw the motion to table.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I was under the impression we had gone through the debate and discussion. I had indicated I was going to make a motion to table. When the Senator from New Hampshire came to the floor, I was glad to withhold as the Senator remembers. The Senator, as I understood it, had finished his comments, and I made brief comments.

I am more than glad, if the Senator wants to address the amendment. We have just been in the process of trying to move along. I have no intention of cutting him off. We have not attempted to cut anyone off. So if he had that impression, I regret it. I say to the Senator from New Hampshire, we have been longtime friends, and we have been trying to have a process of moving this along. I had not known, at least on our side, we had other people prepared to speak. I had not heard there were others who were prepared to speak on the other side. So that was basically the reason for moving ahead.

But I am glad to withdraw the motion, as I was earlier. I would hope the Senator would understand, and we would hear from the Senator, if he so desires. We want to, at some time, reach some judgment on the amendment, but I am glad to work that out with the Senator, as I have tried to over the years.

Mr. GREGG. Mr. President, I appreciate the courtesy of the Senator from Massachusetts, and I will take 2 minutes to respond to his comment, and then I would be happy to have the Senator renew his motion. That was all the time I wished to use to respond—the issue being I had not been aware the Senator was going to respond to my comment. But I did believe his comments deserved a response, and that is what I was seeking recognition to do at the time I was cut off. However, I do appreciate the Senator's courtesy.

In response to the specifics of the Senator's representations that the Department's position is that these numbers, as contained in the bill, will accomplish operational control of the border, I find that to be entirely inconsistent and unsupportable, first, from the testimony of the Department's lower level individuals—who are in charge of these agencies—before the Appropriations subcommittee which I chaired at the time, specifically, the Director of the Border Patrol, Mr. Bonner, who made it very clear he needed 20,000 border agents; and, secondly, the fact they had let a contract which has in it significantly more numbers in the area of virtual fencing towers than are in this bill. If they did not need those, why did they have a contract which calls for them?

So I think on its face the representation of that proposal may be that is what they can do in 18 months, but it is not what they need to do for operational control.

The proposal I have is the numbers necessary to obtain operational control: 2,000 more border agents than called for in the bill, 2,700 more beds than called for in the bill, 35 more towers for virtual fencing than called for in the bill, and 100 miles more of vehicle fencing.

It is not outrageous, not inconsistent, not inappropriate, and will actually strengthen this bill and make the American people believe we are doing something constructive in the area of border security.

With that, I appreciate the courtesy of the Senator from Massachusetts in allowing us to reopen the debate and ask unanimous consent that further

debate on this amendment be ended and that the Senator be allowed to make his motion, which he has a right to do anyway.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I ask unanimous consent to vitiate the yeas and nays on the Gregg amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, we are prepared to vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1172) was agreed to.

Mr. KENNEDY. Mr. President, I thank the good Senator from New Hampshire. We continue to make progress. I thank him. I know his strong views on this, and we will continue to work on it as a matter of enormous importance. I know the Senator from Arizona and others feel very strongly. We want to have a secure border. People have differing views, but we will work very closely to try and achieve the objectives, and we will work very closely with him as we go to conference and in conference as well. We all understand this is a work in progress.

Now, for the Members, I know Senator CORNYN wanted to offer an amendment. As I understand it, he is still in the Armed Services Committee. We were ready to go on our side. We had an amendment of the Senator from North Dakota which is going to sunset the temporary worker program. He is giving thought to that. If he would like to—I see Senator CORNYN is here now. We may go out of sync here, but if we wanted to go ahead with that—I see my friend from Arizona.

I yield the floor.

Mr. KYL. Mr. President, in order to take the next 10 minutes or so, my understanding is that Senator CORNYN will be ready in a few minutes, but in the meantime, a couple of people have been waiting patiently to speak for maybe no more than 5 minutes or so. I think the Senator from Tennessee would like to do that.

Mr. CONRAD. Will the bill managers yield for a question?

Mr. KENNEDY. Sure.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, for the information of the body, could the Senators give us some picture on the voting circumstances this evening? Is there a clear picture on whether you might expect additional rollcall votes tonight or would they be debated tonight and held over until the morning? What do the bill managers anticipate?

Mr. KENNEDY. Mr. President, I think we would like to try to at least get another vote, possibly two. I think we will know more clearly in about 15 minutes and we will notify our colleagues. I think we have made some good progress. We had several of our colleagues—as always, these are enormously important—from the Armed Services Committee and others. We will probably have a brief window tomorrow.

The Senator from Arizona, Senator MCCAIN, was here earlier and wants to do an amendment on back taxes, and I have indicated I thought we could probably do that in the morning and we will try to work out a time with him. We are trying to follow going back and forth, but if there are people here from a particular party who are prepared to go ahead, we want to try to deal with that.

I think we will have a limited time in the morning. I don't know when we are going to get the supplemental, but I am hopeful we would have at least a window in the morning.

Mr. KYL. Mr. President, if I could interrupt my colleague to give a couple of bits of further information, the next opportunity for an amendment should be from the Democratic side. Senator CORNYN is ready to proceed with an amendment, and also Senator HUTCHISON has an amendment I think that is cleared on both sides that we could do by voice vote, when that is appropriate. But the next amendment should come from the Democratic side.

My suggestion would be, while we are deciding the immediate future ahead of us, that Senator ALEXANDER be allowed to proceed on a matter that is unrelated, and then we could go to the Democratic side.

Mr. KENNEDY. That would be fine. I see the Senator from Iowa here who wanted to make a comment as well.

Mr. KYL. Mr. President, up to 5 minutes for Senator ALEXANDER.

Mr. CONRAD. Mr. President, might I inquire, is there any possibility of having further debate tonight and votes in the morning in lieu of additional votes this evening?

Mr. KENNEDY. That is always possible. We would like to check with the leadership. Senator CORNYN has been extremely patient through this process and has indicated at the start of the day that he would like to be able to address the Senate on an issue. He has now returned. I would like to see if we can't have maybe a short period here and then I could try and make an assessment and let the Senator know. But I would be very hopeful that we would be able to address Senator CORNYN tonight, and then I could talk to the Senator from North Dakota and Senator MCCAIN. If we can get those lined up for the morning, maybe we will be able to give an announcement about where we are.

Mr. CORNYN. Mr. President, if the Senator from Massachusetts will yield, I am happy to offer my amendment tonight and wait to vote on it tomorrow, if that suits the schedule of the bill managers. I wanted to offer that. I would like to offer it tonight and have the debate tonight, but if you would like to stack the vote up with others tomorrow, that is fine.

Mr. KENNEDY. If we could proceed with the Senator from Tennessee for 5 minutes and the Senator from Iowa for 10 minutes, and then we will announce what the plan is for the evening and for the morning. I ask unanimous consent to do that.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

INTERNET TAX FREEDOM EXTENSION ACT OF 2007

Mr. ALEXANDER. Mr. President, today, Senator CARPER and I introduced the Internet Tax Freedom Extension Act of 2007. Other cosponsors were Senators FEINSTEIN, VOINOVICH, and ENZI. All of those Senators have been interested in this subject for the last few years.

The bill would, very simply, extend a moratorium on Internet access taxes by State and local governments for another 4 years. This is a commonsense compromise of what can sometimes be a very complicated discussion about continuing the moratorium, without blowing a hole in the budgets of State and local governments.

We all want to be careful about so-called unfunded Federal mandates. We want to respect State and local governments. But at the same time we want to create an environment that encourages technology. We believe this would do that.

The background of all this is, briefly, that originally Congress passed the Internet Tax Freedom Act in 1998, which did an extraordinary thing. It said State and local governments could not tax Internet access for three years. That sounds like a good thing, but we could just as easily pass a bill we might call the food tax freedom act, because that would keep State and local governments from taxing food; or because we are against income taxes, we might say the income tax freedom act and ban Tennessee from having an income tax; or we might say the sales tax freedom act, or the property tax freedom act, or the telecommunications tax freedom act. But instead we created the Internet Tax Freedom Act, meaning, in effect, that States could not tax Internet access. The rationale was that the Internet and electronic commerce is a fledgling industry, and Congress extended that in 2001.

In 2004, after extensive debate, we worked out a compromise extending this moratorium over the next 4 years.

The compromise we worked out in 2004, according to the National Governors Association, may have saved

State and local governments up to $12 billion in revenue. All of us want to keep taxes low, but here is where I am coming from. When I was Governor, nothing made me angrier than for Members of Congress coming up with a big idea to pass a law, take credit for it, and send the bill to the Governors, legislators, mayors, and county commissions. That is what we will do if we are not careful about the Internet access tax because, as we saw 4 years ago, telephone calls moved to the Internet. If we banned taxes on telecommunications as part of Internet access, telephone calls over the Internet would be free from taxation.

That sounds good, except States might have to increase college tuition, increase sales tax on food, or some States might have to put in, for the first time, a State income tax.

Mr. President, $12 billion in revenue is a lot of money. The definition of Internet access that is in this new compromise that Senator CARPER and I introduced on the moratorium would, for the next 4 years, protect State and local governments, while continuing the moratorium on Internet access. It is sensible. I think we will debate it more over time. Maybe it will even be accepted by all parties. I wanted to signal on my behalf, Senator CARPER's behalf, and on behalf of the National Governors Association, the National Conference of Mayors, and the National Association of Counties, that we believe it is very important to do no harm to State and local government. If we want to give a tax break to the telecommunications companies or to Internet companies, then we in Congress should pay for that and not send a bill to State and local governments.

This avoids our having to do that because the moratorium carefully defines Internet access to mean States are free to continue to make their own decisions. This doesn't mean States should attempt to tax the Internet; it means States may, if they choose, impose a sales tax on Internet services, just as States may impose a tax on food, or on medicine, or on gasoline, or may impose a tax on income. That is the job of State and local government. That is not the job of the Congress.

I am glad to join with Senators CARPER, FEINSTEIN, VOINOVICH, and ENZI in introducing the Internet Tax Freedom Extension Act of 2007. I am glad to extend a commonsense moratorium on State and local taxation of Internet access, and I look forward to passage of that legislation before long.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

(The remarks of Mr. HARKIN pertaining to the introduction of S. 1469 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. HARKIN. Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SPECTER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. CANTWELL). Without objection, it is so ordered.

Mr. SPECTER. Madam President, I believe we are now prepared to turn to the Cornyn amendment.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, is there a pending amendment?

The PRESIDING OFFICER. There is.

AMENDMENT NO. 1184 TO AMENDMENT NO. 1150

(Purpose: Establishing a permanent bar for gang members, terrorists, and other criminals)

Mr. CORNYN. Madam President, I ask unanimous consent to set aside the pending amendment, and I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

Mr. SPECTER. Madam President, if the Senator from Texas will yield for a question.

We are trying to determine what is going to happen on the balance of the evening. Senators, understandably, at 6 o'clock, are asking if there is going to be a vote this evening. I understand from our conversation in the cloakroom that there are two Senators who are considering joining with you and you are not now prepared to enter into a time agreement. But if those Senators would come to the floor and let us know what they intend to do, we will be in a position to see if we can vote. We wish to vote this evening, but we don't want to keep people around here if we are not going to vote.

Mr. CORNYN. Madam President, I agree with the distinguished Senator from Pennsylvania and will certainly try to work to accommodate everybody. It is not my intention to keep people hanging around here if we are not going to vote, but I can't enter into a time agreement specifically yet until we can get some people who are examining the amendment, the cosponsors who might wish to speak on it.

Mr. SPECTER. Maybe I could direct the question to the Senator from Texas. Would it be out of line to identify the Senators we have in mind so we can direct them to the floor to get this resolved?

Mr. CORNYN. I hate to identify them until they have made a decision to cosponsor the amendment or to speak on it, because they may want to study in confidence and then make a decision whether they want to cosponsor it or come to the floor. We are in communication with them, encouraging them.

Mr. SPECTER. Madam President, they know who they are. We would ask them to come to the floor.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Texas [Mr. CORNYN] proposes an amendment numbered 1184 to amendment No. 1150.

Mr. CORNYN. Madam President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. CORNYN. Madam President, I know we are all anxious to proceed. No one is more anxious than I to proceed with the hearing of amendments and debate. I think colleagues will, when they hear what this amendment is about—and I apologize that, due to the legislative counsel being backed up drafting amendments, we have only recently been able to distribute the amendment text, but I think as I describe this amendment, my colleagues will share my concern with two problems that are in the underlying bill.

First, this amendment would do two things: The amendment would provide technical corrections to what I can only assume are drafting oversights in the underlying bill as well as close loopholes in the current law. These technical corrections include closing loopholes that fail to permanently bar from the United States and prohibit awarding of any immigration benefits to the following categories of individuals: No. 1, persons associated with terrorist organizations; No. 2, violent gang members; No. 3, sex offenders; No. 4, alien smugglers who use firearms; and, No. 5, repeat drunk drivers.

The question I put to my colleagues is whether Congress should permanently bar from the United States and from receiving any immigration benefit the persons in the categories I have just described and others who are dangerous to our society. I sincerely hope none of my colleagues would answer this question in the negative.

Let me point out a couple of examples of what I will call the technical fixes that are sorely needed. Current law prohibits U.S. citizens convicted of sex crimes against minors from bringing a relative into the country. This bill, however, does not specifically prohibit aliens who would be removed from the country because they are sex offenders and fail to register as such from entering the United States and getting legal status, such as lawful permanent residence status.

This, as I say, is what I believe to be an oversight. Perhaps in the haste in which the bill was drafted it has been left out, but it needs to be fixed, obviously.

The bill also retains a loophole under current law that would allow an alien who has been repeatedly convicted of driving while intoxicated to remain in the United States and get legal status, such as a Z status or a green card.

The bill also retains the loophole in current law that allows an alien who belongs to a terrorist organization, or perhaps even committed terrorist acts

and has not yet been removed from the United States, to get legal status.

Now, lest my colleagues think I am exaggerating, let me provide a real-world example of this loophole. Last year, Mohammed El Shorbagi pleaded guilty to providing material support to Hamas. His act of providing material support to Hamas would not have barred him from establishing good moral character under current law because it is not one of those grounds specifically included in the list of acts that prevent an alien from establishing ''good moral character'' under our immigration laws.

Now, I would hope these what I would call technical fixes are the kinds of commonsense solutions my colleagues would support. We have to ensure those aliens who have committed crimes, such as failure to register as a sex offender, or alien smuggling while using a firearm, are permanently barred and ineligible for benefits. We must also ensure those aliens who have committed acts or who engage in conduct in association with a terrorist organization, or perhaps have even committed terrorist acts themselves, are rendered permanently ineligible for any legal status and are barred from our country.

Finally—and this is not a technical fix; this, I believe, is a conscious decision on the part of the bill drafters to omit this category of individuals—my amendment would close the loophole in this bill that allows legalization of those illegal aliens who have already had their day in court and violated court-ordered deportations. These are known as absconders and, in fact, have committed a felony, if found guilty of their failure to deport once ordered deported, or if they have been deported and simply reentered the country.

Unlike the first half of my amendment, this is not a technical correction. In other words, the decision to legalize this population of illegal aliens was no drafting oversight.

Mr. LEAHY. Madam President, I ask the Senator from Texas to do me the courtesy of allowing me 1 minute to take care of something that is going to be accepted, and that is going to modify an amendment that is to be accepted.

Mr. CORNYN. Madam President, I yield for that purpose but claim my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Vermont.

AMENDMENT NO. 1165, AS MODIFIED, TO AMENDMENT NO. 1150

Mr. LEAHY. Madam President, I ask unanimous consent that the pending amendment be set aside, and I call up amendment No. 1165.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Madam President, I ask unanimous consent that Senators CASEY and SCHUMER be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for himself, Mr. KOHL, Mr. CASEY, and Mr. SCHUMER, proposes an amendment numbered 1165, as modified, to amendment No. 1150.

Mr. LEAHY. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, as modified, is as follows:

In section 218E(d) of the Immigration and Nationality Act (as added by section 404(a)), strike paragraphs (2) and (3) and redesignate paragraph (4) as paragraph (3).

At the end of section 218E, add the following:

''(i) SPECIAL RULE FOR ALIENS EMPLOYED AS DAIRY WORKERS.—Notwithstanding any other provision of this Act, an alien admitted under section 101(a)(15)(H)(ii)(a) for employment as a dairy worker——

''(1) may be admitted for a period of up to 3 years;

''(2) may not be extended beyond 3 years; and

''(3) shall not be subject to the requirements of subsection (h)(4).

In section 218G of the Immigration and Nationality Act (as amended by section 404(a)), strike paragraph (11) and insert the following:

''(11) SEASONAL.—

''(A) IN GENERAL.—The term 'seasonal', with respect to the performance of labor, means that the labor—

''(i) ordinarily pertains to or is of the kind exclusively performed at certain seasons or periods of the year; and

''(ii) because of the nature of the labor, cannot be continuous or carried on throughout the year.

''(B) EXCEPTION.—Labor performed on a dairy farm shall be considered to be seasonal labor.

At the end of section 404, add the following:

(c) CONFORMING AMENDMENT.—Section 101(a)(15)(H)(ii)(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(a)) is amended by inserting ''or work on a dairy farm,'' after ''seasonal nature,''.

Mr. LEAHY. Madam President, this modification is required by the authors of the bill in order for dairy provisions to be accepted into this bill. I have attempted through this language to ensure as best we can that our Nation's dairy farmers have adequate access to labor in the future. This amendment only deals with prospective immigration and is focused on dairy only.

Dairy is a year-round operation where interruptions to a farmer's labor force can have significant consequences—the H–2A provisions as they exist in the bill now do not adequately address the unique needs of dairy because they permit only 10-month terms of work. This sort of interruption does not work for dairy farmers, who need year-round, dependable employees.

In the AgJOBS legislation that this body passed last year and that we reintroduced this year, I supported a much broader provision to address the unique needs of the dairy industry. That provision had the overwhelming endorsement of America's family dairy operations. Unfortunately, there were objections from the Bush administration and the authors of the bill now pending, so I have worked with the managers of this bill to craft this compromise.

This modification would enable dairy farmers to have multiple avenues to employ legal workers in the future. First, under the H–2A program, dairy farmers would have the ability to hire workers for a 3-year period after which time the workers would return home. Second, this amendment would refine the H–2A program to allow dairy farmers to more easily obtain workers under the normal H–2A time frame of 10-month work periods. In combination with available opportunities under the Y visa program, these changes should provide significant opportunities for America's dairy farmers to obtain future legal workers to meet their needs. I urge support for this modified amendment to ensure that essential changes for dairy farmers become part of this legislation.

Madam President, I thank the Senator from Texas for his courtesy.

Mr. GRAHAM. Madam President, there is no objection on our side to this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1165), as modified, was agreed to.

AMENDMENT NO. 1168 TO AMENDMENT NO. 1150

Mr. GRAHAM. Madam President, if I could request the indulgence of Senator CORNYN, on behalf of Senator HUTCHISON, I call up amendment No. 1168 and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from South Carolina [Mr. GRAHAM], for Mrs. HUTCHISON, for herself Mr. BINGAMAN, Mr. DOMENICI, Mr. MCCAIN, Mr. KYL, Mrs. FEINSTEIN, and Mr. CORNYN, proposes an amendment numbered 1168 to amendment No. 1150.

Mr. GRAHAM. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide local officials and the Secretary of Homeland Security greater involvement in decisions regarding the location of border fencing)

On page 6, line 11, strike the second period and insert the following: ''.

(C) in paragraph (2), as redesignated—

(i) in the header, by striking ''SECURITY FEATURES'' and inserting ''ADDITIONAL FENCING ALONG SOUTHWEST BORDER''; and

(ii) by striking subparagraphs (A) through (C) and inserting the following:

''(A) REINFORCED FENCING.—In carrying out subsection (a), the Secretary of Homeland Security shall construct reinforced fencing along not less than 700 miles of the southwest border where fencing would be most practical and effective and provide for the installation of additional physical barriers, roads, lighting, cameras, and sensors to gain operational control of the southwest border.

''(B) PRIORITY AREAS.—In carrying out this section, the Secretary of Homeland Security shall—

''(i) identify the 370 miles along the southwest border where fencing would be most practical and effective in deterring smugglers and aliens attempting to gain illegal entry into the United States; and

''(ii) not later than December 31, 2008, complete construction of reinforced fencing along the 370 miles identified under clause (i).

''(C) CONSULTATION.—

''(i) IN GENERAL.—In carrying out this section, the Secretary of Homeland Security shall consult with the Secretary of Interior, the Secretary of Agriculture, States, local governments, Indian tribes, and property owners in the United States to minimize the impact on the environment, culture, commerce, and quality of life for the communities and residents located near the sites at which such fencing is to be constructed.

''(ii) SAVINGS PROVISION.—Nothing in this subparagraph may be construed to—

''(I) create any right of action for a State, local government, or other person or entity affected by this subsection; or

''(II) affect the eminent domain laws of the United States or of any State.

''(D) LIMITATION ON REQUIREMENTS.—Notwithstanding subparagraph (A), nothing in this paragraph shall require the Secretary of Homeland Security to install fencing, physical barriers, roads, lighting, cameras, and sensors in a particular location along an international border of the United States, if the Secretary determines that the use or placement of such resources is not the most appropriate means to achieve and maintain operational control over the international border at such location.''; and

(D) in paragraph (5), as redesignated, by striking ''to carry out this subsection not to exceed $12,000,000'' and inserting ''such sums as may be necessary to carry out this subsection''.

Mrs. HUTCHISON. Madam President, I rise today to speak to an amendment and resolve an issue impacting the citizens of our country that live along the U.S.-Mexican border.

I have long stressed the need to secure the borders of the United States—not only our southwest border with Mexico but also our northern border with Canada and our maritime borders, coastlines, and ports of entry.

I have consistently supported and voted in favor of border security efforts—such as the installation of reinforced fencing in strategic areas where high trafficking of narcotics, unlawful border crossings, and other criminal activity exists. I have also supported installing physical barriers, roads, lighting, cameras and sensors where necessary .

The Secure Fence Act of 2006 was passed by Congress and signed into law by the President, and it signaled a major initiative to secure the border with Mexico and Canada.

We must address border security so that we can move forward to address comprehensive immigration reform.

I will continue to champion border security measures and strongly support the efforts of my colleagues to strengthen our southwest border—protecting our citizens from threats of terrorism, narcotic trafficking, and other unlawful entries. However, I am concerned that Congress is making decisions about the location of border fencing without the participation of State and local law enforcement officials working with the Department of Homeland Security. The location of fencing should not be dictated by Members of Congress who have never visited our border.

Our border States have borne a heavy financial burden from illegal immigration, and their local officials are on the front lines. Their knowledge and experience should not be ignored. Texas shares approximately one-half of the land border between the United States of America and the Republic of Mexico. Our State and local officials and those in California, Arizona, New Mexico, and Texas should not be excluded from decisions about how to best protect our borders with their varying topography, population, and geography.

Local officials and property owners in my home State of Texas—particularly in the areas of El Paso, Del Rio to Eagle Pass, and Laredo to Brownsville—cited in the Secure Fence Act, under current statutory law, do not have an opportunity to participate in decisions regarding the exact location of fencing and other physical infrastructure near their communities.

To address this issue, I hosted a meeting in my Washington office, on January 17, 2007, with DHS Secretary Michael Chertoff, my colleague from Texas, Senator JOHN CORNYN, mayors from the border cities in Texas, and representatives of the private sector. That meeting began a dialogue with our local representatives in Texas and the Federal Government. I look forward to helping ensure that this dialogue continues.

The Hutchison-Bingaman Amendment, No. 1168, cosponsored by Senators CORNYN, KYL, MCCAIN, FEINSTEIN, and DOMENICI, addresses these issues and provides local and State officials greater involvement in decisions regarding the location of border fencing.

I urge the adoption of my amendment.

Mr. GRAHAM. Madam President, I urge the adoption of the amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 1168) was agreed to.

The PRESIDING OFFICER. The senator from Texas.

AMENDMENT NO. 1184

Mr. CORNYN. Madam President, I ask unanimous consent that my amendment be reinstated as the pending amendment.

The PRESIDING OFFICER. The amendment is once again pending.

Mr. CORNYN. I thank the Chair.

Madam President, I have discussed what I would call technical corrections or oversights that have been left out of this bill, in haste, perhaps, because I know that following the negotiations that went on for several weeks leading up to the announcement of an agreement by a bipartisan group of Senators on Friday, there was a lot of effort made to try to then turn that agreement into bill text. It wasn't until roughly midnight, I believe on Saturday night, that an original, or I should say a rough draft for discussion purposes was created; and then, if I am not mistaken, it was the night before last, about 9 o'clock, when this original amendment was laid down, this substitute amendment, which actually reflects bill text, that we could then go to legislative counsel to try and craft our amendments to be addressed.

Before I talk a little bit more about the second part of my amendment, which I think was consciously omitted from the bill, I ask unanimous consent that Senator BEN NELSON of Nebraska and Senator DEMINT of South Carolina be added as original cosponsors to my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Madam President, the second part of my amendment has, I think it is fair to say, a substantial impact on the underlying bill, but one I hope my colleagues will agree is necessary and important to adopt.

My amendment would close the loophole in this bill that allows legalization of those illegal aliens who have already violated court-ordered deportations. They are sometimes known as absconders because they literally have absconded from the law, but they are, in fact, under section 243 of the Immigration and Naturalization Act felons by virtue of their having absconded either after they have been ordered deported—they have simply gone on the lam and been fugitives from justice—or they have left the country pursuant to their order of deportation and then reentered the country illegally. They are, under section 243 of the Immigration and Naturalization Act, felons if found guilty of those offenses.

Unlike the first half of my amendment, this is not, as I said, a technical correction. In other words, the decision to legalize this population was no drafting oversight. It was a conscious part of the negotiated package that is now represented by the substitute amendment pending before the Members of the Senate. The drafters of this bill have made a conscious decision that Congress will allow exceptions for individuals who are illegally in the United States, in defiance of a court order, as well as those who have previously been deported from the United States pursuant to a court order and have again reentered illegally.

It is important to note that Congress has determined that each of these crimes is a felony. The laws, as I said, are already on the books. These acts of defiance of our legal system are not actions which would signal an individual's likelihood of future compliance with the laws of the land. I don't think Congress should be in the business of allowing exceptions to a class of individuals who can reasonably be dubbed as fugitive aliens.

In fact, it was Secretary of the Department of Homeland Security Michael Chertoff who said during our negotiations that illegal aliens who have defied our court system after having been given full due process of law do not deserve to be rewarded with legalization. Unfortunately, the drafters of this bill, in an effort to accommodate certain advocacy groups, have ignored Secretary Chertoff's commonsense observation, what is being peddled as ''discretion'' by way of a ''waiver.''

We can't guarantee the American people that future Presidents will appoint, nor the Senate confirm, Secretaries of Homeland Security with the good sense and judgment of Secretary Chertoff. Thus, I think we need to eliminate any discretion in allowing these individuals to remain in the country and obtain the benefits of this legalization. I submit that discretion is something Congress gives away to a bureaucracy when Members don't have the intestinal fortitude to create a bright-line rule. This bright-line rule would affect roughly 700,000 absconders who are still in the United States. The underlying bill would allow them a path to legal status and perhaps even to citizenship. My amendment would say these people have had their opportunity to have their day in court and do not deserve the benefits that this underlying bill would give to other persons who have not similarly defied our U.S. legal system and, indeed, have committed, perhaps, felonies.

I ask my colleagues this. What is the message we send about the rule of law in America when Congress would not even categorically prohibit rewarding those illegal aliens who have defied lawful orders? What is the message we are sending to immigrants who are lawfully waiting outside the country when we reward those who have not simply violated our laws by entering illegally but who have also thumbed their noses at our legal system, after having been ordered or actually been removed?

I urge my colleagues to reject the policy in this bill that would reward felony conduct with legal status. I hope my colleagues will support me in that effort.

I yield the floor.

Mr. DORGAN. Madam President, the Senator from Texas asked a question. I think the answer is probably fairly obvious. What is the message we send to people around the world who applied for status to come to this country through the immigration quota process? There is a process that is our legal immigration process. What is the message to those folks who, perhaps 3 years ago, 5 years ago, 9 years ago, filed a petition only to discover that if they had walked across the border on December 31 of last year, they would, with this legislation, be deemed to have been here legally? That is the message. It is sort of a Byzantine message as far as I am concerned.

Yesterday something happened that was quite interesting. I attempted to eliminate the so-called guest worker program or the temporary worker program by which millions of additional people who do not now live in this country would be invited in to take American jobs. I attempted to eliminate that. I failed to do that. I will next offer an amendment at some point, perhaps tomorrow morning, that will sunset the temporary worker program. If we cannot eliminate it, at least let's put an end to it—put a sunset on it.

During the debate yesterday, something fascinating happened. We are told repeatedly on the floor of the Senate that this bill is a piece of legislation that provides border security because most of us know that when you start dealing with immigration, the first step, the first baby step is to provide border security. If you do not do that, all you do is set up, another 10 or 15 years from now, exactly the same debate and provide amnesty for another 10 or 15 million people.

We have done that before, in 1986. We have heard exactly the same arguments: We are going to have border security, we are going to have employer sanctions, we are going to shut down illegal immigration, and we are going to have nirvana. The fact is, none of that worked. We have done this before.

What happened yesterday was fascinating to me. In an attempt to shut down the temporary worker provision, I was told by the people who constructed this proposal that if you shut down the temporary worker provision by which we will bring people into this country who are not now here to take American jobs—if you shut down the temporary worker provisions, what will happen, they said, is people will come across illegally anyway.

I said: I don't understand your point. First, you said you have written a bill that provides border security and stops illegal immigration. Now you are saying if we get rid of the temporary worker provision, what will happen is we will have illegal immigration anyway. You can't have it both ways. Either this bill does what is advertised and provides real border security or it doesn't.

Those who put the bill together told us yesterday it doesn't have that border security because they believe they have to designate those who are coming across as legal, therefore, temporary workers, because if they did not do that, they would come across and we would call them illegal. That is the most unbelievable thing I ever heard.

They cobbled together this proposal. I said yesterday it reminds me of the old saying that a camel is a horse produced by a committee. They have cobbled together this camel of policy here with several different pieces, saying, first, because I believe they understand the politics of it that requires them to say this, we have provided for border security when, in fact, they have not. That is not the case. All they have done is created the same promises I heard 21 years ago.

Then they say, but we must, even as we decide to say to this 12 million who are here, including those who came across the last week of December last year: By the way, you are now legal and given a work permit—we must, in addition to that, allow millions more to come in.

Yes, you get millions more when you do 400,000 a year for 2 years, have them go back for a year, come back 2 more years, have them go back a year, and have 2 more years and accumulate that, and you have at the very least, without even counting families, 12 million workers in a few years. They say we have to do that—invite others to come in to take American jobs—because if we don't, they will come across the border anyway. That is a serious admission of failure, in my judgment, in the bill that is brought to the floor of the Senate.

I didn't intend to come here to say anything, but I heard my colleague from Texas ask, What is the message? The message is a Byzantine message to those who believed there was a legal way to try to come to this country, a legal process by which we have immigration quotas from various countries and they, thinking it was all on the level, actually made application to say I would like to come to the United States of America and I am willing to wait. I waited 5 years or 7 years, they say, only to discover that as of today, if this bill passes, we say you should have come across on December 28 or so into this country. You could have gotten on a plane on a visitor's visa with a full intention of never going back, or walked across the border someplace, and this Congress with this legislation would say to you: We have a great surprise for you. You came across illegally and we now desire to say to you: You are legal, you have legal status and a work permit.

What kind of message? We know the answer to that. It is a Byzantine message that makes no sense at all.

Is immigration an issue? Yes, it is. But this bill will not solve it. I intend to offer an amendment in the morning that will establish a sunset on the provision called the temporary worker provision. But even that will not solve the problems of this legislation.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CORKER. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Tennessee is recognized.

Mr. CORKER. Madam President, I rise today to, first of all, thank our leadership for allowing a true debate to take place on this issue. I know at one time it was discussed that we would pass this huge piece of legislation, that affects so many people, in 3 days. Because of the acquiescence of the bill

managers and leadership, we are truly going to have 3 weeks of debate.

You heard the Senator from Texas offer an amendment to make this legislation better; and the Senator from North Dakota, to offer his views. I think this whole process has been very healthy.

One of the things we are trying to address in this bill is a situation where our immigration has been broken, the system has been broken for many years. In 1986, legislation was offered to try to solve this problem. What has happened is it has gotten even worse, so there has been, obviously, more thought put into this bill.

I appreciate again the many amendments and the discussion that has taken place. Many of the things we have talked about have addressed the legalities, have addressed some of the technicalities in our immigration system. It seems to me, one of the things we have not addressed—while we have tried to address fairness to businesses, we tried to address fairness to immigrants, we tried to address fairness to families—one of the things I think we have not addressed is a sense of fairness to the American citizen.

What I mean by that is this. There is a sense of fairness that we see many times on the floor that is not addressed by the fact that we have about 12 million people in this country today illegally. People see this bill as straight amnesty, where all of a sudden we are going to make it legal that if you have been here working, for however long, you become legal in this country by virtue of being here.

In many cases, people have talked about some of the draconian measures that require people to actually return home to their countries. Yet this bill, in some cases, does that. Certainly, to become a green card holder, somebody has to return home to their country before coming in. That is something Americans think is fair.

If you want to be a temporary worker in this country, according to this bill, what you would do is work here for 2 years, as the Senator from North Dakota responded, then you would leave and go back for a year, and then you would come back into our country. Yet that is not perceived to be draconian and I do not think it is at all. But the one provision that seems to me to hit at the essence of the American frustration that is not in this bill, is the fact that we have some triggers that are going to cause our borders to be secure and make us be able to track people in an appropriate way—the administration said this can take place over the next 18 months—but what we are not doing is asking the people who are here in our country illegally to actually return home and come back through legal channels.

It is that point, I think, that has divided the American people, the fact that this bill does not address the inequity of allowing those people to remain here. These are people who came here, obviously, to support their families, and we understand what the motivation is for many people to be here, but this bill does not address that inequity.

What I propose tonight and I am working with other Senators to hopefully make happen after we come back from recess, is to actually have a provision in this bill that treats people who are here illegally like those who wish to have a green card, like those who would be temporary workers in this bill. I would ask that other Senators work with me and others to create an amendment to this bill that actually would cause, over a reasonable amount of time, people who are working in this country to return to their home country and then come back through legal channels. I think that strikes at the very core of what so many Americans believe is so inappropriate about having illegal immigrants, illegal workers, automatically made legal.

I think that is a central fallacy in this bill as it has been offered today. After many of these technical amendments are agreed to over the course of the next few days, and as we come back from recess, I look forward to working with other Senators to try to ensure that if this immigration bill passes, it passes in a way that meets the sense of fairness the American public believes this bill ought to have; that it addresses that inequity of people who jumped in front of the line and came here, being here illegally and yet being able to benefit without, during a reasonable period of time, returning home and coming back through legal channels, once we have the mechanisms in place to allow people to do that. I hope to have the opportunity to work with others in this body to make that happen.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MENENDEZ. Madam President, I wish to rise briefly to speak to the amendment of the Senator from Texas. I think I caught him describing it as a ''technical one.'' At first blush, having just seen it for the first time, looked at it and having seen the intersection of what he seeks to do throughout title II of the bill, it is far from technical; it is very substantive. I appreciate that he has very substantive positions that might be different from mine, but they are very substantive, they are not technical. They go, in some cases, to the heart of due process for individuals, and they go to the heart of undoing what some cases in the appellate division and beyond have decided is the appropriate law of the land.

I just wish to start off by saying that I certainly hope this amendment will not come to a vote tonight because I think all of us need to understand the nature, the scope, the breadth, the width of what, in fact, is being offered here, which I truly believe is far more than technical. So I just wanted to, so to speak, wave my saber early for the distinguished Senator from Texas and say that I am sure he is going to get a vote, but I will have to object if there is any intention to seek a vote tonight. You have to take all of the 12 pages that were just presented, intersect them, and see how they affect different sections of the underlying statute, and those have real meaningful consequences at the end of the day. I might agree with some; I might strongly disagree with others. So I just wanted to make it clear to the body that, from my perspective, it is a little bit more than technical.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, I appreciate the concerns of my distinguished colleague. It is a fair point; this is more than a technical amendment. He may not have heard my entire earlier statement. I indicated that some aspects of my amendment were what I thought were technical, but there was a second part that was far from technical, it was very substantive, and I knew it would be controversial because we discussed it during the course of the negotiations in which the distinguished Senator from New Jersey participated, as did I, and it was, the best I can tell, consciously omitted from the draft. So my effort here is to insert it by way of amendment. I do believe it deserves full and fair consideration. People need to understand what the impact of it will be.

Indeed, this whole subject matter has a lot of ramifications and a lot of moving parts, and that is the reason I am so glad we have not only this week but also a second week after the recess which the majority leader has scheduled to conclude the debate and vote on the bill.

I certainly understand the Senator's concerns, and I would welcome the debate that will ensue, but I can understand why he would object to a vote tonight. We have actually talked with the bill managers and suggested that perhaps, if unanimous consent can be obtained, this amendment would be set aside temporarily and perhaps other amendments can be laid down and even voted on tonight but that we can wait until tomorrow, perhaps, to schedule a vote on this after everyone has had a chance to digest it and consider its ramifications.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I appreciate the offer from the distinguished Senator from Texas, and I certainly hope we will take his offer because I would have to object if we were

to try to proceed tonight to a vote on his amendment. I think his amendment is important. I think it has real consequences. There are real consequences of substantive law, there are real consequences of due process, and there are real consequences of equal protection. So these are major legal issues which affect potentially millions of people.

I appreciate the spirit in which he has offered it. I appreciate him saying he is more than willing to give time. I hope the bill managers would pursue that course of action and make sure that a vote on this does not take place until sometime tomorrow so that we can digest all of this and have the appropriate debate because legal protections are very important in the context of what we are doing.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Madam President, I wish to spend, if I can, just a few moments—I see my colleague from New Jersey is still on the floor, and he will be joining me at an appropriate time in offering an amendment dealing with parents of U.S. citizens. The Senator from New Jersey speaks eloquently about this issue on a very personal level. I am proud to be the author of an amendment with him and others to try to improve this legislation.

This amendment would unite parents with their families in the United States by increasing the cap on green cards issued to them, extending the duration of the newly created parent visa, and ensuring that penalties imposed on people overstaying this visa are not unfairly applied to others, as they would be in this legislation.

Under current law, parents of U.S. citizens are defined as immediate relatives, along with spouses and minor children, and are exempt from green card caps. Under the proposed legislation, S. 1348, parents would be removed from this category and subject to an annual cap of 40,000 green cards. This amendment increases the cap on green cards in this bill to 90,000. That is about the average annual number of green cards issued to parents of U.S. citizens.

Second, we are trying to extend the duration of the newly created parent visitor visa to 180 days. Under this bill, the amount of time a parent could stay here under a parent visitor visa is limited to 30 days per year. On the other hand, a tourist visa is valid for 180 days per year. The idea that your parent can only come here for 30 days is something that is offensive to a lot of Americans who believe in the value and importance of children and parents being together.

This amendment would also ensure that penalties imposed on overstays are not unfairly applied to others, as they would be in this legislation. If the number of overstays exceeds 7 percent, individuals from disproportionately high-risk countries could be barred from coming to the United States on this visa program or the entire program could be terminated.

I hardly think it necessary to make the case about the value of parents and children being united for a period of time and what it means, if you are parents yourselves, to be able to have grandparents spend some time with their grandchildren.

We take great pride in that. We extol the value of family. One would be hard pressed to hear a speech given by someone in public office today, regardless of the subject matter, that doesn't at some point or the other talk about how important it is to value families, to do everything we can to keep families together, the importance of intergenerational communication, grandparents and grandchildren, parents and children, the value of that to a nuclear family. Certainly, we all recognize we have serious issues of security that need to be dealt with at our borders, doing what we can to provide for the legal status of those who are seeking to come here through traditional means. It is a major step backwards for a country that prides itself on allowing for families to be together, understanding the importance of it, that we would be talking about legislation that cuts by more than half the average annual number of green cards needed for parents to visit their children, dealing with them in a separate category, and providing actually a longer visa for tourists than for parents.

No one knows who gets excluded when you go from no cap down to 40,000. Obviously, a lot of parents would be excluded in any given year. As evidenced over the years, once parents do come for a limited amount of time, that usually completes the family unit. They are not likely to sponsor other relatives. U.S. citizens with parents abroad should not be treated differently than those with parents here, to provide that opportunity in time for them to be together.

This amendment would increase the green card cap to 90,000 so we are meeting the average annual need and not creating an insurmountable backlog. It would make sure that sufficient numbers of green cards are available to parents who come to the United States. We extend the parent visa to 180 days and make it renewable and valid for 3 years. Those are already accepted time frames for the validity of visas. 180 days is the length of a tourist visa. H–1B visas are valid for 3 years.

This legislation limits parents to an annual stay of 30 days. It does not specify any long-term validity. This is far too short a time allotment, I think most would agree, particularly for parents who come for health reasons or to help their children during and after childbirth.

Lastly, this amendment would make penalties for parent visa overstays applicable only to them. Under the legislation before us, if the overstay rate among visa holders exceeds 7 percent for 2 years, all nationals of countries with high overstay rates can be barred from this program or the program can be terminated. Sponsors of overstays are also barred from sponsoring other aliens on this visa. This amendment strikes that language that unfairly collectively punishes those who have not violated the law, allowing law-abiding parents to continue to unite with their children.

The amendment is comprehensive and touches on all three points of family reunification: parents with their children, grandparents with their grandchildren. Again, it hardly needs a lengthy explanation of the value. I regret deeply that my children don't have the benefit of their grandparents. They passed away too many years ago. How many times on a daily basis I think of what a value it would be to my children to know their grandparents, not to mention what it would have meant to my wife when she gave birth to be able to have her mother around during that period of time or the weeks thereafter to have her come and spend a couple of months. To be with the family as they are getting on their feet, I don't know of a single American who doesn't understand this basic concept.

At the appropriate time, I will offer this amendment. I am pleased my lead cosponsor on this amendment is my colleague and friend from New Jersey. I thank him for his support. He told me the story of his family. I think maybe more than anything else I heard over the last several weeks, thinking about what it would have meant for his family coming from Cuba and not being able to come here moved me to the point where I thought this was something we ought to offer on this legislation.

At the appropriate time I will offer the amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I thank and applaud the distinguished Senator from Connecticut for soon offering this amendment. I am proud to join him in this effort. I want to build upon a couple of things he said as to why this amendment should be accepted, not voted but accepted.

First, I have listened to a new definition of what a nuclear family is. It is amazing. I have heard so many speeches over my 15 years in the Congress about family. All of a sudden, the nuclear family doesn't involve mothers and fathers. All of a sudden it doesn't involve children, just because they happen to be over the age of 21. All of a sudden brothers and sisters are not part of a nuclear family.

What is a nuclear family? Certainly as people travel throughout the country making speeches about nuclear families—about families period—they certainly mean their parents, people who gave life to them; certainly they mean their children, individuals to whom they gave life; certainly, they

mean their brothers and sisters. I have been amazed at some of the comments I have heard on the floor of the Senate about what is not nuclear family.

What else is this about? This is about the right of a U.S. citizen to apply for their mother and father. That is what the amendment of the Senator from Connecticut is all about, the right of a U.S. citizen already to apply. Do everything right. Pay your taxes, serve your community, serve your country, you want to have a right, which you have under the law today, to simply bring your father and mother, or either one depending if they are not both alive, the opportunity to be reunited with you, a nuclear family, be reunited with you because you need them, be reunited, as the Senator from Connecticut says, because you have a child and now there is the opportunity to have the love and care a grandparent can offer, to create a sense of family, which is the essence of stability in our communities. Of any faith, it is the very core.

What we see in the underlying bill is an elimination for the most part, a significant right of U.S. citizens dramatically reduced. The Senator's amendment actually will allow not for everybody. It still will have a certain degree of limitation because last year we gave 120,000 visas to parents. The Senator—which I think is reasonable—has looked at the historic average, and this says this is the amount that at least generally has taken place in family reunification of a U.S. citizen claiming their parents.

When I hear chain migration, how dehumanizing. Chain migration, it makes me think of a bunch of paper clips hanging together. Chain migration, is that what we have come to? Parents are part of a little chain? There is this concern that they will be able to claim someone else. Who can they claim if they are being claimed by their son or daughter? That's it. You can't claim anybody else. Chain migration. How easy it is to try to take something that has so much significance in our lives and dehumanize it. Chain migration? No, this is about family reunification. It is the core of what our society is all about. It is what we hear speeches about all the time in terms of strengthening families. Families will be strengthened when they are together, not torn apart.

In the universe of visas, this is very small, but it has a big consequence. Therefore, I salute the Senator from Connecticut for offering the amendment. I am proud to join with him when he offers it at the appropriate time. I hope we are not going to now say that parents are not part of the nuclear family.

I yield the floor.

Mr. DODD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COLEMAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1158 TO AMENDMENT NO. 1150

Mr. COLEMAN. Madam President, I ask unanimous consent that the pending amendment be set aside, and I call up amendment No. 1158.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from Minnesota [Mr. COLEMAN], for himself and Mr. BOND, proposes an amendment numbered 1158 to amendment No. 1150.

Mr. COLEMAN. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to facilitate information sharing between Federal and local law enforcement officials related to an individual's immigration status)

At the appropriate place, insert the following:

SEC. ____. INFORMATION SHARING BETWEEN FEDERAL AND LOCAL LAW ENFORCEMENT OFFICERS.

Subsection (b) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) is amended by adding at the end the following new paragraph:

''(4) Acquiring such information, if the person seeking such information has probable cause to believe that the individual is not lawfully present in the United States.''.

Mr. COLEMAN. Madam President, following the attacks of 9/11, we made a promise to the American people to make this country safer. We identified on all levels cracks in our system. Most alarming, we found that intelligence agencies were not talking to one another. We found that when the left arm doesn't know what the right arm is doing, the consequences can be disastrous. The gathering of intelligence is not an abstract concept that only happens on the streets of Afghanistan or Iraq. It happens every day on the streets of Duluth or St. Paul, MN. Our local law enforcement agencies are on the front lines of our communities and often know exactly what is happening on our streets.

Sadly, in what is reminiscent of pre-9/11 days, municipalities have identified a loophole in the law—or in many ways I don't even call it a loophole, they have simply circumvented Federal law and have banned the practice of officers inquiring about a suspect's immigration status, allowing cities throughout the country to become what are called sanctuaries for illegal immigrants.

My amendment seeks to end the practice of sanctuary cities. These are cities that seek to evade their obligations under section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. That law expressly prohibits any Federal, State, or local government entity from preventing a law enforcement officer from sharing information with the Federal Government regarding the immigration status of a person with whom they come in contact.

The law is very clear. Section 642, subsection (b) states:

no person or agency may prohibit, or in any way restrict—

In any way restrict—

a Federal, State, or local government entity from doing any of the following with respect to information regarding the immigration status, lawful or unlawful, of any individual:

It goes on to say, you cannot restrict ''sending such information to, or requesting or receiving such information from, the Immigration and Naturalization Service.'' You cannot restrict, in any way, ''maintaining such information.'' You cannot, in any way, restrict ''exchanging such information with any other Federal, State, or local government entity.''

So that is what the law states.

Several cities have passed ordinances or issued executive orders forbidding local law enforcement from even asking the question as to whether a person is in the United States lawfully, and thereby evading their legal responsibility to report their suspicions to the Federal Government.

In other cases, police department policies forbid or severely restrict their officers from asking a person about immigration status.

Essentially, the philosophy is ''don't ask, don't tell''—don't ask suspects about their immigration status, so then you don't have to follow the dictates of the Federal law. These cities have decided the rule of law does not apply to them.

Scores of law enforcement officers have chafed at the gag order. I had a meeting last week with law enforcement officers from Minnesota in my office, and they mentioned this. They mentioned the frustration they have with what they think is their responsibility to report if they think somebody is not here legally, that—who knows?—this person could be somebody who had been deported before, and that is a felony. They are absolutely prohibited from even asking the question or having the conversation.

Many say they routinely come in contact with dangerous persons they know have been deported already—they know it—yet their local sanctuary policy is to prevent them from being able to do anything about it.

Supporters say sanctuary policies are intended to be humanitarian because they allow illegal immigrants to cooperate with the police without fear of deportation. But the consequences of these policies are anything but for the law-abiding members of these communities: in some cases, dangerous criminal aliens remaining on the streets, muzzled law enforcement officers, and scarce local resources being wasted on

noncitizens who should be turned over to the Federal authorities.

Opening the channels of communication between local and Federal law enforcement will help prevent crimes against other members of the communities. Consider some recent examples.

Two young women who were killed in an accident near Virginia Beach earlier this year were struck by a drunk driver who had three previous alcohol-related convictions and an identity theft conviction, but because he had never been sent to prison, there had never been an examination of his immigration status. Reportedly, many area police officers knew the individual was in the United States illegally. Yet they never reported it to Federal immigration authorities.

In April 2005, a Denver police officer was shot and killed by an illegal immigrant who had been stopped three times for traffic violations and even appeared in court just 3 weeks before committing the murder. Strict rules in the police manual deterred officers from inquiring about his immigration status, so Federal immigration authorities were never notified.

In June 2003, a 9-year-old girl was kidnapped in San Jose, CA, by an illegal immigrant who had been arrested previously for auto theft. Because the San Jose Police Department's policy manual forbids officers from initiating police action intended to determine a person's immigration status, Federal authorities were never contacted.

In December 2002, a 42-year-old mother of two was raped in Queens by a group of men. Four of them were illegal immigrants, and three had previously been arrested for such crimes as assault, attempted robbery in the second degree, criminal trespass, illegal gun possession, and drug offenses, but were later released.

In May 2002, three women in Houston, TX, were raped and murdered by Walter Alexander Sorto, an illegal immigrant who had been ticketed several times for traffic violations.

This is not to suggest all aliens are violent criminals or that all violent criminals are illegal aliens. We caught Al Capone on tax evasion. We can protect our communities by allowing police officers to find out whether a person has broken our immigration laws.

Sanctuary city policies do not just leave their own citizens at risk. Mohammed Atta, the leader of the 9–11 hijackers, was stopped and ticketed for driving without a license in Broward County, FL, in early 2001. His visa was expired. Under these policies, no one would ever know that.

Just this month, we saw a terror plot unfold in Fort Dix that might have been prevented sooner had the local officials, who pulled the suspects over on numerous traffic violations, inquired about their immigration status. Make no mistake, this is a national security issue.

To address this problem, I am offering a simple amendment to make it clear a police officer has the right to ask immigration-related questions of a suspect, and to report his or her suspicions to Federal authorities. My amendment restores the original intent of the 1996 law, which I read before, by stating that Federal, State, and local governments may not prohibit law enforcement from acquiring information about immigration status where there is probable cause. That is what the 1996 law says, and yet cities have been able to circumvent this. Let us, then, go back to the original intent of that law.

My amendment does not require local law enforcement to use their scarce resources enforcing immigration laws. It does not enable local law enforcement to conduct immigration raids or act as Federal agents, or even determine a person's immigration status. Instead, my amendment simply gives law enforcement officers the ability to pursue a person's immigration status as part of their routine work, and thus to report any suspicions to the appropriate Federal authorities through already established channels, such as through the Law Enforcement Support Center at ICE, or ICE's Criminal Alien Program.

In essence, sanctuary cities are thumbing their noses at Federal law. The Justice Department has concluded that States have the inherent sovereign right to make arrests for both criminal and civil immigration violations. Section 642 of the 1996 immigration reform bill expressly states local law enforcement officers must communicate with Federal authorities. Yet their leadership or their local government or their city council is actually preventing them from doing so. In this day and age, we cannot allow for such law enforcement-free zones.

Finally, and perhaps most importantly, the bill before us today takes away the strongest argument that sanctuary city supporters have; namely, that illegal immigrants will be so frightened about being deported that they will never go to the police.

As currently written, this bill will give a legal status to these aliens. Any alien participating in the program should not fear an encounter with a police officer. The only aliens who would fear contact with the police are those who have committed some crime.

Sanctuary cities take away the ability of a police officer to use his or her own judgment in the course of their routine police work to inquire about a person's immigration status and share their concerns with the Federal Government for followup action.

The reality is law enforcement officers ask a wide range of questions of suspects every day that touch upon many aspects of the person's behavior. But in sanctuary cities, they cannot ask about immigration. The artificial wall relative to immigration status is illogical—and I would suggest perhaps even unconstitutional—and in this day and age harmful to our national security. We ought to give this tool back to our local law enforcement.

Finally, one other point. One of the challenges we have with the bill before us—by the way, a bill where I would like to see us deal with the immigration issue. The system is broken. It needs to be changed. Clearly, we know that. We all know that.

We have had a group of Senators on both sides of the aisle, from a broad political spectrum, come together to try to find some common ground, to try to deal with the issue of strengthened border security, which we must deal with—to do those things—to ensure greater employer responsibility, and then to figure out some way to deal with the 11 million who are here, to know who they are, have them learning English, have them pay taxes, and not to provide amnesty but to provide fines and a series of sanctions and a path before one can even consider proceeding to something like citizenship.

But one of the problems we are having—I am having it now. I have gotten thousands of calls on this issue, most against this bill, even though people have not even read the bill yet. I think it is, in part, because folks do not trust us, do not trust the Federal Government to do what we say we are going to do. They do not trust us to absolutely uphold the rule of law. They do not believe when we say we are going to secure our borders that we are actually going to do it.

In many ways, this issue I raise today is a rule of law issue. If we tell people across America that in sanctuary cities the rule of law does not apply when it comes to immigration, how are we going to get the American public to believe we are serious about border security—when we then try to figure out a way to do a guest worker program, to deal with the 11 million who should come out of the shadows into the sunlight?

I suggest by supporting this amendment what you are doing is supporting respect for the rule of law. We need to do more of that to gain the trust and the confidence of the American people.

I urge my colleagues to support this amendment.

Mr. President, with that I yield the floor.

The PRESIDING OFFICER (Mr. CASEY). The majority leader is recognized.

UNANIMOUS-CONSENT REQUEST

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of a resolution honoring the life of Rachel Carson, a scientist, writer, and pioneer in the environmental movement, on the occasion of the centennial of her birth, which was introduced early today by Senators CARDIN, SPECTER, and others; that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements thereon be printed in the RECORD.

Mr. COLEMAN. Mr. President, I object on behalf of another Senator, another Republican.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, I appreciate the obligation my friend from Minnesota has. But I am going to continue offering this unanimous consent request. To think that we would not honor Rachel Carson on the anniversary of her 100th birthday—a woman who did as much for the environmental movement in this country as any human being who has ever existed.

Somebody has objected to this? I have heard the reason for the objection is she relied on flawed science to come to her conclusions. I do not know anything about flawed science, but I do know this woman turned the minds of young people to the environment, turned the minds of the academic world to the environment. As a result of her work—as a result of her work—we became conscious of our need to make sure we do things to protect the environment.

So, Mr. President, I am going to continue to move on this. I will tell you, I feel strongly about this, as do Senators—both Democrats and Republicans—that we will have a couple more objections, and then I am going to have a vote to invoke cloture on a motion to proceed to this piece of legislation.

I think it is too bad, first, that the person who objected to this would not have the—I should not say courage, but that person who objects to this should come and do it on their own behalf, not have some other Senator object.

Rachel Carson was a scientist, a writer, and a pioneer in the environmental movement to make this world a better place. This is a simple resolution. It does not cost a penny. All it does is give recognition to someone who certainly deserves that. So I am terribly disappointed that there is an objection to this, but we will do it again at another time.

YUCCA MOUNTAIN

Mr. President, for 25 years, there has been an effort made to do something that is degrading to the environment and that would jeopardize the health and safety of millions of Americans. It is a project to bury nuclear waste in the deserts of Nevada.

Originally, when this project started, there was a program that would have had three sites that would be selected for places to characterize; that is, to prepare them for the taking of nuclear waste. One was in Washington, one was in Nevada, and one was in Texas. There was a time that came in the 1980s where, because of political maneuvering, Washington and Texas were eliminated, and they thought because Nevada was a place that set off atomic bombs and did other things, it was a big desert wasteland and it didn't matter. But it has mattered. The DOE has done a terribly bad job. They have botched what has taken place out there. The scientific community basically recognizes now it is a very bad idea to try to bury nuclear waste in Nevada.

One reason for that is not only is the science bad, but since 9/11, think of trying to haul 70,000 tons of the most dangerous substance known to man across our highways, our railways, past schools, homes, and businesses. This would be a field day for terrorists. Seventy thousand tons of the most dangerous substance known to man—plutonium—hauled from more than 100 nuclear generating facilities across this country, some more than 3,000 miles to Nevada. It hasn't happened and it will never happen. It will never happen.

So I rise today because some of my colleagues have introduced legislation to salvage this dying project, a project that threatens the health and safety of Americans everywhere. The proposed Yucca Mountain nuclear waste dump is not a solution for our nuclear waste problems. The science behind Yucca is corrupted with politics, and it doesn't take into consideration the problem with the transportation of this poison.

The administration and the sponsors of this bill know that Yucca is a flawed and dangerous project and that it cannot move forward without passing legislation designed to circumvent existing laws. Many of the laws are environmental laws. If Yucca was truly scientifically sound and safe, this administration would not need to gut laws that protect our environment, public health, transportation, and security. This legislation exempts the Department of Energy from longstanding Federal laws designed to make Americans safer. This is unacceptable to the Senate. It is unacceptable to our country. It is unacceptable to the Senate.

Senator ENSIGN and I have worked together on this project for many years. That is why we introduced the Federal Accountability for Nuclear Waste Storage Act earlier this year. Under our proposal, the Department of Energy will take ownership of nuclear waste and store it safely at nuclear power plants where it is produced, as is happening as we speak. Calvert Hills, a short distance from here, is a nuclear generating facility, and they store nuclear waste as Senator ENSIGN and I say they should store it.

So I challenge all my colleagues who have concerns about this to sit down with Senator ENSIGN or with me or with both of us, as many have already done, to begin discussing a scientifically sound solution to our nuclear waste problems. Let's take the focus away from this dead-end project and find real solutions for our energy future.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I see my friend and colleague from Hawaii who has an amendment which I hope we will be able to consider and accept. I have talked briefly to the Senator from Arizona and others. I ask unanimous consent that the Senator's amendment be in order.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Hawaii is recognized.

AMENDMENT NO. 1186 TO AMENDMENT NO. 1150

Mr. AKAKA. Mr. President, I ask unanimous consent that the pending amendment be set aside, and I send my amendment to the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from Hawaii [Mr. AKAKA], for himself, Mr. REID, Mr. DURBIN, Mr. INOUYE, Mrs. BOXER, Mrs. MURRAY, and Ms. CANTWELL, proposes an amendment numbered 1186 to amendment No. 1150.

Mr. AKAKA. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

AMENDMENT NO. 1186

(Purpose: To exempt children of certain Filipino World War II veterans from the numerical limitations on immigrant visas)

At the appropriate place, insert the following:

SEC. ____. EXEMPTION FROM IMMIGRANT VISA LIMIT.

Section 201(b)(1) (8 U.S.C. 1151(b)(1)) is amended by inserting after subparagraph (G), as added by section 503 of this Act, the following:

''(H) Aliens who are eligible for a visa under paragraph (1) or (3) of section 203(a) and who have a parent who was naturalized pursuant to section 405 of the Immigration Act of 1990 (8 U.S.C. 1440 note).''.

Mr. AKAKA. Mr. President, my amendment seeks to address and resolve an immigration issue that, while rooted in a set of historical circumstances more than seven decades old, remains unresolved to this day. I am happy to say I am joined by Senator REID, Senator DURBIN, Senator INOUYE, Senator BOXER, Senator MURRAY, and Senator CANTWELL. It is an issue of great concern to all American veterans and citizens with an interest in justice and fairness.

In 1941, on the basis of 1934 legislation enacted prior to Philippine independence, President Franklin D. Roosevelt issued an Executive order through which the President invoked his authority to:

Call and order into the service of the Armed Forces of the United States all of the organized military forces of the Government of the Commonwealth of the Philippines.

This order drafted more than 200,000 Filipino citizens into the U.S. military, and under the command of General Douglas MacArthur, Filipino soldiers fought alongside American soldiers in the defense of our country.

The enactment of the First Supplemental Surplus Appropriations Rescission Act of 1946 included a rider that conditioned an appropriation of $200 million on a provision that deemed that service in the Commonwealth Army should not be considered service in the Armed Forces of the United States. The individuals impacted were those members of the organized military forces of the Commonwealth of

the Philippines called into the service of the U.S. Armed Forces in the Far East by President Roosevelt's 1941 Executive order.

The enactment of the Second Supplemental Surplus Appropriations Rescissions Act included language that deemed that service in the New Philippines Scouts had not been service in the U.S. military. The individuals impacted were those Filipinos who had served with the U.S. Armed Forces from October 6, 1945 to June 30, 1947.

Of the 200,000 Filipinos who served in the U.S. Armed Forces during World War II, either as members of the Commonwealth's Army or New Philippines Scouts, only 20,000 survive today—13,000 in the Philippines and 7,000 in the United States.

In 1990, the World War II service of Filipino veterans was finally recognized by the U.S. Government through the enactment of the Immigration Act of 1990, which offered Filipino veterans the opportunity to obtain U.S. citizenship. There are currently 7,000 naturalized Filipino World War II veterans residing in the United States. The opportunity to obtain U.S. citizenship was not extended to the veterans' sons and daughters, approximately 20,000 of whom have been waiting for their visas for years.

While the Border Security and Immigration Reform Act of 2007 raises the worldwide ceiling for family-based visas to 567,000 per year until the backlog in the family preference visa categories is eliminated, the fact remains that many of the naturalized Filipino World War II veterans residing in the United States are in their eighties and nineties. My amendment stresses the need to expedite the issuance of visas to these veterans' children.

Mr. President, I yield back the remainder of my time.

Mr. KENNEDY. Mr. President, I thank the Senator from Hawaii for offering this amendment. He offered this amendment in the last immigration bill. We accepted it at that time. I am confident that will be the case on this time, but given the hour of the evening, we are unable to get this cleared.

Basically, as he has expressed so well, he is talking about the immediate family members of those who served with American forces in World War II. Under the broad scope of the underlying legislation, they would be included to be able to come to the United States. Under the bill, it would take an 8-year period. What the Senator from Hawaii is saying is these are older men and women who would otherwise be able to come here. They are the brothers and sisters of those who fought with American forces in World War II, and we want to move them up and have them come more quickly, given the fact of their age. It is a very decent thing to do. We would be entitled to do it under the underlying framework of the bill. It doesn't change the underlying framework of the bill.

It is a humanitarian gesture. It is a noble gesture. It is typical of the Senator from Hawaii to be thoughtful about this, always being concerned not only about individuals but members of the Armed Forces. He continues to be a champion on the Veterans' Committee. I speak for the veterans of my State as well as in this case the veterans of World War II for their immediate family, and I am very hopeful we can get this cleared at an early time tomorrow. I wish to commend him for this amendment. He had indicated to us early on that this was a matter of high importance to him, and it is, I think, and should be a high priority here.

So we would ask the Senator if we may move along, and I will try to get the clearance for that amendment on tomorrow, and we will notify him when that happens. We thank him again for bringing this to the attention of the Senate and for being thoughtful about these extraordinary family members of those who served so nobly, courageously, and heroically in World War II. So I thank the Senator. He can be assured of my support and help and assistance and hopefully we will have good news for him tomorrow on this amendment.

Mr. President, I think we have probably reached about as far as we are going to go this evening. We are examining in some detail Senator COLEMAN's amendment, and we would like to try and see if we can't work that out through the evening. There is one aspect of it I would like to understand more completely in terms of whether it deals with emergency services and others. So I think we probably, for all intents and purposes, have gone about as far as we can go tonight.

We have a number of amendments. We are very much aware that we have the supplemental that will be here. We have been told so by the majority leader. But we will have a good opportunity in the morning through noontime and into perhaps the early afternoon to continue our progress. We have made good progress today. I thank all the Members for their cooperation. We have several amendments which are lined up. We will probably start with Senator DORGAN's amendment tomorrow. We have a number of amendments, including Senator CORNYN's amendment which he offered this evening, and there will probably be side-by-side consideration sometime in the late morning. There are a number of other amendments that have been brought to our attention. We are in the process of prioritizing those and notifying their sponsors to make sure they can be here in a timely way so we will have a productive time and as few quorum calls as possible.

As I mentioned, we will continue on the Cornyn amendment and the Dorgan amendment. There is a Feingold amendment on the study of refugees; a Sanders amendment, scholarship for Americans in connection with the H–1B program. There are some of the family amendments which Members have talked with us about and the McCain amendment as well. So we have talked to most of these Members, and we will do as much as we possibly can to move these along.

They are all important matters. I think, as far as today is concerned, we are very grateful for the cooperation we have had from all Members. I think we have made some important progress. We look forward to making further progress in the morning.

I see my colleague here who would like to address the Senate on other matters. We look forward to further consideration of the underlying legislation tomorrow.

Mr. DODD. Mr. President, I regret that I could not join last night's debate on amendments to the comprehensive immigration reform bill. Had I been present, I would have supported the amendment offered by Senators DORGAN and BOXER, which was designed to eliminate the bill's guest worker provision. Though it was not adopted, I salute its principles and hope that they will find their way, once again, into our national debate on immigration.

The immigration bill was set to allow 400,000 foreign guest workers into America each year, eligible for two-year stays, alternating with a year in their home countries. In their eloquent remarks last evening, Senators DORGAN and BOXER rightly identified this provision's shortcomings.

First, as Senator BOXER observed, ''We are setting up a system of exploitation.'' I am concerned that the immigration bill offers insufficient protection to guest workers, leaving them open to victimization by low wages, long hours, and dangerous conditions. It threatens to import into America a permanent underclass, rootless in our communities and ignorant of our language, valued for nothing more than its muscle power. A labor system like that is suited to an empire, not to a republic of opportunity and not to the principles of immigration we have long honored in America.

No one denies that much of America's economy depends on immigrant labor. But if we want to do more than exploit that labor—if we want to sew it into our social contract, if we want to treat immigrants with justice and dignity—a path to citizenship is a necessity. That brings me to the guest worker provision's second shortcoming: It lacks such a path. If we are willing to offer the opportunity of citizenship even to those who entered our country illegally, it is inconsistent to deny it to those who come with our sanction.

Third and finally, the guest worker provision harms American workers. Threatened by outsourcing and globalization, their expenses for healthcare and education skyrocketing even as their incomes fail to keep pace, American workers now face 400,000 competitors, each year, in their own country, willing and able to do their jobs for lower wages. Last night, Senator DORGAN told us a moving story of

furniture-makers in Pennsylvania whose jobs were eliminated and shipped to China. As their plant shut down, each one of those craftsmen signed the bottom of the last piece of furniture their company would make in America. As we import wage pressures onto our own shores, we will be hearing hundreds of similar stories in the years to come. The guest worker provision threatens to eat away at our middle class.

It has the potential to harm guest workers and American workers alike. Who, then, does it benefit? I don't think I need to tell my colleagues the answer. But unless we reform our standards for guest workers, we will be putting the demand for cheap labor above the dignity of immigrants and Americans alike.

I voted to strip the guest worker provision from last year's immigration bill; and I supported stripping it this year. And while the amendment offered by Senators DORGAN and BOXER did not pass, I am heartened that we adopted Senator BINGAMAN's amendment to limit the program to 200,000 guest workers per year. And as we move forward in this debate, I hope that we will also have chance to strengthen protections for guest workers and reduce wage pressure on Americans.

MORNING BUSINESS

Mr. KENNEDY. Mr. President, I ask unanimous consent that we have a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak longer than 10 minutes. I don't intend to speak for more than 25 minutes and maybe not that long. I would at least like to have the freedom of going beyond 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENERGY

Mr. GRASSLEY. Mr. President, I am going to talk about an energy issue. I am sure people listening, and my colleagues, might think I am talking about an energy issue because gasoline is at the highest price it has ever been in the history of the country. I assure you I would be giving these remarks even if the price of gasoline was only $1 a barrel, because it involves, in an overview, testimony that was given by oil company executives before the Judiciary Committee some time ago. What is being reported are policies of oil companies. I have become aware of an article in the Wall Street Journal. So I am going to be referring, during my remarks, to evidence I got from the Wall Street Journal, letters that I have sent to the CEOs of major oil companies, and testimony that was given before the Judiciary Committee of the Senate—I might say that it was sworn testimony—and what I consider to be some inconsistencies. I will be referring to that testimony from the record.

I will be referring to the letters I have sent to the CEOs. As an overview, I am going to be pointing out inconsistencies between sworn testimony and what oil company executives say are their company policies regarding ethanol, and particularly the 85-percent ethanol that we call E85; and then, of course, letters I sent to the oil companies, raising questions that were raised because of this article, to have the oil companies give me their story, in case this article was wrong.

Across the country, American families and businesses are suffering from the economic impact of rising gasoline prices. As many families begin to plan their summer vacations, they are being forced to dig deeper into their pockets to fill up the family car.

The rising cost of gasoline is a result of many factors. Global demand for crude oil and refined products is way up constantly, as a result, driving up the price. The Organization of Petroleum Exporting Companies—what the people of this country know as OPEC—has curtailed some production. Refineries are offline for maintenance or have experienced outages. As a result, these refineries are operating at 5 to 10 percent below normal.

Once again, refinery outages have, coincidentally, occurred just as the summer driving demand kicks into gear, and this has led to an average price of over $3.15 a gallon as a national average. In my State of Iowa, I think it is $3.33 today.

The impact of these increased prices is being felt across the country by working families, farmers, businesses, and industry. The increased cost for energy has the potential to jeopardize our economic security, our economic vitality.

Because we are dependent upon foreign countries for over 60 percent of our crude oil, our dependence on them is a threat to our national security.

In recent years, many Members of the Senate have touted the value of increasing our domestic energy resources. I have been one of those—particularly for ethanol and particularly for biodiesel. In Iowa, I am the father of the wind energy tax credit. Iowa is the third leading State in the production of electricity from wind energy.

Increasing domestic resources, whether it is ethanol, biodiesel, wind, biomass, you name it—all of these are from alternative sources that are good for our economy and particularly good for our national security. Diversity of supply can go a long way toward reducing the impact of price spikes and volatility. That is why I have been such an ardent supporter of the development of these domestic renewable fuels. Each gallon of homegrown, renewable ethanol or biodiesel is 1 gallon of fuel that we are not importing from countries such as Iran, or Venezuela, which are very unpredictable—or Nigeria, where we get 10 percent of our oil, which might be unpredictable because of revolutionaries there kidnapping American workers, such as they did 2 weeks ago, or German workers over the period of the last year. It is a very nervous environment we are in.

The supply from the Saudi oil wells to our gas tank is maybe a 17-day inventory. So any little thing happening, according to the business pages of the newspaper, causes the price to spike. So I have been an ardent supporter of these domestic renewable fuels.

In the past few years, domestic ethanol production has grown tremendously. Right now, we are consuming about 5 billion gallons of ethanol annually. With all of the new ethanol biorefineries under construction, we will be producing as much as 11 billion gallons annually by 2009.

Ethanol's contribution is a significant net increase to our Nation's fuel supply. But as the industry grows, it is imperative that higher ethanol blends be available to consumers. When I say higher ethanol blends, I mean beyond the 10 percent mixture that we have right now. We even have cars right now that can burn up to 85 percent ethanol. That is why we refer to it as E85. That is what we are talking about, increasing the 10 percent as cars are manufactured, to be able to consume it without hurting the engine. That is where the automobile companies are headed. That is where the ethanol industry is headed to back it up. But the point I will make in a minute is that the distribution for E85 is a problem, and it looks to me like big oil is a major part of that problem. That is what I am going to point out.

We are quickly approaching a time when ethanol will be produced in a quantity greater than that needed for the blend market as we continue down the road that has been pioneered by Brazil—and that is the best example—to use cars that will, in fact, burn 100 percent ethanol. For sure, we must continue on this path of reducing foreign oil dependence and greater renewable fuel use.

To do that, then, it is critical that we develop the infrastructure and the demand for E85, an alternative fuel comprised of 85 percent ethanol, 15 percent gasoline.

Our domestic auto manufacturers are leading the effort to expand what we call the flex-fuel—meaning flexible fuel—market. Our domestic manufacturers of automobiles are doing this. Our domestic automakers have produced approximately 6 million flex-fuel vehicles over the past decade. In fact, you might be driving a flex-fuel vehicle and don't even know it, burning 100 percent gasoline, or the 90/10 percent mixture of gasoline and ethanol. Look at your book. If you can burn E85, do it—if you can buy it. I am going to point out how that is a problem—the distribution—and the oil companies' involvement in it.

In a visit to the White House in March of this year, the chief executive officers of Ford, General Motors, and DaimlerChrysler committed to double their production of E85 vehicles by 2010. By 2012, they committed to have 50 percent of their production of vehicles E85 capable. Listen, there is a big price difference here—$2.85 for E85 a gallon versus $3.33 for gasoline today. So when they get 50 percent of their production E85 capable, this is then, as they say, a highly achievable goal with very little impact on consumers because you can buy these cars for as little as $200 in additional cost. So you can burn the E85 as well as 100 percent gasoline. If you would rather pay more and buy the 100 percent gasoline, you can still burn it in the same car. This is very inexpensive for the money that can be saved.

However, a very important component of the alternative fuel market is ensuring that the fuel is available to the consumers. The ethanol industry is working hard to increase production of ethanol, and they are on target to have 11 billion gallons in a little while.

The automobile makers are ramping up production of their vehicles. So everybody seems to be doing their part.

But where is the oil industry? I thought a year ago, when they appeared before the Judiciary Committee, they were on the road to cooperating with the distribution of E85, but I read in the Wall Street Journal quite a different story. So I think I can legitimately ask, if we got the car manufacturers producing E85 cars that can burn that and the ethanol industry producing it, where is the oil industry? Because that is the distribution of this. There is not an independent distribution of E85. You have to go to your filling station, where you can buy 100 percent gasoline and have the alternative of filling up with E85.

What have they done to ensure a robust growth of the alternative fuels market? Well, Mr. President, it appears they have been less than helpful. I have referred to this article in the Wall Street Journal. It details many of the obstacles the major oil companies use to block service stations from selling E85.

Now, imagine my surprise when I read this story, because just over a year ago, I questioned many of the CEOs of the major oil companies on this very issue when they appeared before the Senate Judiciary Committee about whether there was any sort of violation of antitrust laws, any sort of collusion. There was a whole range of questions that were being asked by the members of the Judiciary Committee, wanting to know if the marketplace is working, because if the marketplace is working, you cannot have any complaints. But if it is not working, we have to do something about it. The CEOs of ExxonMobil, British Petroleum, Chevron, ConocoPhillips, and others testified before this Senate Judiciary Committee under oath. The bottom part of this picture depicts the CEOs I named from ExxonMobil, British Petroleum, Chevron, ConocoPhillips—I will not name them all, the major oil companies testifying, taking their oath, as they swore to tell the truth in the Judiciary Committee.

I remind my colleagues of another very famous group of CEOs on the top of this picture back in 1994 taking the oath to tell the truth to a House committee. Those are the CEOs of the major tobacco companies. At that hearing, our great colleague from Oregon, Senator WYDEN, who was then a Member of the other body, went down the line of these CEOs and asked each of them whether they believed nicotine or cigarettes were addictive. We all know how that hearing went, with each of the CEOs testifying that nicotine was not addictive when, in fact, it is. There is the photo of those CEOs who got themselves in trouble a little bit later when there was plenty of evidence brought out that they knew what the situation was with tobacco being addictive and what they did to make it addictive. Of course, the second photo is from March 2006, before the Senate Judiciary Committee, of the chairmen of the major oil companies taking an oath to tell the truth as well.

Much like my colleague, Senator WYDEN, when he was a Member of the House of Representatives asking the tobacco company executives about tobacco being addictive, I questioned the oil company executives, in the bottom picture, at the time of this hearing, about their policies regarding alternative fuels, meaning mostly ethanol. I was leading up to E85. I asked the CEOs quite clearly if they would commit to allowing independent owners of branded stations to sell E85 or biodiesel, B20, which is a 20-percent mixture with petroleum diesel. Remember, as I was asking them questions, these folks were under oath.

I also asked them if they would allow those station owners to purchase the alternative fuel from any outlet because if they didn't sell it and oil companies are not selling ethanol but people who produce it can, will they let their stations buy it from an independent outlet. Each of these CEOs, when I asked that question, testified that they were perfectly willing to allow the sale of alternative fuels at their stations. ExxonMobil CEO Rex Tillerson stated:

> We've denied no request from any of our dealers who have asked for permission to sell unbranded E85. We've granted every request by our dealers who wanted to install separate pump facilities under their canopy for E85.

Mr. David O'Reilly, the CEO of Chevron—I am referring to people who took an oath to tell the truth, and we can see their picture here—Mr. David O'Reilly, CEO of Chevron, responded, similarly stating that E85 was already available at Chevron stations and that it was available under the canopy. He offered with pride that Chevron was probably the largest seller of ethanol. According to the CEO for British Petroleum, all of BP's 8,900 independently owned stations are free to deploy E85. Finally, the CEO of ConocoPhillips simply associated himself with the comments of the other witnesses.

Mr. President, I ask unanimous consent that the relevant pages of the March 14, 2006, Senate Judiciary Committee transcript be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONSOLIDATION IN THE OIL AND GAS INDUSTRY: RAISING PRICES?

Senator GRASSLEY. I want to ask a question of any of you, and this is in regard to alternative energy. And most of you know I am a big promoter of ethanol. I have heard stores after stories about independent owners of franchised or branded stations who are prohibited from selling alternative or renewable fuels, so I would like to hear from some of you—will you commit to allowing independent owners of branded stations who choose to sell E–85 or B–20 to do so? Would you allow independent owners to produce alternative fuels from any outlet so that they can puchase a fuel at the lowest cost?

Mr. TILLERSON. Senator, we have denied no request from any of our dealers who have asked for permission to sell unbranded E–85 at their sites. We have asked that they make it clear that it is not an ExxonMobil product, that we do not manufacture it, therefore we can't stand behind the quality. But we have granted every request by our dealers who wanted to install separate pump facilities under their canopy for E–85.

Senator GRASSLEY. I would like to hear from other companies, maybe not all of you, but at least——

Mr. O'REILLY. Senator, I would be willing to say that we have already asked for. It is already out there. It can be under the canopy. Same quality issue. I would also add that we are probably the largest, certainly one of the largest sellers of ethanol today already.

Mr. HOFMEISTER. Senator, we are in the same position as has been described. You may be aware that we are currently launching a pilot in Chicago, in conjunction with one of the automobile manufacturers, to test E–85. And I think that is an important point. E–85 needs to be tested in the marketplace before we go full-scale into E–85 supply. The reason for that is we don't fully understand or know the implications of E–85, and as a major brand, of course, the provider of that fuel will often be considered liable for such fuel. And until we understand it, I think we need to really work at what are the conditions under which this would be sold.

Senator GRASSLEY. Most of the people I hear complaints from will assume liability. You don't have to have that liability.

Other companies? Are you willing to cooperate with E–85?

Mr. KLESSE. Senator, I would agree with what has been said.

Mr. PILLARI. Senator, of our 9,300 stations, 8,900 of them are independently operated and they are free to deploy E–85. We are also running a test program on E–85 in California to test its efficacy and its air pollution impacts, because California restricts how much ethanol can be used in gasoline today.

Mr. MULVA. Senator, we have the same comments that you have heard from the responses from the others already.

Senator GRASSLEY. My time is up, but this business of you having to test something

when you have the president of—I think it is the CEO of Ford on television all the time saying how they are promoting their E–85 cars, it seems to me if you have the president of a major corporation like that, that is all the test you need. Leave it up to the consumer to make the decision.

Chairman SPECTER. Thank you, Senator Grassley.

Mr. GRASSLEY. So the CEOs of the major integrated oil companies testified under oath before the Judiciary Committee stating their willingness to allow independent stations to offer E85. But the Wall Street Journal told a much different story. It highlighted tactics used by the big oil companies to block alternative fuel. The obstacles included contracts restricting the purchase by the station owners of alternative fuel. They also required the installation of completely separate pumps, sometimes far away from the main canopy, and in many cases station owners are prohibited from advertising the product or even posting the price of that fuel, E85. British Petroleum goes so far as to prohibit station owners from placing signs that include E85 on gasoline dispensers, perimeter signs, or light poles. These tactics don't sound consistent with a company—meaning British Petroleum—with a marketing slogan ''beyond petroleum.''

The big oil companies on many occasions cited ''customer confusion'' as the rationale for their policies or that they don't want to ''deceive their customers'' about the product. I happen to believe that it has more to do with limiting the availability of a product that they don't control and the sale of alternative fuels much more than it is customer deception.

After I read the Wall Street Journal article, which is so contrary to what I remember them telling me 1 year, 13 months before, I wrote letters to the CEOs who testified. Their picture is here. I pointed out the contradictions in their testimony before the Senate Judiciary Committee and the allegations that were made in the Wall Street Journal.

I wish to refer to these letters so my colleagues will know what I asked them based on this article.

I have a letter to Mr. Rex Tillerson of ExxonMobil. I am not going to read the whole letter, but I am going to read what I am after here:

In fact, Exxon Mobil's standard contract bars Exxon stations from buying fuel from anybody but Exxon—a fact you chose not to disclose to our committee. It also appears that even in cases where exceptions are made, Exxon requires those station owners to install entirely separate dispensers. . . .

I refer to a letter I sent to Mr. Robert Malone, chairman of British Petroleum:

The Wall Street Journal article indicated that BP prohibits branded stations from including E–85 on gasoline dispensers, perimeter signs or light poles. Another obstacle employed by your company is the prohibition of using pay-at-the-pump credit card machines for E–85 purchases. . . .

That seems to be very contrary to what they told us, that they were allowing the sale of E85 at their stations.

Mr. James J. Mulva, ConocoPhillips:

The Wall Street Journal article indicated that Conoco Phillips does not allow E–85 sales on primary islands under the canopy. This policy directly contradicts the statement to which you associated yourself during the March 2006 hearings.

And lastly, Mr. David J. O'Reilly, Chevron:

. . . Chevron's agreement with franchisees discourages selling E–85 under the main canopy and includes policies that are claimed to prevent franchisees from deceiving customers as to the source of the product. The Wall Street Journal article indicated that Chevron recommends that E–85 pumps be outside the canopy and that Chevron prohibits branded stations from including E85 on signs listing fuel prices.

I ask unanimous consent that these letters to ExxonMobil, British Petroleum, ConocoPhillips, and Chevron be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, May 3, 2007.

Mr. REX TILLERSON,
Chairman and Chief Executive Officer, Exxon Mobil Corporation, Irving, Texas.

DEAR MR. TILLERSON: For many years, I've been supporting and promoting ethanol and biodiesel fuels as a way to reduce our dependence on foreign and traditional energy sources, and increase our national security and rural economies. Our nation is now consuming five billion gallons of ethanol annually, and is estimated to produce as much as eleven billion gallons annually by 2009.

In an effort to further reduce America's oil dependence, it's imperative that higher ethanol blends be available to consumers. While our domestic auto manufacturers are leading the effort to expand the flex-fuel vehicle market, more must be done to expand the fuel's availability. Of the 170,000 stations nationwide, only 1,100 currently offer E–85. This represents less than one percent of fuel stations.

As you may recall, on March 14, 2006, you testified under oath before the Senate Judiciary Committee. At the hearing, I asked if you would commit to allow independent owners of branded stations to sell E–85 or B–20, and if you would allow those station owners to purchase the alternative fuel from any outlet. For your benefit, I've enclosed a copy of the hearing transcript.

In your response to me, you stated that Exxon Mobil has denied no request from any dealers who sought permission to sell unbranded E–85. In addition, you stated that every request to sell the fuel under the canopy has been granted. Your testimony before the committee clearly stated that Exxon Mobil was perfectly willing to allow the sale of alternative fuels at Exxon Mobil stations. However, a recent Wall Street Journal article, which I've enclosed, detailed many of the obstacles your company and other major integrated oil companies apparently use to effectively prohibit or strongly discourage the sale of alternative fuels.

In fact, Exxon Mobil's standard contract bars Exxon stations from buying fuel from anybody but Exxon—a fact you chose not to disclose to the committee. It also appears that even in cases where exceptions are made, Exxon requires those station owners to install entirely separate dispensers, for the purpose of ''minimizing customer confusion,'' according to an Exxon spokeswoman. It seems this policy has much more to do with limiting the availability of alternative fuels than customer confusion.

I would appreciate hearing your explanation as to why you led me, the Judiciary Committee and the American people to believe that Exxon Mobil supports making E–85 available to your customers, yet your company is described by the Wall Street Journal as a key obstacle to expanding the availability of alternative fuels. I would appreciate knowing exactly what Exxon Mobil is doing to grow the E–85 market, and why you believe your tactics aren't simply obstacles, as claimed by the Wall Street Journal.

I look forward to receiving your response not later than May 25, 2007.

Sincerely,

CHARLES E. GRASSLEY,
U.S. Senate.

U.S. SENATE,
Washington, DC, May 3, 2007.

Mr. ROBERT A. MALONE,
Chairman and President, British Petroleum America, Inc., Houston, Texas.

DEAR MR. MALONE: For many years, I've been supporting and promoting ethanol and biodiesel fuels as a way to reduce our dependence on foreign and traditional energy sources, and increase our national security and rural economies. Our nation is now consuming five billion gallons of ethanol annually, and is estimated to produce as much as eleven billion gallons annually by 2009.

In an effort to further reduce America's oil dependence, it's imperative that higher ethanol blends be available to consumers. While our domestic auto manufacturers are leading the effort to expand the flex-fuel vehicle market, more must be done to expand the fuel's availability. Of the 170,000 stations nationwide, only 1,100 currently offer E–85. This represents less than one percent of fuel stations.

On March 14, 2006, Mr. Ross Pillari, former Chairman of BP America, testified under oath before the Senate Judiciary Committee. At the hearing, I asked Mr. Pillari if BP would commit to allow independent owners of branded stations to sell E–85 or B–20, and if BP would allow those station owners to purchase the alternative fuel from any outlet. For your benefit, I've enclosed a copy of the hearing transcript.

In his response to me, Mr. Pillari stated that British Petroleum was already allowing independently owned stations to freely deploy E–85. His testimony before the committee clearly stated that British Petroleum was perfectly willing to allow the sale of alternative fuels at BP stations. However, a recent Wall Street Journal article, which I've enclosed, detailed many of the obstacles your company and other major integrated oil companies apparently use to effectively prohibit or strongly discourage the sale of alternative fuels.

The Wall Street Journal article indicated that BP prohibits branded stations from including E–85 on gasoline dispensers, perimeter signs or light poles. Another obstacle employed by your company is the prohibition on using pay-at-the-pump credit card machines for E–85 purchases. It seems these policies are in place simply to limit the availability and sale of alternative fuels, rather than prevent customer confusion.

I would appreciate hearing your explanation as to why Mr. Pillari led me, the Judiciary Committee and the American people to believe that British Petroleum supports making E–85 available to your customers, yet your company is described by the Wall Street Journal as a key obstacle to expanding the availability of alternative fuels. I would appreciate knowing exactly what BP

is doing to grow the E–85 market, and why you believe your tactics aren't simply obstacles, as claimed by the Wall Street Journal.

I look forward to receiving your response not later than May 25, 2007.

Sincerely,

CHARLES E. GRASSLEY,
United States Senator.

U.S. SENATE,
Washington, DC, May 3, 2007.

Mr. JAMES J. MULVA,
Chairman and Chief Executive Officer, Conoco Phillips Company, Houston, Texas.

DEAR MR. MULVA: For many years, I've been supporting and promoting ethanol and biodiesel fuels as a way to reduce our dependence on foreign and traditional energy sources, and increase our national security and rural economies. Our nation is now consuming five billion gallons of ethanol annually, and is estimated to produce as much as eleven billion gallons annually by 2009.

In an effort to further reduce America's oil dependence, it's imperative that higher ethanol blends be available to consumers. While our domestic auto manufacturers are leading the effort to expand the flex-fuel vehicle market, more must be done to expand the fuel's availability. Of the 170,000 stations nationwide, only 1,100 currently offer E–85. This represents less than one percent of fuel stations.

As you may recall, on March 14,2006, you testified under oath before the Senate Judiciary Committee. At the hearing, I asked if you would commit to allow independent owners of branded stations to sell E–85 or B–20, and if you would allow those station owners to purchase the alternative fuel from any outlet. For your benefit, I've enclosed a copy of the hearing transcript.

In your response to me, you simply associated yourself with the statements made by the other witnesses. That association led me to believe that Conoco Phillips was already allowing independently owned stations to freely deploy E–85 under the canopy. Your testimony before the committee clearly indicated that Conoco Phillips was perfectly willing to allow the sale of alternative fuels at branded stations. However, a recent Wall Street Journal article, which I've enclosed, detailed many of the obstacles your company and other major integrated oil companies apparently use to effectively prohibit or strongly discourage the sale of alternative fuels.

The Wall Street Journal article indicated that Conoco Phillips does not allow E–85 sales on the primary island under the canopy. This policy directly contradicts the statements to which you associated yourself during the March 2006 hearing.

I would appreciate hearing your explanation as to why you led me, the Judiciary Committee and the American people to believe that Conoco Phillips supports making E–85 available to your customers, yet your company is described by the Wall Street Journal as a key obstacle to expanding the availability of alternative fuels. I would appreciate knowing exactly what Conoco Phillips is doing to grow the E–85 market, and why you believe your tactics aren't simply obstacles, as claimed by the Wall Street Journal.

I look forward to receiving your response not later than May 25, 2007.

Sincerely,

CHARLES E. GRASSLEY,
United States Senator.

U.S. SENATE,
Washington, DC, May 3, 2007.

Mr. DAVID J. O'REILLY,
Chairman and Chief Executive Officer, Chevron Corporation, San Ramon, CA.

DEAR MR. O'REILLY: For many years, I've been supporting and promoting ethanol and biodiesel fuels as a way to reduce our dependence on foreign and traditional energy sources, and increase our national security and rural economies. Our nation is now consuming five billion gallons of ethanol annually, and is estimated to produce as much as eleven billion gallons annually by 2009.

In an effort to further reduce America's oil dependence, it's imperative that higher ethanol blends be available to consumers. While our domestic auto manufacturers are leading the effort to expand the flex-fuel vehicle market, more must be done to expand the fuel's availability. Of the 170,000 stations nationwide, only 1,100 currently offer E–85. This represents less than one percent of fuel stations.

As you may recall, on March 14, 2006, you testified under oath before the Senate Judiciary Committee. At the hearing, I asked if you would commit to allow independent owners of branded stations to sell E–85 or B–20, and if you would allow those station owners to purchase the alternative fuel from any outlet. For your benefit, I've enclosed a copy of the hearing transcript.

In your response to me, you stated that Chevron was already allowing station owners to sell E–85, and that it was available and under the canopy. Your testimony before the committee clearly stated that Chevron was perfectly willing to allow the sale of alternative fuels at Chevron stations. You proudly stated that Chevron is one of the largest sellers of ethanol. However, a recent Wall Street Journal article, which I've enclosed, detailed many of the obstacles your company and other major integrated oil companies apparently use to effectively prohibit or strongly discourage the sale of alternative fuels.

In fact, Chevron's agreement with franchisees discourages selling E–85 under the main canopy and includes policies that are claimed to prevent franchisees from deceiving customers as to the source of the product. The Wall Street Journal article indicated that Chevron recommends that E–85 pumps be outside the canopy, and that Chevron prohibits branded stations from including E–85 on signs listing fuel prices. It seems these policies are in place simply to limit the availability and sale of alternative fuels, rather than prevent customer deception.

I would appreciate hearing your explanation as to why you led me, the Judiciary Committee and the American people to believe that Chevron supports making E–85 available to your customers, yet your company is described by the Wall Street Journal as a key obstacle to expanding the availability of alternative fuels. I would appreciate knowing exactly what Chevron is doing to grow the E–85 market, and why you believe your tactics aren't simply obstacles, as claimed by the Wall Street Journal.

I look forward to receiving your response not later than May 25, 2007.

Sincerely,

CHARLES E. GRASSLEY,
United States Senator.

Mr. GRASSLEY. Mr. President, in my letters, I ask for an explanation of their policies that are seemingly used to block alternative fuels. I hope to get a thorough explanation as to why these CEOs led me, led the Senate Judiciary Committee members, and the American people to believe they support making E85 available to their customers when there is plenty of evidence that they do not practice what they preach, that they do not practice what they told our committee under oath.

What I am afraid of is that these companies are not serious about expanding the availability and use of alternative fuels. I say this for a couple reasons. First, if one takes a close look at the E85 stations in my home State of Iowa, it is rather telling. I have a map. What might look like missiles are ears of corn because ethanol comes from corn. We have 65 stations in Iowa selling E85 today. Only one of those 65 stations selling is a major branded station, and it is down where the yellow arrow is—only one of 65.

A second reason I am skeptical of big oil's claims comes straight from the words of their chief lobbyist, the head of the American Petroleum Institute. Red Cavaney recently stated that there is not enough ethanol or flex-fuel vehicles available to economically justify widespread installation of E85 pumps.

For argument's sake, let's assume that is an accurate statement. Why, then, would big oil undertake such an effort to block independent station owners from deciding for themselves whether to invest in the infrastructure? Let the station owners make that decision. Let's not have, as this article in the Wall Street Journal implies, all these obstacles, particularly since we were led to believe when they testified under oath before our committee that they were fully cooperating with allowing the installation of E85 pumps. If big oil sees no competitive threat from E85 pumps, why not just let the independent-minded station owner decide if there is a demand for the product? The market will make that decision. Why erect all these discriminatory tactics if you believe there is no threat from alternative fuels?

When I get answers to my letters—and I am going to wait until I get all the answers back before I draw any conclusions—maybe they will say the Wall Street Journal article is wrong. I hope that is what I find out and that they did not mislead us under oath when they testified before the committee.

All I can say is, as I conclude, if our Nation is serious about reducing our dependency on fossil fuels and imported crude oil, more must be done to expand the infrastructure for ethanol and particularly E85. America's farmers are demonstrating daily their desire to reduce our dependence on foreign oil by producing more corn in the United States. More acres of corn were planted this year than any time since 1944. And our ethanol industry has invested to make sure we can be less dependent on imported crude oil.

So I look forward to hearing from big oil companies on what they are doing to help. I hope I get answers that are contrary to what the Wall Street Journal said.

Mr. President, I yield the floor.

NOMINATION OF MICHAEL BAROODY

Mr. NELSON of Florida. Mr. President, the White House has just announced the President has withdrawn the nomination of Michael Baroody to be the Chairman of the Consumer Product Safety Commission. I think this is a wise move on the part of the White House because of the perceived conflict of interest of Mr. Baroody—an employee of the National Association of Manufacturers being nominated to be the Chairman of the very regulatory agency that governs the regulation and the safety of the very products of the industry from which he comes.

It would be like, in my former life as the elected insurance commissioner, if in a State where the Governor appointed the insurance commissioner, a regulator, the Governor would pick an executive of an insurance company to regulate the very industry he came from as the insurance commissioner.

By the way, that happens with tremendous frequency in the 50 States, that they appoint the insurance commissioner, and they are usually there for less than a year. Then the revolving door turns again, and they go right back into the very industry from which they came and of which they had just been the regulator.

Putting someone from the National Association of Manufacturers at the head of the Consumer Product Safety Commission is a similar kind of potential conflict of interest.

I will give you another example. My former colleague and friend in the House, Billy Tauzin—a distinguished public servant, Congressman formerly from Louisiana—now is the head of Pharmaceutical Research and Manufacturers of America. This would be like the White House appointing Billy Tauzin—the very head of an association in the industry—to regulate that industry by making him head of the Food and Drug Administration, the regulatory body that would regulate the pharmaceutical industry.

Of course, I do not think the White House would even think of doing such a thing.

Well, a similar kind of conflict of interest arose. But a more serious note even arose than the potential conflict when it became apparent there was a severance package that had been created for Mr. Baroody while he was still in the employ of the National Association of Manufacturers that was for $150,000; and subsequently we learned of an additional amendment to that severance package, after it was announced he was nominated to be Chairman of the Consumer Product Safety Commission.

Mr. Baroody came in and we had a discussion about this issue. He had his own explanation. I do not take anything from that explanation. So, naturally, the next request that I made was that I think the Commerce Committee ought to see the documents of the $150,000 severance package and its amendments, its subsequent modification.

Mr. Baroody said he would consider that request. Of course, the clock was ticking because there was going to be a hearing in front of the Commerce Committee tomorrow on his nomination. But, in the meantime, the White House has just announced it is having the President withdraw the nomination.

I will conclude by saying we have a saying down in the South in regard to avoiding a conflict of interest. It is like putting a fox in charge of the hen house, the very hen house with the hens you want to protect. It is an apparent conflict of interest. I think the White House was well served to withdraw the nomination.

TRIBUTE TO SENATOR TED STEVENS

Mr. SPECTER. Mr. President, I seek recognition to congratulate my friend Senator TED STEVENS on becoming the longest serving United States Republican Senator in the history of the Senate. He has had a long and distinguished career in public service representing the State of Alaska in the Senate for over 39 years, casting over 14,000 votes, and never receiving less than 67 percent of the vote in any election.

My recollections of TED STEVENS, during the 27 years we have served together in the Senate, focus on his chairmanship of the Defense Appropriations Subcommittee, where he has done so much to promote our national security. For example, his management of the $87 billion supplemental appropriations bill for fiscal year 2003 earned him high praise by President Bush during the signing ceremony.

TED's temper is generally misunderstood except by those who know him well. He doesn't lose it, but he does use it—and very effectively. However, it is true that on occasion he makes Vesuvius look mild. I recollect one all-night session during Senator Howard Baker's tenure as majority leader when TED expressed himself in an unusually emphatic way. As I recall it, the debate arose over Senator Proxmire's comments about submitting vouchers for travel expense in Wisconsin on his contention that Washington, DC, was his home base. That prompted a reaction from TED, who was aghast at the thought of Washington, DC, being any Senator's home when he had the majestic Alaska to claim as his home.

Some thought that the middle-of-the-night incident might have cost him a couple votes, which could have been decisive, on his election for majority leader in November of 1984, when the count was 28 to 25 in favor of Senator Dole, but it was reliably reported that his loss occurred because of the significant slippage in votes caused by the tobacco interests.

In any event, Senator STEVENS has had a profound effect on the Senate and the Nation in his roles as chairman of the Defense Appropriations Subcommittee, chairman of the full Appropriations Committee, and as President pro tempore.

It is also important to note that Senator STEVENS' career in public service began even before he arrived in the U.S. Senate. He is a distinguished veteran of the U.S. Army Air Corps, having flown support missions for the Flying Tigers of the 14th Air Force during World War II, for which he was awarded numerous medals, including the Distinguished Flying Cross. He had a strong academic career, graduating from UCLA and Harvard Law School. In the 1950s, he practiced law in Alaska before moving to Washington, DC, to work in President Eisenhower's administration. He subsequently returned to Alaska and was elected to the Alaska House of Representatives in 1964 and soon became majority leader. Finally, in 1968, he was appointed U.S. Senator from Alaska and has represented his State ever since with pride and devotion.

His recognition as ''Alaskan of the Century'' is a real tribute, and I have no doubt that when the passage of time calls for the designation of ''Alaskan of the Millennium,'' it will be Senator TED STEVENS.

HONORING OUR ARMED FORCES

PRIVATE FIRST CLASS JEFFREY AVERY

Mr. SALAZAR. Mr. President, I rise to remember a Coloradan lost to us in Iraq.

Army PFC Jeffrey A. Avery was just 19 years old when he was lost to this life late last month in Muqudadiyah, Iraq.

Jeffrey attended Coronado High School in 2005 and went on to attend Pikes Peak Community College, where he was studying criminal justice with the hopes of becoming a police officer. He enjoyed the outdoors and would spend his summers in California with his grandparents.

But instead of these pursuits, Jeffrey decided to answer his Nation's call.

In Iraq, Specialist Avery served as a military police officer, training for his future. At the time he was killed, he was manning a checkpoint, helping to keep others safe from harm.

President John F. Kennedy once said, ''Every area of trouble gives out a ray of hope, and the one unchangeable certainty is that nothing is certain or unchangeable.''

Private First Class Avery embodied this hope with his service to our Nation. He chose to put himself into the area of trouble and to assume the responsibility of hope for millions of Iraqis and Americans.

He will be missed by all those around him, and he and his family will remain in our prayers.

CORPORAL CHRISTOPHER DEGIOVINE

Mr. President, I wish to take a moment to remember a fallen Marine Cpl

Christopher Degiovine of Lone Tree, CO. Corporal Degiovine lost his life late last month in Fallujah, Iraq. He was just 25 years old.

Christopher Degiovine was a native of Essex Junction, VT, and had made Colorado his home for only a few months. He majored in criminal justice at Champlain College, where he graduated in 2005, and was looking to pursue a career in law enforcement.

After moving to Colorado, Christopher Degiovine answered his Nation's call and joined the Marine Corps in December 2005. He was excited about the opportunity, and proud to be serving his Nation. He was promoted to corporal a year later, and had only just been sent to Iraq when he was killed.

Christopher Degoivine's life was one of extraordinary promise cut far too short. His patriotism compelled him to a higher calling, and for that every American is humbled and grateful. His service to each of us and his sacrifice on behalf of all us is a debt we can never repay.

Matthew 5:9 reminds us: ''Blessed are the peacemakers: for they shall be called the children of God.'' Corporal Degiovine was one of these very peacemakers, and his place will always be reserved in our hearts. He and his family will remain in my prayers, and those of the Nation, tonight and always.

CORPORAL WADE OGLESBY

Mr. President, I rise to reflect on the memory of Army Cpl Wade Oglesby, of Grand Junction, CO. Corporal Oglesby was killed late last month in Taji, Iraq. He was only 28 years old and was looking forward to returning home and joining the Mesa County Sheriff's Office.

Wade Oglesby's life was not an easy one. He was a young man who had to grow up far too soon. His father left his family when Wade was just 5, and his mother relocated the family from Denver to the city Grand Junction, on the other side of the Great Divide.

As a sophomore in high school, Wade Oglesby's mother Linda fell terribly ill, and Wade left high school to care for his dying mother. After she passed on, Wade stayed with his younger sister Samantha until she became an adult.

August 2004 was a turning point for Corporal Oglesby he found his ''true calling in life,'' as his family said. He joined the Army and found a place that he belonged. Wade's brother Richard observed that Wade ''was a soldier long before joining the Army.''

In the Army, Corporal Oglesby found his mission. He was proud of his service to his Nation. It makes perfect sense that serving his country fit so naturally to Corporal Oglesby's character: he had spent his whole life in selfless service to those around him whom he loved. Helping and protecting others came naturally to him, and the Army carried him on his way.

One newspaper in my home State reported that Wade Ogelsby's motto in life was ''float on.'' Even as his life became heavy as a young man, Corporal Oglesby found a way to ''float on'' and to continue moving forward.

To his sister Samantha and brother Richard: As you mourn the loss of your brother, know that our Nation mourns with you the loss of another exemplary soldier and American. He will live on our memories for his courage, service, and sacrifice.

SPECIALIST DAVID W. BEHRLE

Mr. GRASSLEY. Mr. President, it is with great sadness that I announce to the Senate today that SPC David W. Behrle has lost his life in Iraq. David Behrle died in the service of his country, and it is absolutely appropriate that we take this opportunity to salute his patriotism and his sacrifice.

Specialist Behrle died Saturday night, May 19, 2007, after his patrol vehicle was hit by a roadside bomb south of Baghdad. My thoughts, prayers, and sincere condolences go out to his mother, Dixie Pelzer of Tipton, IA, and his father, John Behrle of Columbus, NE, as well as the Tipton community that is now dealing with the loss of their second native son in Iraq. While we try to prepare ourselves for the loss of life that comes with war, it is impossible to prepare for the very personal experience of losing a young life so close to home. David is best described by a former classmate as ''not only our class president, he's now our class hero.'' He served his country with vigor and enthusiasm, and his presence will be missed in both Tipton and our Armed Forces.

TRIBUTE TO VERMONT FALLEN

Mr. LEAHY. Mr. President, words and numbers are often used on this floor to describe the ongoing war in Iraq. In recent weeks, we have found ourselves debating the policy decisions that created the current climate in Iraq, the current strategy in Baghdad, and the policy shifts that need to occur to bring our men and women home. We frequently cite the fast-rising numbers of military fatalities and injuries and the growing number of innocent civilian deaths.

A central element of this picture and of this discussion should always be the sacrifices and the suffering of the families at home. Vermont, small State that we are, bears the burden of the highest fatality rate in the country, with more deaths per capita in Iraq than any other State. These losses have left dozens of families searching for comfort as they mourn their loved ones.

But in the darkest and saddest of times, a new Vermont family has emerged, brought together by the efforts of students at Norwich University, the Nation's oldest military college, which calls Northfield, VT, its home. ''Vermont Fallen,'' developed and produced by students at Norwich for a media course, profiles the journeys of families from across our State as they grieve the loss of their sons, fathers, husbands, and friends. Many of these families, brought together by community screenings of the documentary, now are able to turn to each other for comfort.

With this remarkable project, these students from Norwich University—many of whom have friends, family, and colleagues serving on the front lines of the wars in Iraq and Afghanistan—have given a great gift to these families and to us all. They have honored in this special way those from Vermont who have fallen and they have offered a glimpse into the searing and highly personal grief and mourning that have touched thousands of American families and scores of American communities, across Vermont and across the country. They have produced a tribute that speaks directly to each human heart.

NBC's ''Today'' recently aired a segment about ''Vermont Fallen.'' I ask unanimous consent that the transcript be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD as follows:

NBC'S TODAY—MAY 9, 2007

Class project by students at Norwich University pays tribute to Vermont soldiers lost in Iraq and Afghanistan

ANCHORS: DAVID GREGORY
REPORTERS: DAWN FRATANGELO

DAVID GREGORY, co-host:

Vermont has lost more soldiers per capita in Iraq than any other state. Now students at Vermont's Norwich University, the nation's oldest military academy, are paying tribute in a unique way. Here's NBC's Dawn Fratangelo.

(Beginning of clip of ''Vermont Fallen'')

Unidentified Woman #1: I screamed and said, 'No, not Eric. My only boy.'

Unidentified Woman #2: Colonel Williams told me immediately that Mark didn't make it.

(End of clip)

DAWN FRATANGELO reporting:

Three of them were named Mark. There were also three Chrises. Half of them were under the age of 24. They are the Vermont fallen, 25 men from this small state killed in Iraq and Afghanistan. Now, subjects of a powerful documentary told through the shattered families left behind.

Unidentified Man: (From ''Vermont Fallen'') You're upset with everybody when your son dies, and you don't think rationally. I don't know if I'll ever think rationally again.

FRATANGELO: There was something more here than just the raw pain and tears you see on screen. It's about those behind the camera, and the incredible bond that it formed.

So as young filmmakers, were you intimidated at all about approaching these families?

Ms. AMANDA BENSON: Yes. Absolutely.

FRATANGELO: Amanda Benson and Steve Robitaille, along with Craig McGrath, are the senior producers of the film. They're students—college students at Norwich University in Northfield, Vermont, the nation's oldest military school. The film was their media project. But Amanda knew from that first interview, this was more than just school work.

Ms. BENSON: So walking into it, I really didn't think too much of it. But after about

maybe 25 minutes, you know, sitting right across from Marion, she started crying, and then I would start crying.

Unidentified Woman #3: (From ''Vermont Fallen'') My last words to him . . .

Ms. BENSON: No way did we think we'd be so emotionally involved in the interview.

FRATANGELO: Word spread, and eventually the students, guided by Professor Bill Estill . . .

Professor BILL ESTILL: Go frame by frame.

FRATANGELO: . . . had 50 hours worth of interviews with families all over Vermont. Every interview is heartbreaking.

Mr. CRAIG McGRATH: This is Patty Holmes, whose son Jeffrey was a lance corporal in the Marines, was killed in Iraq.

Ms. PATTY HOLMES: (From ''Vermont Fallen'') When he had been home in April, I said, 'Jeff, I have to ask you something.' And he goes 'What?' 'I have to ask you for your forgiveness.' And he said 'Why?' And I said, 'Because I wasn't the mother I wanted to be.' All he did was hug me, and he told me he loved me.

FRATANGELO: Patty Holmes, and her husband Scott would have never guessed that simply taking part in this project would help them heal.

Ms. HOLMES: I just felt that nobody knew how I felt, and nobody could possibly understand. And meeting these other families, they understand.

FRATANGELO: Because of a documentary, all the families get together now for dinners, a trip to Washington, mostly for support.

It's as though this—being involved in this gave you permission to sort of let . . .

Mr. SCOTT HOLMES: Let your heart out. Let your heart—let the world know how you feel.

FRATANGELO: And people are listening. The film is being shown at the same high schools the fallen servicemen attended.

While the students at Norwich were documenting the pain of the Vermont families, they themselves were not immune to it. Four of their classmates have been killed in Iraq.

Ms. BENSON: Thank you to both—for I guess, is the second family for some of us.

FRATANGELO: All this talk about loss has made the young filmmakers reflect on their own lives. Steve will join the military after graduation. Amanda's sister is about to be deployed.

Have you had these conversations with your sister?

Ms. BENSON: Not yet.

FRATANGELO: Will you?

Ms. BENSON: Yeah, I think so. But I really, I just—I can't imagine.

FRATANGELO: No one imagined the lessons of this class project.

Mr. STEVE ROBITAILLE: Just unbelievable feeling knowing that you didn't just make a documentary, you know, you changed people's lives, and they changed ours.

FRATANGELO: Changed lives. Twenty-five families sat before cameras to talk about lost loved ones, and a new family emerged. For TODAY, Dawn Fratangelo, NBC News, Northfield, Vermont.

VISIT OF VICE PREMIER WU YI

Mr. OBAMA. Mr. President, I wish to comment on the visit of Chinese Vice Premier Wu Yi to Washington. This visit comes at an important time for the U.S.-China relationship and highlights the enormous stakes involved.

As I have said in the past, China's rise offers great opportunity but also poses serious challenges. It is critical the U.S. do all it can to ensure that China's rise is peaceful and its trade practices fair, and under those conditions, the United States should welcome China's continuing emergence and prosperity.

At the same time, we must remain prepared to respond should China's rise take a problematic turn. This means maintaining our military presence in the Asia-Pacific region, strengthening our alliances, and making clear to both Beijing and Taipei that a unilateral change in the status quo in the Taiwan Strait is unacceptable. Also, though today China's military spending is one-tenth of ours, we must monitor closely China's strategic capabilities while also pushing for greater transparency of its defense activities.

Although we must remain vigilant in monitoring these potential developments, our two nations also should strive to build a relationship that broadens areas of cooperation where we share mutual interests, as we have done to respond to the nonproliferation challenge posed by North Korea. And we should strengthen our ability to manage our differences effectively. While we must never hesitate to be clear and consistent with China where we disagree—whether on protection of intellectual property rights, the manipulation of its currency, human rights, or the right stance on Sudan and Iran—these differences, as a general rule, should not prevent progress in areas where our interests intersect.

Trade and economic issues, the subject of the upcoming Strategic Economic Dialogue, are one crucial example of the significant opportunities and challenges China's rise presents.

China is now the third largest economy in the world and is an increasingly formidable commercial competitor. But China also is our fastest growing overseas market, fueling over $50 billion in U.S. exports that help support thousands of export-related jobs. Many Americans also benefit from inexpensive Chinese products that keep down our cost of living, and China is an important link in the global supply chain that benefits U.S. commercial interests.

But none of that constitutes a reason to turn a blind eye to those ares of the economic relationship that are troubling. China ran a trade surplus with the United States of over $200 billion last year—the largest ever between any two countries—accounting for nearly a third of our total global trade deficit. Neither America nor the world can accept such imbalances, and if they remain, it is inevitable that there will be demands for protection in America and elsewhere.

I believe that the answer to the Chinese economic challenge is not to build walls of protection but to knock down barriers, demand fair treatment for our products and services, and increase our own competitiveness.

Much of the hard work to be done lies at home. We must implement policies to reduce our budget deficits and increase national savings—in order to reduce our dependence on borrowing to finance our deficits. We must ensure that our companies and workers have the tools they need to compete in the global economy. Among other things, this means stepping up our investments in education, training, and science and technology. We must make sure those Americans whose livelihoods are threatened by our changing economic relationship with China have access to the resources and support they need.

But China must bear a substantial share of the responsibility for restoring greater balance in its economic relations with the United States and the rest of the world. Just as the United States cannot unilaterally restore balance to China's economic relations, the United States alone cannot mute protectionist demands. China must itself act to bring greater balance in its global trade, so that all countries benefit from its growth.

I commend Treasury Secretary Paulson for pursuing a strategic economic dialogue with China, but it must produce meaningful and lasting results. Even as we develop a better understanding of how Chinese leaders view their own economic priorities, we need to confirm that these same leaders understand how the policies they pursue affect the United States and the global economy.

As a principal beneficiary of globalization, China needs to support and strengthen the international economic system as well. For example, it can and should take steps to increase consumption—drawing in more imports and reducing dependence on exports for growth. China needs a modem financial system to achieve this. American companies can help develop such a system but not if the playing field is unfairly tilted toward Chinese companies.

China can and should contribute to bolstering the world's economic system by allowing its currency, the renminbi, to be determined by market forces. Today, Beijing amasses as much as $20 billion a month in foreign currency, with the effects of keeping the renminbi substantially undervalued and giving China an undue advantage in trade. The recent move to widen the currency trading band is useful, but China must move more quickly toward a market-based currency.

China can and should contribute to the success of globalization by providing stronger protection of intellectual property rights. The fact that 80 percent of the pirated goods seized by U.S. Customs come from China is unacceptable. It suggests just how much work needs to be done in this area.

China can and should contribute to the world's economic health by altering its energy policies—addressing the needs of its people at home while not exacerbating problems abroad. Domestically, China's priority should be to increase energy efficiency. A system

that requires twice as much energy as the United States to produce each dollar of economic growth is problematic.

At the same time, China needs to find cleaner sources of energy. Sixteen of the twenty cities with the worst air in the world are in China, and China is poised to overtake the United States in greenhouse gas emissions in 2 to 3 years. Just this week, a new report found that worldwide carbon dioxide levels have accelerated rapidly since 2000, in part because of China's reliance on coal.

China should rely on international energy markets to provide its oil and gas imports and work with the United States and others to develop common approaches to energy supplies and security. To continue seeking privileged arrangements with countries such as Sudan and Iran—states that commit gross human rights violations and that threaten to develop weapons of mass destruction—is to dramatically complicate efforts of the international community to address these questions and, in effect, to ratify these deeply troubling practices.

I hope Treasury Secretary Paulson can persuade the Chinese to change their practices. We will all be better off with a China whose emergence strengthens the international system rather than disrupts it.

China's economic growth is a good thing for China's 1.3 billion people, and can be a good thing for the United States. China is increasingly a constructive participant in the international system, and that trend should be supported and encouraged. But China cannot expect the United States and its overseas partners to tolerate unfair practices and glaring imbalances triggered by its rise. China needs to take steps that not only benefit its people but sustain the international system from which China itself benefits so greatly.

NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION

Mr. INOUYE. Mr. President, when the Congress passed Public Law 106–50 in 1999, it was impossible to imagine the positive impact it would have on all veterans and, in particular, all those young men and women now returning from active duty in Afghanistan and Iraq. The Veterans Corporation, TVC, is a not-for-profit organization that amplifies business opportunities and the tools our veterans need to start and grow their businesses. Through unparalleled public and private sector business, and strategic partnerships with the U.S. Department of Defense, the Veterans Affairs Administration, the Small Business Administration, and the U.S. Department of Labor, veterans have the three main ingredients for success: access to capital; access to bonding, and the important educational, mentorship and program case work followup.

Today, more than ever, our Nation's veterans present an opportunity for entrepreneurship. Entrepreneurship based on the skills and practiced discipline they embraced as part of their service to our Nation. Membership in TVC remains free to our veterans because the Congress invested wisely in this organization.

In partnership with the Surety and Fidelity Association of America, SFAA, we have a 50-State surety bonding program that includes a comprehensive education curriculum and a three-step process for veterans to secure the bonding they need on government contracts. Bonding is critical to service-disabled veteran entrepreneurs and to the Federal Government if the 3-percent goal, mandated by the President's Executive Order, is to be achieved. TVC's partnership with SFAA provides a complete solution to the mandate by fulfilling the needs for identification and qualification of service-disabled veteran-owned small businesses, along with casework followup as veteran entrepreneurs experience growth in their businesses.

Access to capital for both business start-up and infusion growth remains the number one need of veteran entrepreneurs. To address this issue, TVC has formed a strategic partnership with the National Economic Opportunity Fund, NEOF. Through this partnership, TVC is able to assist veterans in obtaining micro-loans of $500 to $25,000 through ACCION USA. PNC Bank has also begun accepting referrals from TVC and has already funded one veteran-owned business. In addition, TVC is in the process of finalizing partnerships with several banking institutions to provide veterans with larger loan programs for their increasing business needs.

TVC's leadership has made extraordinary progress in addressing the broad scope of issues facing veteran entrepreneurs. While embracing the existing community networks of the Small Business Development Centers, the Department of Labor's One Stop Centers, and the Procurement Technical Assistance Centers, PTAC, TVC has been able to develop programs that complement and enhance the resources already available to current and aspiring business owners. By doing so, TVC is now providing the programs and services most needed by the veteran community, including access to capital and bonding, and is more effectively meeting the real needs of veteran entrepreneurs.

TVC's strength is in its ability to bring together the best in public and private entities to leverage scarce federal dollars in effectively and efficiently assisting veterans, service-disabled veterans, and members of the National Guard and Reserves, who want to start or promote growth in small businesses. By benefiting from the strong resources already available from national business networks, and by eliminating duplication of efforts through strategic partnerships, TVC has the programming and the capacity to serve the needs of all veterans in 50 States.

TVC is working for our Nation's veterans and we have an obligation to continue funding programs that respond to all business entrepreneurial needs. We must build a solid transition from active military service to veterans' entrepreneurship. I am confident TVC is that investment.

ADDITIONAL STATEMENTS

WE THE PEOPLE HONORABLE MENTION

• Mr. LUGAR. Mr. President, I wish to congratulate Hamilton Southeastern High School's We the People class on receiving an Honorable Mention at the We the People: The Citizen and the Constitution national competition held April 28 to 30 in Washington, DC. I am pleased that the members of the Hamilton Southeastern High School We the People class were among the 1,200 students from across the country who participated in this important event specifically designed to educate young people about the U.S. Constitution and Bill of Rights.

I join family, friends, and the entire Hamilton Southeastern High School community in recognizing the hard work and dedication of the following members of the Hamilton Southeastern High School We the People class: Ben Anderson, Lauren Bowser, Austin Brady, Kristin Buckingham, Jesse Hawkins, Kirk Higgins, Chris Hill, Tiernan Kane, Nika Kim, Ryan Landry, Julie Lux, Rachel Morris, Jeff Neufer, David Ostendorf, Ryan Puckett, Taylor Schueth, Matt Stein, Amy Thomas, Aleks Vitolins, and Edward Wolenty. I also wish to commend Jill Baisinger, the teacher of the class, who committed her time and talent to prepare the students for the national competition.

The success of the Indiana We the People program is also attributed to the hard work of Stan Harris, the State coordinator, and Lisa Hayes, the district coordinator, who are among those responsible for implementing this program in our state.

The We the People national competition is a 3-day academic competition that simulates a congressional hearing in which the students ''testify'' before a panel of judges on constitutional topics. Students are able to demonstrate their knowledge and understanding of constitutional principles as they evaluate and defend positions on relevant historical and contemporary issues.

The We the People: The Citizen and the Constitution program is administered by the Center for Civic Education and funded by the U.S. Department of Education through congressional appropriations. I am proud to note that between 2003 and 2006, Indiana had 176,653 students participate in the programs offered through the Center for Civic Education, with 8,439,873 participating nationally.•

CONGRATULATING CAITLIN SNARING

• Mrs. MURRAY. Mr. President, I congratulate Caitlin Snaring, a bright young woman from my home State of Washington. Today, she won the National Geographic Bee, a competition that starts with nearly 5 million students each year. Caitlin is from Redmond, WA, and this was her second time representing our State in the national competition held in Washington, DC.

On Monday, Caitlin and I sat near each other on the plane flight from Seattle to Washington, DC. While everyone else was reading magazines or watching a movie, Caitlin was studying her notebooks and preparing for the competition. I had a chance to talk with her, and I could see that she was really determined and focused. I remember thinking to myself, ''She's going places.''

After her victory today, I called her and said: ''Caitlin, I can tell that when you decide what you're going to be and what you want to do, you are going to achieve any dream you have.'' And I really believe that.

Caitlin won a $25,000 college scholarship. I understand that she is the second girl to win the geographic bee since the competition started in 1989 and the fifth winner from Washington State. In fact, Washington has produced more national winners than any other State.

I want to congratulate Caitlin, her family, and friends on this great achievement and on the wonderful example she has set for young people in Washington State and around the country.•

HONORING OAK ISLAND SEAFOOD, INC.

• Ms. SNOWE. Mr. President, I wish today to recognize for the week of May 20 an outstanding small business from my home State of Maine that will on May 31 receive the Maine Exporter of the Year Award for 2007 from the Maine International Trade Center. Oak Island Seafood, Inc., of Rockland, MA is a scallop processing company. In addition to providing quality seafood products to U.S. retailers, Oak Island Seafood has expanded to include Europe and Asia in its distribution network. Incredibly, 70 percent of its finished product is exported to other countries, most notably to nations within the European Union. Clearly, Oak Island Seafood is a Maine company that has wide, international reach.

Oak Island Seafood, founded in 1995, has expanded to serve many comers of the globe over the past 12 years, while simultaneously maintaining its status as a unique small business. The company employs roughly 30 year-round employees in Rockland, an historic seaport community in Maine's well-known midcoast region where Penobscot Bay converges with the Atlantic Ocean. Their use of state-of-the-art equipment to deliver Maine seafood to the rest of the world exemplifies the innovation that small businesses can use to do exceptional things.

With Maine's 5,500 miles of coastline, its fishing and seafood industries are clearly vital to the State's economy. And while everyone knows Maine for its lobster—which I would argue is the best—Maine's fruitful portion of the Atlantic Ocean and our many waterways provide a variety of delicious and often healthy fish and shellfish, including salmon, shrimp, and scallops. Oak Island Seafood's commitment to providing Maine seafood to not only the region but also to the rest of the world is remarkable. As fish and other fresh and frozen seafood products comprise Maine's No. 4 export industry, it is crucial that we find ways to continue augmenting the work that Oak Island Seafood and other companies do in seeking foreign markets to showcase Maine seafood. Equally necessary, we need to do all that we can to protect and preserve our seafaring families and the crucial work they undertake.

The Maine International Trade Center, which is presenting the Maine Exporter of the Year award to Oak Island Seafood, is Maine's small business link to the rest of the world. It is a public-private partnership between the State of Maine and its businesses. The center's goal is to increase international trade in Maine and in particular to assist Maine's businesses in exporting goods and services. Clearly it sees in Oak Island Seafood the entrepreneurial spirit and innovation that make Maine's small businesses so unique and successful.

I again congratulate Oak Island Seafood on being recognized Maine Exporter of the Year and wish them well. The award, which will be presented to them on Thursday, May 31, at the 27th annual Maine International Trade Day, is truly something of which we can and should all be proud.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawals which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 11:57 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1525. An act to amend title 18, United States Code, to discourage spyware, and for other purposes.

H.R. 1615. An act to amend title 18, United States Code, to provide penalties for aiming laser pointer at airplanes, and for other purposes.

H.R. 1722. An act to designate the facility of the United States Postal Service located at 601 Banyan Trail in Boca Raton, Florida, as the ''Leonard W. Herman Post Office''.

H.R. 2264. An act to amend the Sherman Act to make oil-producing and exporting cartels illegal.

H.R. 2399. An act to amend the Immigration and Nationality Act and title 18, United States Code, to combat the crime of alien smuggling and related activities, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 128. Concurrent resolution authorizing the printing of a commemorative document memory of the late President of the United States, Gerald Rudolph Ford.

The message further announced that the House has passed the following bill, without amendment:

S. 214. An act to amend chapter 35 of title 28, United States Code, to preserve the independence of United States attorneys.

The message also announced that the House has passed the following bill, with amendments, in which it requests the concurrence of the Senate:

S. 1104. An act to increase the number of Iraqi and Afghani translators and interpreters who may admitted to the United States as special immigrants.

At 4:10 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that pursuant to 10 U.S.C. 4355(a), and the order of the House of January 4, 2007, the Speaker appoints the following Members of the House of Representatives to the Board of Visitors to the United States Military Academy: Mr. Hinchey of New York, Mr. Hall of New York, Mr. McHugh of New York, and Mr. Tiahrt of Kansas.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1525. An act to amend title 18, United States Code, to discourage spyware, and for other purposes; to the Committee on the Judiciary.

H.R. 1615. An act to amend title 18, United States Code, to provide penalties for aiming laser pointers at airplanes, and for other purposes; to the Committee on the Judiciary.

H.R. 1722. An act to designate the facility of the United States Postal Service located at 601 Banyan Trail in Boca Raton, Florida, as the ''Leonard W. Herman Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2399. An act to amend the Immigration and Nationality Act and title 18, United States Code, to combat the crime of alien smuggling and related activities, and for other purposes; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2264. An act to amend the Sherman Act to make oil-producing and exporting cartels illegal.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2031. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the proliferation of weapons of mass destruction that was declared in Executive Order 12938 of November 14, 1994; to the Committee on Banking, Housing, and Urban Affairs.

EC–2032. A communication from the General Deputy Assistant Secretary for Congressional and Intergovernmental Relations, Department of Housing and Urban Development, transmitting, pursuant to law, a report relative to the Department's progress in improving homeless data collection and preparing a homeless assessment report; to the Committee on Banking, Housing, and Urban Affairs.

EC–2033. A communication from the Chairman and President, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to the Republic of Korea; to the Committee on Banking, Housing, and Urban Affairs.

EC–2034. A communication from the General Deputy Assistant Secretary for Congressional and Intergovernmental Relations, Department of Housing and Urban Development, transmitting, pursuant to law, a report entitled ''Affordable Housing Needs 2005''; to the Committee on Banking, Housing, and Urban Affairs.

EC–2035. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed license for the export of defense services associated with the Ballistic Missile Defense Expansion Project and sold commercially under contract in the amount of $100,000,000 or more to Japan; to the Committee on Foreign Relations.

EC–2036. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed manufacturing license agreement for the manufacture of defense articles abroad, including J79 engine parts, in the amount of $50,000,000 or more to Israel; to the Committee on Foreign Relations.

EC–2037. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed technical assistance agreement for the export of technical data, defense services, and defense articles, including CH–47F Chinook helicopters, in the amount of $100,000,000 or more to the Netherlands; to the Committee on Foreign Relations.

EC–2038. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Amendment of the International Traffic in Arms Regulations: Policy with Respect to Somalia'' (22 CFR Part 126) received on May 21, 2007; to the Committee on Foreign Relations.

EC–2039. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report on efforts taken by the agencies and departments of the U.S. Government relating to the prevention of nuclear proliferation from January 1, 2006, to December 31, 2006; to the Committee on Foreign Relations.

EC–2040. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–44, ''School Modernization Funds Submission Requirements Waiver Temporary Amendment Act of 2007'' received on May 22, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–2041. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–43, ''Closing of a Public Alley in Squares 739, the Closure of Streets, the Opening and Widening of Streets, and the Dedication of Land for Street Purposes Clarification Temporary Amendment Act of 2007'' received on May 22, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–2042. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–45, ''National Capital Revitalization Corporation and Anacostia Waterfront Corporation Freedom of Information Temporary Amendment Act of 2007'' received on May 22, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–2043. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–46, ''Vacancy Conversion Fee Exemption Reinstatement Temporary Amendment Act of 2007'' received on May 22, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–2044. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–42, ''Solid Waste Disposal Fee Temporary Amendment Act of 2007'' received on May 22, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–2045. A communication from the General Counsel, Office of Justice Programs, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Department of Justice Implementation of OMB Guidance on Nonprocurement Debarment and Suspension'' (RIN1121–AA73) received on May 22, 2007; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with amendments:

S. 495. A bill to prevent and mitigate identity theft, to ensure privacy, to provide notice of security breaches, and to enhance criminal penalties, law enforcement assistance, and other protections against security breaches, fraudulent access, and misuse of personally identifiable information (Rept. No. 110–70).

By Mr. KOHL, from the Special Committee on Aging:

Special Report entitled ''Economic Developments in Aging'' (Rept. No. 110–71).

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 231. A bill to authorize the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through 2012.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

Air Force nomination of Brigadier General Michael D. Dubie, 0000, to be Major General.

Air Force nomination of Maj. Gen. Kevin J. Sullivan, 0000, to be Lieutenant General.

Army nomination of Maj. Gen. Charles H. Jacoby, Jr., 0000, to be Lieutenant General.

Army nomination of Col. Charles W. Hooper, 0000, to be Brigadier General.

Army nomination of Col. Loree K. Sutton, 0000, to be Brigadier General.

Army nomination of Brig. Gen. Douglas L. Carver, 0000, to be Major General.

Army nomination of Col. Juan A. Ruiz, 0000, to be Brigadier General.

Army nomination of Lt. Gen. Ronald L. Burgess, Jr., 0000, to be Lieutenant General.

Army nomination of Maj. Gen. Michael A. Vane, 0000, to be Lieutenant General.

Army nomination of Maj. Gen. David P. Fridovich, 0000, to be Lieutenant General.

Marine Corps nomination of Lt. Gen. John G. Castellaw, 0000, to be Lieutenant General.

Marine Corps nomination of Maj. Gen. Richard C. Zilmer, 0000, to be Lieutenant General.

Marine Corps nomination of Lt. Gen. Joseph F. Weber, 0000, to be Lieutenant General.

Navy nomination of Rear Adm. (lh) Michael J. Lyden, 0000, to be Rear Admiral.

Navy nominations beginning with Rear Adm. (lh) Christine S. Hunter and ending with Rear Adm. (lh) Adam M. Robinson, Jr., which nominations were received by the Senate and appeared in the Congressional Record on March 26, 2007.

Navy nomination of Capt. Richard C. Vinci, 0000, to be Rear Admiral (lower half).

Navy nominations beginning with Capt. William M. Roberts and ending with Capt. Alton L. Stocks, which nominations were received by the Senate and appeared in the Congressional RECORD on April 11, 2007.

Navy nominations beginning with Capt. Robert J. Bianchi and ending with Capt. Thomas C. Traaen, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2007.

Navy nominations beginning with Rear Adm. (lh) Gerald R. Beaman and ending with Rear Adm. (lh) Richard B. Wren, which nominations were received by the Senate and appeared in the Congressional Record on May 3, 2007. (minus 1 nominee: Rear Adm. (lh) Victor G. Guillory).

Navy nominations beginning with Captain Joseph P. Aucoin and ending with Captain Nora W. Tyson, which nominations were received by the Senate and appeared in the Congressional Record on May 3, 2007.

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nominations beginning with Jennifer S. Aaron and ending with Robert S. Zauner, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2007.

Air Force nomination of Anil P. Rajadhyax, 0000, to be Major.

Air Force nominations beginning with Daren S. Danielson and ending with Colleen M. Fitzpatrick, which nominations were received by the Senate and appeared in the Congressional Record on May 9, 2007.

Air Force nominations beginning with Bret R. Boyle and ending with Chad A. Weddell, which nominations were received by the Senate and appeared in the Congressional Record on May 9, 2007.

Air Force nominations beginning with Lillian C. Conner and ending with Jonathan L. Rones, which nominations were received by the Senate and appeared in the Congressional Record on May 9, 2007.

Air Force nominations beginning with Nancy J. S. Althouse and ending with Phick H. Ng, which nominations were received by the Senate and appeared in the Congressional Record on May 9, 2007.

Army nomination of Timothy E. Trainor, 0000, to be Colonel.

Army nomination of Glen L. Dorner, 0000, to be Major.

Army nominations beginning with Shirley S. Miresepassi and ending with Scott L. Diering, which nominations were received by the Senate and appeared in the Congressional Record on May 9, 2007.

Navy nomination of George N. Thompson, 0000, to be Captain.

Navy nomination of Dea Brueggemeyer, 0000, to be Lieutenant Commander.

Navy nominations beginning with Neal P. Ridge and ending with Ralph L. Raya, which nominations were received by the Senate and appeared in the Congressional Record on May 9, 2007.

By Mr. BINGAMAN for the Committee on Energy and Natural Resources.

R. Lyle Laverty, of Colorado, to be Assistant Secretary for Fish and Wildlife.

*Joseph Timothy Kelliher, of the District of Columbia, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2012.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. THUNE (for himself and Mr. NELSON of Nebraska):

S. 36. A bill to amend the Farm Security and Rural Investment Act to establish a biofuels promotion program to promote sustainable production of biofuels and biomass, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DOMENICI (for himself, Mr. CRAIG, Mr. BURR, Mr. CRAPO, Mr. DEMINT, Mr. GRAHAM, Mr. HAGEL, Mr. THOMAS, Ms. MURKOWSKI, Mr. BUNNING, and Mr. MARTINEZ):

S. 37. A bill to enhance the management and disposal of spent nuclear fuel and high-level radioactive waste, to assure protection of public health safety, to ensure the territorial integrity and security of the repository at Yucca Mountain, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DOMENICI (for himself and Mr. OBAMA):

S. 38. A bill to require the Secretary of Veterans Affairs to establish a program for the provision of readjustment and mental health services to veterans who served in Operation Iraqi Freedom and Operation Enduring Freedom, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CARPER (for himself, Mr. ALEXANDER, Mrs. FEINSTEIN, Mr. VOINOVICH, and Mr. ENZI):

S. 1453. A bill to extend the moratorium on taxes on Internet access and multiple and discriminatory taxes on electronic commerce imposed by the Internet Tax Freedom Act, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. MIKULSKI:

S. 1454. A bill to amend title 38, United States Code, to increase burial benefits for veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WHITEHOUSE:

S. 1455. A bill to provide for the establishment of a health information technology and privacy system; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARPER (for himself and Mr. VOINOVICH):

S. 1456. A bill to provide for the establishment and maintenance of electronic personal health records for individuals and family members enrolled in Federal employee health benefits plans under chapter 89 of title 5, United States Code, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HARKIN (for himself, Mr. CASEY, Mr. BINGAMAN, Mrs. MURRAY, and Mr. LEAHY):

S. 1457. A bill to provide for the protection of mail delivery on certain postal routes, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 1458. A bill to amend the Food Security Act of 1985 to provide incentives for improved agricultural air quality; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MENENDEZ (for himself and Mr. LAUTENBERG):

S. 1459. A bill to strengthen the Nation's research efforts to identify the causes and cure of psoriasis and psoriatic arthritis, expand psoriasis and psoriatic arthritis data collection, study access to and quality of care for people with psoriasis and psoriatic arthritis, and for other purposes; to the Committee on Health, Education, Labor, and Pensions .

By Mr. HARKIN (for himself, Mr. GRASSLEY, Mr. BAUCUS, and Mr. BROWN):

S. 1460. A bill to amend the Farm Security and Rural Development Act of 2002 to support beginning farmers and ranchers, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ROCKEFELLER:

S. 1461. A bill to prohibit the Secretary of Health and Human Services from imposing penalties against a State under the Temporary Assistance for Needy Families program for failure to satisfy minimum work participation rates or comply with work participation verification procedures with respect to months beginning after September 2006 and before the end of the 12-month period that begins on the date the Secretary approves the State's work verification plan; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 1462. A bill to amend part E of title IV of the Social Security Act to promote the adoption of children with special needs; to the Committee on Finance.

By Mr. PRYOR (for himself, Mr. COCHRAN, Mr. CRAIG, Mr. ROBERTS, Mr. SCHUMER, and Mr. CHAMBLISS):

S. 1463. A bill to authorize the Secretary of Homeland Security to regulate the sale of ammonium nitrate to prevent and deter the acquisition of ammonium nitrate by terrorists, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. FEINGOLD (for himself, Mr. COLEMAN, Mr. CASEY, Mr. VOINOVICH, Mr. MENENDEZ, Mr. LAUTENBERG, and Mr. COCHRAN):

S. 1464. A bill to establish a Global Service Fellowship Program, and for other purposes; to the Committee on Foreign Relations.

By Mr. CONRAD (for himself, Mr. ENZI, and Mr. REID):

S. 1465. A bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of certain medical mobility devices approved as class III medical devices; to the Committee on Finance.

By Mr. DODD (for himself and Mr. SMITH):

S. 1466. A bill to amend the Internal Revenue Code of 1986 to exclude property tax rebates and other benefits provided to volunteer firefighters, search and rescue personnel, and emergency medical responders from income and employment taxes and wage withholding; to the Committee on Finance.

By Mr. BIDEN:

S. 1467. A bill to establish an Early Federal Pell Grant Commitment Demonstration Program; to the Committee on Health, Education, Labor, and Pensions.

By Ms. MIKULSKI:

S. 1468. A bill to amend title 38, United States Code, to increase burial benefits for veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HARKIN:

S. 1469. A bill to require the closure of the Department of Defense detention facility at Guantanamo Bay, Cuba, and for other purposes; to the Committee on Armed Services.

By Mr. NELSON of Florida (for himself and Mr. DURBIN):

S. 1470. A bill to provide States with the resources needed to rid our schools of performance-enhancing drug use; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 15

At the request of Mr. GREGG, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 15, a bill to establish a new budget process to create a comprehensive plan to rein in spending, reduce the deficit, and regain control of the Federal budget process.

S. 22

At the request of Mr. WEBB, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 22, a bill to amend title 38, United States Code, to establish a program of educational assistance for members of the Armed Forces who serve in the Armed Forces after September 11, 2001, and for other purposes.

S. 60

At the request of Mr. INOUYE, the names of the Senator from Utah (Mr. HATCH), the Senator from Massachusetts (Mr. KENNEDY), the Senator from

North Dakota (Mr. CONRAD), the Senator from North Dakota (Mr. DORGAN) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. 60, a bill to amend the Public Health Service Act to provide a means for continued improvement in emergency medical services for children.

S. 82

At the request of Mr. AKAKA, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 82, a bill to reaffirm the authority of the Comptroller General to audit and evaluate the programs, activities, and financial transactions of the intelligence community, and for other purposes.

S. 156

At the request of Mr. WYDEN, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 156, a bill to make the moratorium on Internet access taxes and multiple and discriminatory taxes on electronic commerce permanent.

S. 206

At the request of Mrs. FEINSTEIN, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 206, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 223

At the request of Mr. COCHRAN, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 223, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 231

At the request of Mrs. FEINSTEIN, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 231, a bill to authorize the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through 2012.

At the request of Mr. VITTER, his name was added as a cosponsor of S. 231, supra.

S. 329

At the request of Mr. CRAPO, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 329, a bill to amend title XVIII of the Social Security Act to provide coverage for cardiac rehabilitation and pulmonary rehabilitation services.

S. 331

At the request of Mr. THUNE, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 331, a bill to provide grants from moneys collected from violations of the corporate average fuel economy program to be used to expand infrastructure necessary to increase the availability of alternative fuels.

S. 392

At the request of Mr. BIDEN, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 392, a bill to ensure payment of United States assessments for United Nations peacekeeping operations for the 2005 through 2008 time period.

S. 442

At the request of Mr. DURBIN, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 442, a bill to provide for loan repayment for prosecutors and public defenders.

S. 450

At the request of Mr. ENSIGN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 450, a bill to amend title XVIII of the Social Security Act to repeal the medicare outpatient rehabilitation therapy caps.

S. 543

At the request of Mr. NELSON of Nebraska, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 543, a bill to improve Medicare beneficiary access by extending the 60 percent compliance threshold used to determine whether a hospital or unit of a hospital is an inpatient rehabilitation facility under the Medicare program.

S. 594

At the request of Mrs. FEINSTEIN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 594, a bill to limit the use, sale, and transfer of cluster munitions.

S. 625

At the request of Mr. KENNEDY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 625, a bill to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products.

S. 661

At the request of Mrs. CLINTON, the names of the Senator from Minnesota (Mr. COLEMAN) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 661, a bill to establish kinship navigator programs, to establish guardianship assistance payments for children, and for other purposes.

S. 675

At the request of Mr. HARKIN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 675, a bill to provide competitive grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996, and for other purposes.

S. 691

At the request of Mr. CONRAD, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 691, a bill to amend title XVIII of the Social Security Act to improve the benefits under the Medicare program for beneficiaries with kidney disease, and for other purposes.

S. 694

At the request of Mrs. CLINTON, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 694, a bill to direct the Secretary of Transportation to issue regulations to reduce the incidence of child injury and death occurring inside or outside of light motor vehicles, and for other purposes.

S. 700

At the request of Mr. CRAPO, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 700, a bill to amend the Internal Revenue Code to provide a tax credit to individuals who enter into agreements to protect the habitats of endangered and threatened species, and for other purposes.

S. 807

At the request of Mrs. LINCOLN, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 807, a bill to amend the Comprehensive Environmental Response Compensation and Liability Act of 1980 to provide that manure shall not be considered to be a hazardous substance, pollutant, or contaminant.

S. 901

At the request of Mr. KENNEDY, the names of the Senator from Delaware (Mr. BIDEN), the Senator from Mississippi (Mr. COCHRAN), the Senator from Virginia (Mr. WARNER) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 901, a bill to amend the Public Health Service Act to provide additional authorizations of appropriations for the health centers program under section 330 of such Act.

S. 911

At the request of Mr. COLEMAN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 911, a bill to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers.

S. 921

At the request of Mr. THOMAS, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 921, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 970

At the request of Mr. SMITH, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from New Hampshire (Mr. SUNUNU) were added as cosponsors of S. 970, a bill to impose sanctions on Iran and on other countries for assisting Iran in developing a nuclear program, and for other purposes.

S. 994

At the request of Mr. TESTER, the name of the Senator from Ohio (Mr.

BROWN) was added as a cosponsor of S. 994, a bill to amend title 38, United States Code, to eliminate the deductible and change the method of determining the mileage reimbursement rate under the beneficiary travel program administered by the Secretary of Veteran Affairs, and for other purposes.

S. 1003

At the request of Ms. STABENOW, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1003, a bill to amend title XVIII of the Social Security Act to improve access to emergency medical services and the quality and efficiency of care furnished in emergency departments of hospitals and critical access hospitals by establishing a bipartisan commission to examine factors that affect the effective delivery of such services, by providing for additional payments for certain physician services furnished in such emergency departments, and by establishing a Centers for Medicare & Medicaid Services Working Group, and for other purposes.

S. 1019

At the request of Mr. COBURN, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 1019, a bill to provide comprehensive reform of the health care system of the United States, and for other purposes.

S. 1117

At the request of Mr. BOND, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1117, a bill to establish a grant program to provide vision care to children, and for other purposes.

S. 1155

At the request of Mr. BROWNBACK, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1155, a bill to treat payments under the Conservation Reserve Program as rentals from real estate.

S. 1172

At the request of Mr. DURBIN, the names of the Senator from Delaware (Mr. BIDEN), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Massachusetts (Mr. KERRY), the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Colorado (Mr. SALAZAR) were added as cosponsors of S. 1172, a bill to reduce hunger in the United States.

S. 1183

At the request of Mr. HARKIN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1183, a bill to enhance and further research into paralysis and to improve rehabilitation and the quality of life for persons living with paralysis and other physical disabilities, and for other purposes.

S. 1224

At the request of Mr. ROCKEFELLER, the names of the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 1224, a bill to amend title XXI of the Social Security Act to reauthorize the State Children's Health Insurance Program, and for other purposes.

S. 1338

At the request of Mr. ROCKEFELLER, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1338, a bill to amend title XVIII of the Social Security Act to provide for a two-year moratorium on certain Medicare physician payment reductions for imaging services.

S. 1339

At the request of Mr. KENNEDY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1339, a bill to amend the Elementary and Secondary Education Act of 1965, the Higher Education Act of 1965, and the Internal Revenue Code of 1986 to improve recruitment, preparation, distribution, and retention of public elementary and secondary school teachers and principals, and for other purposes.

S. 1370

At the request of Ms. CANTWELL, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 1370, a bill to amend the Internal Revenue Code of 1986 to ensure more investment and innovation in clean energy technologies.

S. 1389

At the request of Mr. OBAMA, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1389, a bill to authorize the National Science Foundation to establish a Climate Change Education Program.

S. 1410

At the request of Mr. COLEMAN, the names of the Senator from New York (Mrs. CLINTON), the Senator from Mississippi (Mr. COCHRAN) and the Senator from Oregon (Mr. SMITH) were added as cosponsors of S. 1410, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the purchase of hearing aids.

S. RES. 203

At the request of Mr. MENENDEZ, the names of the Senator from North Carolina (Mr. BURR), the Senator from Nebraska (Mr. HAGEL), the Senator from Florida (Mr. NELSON) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of S. Res. 203, a resolution calling on the Government of the People's Republic of China to use its unique influence and economic leverage to stop genocide and violence in Darfur, Sudan.

AMENDMENT NO. 1146

At the request of Mrs. FEINSTEIN, the names of the Senator from Florida (Mr. MARTINEZ), the Senator from Washington (Ms. CANTWELL) and the Senator from Nebraska (Mr. HAGEL) were added as cosponsors of amendment No. 1146 proposed to S. 1348, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1151

At the request of Mr. INHOFE, the names of the Senator from Tennessee (Mr. CORKER), the Senator from North Carolina (Mrs. DOLE), the Senator from Oklahoma (Mr. COBURN), the Senator from South Carolina (Mr. DEMINT), the Senator from New Hampshire (Mr. GREGG), the Senator from Alabama (Mr. SHELBY) and the Senator from Florida (Mr. MARTINEZ) were added as cosponsors of amendment No. 1151 intended to be proposed to S. 1348, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1157

At the request of Mr. VITTER, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Kentucky (Mr. BUNNING) were added as cosponsors of amendment No. 1157 intended to be proposed to S. 1348, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1158

At the request of Mr. COLEMAN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of amendment No. 1158 proposed to S. 1348, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1159

At the request of Mr. COLEMAN, the name of the Senator from New Hampshire (Mr. SUNUNU) was added as a cosponsor of amendment No. 1159 intended to be proposed to S. 1348, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1161

At the request of Mr. ALEXANDER, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of amendment No. 1161 intended to be proposed to S. 1348, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1165

At the request of Mr. LEAHY, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of amendment No. 1165 proposed to S. 1348, a bill to provide for comprehensive immigration reform and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DOMENICI (for himself, Mr. CRAIG, Mr. BURR, Mr. CRAPO, Mr. DEMINT, Mr. GRAHAM, Mr. HAGEL, Mr. THOMAS, Ms. MURKOWSKI, Mr. BUNNING, and Mr. MARTINEZ):

S. 37. A bill to enhance the management and disposal of spent nuclear fuel and high-level radioactive waste, to assure protection of public health safety, to ensure the territorial integrity and security of the repository at Yucca Mountain, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. DOMENICI. Mr. President, today I am introducing legislation that I believe will place the Department of Energy's nuclear waste program back on

track. I am joined by Senator CRAIG and others to introduce the Nuclear Waste Access to Yucca Bill, or Nu-Way Bill, which I believe will help to resolve the issue of nuclear waste once and for all.

As we all know, the history of the Yucca Mountain project has been rocky at best. The Yucca Mountain project has a very long pedigree, starting back to the late 1950s when the National Academy of Sciences, NAS, reported to the Atomic Energy Commission that burying radioactive high-level waste in geologic formations should receive consideration. NAS stated that ''radioactive waste can be disposed of safely in a variety of ways and at a large number of sites in the United States.''

In 1982, Congress passed the Nuclear Waste Policy Act after a solid consensus had been reached around the major elements of the approach broadly outlined by President Carter. When President Reagan signed it into law the following January, he called the Act ''a milestone for progress and the ability of our democratic system to resolve a sophisticated and divisive issue.''

The Congress was quite optimistic then, so optimistic that we told the Department of Energy, DOE, to enter into contracts with utilities to begin taking nuclear waste off their hands by 1998 in return for the payment of fees. Well, obviously that didn't happen, but the United States government continues to collect the fee at 1mil/KWH electricity generated by nuclear plants. What did happen was that the utilities began to sue DOE for failing to meet its contractual obligation to remove spent nuclear fuel from storage at commercial reactor sites. DOE has been negotiating with various reactor owners since 1999 over the missed deadline for settlement agreements. The first agreement was reached in July 2000 which allowed DOE to pay PECO Energy Co. up to $80 million in nuclear waste fee revenues during the subsequent 10 years. However, other utilities sued DOE to block the settlement, contending that nuclear waste fees may be used only for the DOE Waste Program and not as compensation for missing the disposal deadline. The U.S. Court of Appeals for the 11th Circuit agreed that any compensation would have to come from general revenue or other sources than the waste fund.

Today, commercial spent nuclear fuel continues to be stored at plant sites, and DOE is facing more than $6 billion in judgments for failure to dispose the spent nuclear fuel. As for the nuclear waste fund, we now have more than $19 billion of the ratepayer's money in principal and interest.

In addition to civilian spent nuclear fuel, the Department of Energy stores about 2,500 metric tons of defense waste, which includes unreprocessed spent nuclear fuel from its plutonium production reactors, naval propulsion reactors, and research reactors at Hanford, Savannah River, and the Idaho National Laboratory.

While moving more slowly than planned, DOE's nuclear waste program has made progress toward making the goal of a permanent geologic repository for nuclear waste a reality. Originally, the Nuclear Waste Policy Act required DOE to characterize more than one site for two repositories. As the most promising site considered, the Yucca Mountain site was selected by DOE to be the first site to be characterized. In 1987, the act was amended and the Congress directed DOE to focus its siting effort on Yucca Mountain alone and terminated the second repository program.

On February 14, 2002, after carrying out the required ''appropriate site characterization activities'' at Yucca Mountain to determine its suitability, the President recommended Yucca Mountain to Congress as being ''qualified for application for a construction authorization for a repository.''

The Nuclear Waste Policy Act provided the Governor of Nevada the opportunity to object to the site selection and to submit to Congress the reasons. On April 8, 2002, the Governor of Nevada exercised this authority and submitted his notice of disapproval and statement of reasons. Under the terms of the Act, the Governor's notice had the effect of terminating further consideration of the Yucca Mountain site until both Houses of Congress passed and the President signed into law a joint resolution approving the site.

The State veto provisions of the act accomplished their intent, which was to afford Congress another opportunity to review and determine if the objection was sufficient to terminate the program. Based on expert opinion, both Houses concluded that the objection was not sufficient, and that the Yucca Mountain site is geologically suitable for development of the repository. In the national interest, Congress approved the Yucca Mountain site, and instructed DOE to file a license application for the repository with the Nuclear Regulatory Commission, NRC. The decision has been made. All the scientific work performed to date supports the decision.

With the siting decision made, it will now be up to the EPA to issue general standards and for the Nuclear Regulatory Commission to license the facility by evaluating the scientific data and determining whether the repository will permanently, and safely, isolate nuclear waste.

Yucca Mountain is the cornerstone of our national comprehensive spent nuclear fuel management strategy for this country. Let me be clear: We need Yucca Mountain. We must make this program work. I believe the bill introduced today will do that.

This bill will remove unintended legal barriers that will allow DOE to meet its obligation to accept and store spent nuclear fuel as soon as possible, without prejudging the outcome of the NRC's repository licensing decision.

The bill I am introducing today authorizes DOE to permanently withdraw 147,000 acres of Federal land from public use currently controlled by the Bureau of Land Management, the Air Force, and the Nevada Test Site, to satisfy a license condition of the NRC.

This legislation will repeal the arbitrary 70,000 metric ton statutory limit on emplacement of radioactive material at Yucca Mountain. The cap was imposed when Congress was considering two rounds of repositories. I believe that the capacity of the mountain should be determined by scientific and technical analysis, and not by political compromises.

Today, the major facility at the Yucca Mountain site is an ''exploratory studies facility'' with a 25-foot-diameter, 5-mile long, tunnel with ramps leading to the surface. This legislation will allow the DOE to begin construction of needed infrastructure for the repository and surface storage facilities as soon as they complete an environmental impact statement that evaluates these activities.

The ''Nu-Way'' bill also begins to consolidate the defense nuclear waste and spent nuclear fuel from defense activities at the Yucca Mountain site. The bill requires DOE to file for a permit to build a surface receipt and storage facility at the Nevada Test Site at the same time it files its license application for a repository at Yucca Mountain.

As soon as the department receives the permit for the surface receipt and storage facility from the NRC, it may begin moving defense fuel and waste to the Nevada Test Site. We are not giving DOE any new authority to move spent fuel. DOE currently has authority to transport and consolidate defense waste at DOE facilities, with the sole exception of Yucca Mountain site. The spent nuclear fuel from our Navy and defense activities that kept us safe during the Cold War should be consolidated and stored securely at the Nevada Test Site. The defense waste is currently stored temporarily in Hanford, Idaho and Savannah River sites.

This legislation further provides that only after the NRC issues a construction permit for Yucca Mountain, may the Department of Energy begin moving civilian spent fuel to the Nevada Test Site. This legislation also lays the foundation to integrate Yucca Mountain Repository Program and Global Nuclear Energy Partnership, GNEP, by providing that before civilian spent nuclear fuel is shipped to Yucca Mountain, the Secretary of Energy must determine if it can be recycled within a reasonable time. I might add that the current plans for GNEP do not include recycling all 55,000 metric tons of civilian spent fuel that has already been generated. This proposal will would avoid moving waste to Yucca Mountain Site that should be shipped instead to a GNEP facility.

In the long run, this measure provides DOE with the authorities needed to execute the Yucca Mountain project for long term emplacement and for the

GNEP program to reduce the volume and toxicity of the material to be placed in the repository, thereby eliminating the need for a second waste repository.

This bill will also withdraw land for a rail route Yucca, a vital transportation component. There is also a provision that provides that appropriations from the nuclear waste fund will not count against the allocations for discretionary spending. DOE will have access to the full funds in the nuclear waste fund, moneys collected from electricity rate payers, our constituents, specifically for developing and constructing the waste repository.

To address the liability problem created by Congress when DOE could not remove spent nuclear fuel from the reactor sites, this legislation will authorize DOE to revise the standard contract to accept waste from new nuclear reactors at a more reasonable schedule. By doing all of these things, this bill will establish a comprehensive program that will provide confidence that our Nation's nuclear waste will be managed safely both for current and future reactors.

The issue of Yucca Mountain has been addressed repeatedly by Congress and Presidents. The legislation I am introducing today will not circumvent any environmental standards or regulations, nor will it preempt any State or local government rights.

Despite the great advances that we have made in this Nation on nuclear energy, we are still faced with challenges. EIA estimates that even with a projected increase in nuclear capacity and generation in large, the nuclear share of total electricity is estimated to fall from 19 percent in 2005 to 15 percent in 2030. This is because our energy needs will be great over the next 25 years. For energy security reasons, economic reasons and environmental reasons, we must make nuclear energy a larger part of our mix. To meet the challenge of reducing carbon emissions in order to address climate change, we need nuclear energy. And, if we need nuclear energy, we need Yucca Mountain.

Solving nuclear waste is in the national interest. We can solve this problem and I hope we can move forward together in a new way.

By Mr. DOMENICI (for himself and Mr. OBAMA):

S. 38. A bill to require the Secretary of Veterans Affairs to establish a program for the provision of readjustment and mental health services to veterans who served in Operation Iraqi Freedom and Operation Enduring Freedom, and for other purposes; to the Committee on Veterans' Affairs.

Mr. DOMENICI. Mr. President, I rise today with my colleague Senator OBAMA to introduce the Veterans' Mental Health Outreach and Access Act. This bill will require the Secretary of Veteran's Affairs to establish a program for the provision of readjustment and mental health services to veterans who served in Operation Iraqi Freedom and Operation Enduring Freedom, with a particular emphasis on those soldiers who served in the National Guard and Reserves.

Operation Enduring Freedom, OEF, and Operation Iraqi Freedom, OIF, are unique in their extensive use of National Guard and Reserve troops and their reliance on repetitive deployments. More than 1,500 National Guard and Reservists from New Mexico have been deployed in support of OIF and OEF. Several hundred of these soldiers have been deployed multiple times. This is a new era for our National Guard and for the Reserve. The role of these organizations in defending our national security has significantly increased. Guard and Reserve members are seeing significant combat action and we know that a number of these soldiers will return with mental and physical wounds suffered in these wars, including post traumatic stress disorder, depression, brain injuries and other traumatic illnesses.

Virtually all returning veterans and their families will face readjustment problems. These soldiers and their families deserve the best care and treatment possible, but where do our National Guard and Reserve soldiers fit into the military and veterans' systems of care? These ''citizen-soldiers'' are not returning to military bases, but rather to communities that are frequently remote from VA medical centers and clinics.

We're quick to urge that VA provide veterans needed treatment for service-related mental health problems, but we also need to do more to remove the barriers such as travel and distance that oftentimes will prevent a veteran from seeking and continuing treatment. The Domenici-Obama bill calls on the Secretary of Veterans Affairs to develop a national program to reach vets who can't or won't seek VA care. It requires the Secretary to mount a national program to train a cadre of returning servicemembers for positions as peer outreach workers and peer-support specialists. In any remote area of the country in which the VA determines there is inadequate access to a VA medical center, the bill directs the Secretary of the VA to contract with community mental health centers and other qualified entities to provide peer outreach and support services, readjustment counseling and mental health services. However, any resulting contracts would require centers to first train and adhere to the VA's expertise and standards of care in mental health. It also will require any contract-provider to hire a trained peer specialist as well as have its clinicians participate in a training program to be certain they'll provide ''culturally competent'' services.

This bill also gives needed attention to the toll these military operations have on the mental health needs of our veterans' families. These deployments are causing great stress for the spouses and children of these soldiers. Yet despite the recognition of the mental health needs of the family members of the returning veterans, current law limits the ability of the VA to work with these family members. This bill will expand access to mental health services for the immediate family of the veteran so that they may help the veteran recover in the case of injury or illness incurred during deployment. It will also help expand access to services so that the family can better help the veteran adjust back to civilian life, and also help the readjustment of the family to the return of the veteran.

Lastly, this bill will extend the eligibility for health care services from the Department of Veterans Affairs for veterans who served in combat from 2 years to 5 years. Two years is often insufficient time for symptoms related to PTSD and other mental illness to manifest. In many cases, it takes years for symptoms to present themselves, and the difficulty is often compounded by the fact that many servicemembers do not immediately seek the care that they need. Five years provides a more adequate window to address these risks.

Outreach and access to treatment are essential to prevent readjustment problems for our returning veterans and their families. Left untreated, mental disorders like PTSD and depression can become chronic and debilitating. We need systems in place to ensure that OEF/OIF veterans who are returning to their homes have access to the services they need. It is my hope that this legislation will help close the gaps we currently have in our service delivery systems and provide help to those who have experienced mental health problems as a result of their service to their country.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 38

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 ''Veterans' Mental Health Outreach and Access Act of 2007''.

SEC. 2. PROGRAM ON PROVISION OF READJUSTMENT AND MENTAL HEALTH CARE SERVICES TO VETERANS WHO SERVED IN OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM.

(a) PROGRAM REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish a program to provide—

(1) to veterans of Operation Iraqi Freedom and Operation Enduring Freedom, particularly veterans who served in such operations while in the National Guard and the Reserves—

(A) peer outreach services;

(B) peer support services;

(C) readjustment counseling and services described in section 1712A of title 38, United States Code; and

(D) mental health services; and

(2) to members of the immediate family of such a veteran, during the three-year period beginning on the date of the return of such veteran from deployment in Operation Iraqi Freedom and Operation Enduring Freedom, education, support, counseling, and mental health services to assist in—

(A) the readjustment of such veteran to civilian life;

(B) in the case such veteran has an injury or illness incurred during such deployment, the recovery of such veteran; and

(C) the readjustment of the family following the return of such veteran.

(b) CONTRACTS WITH COMMUNITY MENTAL HEALTH CENTERS AND QUALIFIED ENTITIES FOR PROVISION OF SERVICES.—In carrying out the program required by subsection (a), the Secretary shall contract with community mental health centers and other qualified entities to provide the services required by such subsection in areas the Secretary determines are not adequately served by other health care facilities of the Department of Veterans Affairs. Such contracts shall require each contracting community health center or entity—

(1) to the extent practicable, to employ veterans trained under subsection (c);

(2) to the extent practicable, to use telehealth services for the delivery of services required by subsection (a);

(3) to participate in the training program conducted in accordance with subsection (d);

(4) to comply with applicable protocols of the Department of Veterans Affairs before incurring any liability on behalf of the Department for the provision of the services required by subsection (a);

(5) to submit annual reports to the Secretary containing, with respect to the program required by subsection (a) and for the last full calendar year ending before the submission of such report—

(A) the number of the veterans served, veterans diagnosed, and courses of treatment provided to veterans as part of the program required by subsection (a); and

(B) demographic information for such services, diagnoses, and courses of treatment;

(6) for each veteran for whom a community mental health center or other qualified entity provides mental health services under such contract, to provide the Department of Veterans Affairs with such clinical summary information as the Secretary shall require; and

(7) to meet such other requirements as the Secretary shall require.

(c) TRAINING OF VETERANS FOR THE PROVISION OF PEER-OUTREACH AND PEER-SUPPORT SERVICES.—In carrying out the program required by subsection (a), the Secretary shall contract with a national not-for-profit mental health organization to carry out a national program of training for veterans described in subsection (a) to provide the services described in subparagraphs (A) and (B) of paragraph (1) of such subsection.

(d) TRAINING OF CLINICIANS FOR PROVISION OF SERVICES.—The Secretary shall conduct a training program for clinicians of community mental health centers or entities that have contracts with the Secretary under subsection (b) to ensure that such clinicians can provide the services required by subsection (a) in a manner that—

(1) recognizes factors that are unique to the experience of veterans who served on active duty in Operation Iraqi Freedom or Operation Enduring Freedom (including their combat and military training experiences); and

(2) utilizes best practices and technologies.

(e) REPORTS REQUIRED.—

(1) INITIAL REPORT ON PLAN FOR IMPLEMENTATION.—Not later than 45 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report containing the plans of the Secretary to implement the program required by subsection (a).

(2) STATUS REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the implementation of the program. Such report shall include the following:

(A) Information on the number of veterans who received services as part of the program and the type of services received during the last full calendar year completed before the submission of such report.

(B) An evaluation of the provision of services under paragraph (2) of subsection (a) and a recommendation as to whether the period described in such paragraph should be extended to a five-year period.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Veterans Affairs such sums as may be necessary to carry out this section.

SEC. 3. EXTENSION OF ELIGIBILITY FOR HEALTH CARE SERVICES FROM DEPARTMENT OF VETERANS AFFAIRS FOR VETERANS OF SERVICE IN COMBAT THEATER.

Section 1710(e)(3)(C) of title 38, United States Code, is amended by striking ''2 years'' and inserting ''5 years''.

By Mr. HARKIN (for himself, Mr. CASEY, Mr. BINGAMAN, Mrs. MURRAY, and Mr. LEAHY):

S. 1457. A bill to provide for the protection of mail delivery on certain postal routes, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. HARKIN. Mr. President, since it was created the U.S. Postal Service has provided trusted, reliable delivery to tens of millions of households throughout the country. Today, the USPS stands as the second largest employer in the country with over 700,000 employees and is the most efficient postal service in the world. Last year, the Postal Accountability and Enhancement Act was passed and signed into law, ensuring the sustainability of the USPS for years to come.

However, recent decisions by the Postal Service have put the success and reliability of mail delivery in jeopardy. Postal delivery managers are now being encouraged to contract out delivery services for all new deliveries, of which there are approximately 1.8 million per year.

Outsourcing the mailman bypasses the process that ensures that only qualified people handle America's mail, leaving open the possibility that convicted felons, identity thieves, or other undesirable workers could have access to the mail stream.

Furthermore, it limits the ability of the Postal Service to prevent, investigate, and prosecute mail theft, mail fraud, and other illegal uses of the mail.

The USPS employs dedicated postal employees who earn solid middle-class wages and have health benefits and pension plans. The quality of service and reliability that the USPS has been known for is threatened if our mail carriers are replaced by low-paid, short-term workers.

This is why I am introducing the Mail Delivery Protection Act of 2007. This bill would prevent the USPS from contracting out the delivery of mail to postal patrons to private individuals and firms.

Each day millions of sensitive materials, including financial statements, credit cards, Social Security checks, passports, and ballots, pass through the mail stream. We cannot afford to allow the safe delivery of these personal, private documents to be granted to the lowest bidder.

In 2006, 379 Members of the House of Representatives voted against a pilot program testing the feasibility of contracted delivery.

However, postal management has increasingly chosen to contract out the delivery of mail, therefore outsourcing their core service function. A fancy restaurant would not contract out its chefs to a cheap fast-food chain to save money. Why should the Post Office outsource its delivery?

We must remember that this is the U.S. Postal Service. This bill will ensure that the safety and reliability we have all come to know from our local mail carriers will continue.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1457

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

SECTION 1. MAIL DELIVERY PROTECTION.

(a) SHORT TITLE.—This Act may be cited as the ''Mail Delivery Protection Act of 2007''.

(b) MAIL DELIVERY PROTECTION.—Section 5212 of title 39, United States Code, is amended—

(1) by inserting ''(a)'' before ''The Postal Service may''; and

(2) by adding at the end the following:

''(b)(1) Except as provided under paragraph (2), the Postal Service may not enter into any contract under this section with any motor carrier or other person for the delivery of mail on any route with 1 or more families per mile.

''(2) Notwithstanding paragraph (1)—

''(A) any contract described under that paragraph in effect on the date of enactment of the Mail Delivery Protection Act of 2007—

''(i) shall remain in effect until terminated under the terms of such contract or as otherwise provided by law; and

''(ii) may be renewed 1 or more times; and

''(B) service on a rural route may be converted to contract delivery service when such route no longer serves a minimum of 1 family per mile.''.

By Mr. MENENDEZ (for himself and Mr. LAUTENBERG):

S. 1459. A bill to strengthen the Nation's research efforts to identify the causes and cure of psoriasis and psoriatic arthritis, expand psoriasis and psoriatic arthritis data collection, study

access to and quality of care for people with psoriasis and psoriatic arthritis, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. MENENDEZ. Mr. President, I rise today to introduce the Psoriasis and Psoriatic Arthritis Research, Cure, and Care Act of 2007. According to the National Institutes of Health, as many as 7.5 million Americans are affected by psoriasis, a chronic, inflammatory, painful, disfiguring and disabling disease for which there are limited treatments and no cure. In my State of New Jersey, the National Psoriasis Foundation estimates that 219,000 people have psoriasis.

Ten to thirty percent of people with psoriasis also develop psoriatic arthritis, which causes pain, stiffness, and swelling in and around the joints. Moreover, of further concern is that people with psoriasis are at elevated risk for a myriad other comorbidities, including but not limited to heart disease, diabetes, obesity, and mental health conditions. Despite the serious adverse effects that psoriasis and psoriatic arthritis have on individuals, families and society, psoriasis and psoriatic arthritis are underrecognized and underfunded by our Nation's research institutions and public health agencies. At the historical and current rate of psoriasis funding, NIH funding is not keeping pace with research needs. For that reason, I am introducing legislation to boost psoriasis and psoriatic arthritis research, improve and expand psoriasis and psoriatic arthritis data collection, increase access to care and treatment for these diseases, and help debunk the myths associated with psoriasis.

I know that this legislation will go a long way in achieving these important public policy goals. The bill calls on the Secretary of Health and Human Services, HHS, to convene a summit of researchers, public health professionals, representatives of patient advocacy organizations and policymakers to review current efforts in psoriasis and psoriatic arthritis research, treatment, and quality-of-life being conducted by Federal agencies whose work involves psoriasis and psoriatic arthritis and psoriasis and psoriatic arthritis related comorbidities. The legislation also calls on the Secretary of HHS to commission a study from the Institutes of Medicine, IOM, to evaluate and make recommendations to address health insurance and prescription drug coverage as they relate to medications and treatments for psoriasis and psoriatic arthritis. Lastly, the bill directs the Centers for Disease Control and Prevention to develop a patient registry to collect much-needed longitudinal data on psoriasis and psoriatic arthritis so we can begin to understand the long-term impact of these conditions and evaluate the effects of various therapies.

I would like to thank the National Psoriasis Foundation for all of its efforts and leadership over the last four decades and am grateful to the Foundation and its members and staff for their ongoing commitment to improving quality of life for people with psoriasis and psoriatic arthritis. Again, I urge my colleagues to join me in supporting the Psoriasis and Psoriatic Arthritis Research Cure, and Care Act.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1459

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 ''Psoriasis and Psoriatic Arthritis Research, Cure, and Care Act of 2007''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Findings.
Sec. 4. Expansion of biomedical research.
Sec. 5. National patient registry.
Sec. 6. National summit.
Sec. 7. Study and report by the Institute of Medicine.

SEC. 3. FINDINGS.

The Congress finds as follows:

(1) Psoriasis and psoriatic arthritis are autoimmune-mediated, chronic, inflammatory, painful, disfiguring, and life-altering diseases that require life-long sophisticated medical intervention and care and have no cure.

(2) Psoriasis and psoriatic arthritis affect as many as 7.5 million men, women, and children of all ages and have an adverse impact on the quality of life for virtually all affected.

(3) Psoriasis often is overlooked or dismissed because it does not cause death. Psoriasis is commonly and incorrectly considered by insurers, employers, policymakers, and the public as a mere annoyance, a superficial problem, mistakenly thought to be contagious and due to poor hygiene. Treatment for psoriasis often is categorized, wrongly, as ''life-style'' and not ''medically necessary''.

(4) Psoriasis goes hand-in-hand with a myriad of co-morbidities such as Crohn's disease, diabetes, metabolic syndrome, obesity, hypertension, heart attack, cardiovascular disease, liver disease, and psoriatic arthritis, which occurs in 10 to 30 percent of people with psoriasis.

(5) The National Institute of Mental Health funded a study that found that psoriasis may cause as much physical and mental disability as other major diseases, including cancer, arthritis, hypertension, heart disease, diabetes, and depression.

(6) Psoriasis is associated with elevated rates of depression and suicidal ideation.

(7) Each year the people of the United States lose approximately 56 million hours of work and spend $2 billion to $3 billion to treat psoriasis.

(8) Early diagnosis and treatment of psoriatic arthritis may help prevent irreversible joint damage.

(9) Treating psoriasis and psoriatic arthritis presents a challenge for patients and their health care providers because no one treatment works for everyone, some treatments lose effectiveness over time, many treatments are used in combination with other treatments, and all treatments may cause a unique set of side effects.

(10) Although new and more effective treatments finally are becoming available, too many people do not yet have access to the types of therapies that may make a significant difference in the quality of their lives.

(11) Psoriasis and psoriatic arthritis constitute a significant national health issue that deserves a comprehensive and coordinated response by State and Federal governments with involvement of the health care provider, patient, and public health communities.

SEC. 4. EXPANSION OF BIOMEDICAL RESEARCH.

(a) IN GENERAL.—The Secretary of Health and Human Services (in this Act referred to as the ''Secretary''), acting through the Director of the National Institutes of Health, shall expand and intensify research and related activities of the Institutes with respect to psoriasis and psoriatic arthritis.

(b) RESEARCH BY NIAMS.—

(1) IN GENERAL.—The Director of the National Institute of Arthritis and Musculoskeletal and Skin Diseases shall conduct or support research to expand understanding of the causes of, and to find a cure for, psoriasis and psoriatic arthritis. Such research shall include the following:

(A) Basic research to discover the pathogenesis and pathophysiology of the disease.

(B) Expansion of molecular genetics and immunology studies, including additional animal models.

(C) Global association mapping with single nucleotide polymorphisms.

(D) Identification of environmental triggers and autoantigens in psoriasis.

(E) Elucidation of specific immune receptor cells and their products involved.

(F) Pharmcogenetic studies to understand the molecular basis for varying patient response to treatment.

(G) Identification of genetic markers of psoriatic arthritis susceptibility.

(H) Research to increase understanding of joint inflammation and destruction in psoriatic arthritis.

(I) Clinical research for the development and evaluation of new treatments, including new biological agents.

(J) Research to develop improved diagnostic tests.

(K) Research to increase understanding of co-morbidities and psoriasis, including shared molecular pathways.

(2) COORDINATION WITH OTHER INSTITUTES.—In carrying out paragraph (1), the Director of the National Institute of Arthritis and Musculoskeletal and Skin Diseases shall coordinate the activities of the Institute with the activities of other national research institutes and other agencies and offices of the National Institutes of Health relating to psoriasis or psoriatic arthritis.

SEC. 5. NATIONAL PATIENT REGISTRY.

(a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention and in collaboration with an eligible national organization, shall establish a national psoriasis and psoriatic arthritis patient registry.

(b) COOPERATIVE AGREEMENTS.—In carrying out subsection (a), the Secretary shall enter into cooperative agreements with an eligible national organization and appropriate academic health institutions to develop, implement, and manage a system for psoriasis and psoriatic arthritis patient data collection and analysis, including the creation and use of a common data entry and management system.

(c) LONGITUDINAL DATA.—In carrying out subsection (a), the Secretary shall ensure the collection and analysis of longitudinal data

related to individuals of all ages with psoriasis and psoriatic arthritis, including infants, young children, adolescents, and adults of all ages including older Americans.

(d) ELIGIBLE NATIONAL ORGANIZATION.—In this section, the term ''eligible national organization'' means a national organization that—

(1) has expertise in the epidemiology of psoriasis and psoriatic arthritis; and

(2) maintains an established patient registry or biobank.

(e) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated $1,000,000 for fiscal year 2008 and $500,000 for each of fiscal years 2009 through 2012.

SEC. 6. NATIONAL SUMMIT.

(a) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Secretary shall convene a summit on the current activities of the Federal Government to conduct or support research, treatment, education, and quality-of-life activities with respect to psoriasis and psoriatic arthritis, including psoriasis and psoriatic arthritis related co-morbidities. The summit shall include researchers, public health professionals, representatives of voluntary health agencies and patient advocacy organizations, representatives of academic institutions, and Federal and State policymakers.

(b) FOCUS.—The summit convened under this section shall focus on—

(1) a broad range of research activities relating to biomedical, epidemiological, psychosocial, and rehabilitative issues;

(2) clinical research for the development and evaluation of new treatments, including new biological agents;

(3) translational research;

(4) information and education programs for health care professionals and the public;

(5) priorities among the programs and activities of the various Federal agencies involved in psoriasis and psoriatic arthritis and psoriasis and psoriatic arthritis related co-morbidities; and

(6) challenges and opportunities for scientists, clinicians, patients, and voluntary organizations.

(c) REPORT TO CONGRESS.—Not later than 180 days after the first day of the summit convened under this section, the Secretary shall submit to Congress and make publicly available a report that includes a description of—

(1) the proceedings at the summit; and

(2) the research, treatment, education, and quality-of-life activities conducted or supported by the Federal Government with respect to psoriasis and psoriatic arthritis, including psoriasis and psoriatic arthritis related co-morbidities.

(d) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized such sums as may be necessary for each of fiscal years 2008 through 2010.

SEC. 7. STUDY AND REPORT BY THE INSTITUTE OF MEDICINE.

(a) IN GENERAL.—The Secretary shall enter into an agreement with the Institute of Medicine to conduct a study on the following:

(1) The extent to which public and private insurers cover prescription medications and other treatments for psoriasis and psoriatic arthritis.

(2) The payment structures, such as deductibles and co-payments, and the amounts and duration of coverage under health plans and their adequacy to cover the costs of providing ongoing care to patients with psoriasis and psoriatic arthritis.

(3) Health plan and insurer coverage policies and practices and their impact on the access of such patients to the best regimen and most appropriate care for their particular disease state.

(b) REPORT.—The agreement entered into under subsection (a) shall provide for the Institute of Medicine to submit to the Secretary and Congress, not later than 18 months after the date of the enactment of this Act, a report containing a description of the results of the study conducted under this section and the conclusions and recommendations of the Institutes of Medicine regarding each of the issues described in paragraphs (1) through (3) of subsection (a).

By Mr. ROCKEFELLER:

S. 1461. A bill to prohibit the Secretary of Health and Human Services from imposing penalties against a State under the Temporary Assistance for Needy Families program for failure to satisfy minimum work participation rates or comply with work participation verification procedures with respect to months beginning after September 2006 and before the end of the 12-month period that begins on the date the Secretary approves the State's work verification plan; to the Committee on Finance.

Mr. ROCKEFELLER. Mr. President, today I am introducing a simple bill to try and provide some fairness to States as they struggle to try and implement the new, stringent standards of the welfare reform reauthorization imposed as part of the Deficit Reduction Act on 2007. As a former member of the West Virginia State Legislature and as a Governor, I know that implementation of such mandates can take time.

Let me share the timeline that States face in coping with the new rules on welfare reform, or Temporary Assistance to Needy Families, TANF. Most of the pending legislation on TANF, including President Bush's plan had a multiyear phase in proposals for tougher work requirements.

But the legislation that passed was a stark change with no time for States to develop new policy and no time for State legislature to react to new policy. Additionally States could be penalized for their policy even before they get guidance from officials at the Department of Health and Human Services, HHS, that their work verification plan is approved. This is just not fair.

Here is the history. In October of 2005, the House Workforce Committee passed legislation to phase-in higher work standards.

In November of 2005, the Senate approved a budget reconciliation bill without new work requirements. Later that month, the House approved a reconciliation bill that phased-in higher work requirements.

On December 19, 2005, the conference agreement on the Deficit Reduction Act imposed tougher work standard that will take effect on October 1, 2007. States will also face penalties if they do not meet new, unpublished work verification requirements.

The President signed the bill into law in February 2006.

The Department of Health and Human Services did not issue regulations to define work activities and outlining the requirements for work verification plans until June 29, 2006.

States had just 3 months to develop their work verification plans based on the new regulations, and the plans are due on September 30, 2006.

On October 1, 2006, the tougher work standards as measured by work verification took effect.

Today, May 22, 2006, no State has received approval of their work verification plans submitted over 7 months ago. But States could be penalized for failing participation standards today before they have gotten guidance from HHS that their work verification plans are approved, and they know what is expected of them.

This is just not fair. States need to know what the rules are for work, and what they can count for work before any penalties should be assessed, even if they are not due until a future date. Some of the potential penalties are harsh, including a 5 percent cut in the State's block grant in the first year, and a requirement to increase State matching funds. Such cuts could be imposed when the value of TANF block grant has shrunk by more than 20 percent since 1996.

My bill is simple fairness. It states that no financial penalties can be imposed on a State until 12 months after a State gets official approval by HHS of its work verification plans. This allows each State a year to come into compliance. States are trying, but they do not yet know what officially counts as work so they should not face any penalties until after the rules are clear.

Welfare reform is not supposed to be about penalties and pushing families off the caseload. Welfare reform is supposed to be about promoting responsibility and self-sufficiency. States, and the families, on the program deserve to know with certainty what it takes to ''play by the rules.''

By Mr. ROCKEFELLER:

S. 1462. A bill to amend part E of title IV of the Social Security Act to promote the adoption of children with special needs; to the Committee on Finance.

Mr. ROCKEFELLER. Mr. President, I rise today to introduce the Adoption Equality Act of 2007. This legislation is an issue of fairness. It clearly states that every special needs child who needs adoption assistance in order to gain a safe, permanent home deserves it.

Throughout my career in the Senate, I have sought to strengthen and improve policies for the most vulnerable children, children who are at-risk of abuse and neglect in their own homes. While foster care is able to provide for the basic needs of these children, we must ultimately be able to provide them with a safe permanent home.

Congress demonstrated their dedication to this when they passed the 1997 Adoption and Safe Families Act, which led to the number of nationwide adoptions nearly doubling. But even with

these significant gains we cannot forget over 100,000 children in foster care are waiting for adoption. In West Virginia, there are 94 children waiting for adoption. For some of these children, described as having ''special needs,'' placement in a safe permanent home is especially difficult. Special needs children face increased obstacles in adoption due to factors such as their age, disability, or status as part of a group of siblings needing to be placed together.

In an effort to offer additional support to those in foster care who have the most difficulty finding a safe and permanent home, adoption subsidies are provided to encourage the adoption of ''special needs'' children. These subsidy payments provide essential income support to help families finance the daily basic costs of raising these children, as well as support for special services like therapy, tutoring, or special equipment for disabled children.

Yet, the current law does not make these Federal subsidies available to all families adopting ''special needs'' children. Under this law, only a fraction of the children waiting to be adopted would qualify for support. Federal subsidies are only given to families who adopt special needs children whose biological family would have qualified for welfare benefits. This is, simply, wrong. A child's eligibility for these important benefits should not be dependent on the income of his or her biological parents, these are the parents whose legal rights to the child have been terminated, the parents who have abused or neglected the child.

It is time to create a Federal policy that levels the playing field and gives all children with special needs an equal and fair chance at being adopted. The Adoption Equality Act of 2007 will do this by removing the requirement that an income eligibility determination be made in regard to the child's biological parents, thereby making all children who meet the definition of ''special needs'' eligible for Federal adoption subsidies. The bill would also give States an incentive to make additional improvements to their welfare systems by requiring that States reinvest the moneys they save as a result of this bill back into their State child abuse and neglect programs.

The lack of modest financial resources to support these adoptions is often the only barrier that stands between an abused child and a safe, loving home. This bill is a wise investment if we want to truly help our most vulnerable children find a permanent home.

By Mr. FEINGOLD (for himself, Mr. COLEMAN, Mr. CASEY, Mr. VOINOVICH, Mr. MENENDEZ, Mr. LAUTENBERG, and Mr. COCHRAN):

S. 1464. A bill to establish a Global Service Fellowship Program, and for other purposes; to the Committee on Foreign Relations.

Mr. FEINGOLD. Mr. President, today I am pleased to introduce the Global Service Fellowship Program Act. This important bill would provide more Americans the opportunity to volunteer overseas and strengthen our existing Federal international education and exchange system. I believe the U.S. government needs to be taking a greater leadership role in providing opportunities for U.S. citizens to volunteer overseas and my bill will enhance U.S. efforts to be a global leader in people-to-people engagement.

People-to-people engagement is one of the United States' most effective public diplomacy tools and, today more than ever, we need to be investing in every opportunity to improve the perception of the U.S. overseas. Bad policy decisions by this administration have led to an alarming increase in negative opinions of the United States and we have not done enough to reverse this trend.

Studies have shown that, in areas where U.S. citizens have volunteered their time, money, and services, opinions of the United States have improved. A 2006 Terror Free Tomorrow poll found that, ''In Indonesia, almost two years after the tsunami, American aid to tsunami victims continues to be the single biggest factor resulting in favorable opinion towards the United States. Almost 60 percent of Indonesians surveyed nationwide in August 2006 said that American assistance made them favorable to the United States. This number has remained solid following tsunami relief, despite a growing number of Indonesians who oppose American-led efforts to fight terrorism.''

Greater investment in volunteer opportunities has significant potential to improve the image of the U.S. overseas and while we have important programs already in place, the Peace Corps and programs administered through the Department of State's Bureau of Education and Cultural Affairs, we can and should be doing more.

My bill would not only provide more opportunities for people-to-people engagement, but it reduces barriers that the average citizen faces when trying to volunteer internationally. First of all, my bill would reduce financial barriers by awarding fellowship awards designed to defray some of the costs associated with volunteering. The fellowship awards can be applied towards airfare, housing, or program costs, to name a few examples. By providing financial assistance, the Global Service Fellowship program opens the door for every American to be a participant, not just those with the resources to pay for it.

Secondly, my bill reduces volunteering barriers by offering flexibility in the length of the volunteer opportunity. I often hear from constituents that they do not seek opportunities to participate in Federal volunteer programs because they cannot leave their jobs or family for years at a time. The Global Service Fellowship Programs offers volunteers the opportunity to volunteer on a schedule that works for them, a month up to a year. My bill provides a commonsense approach to the time limitations of the average American.

Not only does this bill open the door for any U.S. citizen to apply for fellowship consideration, it calls on Congress to be part of the decision-making process. The Global Service Fellowship Program integrates members of Congress by calling on them to nominate volunteer applicants to the Department of State for consideration. Through this process, Congress will see firsthand the benefit international volunteering brings to their communities and the nation.

My bill would cost $150 million, which is more than offset by a provision that would require the IRS to deposit all of its fee receipts in the Treasury as miscellaneous receipts. CBO has estimated that this offset will save $559 million over 5 years for net deficit reduction of approximately $409 million.

I am pleased that my colleagues, Senators COLEMAN, VOINOVICH, CASEY, MENENDEZ, and LAUTENBERG have joined me in introducing this bill. This program would be a valuable addition to our public diplomacy and humanitarian efforts overseas and I encourage my colleagues to support the bill.

By Mr. BIDEN:

S. 1467. A bill to establish an Early Federal Pell Grant Commitment Demonstration Program; to the Committee on Health, Education, Labor, and Pensions.

Mr. BIDEN. Mr. President, I rise today to introduce the Early Federal Pell Grant Commitment Demonstration Program Act of 2007.

This legislation addresses some of the disparities in our current system with an innovative way to clear the hurdles that lack of information and high costs often form to prevent low-income students from planning for a college education. A recent report by the Urban-Brookings Tax Policy Center concluded that grant programs ''that are well targeted and have more predictable and larger awards tend to have larger impacts on college-going rates.'' This bill, I am pleased to say, establishes such a program.

Right now, students do not find out if they are eligible for Federal aid until their senior year, much less how much they will receive. If you have ever put kids through college, like I have, you know that this time frame doesn't allow much leeway for planning ahead. An earlier promise of Federal aid will begin the conversation about college early and continue it through high school. That way, students and their families can visualize college in their future, and this goal can sustain them through the moment they open their letter of acceptance. This promise can be especially important in changing the expectations of low-income students whose future plans often don't include college.

My bill would provide funding for a demonstration in four states, each of which would work with two cohorts of up to 10,000 eighth grade students; one in school year 2007–2008, and one in school year 2008–2009. By using the same eligibility criteria as the National School Lunch Program, students would be identified based on need in the eighth grade. Eligible students would qualify for the Automatic Zero Expected Family Contribution on the Free Application for Federal Student Aid, FAFSA, guaranteeing them a maximum Pell Grant. Local educational agencies with a National School Lunch Program participation rate above 50 percent would be eligible for the program.

The Early Federal Pell Grant Commitment Demonstration Program would also provide funding for states, in conjunction with the participating local educational agencies, to conduct targeted information campaigns beginning in the eighth grade and continuing through students' senior year. These campaigns would inform students and their families of the program and provide information about the cost of a college education, State and Federal financial assistance, and the average amount of aid awards. A targeted information campaign, along with a guarantee of a maximum Pell grant, would allow families and students to plan ahead for college and develop an expectation that the future includes higher education.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1467

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

SECTION 1. EARLY FEDERAL PELL GRANT COMMITMENT DEMONSTRATION PROGRAM.

Subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.) is amended by adding at the end the following:

"SEC. 401B. EARLY FEDERAL PELL GRANT COMMITMENT DEMONSTRATION PROGRAM.

''(a) DEMONSTRATION PROGRAM AUTHORITY.—

''(1) IN GENERAL.—The Secretary is authorized to carry out an Early Federal Pell Grant Commitment Demonstration Program under which—

''(A) the Secretary awards grants to 4 State educational agencies, in accordance with paragraph (2), to pay the administrative expenses incurred in participating in the demonstration program under this section; and

''(B) the Secretary awards Federal Pell Grants to participating students in accordance with this section.

''(2) GRANTS.—

''(A) IN GENERAL.—From amounts appropriated under subsection (g) for a fiscal year, the Secretary is authorized to award grants to 4 State educational agencies to enable the State educational agencies to pay the administrative expenses incurred in participating in a demonstration program under which students in 8th grade who are eligible for a free or reduced price meal receive a commitment to receive a Federal Pell Grant early in their academic careers.

''(B) EQUAL AMOUNTS.—The Secretary shall award grants under this section in equal amounts to each of the 4 participating State educational agencies.

''(b) DEMONSTRATION PROJECT REQUIREMENTS.—Each of the 4 demonstration projects assisted under this section shall meet the following requirements:

''(1) PARTICIPANTS.—

''(A) IN GENERAL.—The State educational agency shall make participation in the demonstration project available to 2 cohorts of students, which shall consist of—

''(i) 1 cohort of 8th grade students who begin the participation in academic year 2007–2008; and

''(ii) 1 cohort of 8th grade students who begin the participation in academic year 2008–2009.

''(B) STUDENTS IN EACH COHORT.—Each cohort of students shall consist of not more than 10,000 8th grade students who qualify for a free or reduced price meal under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966.

''(2) STUDENT DATA.—The State educational agency shall ensure that student data from local educational agencies serving students who participate in the demonstration project, as well as student data from local educational agencies serving a comparable group of students who do not participate in the demonstration project, are available for evaluation of the demonstration project.

''(3) FEDERAL PELL GRANT COMMITMENT.—Each student who participates in the demonstration project receives a commitment from the Secretary to receive a Federal Pell Grant during the first academic year that student is in attendance at an institution of higher education as an undergraduate, if the student applies for Federal financial aid (via the FAFSA) during the student's senior year of secondary school and during succeeding years.

''(4) APPLICABILITY OF FEDERAL PELL GRANT REQUIREMENTS.—The requirements of section 401 shall apply to Federal Pell Grants awarded pursuant to this section, except that the amount of each participating student's Federal Pell Grant only shall be calculated by deeming such student to have an expected family contribution equal to zero.

''(5) APPLICATION PROCESS.—The Secretary shall establish an application process to select State educational agencies to participate in the demonstration program and State educational agencies shall establish an application process to select local educational agencies within the State to participate in the demonstration project.

''(6) LOCAL EDUCATIONAL AGENCY PARTICIPATION.—Subject to the 10,000 statewide student limitation described in paragraph (1), a local educational agency serving students, not less than 50 percent of whom are eligible for a free or reduced price meal under the Richard B. Russell National School Lunch Act or the Child Nutritional Act of 1966, shall be eligible to participate in the demonstration project.

''(c) STATE EDUCATIONAL AGENCY APPLICATIONS.—

''(1) IN GENERAL.—Each State educational agency desiring to participate in the demonstration program under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require.

''(2) CONTENTS.—Each application shall include—

''(A) a description of the proposed targeted information campaign for the demonstration project and a copy of the plan described in subsection (f)(2);

''(B) a description of the student population that will receive an early commitment to receive a Federal Pell Grant under this section;

''(C) an assurance that the State educational agency will fully cooperate with the ongoing evaluation of the demonstration project; and

''(D) such other information as the Secretary may require.

''(d) SELECTION CONSIDERATIONS.—

''(1) SELECTION OF STATE EDUCATIONAL AGENCIES.—In selecting State educational agencies to participate in the demonstration program, the Secretary shall consider—

''(A) the number and quality of State educational agency applications received;

''(B) the Department's capacity to oversee and monitor each State educational agency's participation in the demonstration program;

''(C) a State educational agency's—

''(i) financial responsibility;

''(ii) administrative capability;

''(iii) commitment to focusing State resources, in addition to any resources provided under part A of title I of the Elementary and Secondary Education Act of 1965, on students who receive assistance under such part A;

''(iv) the ability and plans of a State educational agency to run an effective and thorough targeted information campaign for students served by local educational agencies eligible to participate in the demonstration project; and

''(v) ensuring the participation in the demonstration program of a diverse group of students with respect to ethnicity and gender.

''(2) LOCAL EDUCATIONAL AGENCY.—In selecting local educational agencies to participate in a demonstration project under this section, the State educational agency shall consider—

''(A) the number and quality of local educational agency applications received;

''(B) the State educational agency's capacity to oversee and monitor each local educational agency's participation in the demonstration project;

''(C) a local educational agency's—

''(i) financial responsibility;

''(ii) administrative capability;

''(iii) commitment to focusing local resources, in addition to any resources provided under part A of title I of the Elementary and Secondary Education Act of 1965, on students who receive assistance under such part A;

''(iv) the ability and plans of a local educational agency to run an effective and thorough targeted information campaign for students served by the local educational agency; and

''(v) ensuring the participation in the demonstration project of a diverse group of students with respect to ethnicity and gender.

''(e) EVALUATION.—

''(1) IN GENERAL.—From amounts appropriated under section (g) for a fiscal year, the Secretary shall reserve not more than $1,000,000 to award a grant or contract to an organization outside the Department for an independent evaluation of the impact of the demonstration program assisted under this section.

''(2) COMPETITIVE BASIS.—The grant or contract shall be awarded on a competitive basis.

''(3) MATTERS EVALUATED.—The evaluation described in this subsection shall—

''(A) determine the number of individuals who were encouraged by the demonstration program to pursue higher education;

''(B) identify the barriers to the effectiveness of the demonstration program;

''(C) assess the cost-effectiveness of the demonstration program in improving access to higher education;

''(D) identify the reasons why participants in the demonstration program either received or did not receive a Federal Pell Grant;

''(E) identify intermediate outcomes (relative to postsecondary education attendance), such as whether participants—

''(i) were more likely to take a college-prep curriculum while in secondary school;

''(ii) submitted any college applications; and

''(iii) took the PSAT, SAT, or ACT;

''(F) identify the number of individuals participating in the demonstration program who pursued an associate's degree or a bachelor's degree, as well as other forms of postsecondary education;

''(G) compare the findings of the demonstration program with respect to participants to comparison groups (of similar size and demographics) that did not participate in the demonstration program; and

''(H) identify the impact on the parents of students eligible to participate in the demonstration program.

''(4) DISSEMINATION.—The findings of the evaluation shall be widely disseminated to the public by the organization conducting the evaluation as well as by the Secretary.

''(f) TARGETED INFORMATION CAMPAIGN.—

''(1) IN GENERAL.—Each State educational agency receiving a grant under this section shall, in cooperation with the participating local educational agencies within the State and the Secretary, develop a targeted information campaign for the demonstration program assisted under this section.

''(2) PLAN.—Each State educational agency receiving a grant under this section shall include in the application submitted under subsection (c) a written plan for their proposed targeted information campaign. The plan shall include the following:

''(A) OUTREACH.—Outreach to students and their families, at a minimum, at the beginning and end of each academic year of the demonstration project.

''(B) DISTRIBUTION.—How the State educational agency plans to provide the outreach described in subparagraph (A) and to provide the information described in subparagraph (C).

''(C) INFORMATION.—The annual provision by the State educational agency to all students and families participating in the demonstration program of information regarding—

''(i) the estimated statewide average higher education institution cost data for each academic year, which cost data shall be disaggregated by—

''(I) type of institution, including—

''(aa) 2-year public colleges;

''(bb) 4-year public colleges; and

''(cc) 4-year private colleges;

''(II) by component, including—

''(aa) tuition and fees; and

''(bb) room and board;

''(ii) Federal Pell Grants, including—

''(I) the maximum Federal Pell Grant for each academic year;

''(II) when and how to apply for a Federal Pell Grant; and

''(III) what the application process for a Federal Pell Grant requires;

''(iii) State-specific college savings programs;

''(iv) State-based merit aid;

''(v) State-based financial aid; and

''(vi) Federal financial aid available to students, including eligibility criteria for the Federal financial aid and an explanation of the Federal financial aid programs.

''(3) COHORTS.—The information described in paragraph (2)(C) shall be provided to 2 cohorts of students annually for the duration of the students' participation in the demonstration program. The 2 cohorts shall consist of—

''(A) 1 cohort of 8th grade students who begin the participation in academic year 2007–2008; and

''(B) 1 cohort of 8th grade students who begin the participation in academic year 2008–2009.

''(4) RESERVATION.—Each State educational agency receiving a grant under this section shall reserve $200,000 of the grant funds received each fiscal year for each of the 2 cohorts of students (for a total reservation of $400,000 each fiscal year) served by the State to carry out their targeted information campaign described in this subsection.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

''(1) $1,300,000 for fiscal year 2008, of which—

''(A) $500,000 shall be available to carry out subsection (e); and

''(B) $800,000 shall be available to carry out subsection (f)(2)(C);

''(2) $1,600,000 for fiscal year 2009, of which $1,600,000 shall be available to carry out subsection (f)(2)(C);

''(3) $1,600,000 for fiscal year 2010, of which $1,600,000 shall be available to carry out subsection (f)(2)(C);

''(4) $2,100,000 for fiscal year 2011, of which—

''(A) $500,000 shall be available to carry out subsection (e); and

''(B) $1,600,000 shall be available to carry out subsection (f)(2)(C);

''(5) $1,600,000 for fiscal year 2012, of which $1,600,000 shall be available to carry out subsection (f)(2)(C);

''(6) $14,600,000 for fiscal year 2013, of which—

''(A) $800,000 shall be available to carry out subsection (f)(2)(C); and

''(B) $13,800,000 shall be available for Federal Pell Grants provided in accordance with this section; and

''(7) $13,800,000 for fiscal year 2014, of which $13,800,000 shall be available for Federal Pell Grants provided in accordance with this section.''.

By Ms. MIKULSKI:

S. 1468. A bill to amend title 38, United States Code, to increase burial benefits for veterans, and for other purposes; to the Committee on Veterans' Affairs.

Ms. MIKULSKI. Mr. President, I rise to introduce the Veterans Burial Benefits Improvement Act.

We must honor our U.S. soldiers who died in the name of their country. These service men and women are America's true heroes and on this day we pay tribute to their courage and sacrifice. Some have given their lives for our country. All have given their time and dedication to ensure our country remains the land of the free and the home of the brave. We owe a special debt of gratitude to each and every one of them.

Our Nation has a sacred commitment to honor the promises made to soldiers when they signed up to serve our country. As a member of the Senate Appropriations Committee, I fight hard each year to make sure promises made to our service men and women are promises kept. These promises include access to quality, affordable health care and a proper burial for our veterans.

I am deeply concerned that burial benefits for the families of our wounded or disabled veterans have not kept up with inflation and rising funeral costs. We are losing over 1,000 World War II veterans each day, but Congress has failed to increase veterans' burial benefits to keep up with rising costs and inflation. While these benefits were never intended to cover the full costs of burial, they now pay for only a fraction of what they covered in 1973, when the federal government first started paying burial benefits for our veterans.

I want to thank my colleagues on the Veterans' Affairs Committee for working with me in the 107 Congress. Together, we were able to increase modestly the service-connected benefit from $1,500 to $2,000, and the plot allowance from $150 to $300. While I believe these increases are a step in the right direction, they are not a substitute for the amounts included in my bill.

That is why I am again introducing the Veterans Burial Benefits Improvement Act. This bill will increase burial benefits to cover the same percentage of funeral costs as they did in 1973. It will also provide for these benefits to be increased annually to keep up with inflation.

In 1973, the service-connected benefit paid for 72 percent of veterans' funeral costs. Today, this benefit covers just 39 percent of funeral costs. My bill will increase the service-connected benefit from $2,000 to $4,100, bringing it back up to the original 72 percent level.

In 1973, the nonservice connected benefit paid for 22 percent of funeral costs. It has not been increased since 1978, and today it covers just 6 percent of funeral costs. My bill will increase the nonservice connected benefit from $300 to $1,270, bringing it back up to the original 22 percent level.

In 1973, the plot allowance paid for 13 percent of veterans' funeral costs. Yet it now covers just 6 percent of funeral costs. My bill will increase the plot allowance from $300 to $745, bringing it back up to the original 13 percent level.

Finally, the Veterans Burial Benefits Improvement Act will also ensure that these burial benefits are adjusted for inflation annually, so veterans won't have to fight this fight again.

This legislation is just one way to honor our Nation's service men and women. I want to thank the millions of veterans, Marylanders, and people across the Nation for their patriotism, devotion, and commitment to honoring the true meaning of Memorial Day. U.S. soldiers from every generation have shared in the duty of defending America and protecting our freedom. For these sacrifices, America is eternally grateful.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1468

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 ''Veterans Burial Benefits Improvement Act of 2007''.

SEC. 2. INCREASE IN BURIAL AND FUNERAL BENEFITS FOR VETERANS.

(a) INCREASE IN BURIAL AND FUNERAL EXPENSES AND PROVISION FOR ANNUAL COST-OF-LIVING ADJUSTMENT.—

(1) EXPENSES GENERALLY.—Section 2302(a) of title 38, United States Code, is amended by striking ''$300'' and inserting ''$1,270 (as increased from time to time under section 2309 of this title)''.

(2) EXPENSES FOR DEATHS IN DEPARTMENT FACILITIES.—Section 2303(a)(1)(A) of such title is amended by striking ''$300'' and inserting ''$1,270 (as increased from time to time under section 2309 of this title)''.

(3) EXPENSES FOR DEATHS FROM SERVICE-CONNECTED DISABILITIES.—Section 2307 of such title is amended by striking ''$2,000,'' and inserting ''$4,100 (as increased from time to time under section 2309 of this title),''.

(b) PLOT ALLOWANCE.—Section 2303(b) of such title is amended—

(1) by striking ''$300'' the first place it appears and inserting ''$745 (as increased from time to time under section 2309 of this title)''; and

(2) by striking ''$300'' the second place it appears and inserting ''$745 (as so increased)''.

(c) ANNUAL ADJUSTMENT.—

(1) IN GENERAL.—Chapter 23 of such title is amended by adding at the end the following new section:

''§ 2309. Annual adjustment of amounts of burial benefits

''With respect to any fiscal year, the Secretary shall provide a percentage increase (rounded to the nearest dollar) in the burial and funeral expenses under sections 2302(a), 2303(a), and 2307 of this title, and in the plot allowance under section 2303(b) of this title, equal to the percentage by which—

''(1) the Consumer Price Index (all items, United States city average) for the 12-month period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made, exceeds

''(2) the Consumer Price Index for the 12-month period preceding the 12-month period described in paragraph (1).''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2309. Annual adjustment of amounts of burial benefits.''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to deaths occurring on or after the date of the enactment of this Act.

(2) PROHIBITION ON COST-OF-LIVING ADJUSTMENT FOR FISCAL YEAR 2008.—No adjustments shall be made under section 2309 of title 38, United States Code, as added by subsection (c), for fiscal year 2008.

By Mr. HARKIN:

S. 1469. A bill to require the closure of the Department of Defense detention facility at Guantanamo Bay, Cuba, and for other purposes; to the Committee on Armed Services.

Mr. HARKIN. Mr. President, today I am offering legislation to close the U.S. military presence at Guantanamo Bay, Cuba. There is remarkable agreement on the need to find a way to close this prison. Our closest allies have all urged that Guantanamo be closed, as have many leaders from across the political spectrum in the United States.

Last June, after three detainees committed suicide in a single day, President Bush acknowledged that the prison has damaged America's reputation abroad. The President said:

> No question, Guantanamo sends a signal to some of our friends—provides an excuse, for example, to say that the United States is not upholding the values that they're trying to encourage other countries to adhere to.

The President said:

> I'd like to close Guantanamo.

More recently, Secretary of Defense Gates and Secretary of State Rice have urged that the prison be shut down. On March 23, the Washington Post, citing ''senior administration officials,'' reported Secretary Gates had ''repeatedly argued that the detention facility at Guantanamo Bay, Cuba, had become so tainted abroad that legal proceedings at Guantanamo would be viewed as illegitimate.'' According to the Post, Secretary Gates ''told President Bush and others that it should be shut down as quickly as possible.''

Make no mistake, current detainees at Guantanamo include a number of extremely dangerous terrorists with the determination and the ability—if they are given the opportunity—to inflict grave harm on the United States and its citizens. Among the detainees are 14 senior leaders of al-Qaida, including Khalid Sheikh Mohammed, who has confessed to being one of the masterminds of the September 11 attacks, plus others. We must, and we can, hold these enemy combatants in maximum security confinement elsewhere.

But the critics are right. The 5-year-old prison at Guantanamo is a stain on the honor of this country. By holding people at Guantanamo without charge, without judicial review, without appropriate legal counsel, and—in the past—subjecting many of them to torture, we have forfeited the moral high ground and we stand as hypocrites in the eyes of the world.

Perhaps most seriously, from a pragmatic standpoint, maintaining the prison at Guantanamo is simply counterproductive. It has become a propaganda bonanza and recruitment tool for terrorists. It alienates our friends and allies. It detracts from our ability to regain the moral high ground, and rally the world against the terrorists who threaten us.

The administration has repeatedly described detainees at Guantanamo as ''the worst of the worst'' or, as former Secretary of Defense Rumsfeld once described them, the ''most dangerous, best-trained, vicious killers on the face of the earth.'' Unquestionably, some of the detainees fit these descriptions. However, an exhaustive study of Guantanamo detainees conducted by the nonpartisan, highly respected National Journal last year came to the following conclusions: A large percentage, perhaps the majority, of the detainees were not captured on any battlefield, let alone on ''the battlefield in Afghanistan,'' as the President once asserted. Fewer than 20 percent of the detainees have ever been al-Qaida members. Many scores, and perhaps hundreds, of the detainees were not even Taliban foot soldiers, let alone al-Qaida members. The majority were not captured by U.S. forces but, rather, handed over by reward-seeking Pakistanis, Afghan warlords, and by villagers of highly dubious reliability. For example, one of the detainees is a man who was conscripted by the Taliban to work as an assistant cook. The U.S. Government's ''evidence'' against this detainee consists in its entirety of the following:

One, the detainee admits he was a cook's assistant for Taliban forces in Narim, Afghanistan, under the command of Haji Mullah Baki.

Two, the detainee fled from Narim to Kabul during the Northern Alliance attack and surrendered to the Northern Alliance.

This person is still sitting in Guantanamo.

The situation at Guantanamo, I must add, reminds me of an earlier episode in this Senator's life. In July of 1970, I was a staff assistant to a House committee in the House of Representatives. I was working with a congressional delegation on a factfinding trip to Vietnam. I brought back photographs of the so-called tiger cages at Con Son Island, off the coast of Vietnam, where Viet Cong and some North Vietnamese prisoners, as well as civilian opponents of the war, were all being held together, held incommunicado, tortured and killed, with the full knowledge, support, and sanction of the United States Government. We had heard reports about the possible existence of these tiger cages. But our State Department vehemently denied their existence. They dismissed all of these claims as communist propaganda.

Well, I looked into this and believed the reports were credible. I was determined to investigate further to see if they did exist. Thanks to the courage of Congressman William Anderson of Tennessee, Congressman Augustus Hawkins of California, Don Luce, an American working for a nongovernmental organization, and a brave, young Vietnamese man who risked his life and his brother's life, who was still held on Con Son in the tiger cages, who drew us the maps and showed us how to find the tiger cages at these prisons—Nguyen Caoli was the young man's name. He risked it all by trusting us. Thanks to his maps and telling us how to find them, we were able to expose the tiger cages on Con Son Island in July of 1970.

Supporters of the war claimed the tiger cages were not all that bad. But then Life Magazine and other magazines around the world published the pictures I had surreptitiously taken on Con Son, and the world saw the horrific conditions, as I said, with Vietnamese guerrillas, as well as civilian opponents

of the war, all crowded together in these cages, in clear violation of the Geneva Conventions, and in violation of the most fundamental principles of human rights.

At the time, the United States Government had been insisting the North Vietnamese abide by the Geneva Conventions in their treatment of United States prisoners in North Vietnam. Yet, here we were condoning, funding, and even supervising the torture of Vietnamese prisoners and civilians, whose only crime was protesting the war, all in clear violation of the Geneva Conventions.

There are disturbing parallels between what transpired on Con Son Island nearly four decades ago and what happened at Guantanamo in recent years. In both cases, prisons were deliberately set up on remote islands, clearly with the intention of limiting scrutiny and restricting access. In both cases, detainees were not classified as prisoners of war, expressly to deny them the protections of the Geneva Conventions. In both cases, detainees were deprived of any right of due process, judicial review, or a fair trial.

They were simply held indefinitely in isolation, in limbo. In both cases, when the mistreatment of detainees was exposed, the United States stood accused of hypocrisy, of betraying its most sacred values, and of violating international law.

So you can see why I have watched what has transpired at Guantanamo, and I have thought back to that episode in my life when all of this came out about the tiger cages and the inhumane treatment of these several hundred prisoners who were there at the time. There was a happy ending to that event. Because of the international outcry, the tiger cages were closed down, the prisoners were released, and people went back to their homes.

Many of them who were in the tiger cages I met later on in life. One became the mayor of Saigon, several became successful businesspeople, and others went on with their lives. But watching what happened at Guantanamo and seeing that many of these people were swept up in a war which some of them—many of them—well, the National Journal says a majority of them were not even engaged.

So it is time to close it down. We need to reverse the damage Guantanamo has done to America's reputation and to our ability to wage an effective fight against the terrorists who attacked us on September 11, and the essential first step must be to close the prison at Guantanamo as expeditiously as possible. The bill I am introducing today offers a practical approach to accomplishing this within 120 days of enactment of the law.

As I said, there are known hardcore terrorists at Guantanamo, such as Khalid Shaikh Mohammed, who must continue to be held in maximum-security conditions. Under my bill, these prisoners will be transferred to the U.S. detention base at Fort Leavenworth, KS. This is a state-of-the-art maximum-security facility just opened in 2002. It has adequate capacity to receive these prisoners from Guantanamo. Under my bill, the remaining prisoners, some 365 in number, would have their legal status resolved. In each case, the administration will determine whether the prisoner planned or committed hostile acts against the United States. Those who did plan or commit hostile acts would be charged and transferred to Fort Leavenworth. Those who did not would be released to the custody of their home country or, where necessary, to a country where they would not face torture.

There is a pending bill, S. 1249, to close the prison at Guantanamo. However, that bill gives the administration too much leeway to maintain the status quo in terms of the detainees' legal status. It allows an enemy combatant to be detained indefinitely without charge—that is what is getting us into trouble in the first place—and it does not require that the administration abide by the Convention Against Torture, nor does it give detainees a forum in which to lodge credible claims of torture or abuse. The bill I am introducing does all of that.

The United States has lost its way, both in Iraq and at Guantanamo. We need to wage a smarter, more focused, and more effective fight against the terrorists who threaten us, and we must do so in ways that do not give credence to their anti-American propaganda and do not rally more recruits to their cause. To that end, we must close the prison at Guantanamo as soon as possible. The legislation I am offering today will accomplish this.

This legislation has the enthusiastic endorsement of Human Rights Watch, Human Rights First, Amnesty International, and the American Civil Liberties Union. I urge my colleagues to support the bill.

Mr. President, I ask unamimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text was ordered to be printed in the RECORD, as follows:

S. 1469

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 ''Guantanamo Bay Detention Facility Closure Act of 2007''.

SEC. 2. CLOSURE OF GUANTANAMO BAY DETENTION FACILITY AND DISPOSITION OF DETAINEES.

(a) CLOSURE OF FACILITY.—Not later than 120 days after the date of the enactment of this Act, the President shall close the Department of Defense detention facility at Guantanamo Bay Cuba.

(b) RESTRICTION ON USE OF FUNDS.—

(1) RESTRICTION.—Except as provided in paragraph (2), no amounts appropriated or otherwise made available for fiscal year 2007 or fiscal year 2008 may be used for the Guantanamo Bay detention facility or for detention at the Guantanamo Bay detention facility of any foreign national who was detained at such facility on or after Marach 31, 2007.

(2) EXCEPTIONS.—Amounts appropriated or otherwise made available for fiscal year 2007 or fiscal year 2008 may be used for the following purposes related to the detention of foreign nationals who were detained at the Guantanamo Bay detention facility on any date between March 31, 2007 and the date of enactment:

(A) Transfer to the United States Disciplinary Barracks at Fort Leavenworth, Kansas, for purposes of pretrial detention or detention during a trial or while serving a sentence, of any such person who, not later than 120 days after the date of the enactment of this Act, is charged with an offense under chapter 47A of title 10, United States Code, as added by section 3 of the Military Commissions Act of 2006 (Public Law 109–366), or with a felony offense under title 18, United States Code, or chapter 47 of title 10, United States Code (the Uniform Code of Military Justice); or

(B) Continued detention at the Guantanamo Bay detention facility for an additional 120 day period, not to continue more than 240 days after the date of the enactment of this Act, upon written certification by the Secretary of Defense to the Chairmen and Ranking Members of the Committees on Armed Services of the Senate and the House of Representatives that additional time is needed to complete the investigation and preparation of charges, including a detailed factual explanation of the specific reasons why the additional time is needed.

(C) Transfer of any such person to another country, provided that—

(i) the transfer complies with the Convention Relating to the Status of Refugees, done at Geneva July 28, 1951, the United Nations Convention Against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984, and Federal law; and

(ii) an individual being so transferred who is asserting a well founded fear of torture, abuse, or persecution has an opportunity to have the claim heard by the Executive Office for Immigration Review, subject to the same judicial review provided for in section 242(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1252(a)(4)).

(c) IMMIGRATION STATUS.—The transfer of an individual under subsection (b)(2)(A) shall not be considered an entry into the United States for purposes of immigration status.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out activities under this Act related to the investigation, prosecution, and defense of cases and claims relating to foreign nationals who were detained at the Guantanamo Bay detention facility on or after March 31, 2007, and the transfer of such persons, including for the reimbursement of costs incurred by local communities.

By Mr. NELSON of Florida (for himself and Mr. DURBIN):

S. 1470. A bill to provide States with the resources needed to rid our schools of performance-enhancing drug use; to the Committee on Health, Education, Labor, and Pensions.

Mr. NELSON of Florida. Mr. President, I rise to introduce the Drug Free Varsity Sports Act of 2007. This bill would provide States with the resources they need to rid our schools of steroids and other performance-enhancing drugs.

I believe steroid use doesn't begin at the professional level. I am very concerned about performance-enhancing

drug use among young athletes, specifically high school athletes. Steroid use among high school students is on the rise. It more than doubled among high school students from 1991 to 2003, according to the Centers for Disease Control and Prevention. Furthermore, a study by the University of Michigan shows that the percentage of 12 graders who said they had used steroids some time in their lives rose from 1.9 percent in 1996 to 3.4 percent in 2004. This is unacceptable and a health risk to our children.

In 2004, the Polk County School District became the first in Florida to establish random testing for high school athletes, and the Florida House passed a bill that would have made Florida the first State to require steroid testing for high school athletes. That bill stalled in the Senate, but now Florida and other States are considering a similar law. Currently, less than 4 percent of U.S. high schools test athletes for steroids, and no State requires high schools to test athletes. Schools and States say that cost is usually the reason they don't test.

In response, I am introducing this legislation to help States with the resources they need to curb the use of steroids and other performance-enhancing drugs. My legislation would provide federal grants directly to States so that they can develop and implement performance-enhancing drug testing programs.

The Drug Free Varsity Sports Act of 2007 would authorize $20 million in grants to States to create statewide pilot drug testing programs for performance-enhancing drugs. States that receive the grants would be required to incorporate recovery, counseling, and treatment programs for those students who test positive for performance-enhancing drugs.

Stopping the use of performance-enhancing drugs goes beyond testing. That is why my legislation also would require States that receive grants to allocate no less than 10 percent of the funding to establish statewide policies to discourage steroid use, through educational or other related means.

There is no simple solution to the issue of steroids in sports. Congress can do its part by enacting the Drug Free Varsity Sports Act of 2007. But the sports leagues, their players, coaches, and parents all must play an active role.

Mr. President, I request unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1470

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 ''Drug Free Varsity Sports Act of 2007''.

SEC. 2. PILOT DRUG-TESTING PROGRAMS FOR PERFORMANCE-ENHANCING DRUGS.

(a) PURPOSE.—The purpose of this section is to supplement the other student drug-testing programs assisted by the Office of Safe and Drug-Free Schools of the Department of Education by establishing, through the Office, a grant program that will allow State educational agencies to test secondary school students for performance-enhancing drug use.

(b) PROGRAM AUTHORIZED.—The Secretary of Education, acting through the Assistant Deputy Secretary of the Office of Safe and Drug-Free Schools, shall award, on a competitive basis, grants to State educational agencies to enable the State educational agencies to develop and carry out statewide pilot programs that test secondary school students for performance-enhancing drug use.

(c) APPLICATION.—A State educational agency that desires to receive a grant under this section shall submit an application to the Secretary of Education at such time, in such manner, and containing such information as the Secretary may require.

(d) PRIORITY.—In awarding grants under this section, the Secretary of Education shall give priority to State educational agencies that incorporate community organizations in carrying out the recovery, counseling, and treatment programs described in subsection (e)(1)(B).

(e) USE OF FUNDS.—

(1) DRUG-TESTING PROGRAM FOR PERFORMANCE-ENHANCING DRUGS.—A State educational agency that receives a grant under this section shall use not more than 90 percent of the grant funds to carry out the following:

(A) Implement a drug-testing program for performance-enhancing drugs that is limited to testing secondary school students who meet 1 or more of the following criteria:

(i) The student participates in the school's athletic program.

(ii) The student is engaged in a competitive, extracurricular, school-sponsored activity.

(iii) The student and the student's parent or guardian provides written consent for the student to participate in a voluntary random drug-testing program for performance-enhancing drugs.

(B) Provide recovery, counseling, and treatment programs for secondary school students tested in the program who test positive for performance-enhancing drugs.

(2) PREVENTION.—A State educational agency that receives a grant under this section shall use not less than 10 percent of the grant funds to establish statewide policies that discourage the use of performance-enhancing drugs, through educational or other related means.

(f) REPORT.—For each year of the grant period, a State educational agency that receives a grant under this section shall prepare and submit an annual report to the Assistant Deputy Secretary of the Office of Safe and Drug-Free Schools on the impact of the pilot program, which report shall include—

(1) the number and percentage of students who test positive for performance-enhancing drugs;

(2) the cost of the pilot program; and

(3) a description of any barriers to the pilot program, as well as aspects of the pilot program that were successful.

(g) DEFINITIONS.—In this section, the terms ''State educational agency'' and ''secondary school'' have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $20,000,000 for fiscal year 2008.

(2) SEPARATION OF FUNDS.—The Secretary of Education shall keep any funds authorized for this section under paragraph (1) separate from any funds available to the Secretary for other student drug-testing programs.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1166. Mr. GRASSLEY (for himself, Mr. DEMINT, and Mrs. DOLE) submitted an amendment intended to be proposed to amendment SA 1150 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes.

SA 1167. Ms. CANTWELL (for herself, Mr. LEVIN, Mrs. MURRAY, Mr. CRAIG, Mr. CRAPO, and Mr. BAUCUS) submitted an amendment intended to be proposed by her to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1168. Mrs. HUTCHISON (for herself, Mr. BINGAMAN, Mr. DOMENICI, Mr. MCCAIN, Mr. KYL, Mrs. FEINSTEIN, and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 1150 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1348, supra.

SA 1169. Mr. BINGAMAN (for himself, Mrs. FEINSTEIN, Mr. OBAMA, Mr. DODD, and Mr. DURBIN) proposed an amendment to amendment SA 1150 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1348, supra.

SA 1170. Mr. MCCONNELL (for himself and Mr. BOND) submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1171. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1172. Mr. GREGG (for himself, Mr. DEMINT, Mr. CORNYN, and Mrs. DOLE) submitted an amendment intended to be proposed to amendment SA 1150 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1348, supra.

SA 1173. Mr. GRAHAM (for himself, Mr. CHAMBLISS, Mr. ISAKSON, Mr. MCCAIN, Mr. MARTINEZ, Mr. KYL, and Mr. MCCONNELL) submitted an amendment intended to be proposed to amendment SA 1150 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1348, supra.

SA 1174. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1175. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1176. Mr. FEINGOLD (for himself, Mr. LIEBERMAN, and Mr. INOUYE) submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1177. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1178. Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1179. Mr. LAUTENBERG (for himself, Mr. BROWNBACK, Mr. MENENDEZ, Mrs. CLINTON, Mr. DODD, Mr. FEINGOLD, Mr. LIEBERMAN, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1180. Mr. HAGEL (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1181. Mr. DORGAN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1182. Mr. THOMAS submitted an amendment intended to be proposed to amendment SA 1150 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1183. Mrs. CLINTON (for herself, Mr. HAGEL, and Mr. MENENDEZ) submitted an amendment intended to be proposed by her to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1184. Mr. CORNYN (for himself, Mr. NELSON, of Nebraska, and Mr. DEMINT) proposed an amendment to amendment SA 1150 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1348, supra.

SA 1185. Mr. OBAMA submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1186. Mr. AKAKA (for himself, Mr. REID, Mr. DURBIN, Mr. INOUYE, Mrs. BOXER, Mrs. MURRAY, and Ms. CANTWELL) proposed an amendment to amendment SA 1150 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1348, supra.

SA 1187. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1188. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

SA 1189. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill S. 1348, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1166. Mr. GRASSLEY (for himself, Mr. DEMINT, and Mrs. DOLE) submitted an amendment intended to be proposed to amendment SA 1150 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. JUDICIAL REVIEW OF VISA REVOCATION.

(a) IN GENERAL.—Section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)) is amended by striking ''There shall be no means of judicial review'' and all that follows and inserting the following: ''Notwithstanding any other provision of law, including section 2241 of title 28, United States Code, any other habeas corpus provision, and sections 1361 and 1651 of such title, a revocation under this subsection may not be reviewed by any court, and no court shall have jurisdiction to hear any claim arising from, or any challenge to, such a revocation.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall—

(1) take effect on the date of the enactment of this Act; and

(2) apply to all visas issued before, on, or after such date.

SA 1167. Ms. CANTWELL (for herself, Mr. LEVIN, Mrs. MURRAY, Mr. CRAIG, Mr. CRAPO, and Mr. BAUCUS) submitted an amendment intended to be proposed by her to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. NORTHERN BORDER PROSECUTION REIMBURSEMENT.

(a) SHORT TITLE.—This section may be cited as the ''Northern Border Prosecution Initiative Reimbursement Act''.

(b) NORTHERN BORDER PROSECUTION INITIATIVE.—

(1) INITIATIVE REQUIRED.—From amounts made available to carry out this section, the Attorney General, acting through the Director of the Bureau of Justice Assistance of the Office of Justice Programs, shall carry out a program, to be known as the Northern Border Prosecution Initiative, to provide funds to reimburse eligible northern border entities for costs incurred by those entities for handling case dispositions of criminal cases that are federally initiated but federally declined-referred. This program shall be modeled after the Southwestern Border Prosecution Initiative and shall serve as a partner program to that initiative to reimburse local jurisdictions for processing Federal cases.

(2) PROVISION AND ALLOCATION OF FUNDS.—Funds provided under the program shall be provided in the form of direct reimbursements and shall be allocated in a manner consistent with the manner under which funds are allocated under the Southwestern Border Prosecution Initiative.

(3) USE OF FUNDS.—Funds provided to an eligible northern border entity may be used by the entity for any lawful purpose, including the following purposes:

(A) Prosecution and related costs.

(B) Court costs.

(C) Costs of courtroom technology.

(D) Costs of constructing holding spaces.

(E) Costs of administrative staff.

(F) Costs of defense counsel for indigent defendants.

(G) Detention costs, including pre-trial and post-trial detention.

(4) DEFINITIONS.—In this section:

(A) The term ''eligible northern border entity'' means—

(i) any of the following States: Alaska, Idaho, Maine, Michigan, Minnesota, Montana, New Hampshire, New York, North Dakota, Ohio, Pennsylvania, Vermont, Washington, and Wisconsin; or

(ii) any unit of local government within a State referred to in claluse (i).

(B) The term ''federally initiated'' means, with respect to a criminal case, that the case results from a criminal investigation or an arrest involving Federal law enforcement authorities for a potential violation of Federal criminal law, including investigations resulting from multi-jurisdictional task forces.

(C) The term ''federally declined-referred'' means, with respect to a criminal case, that a decision has been made in that case by a United States Attorney or a Federal law enforcement agency during a Federal investigation to no longer pursue Federal criminal charges against a defendant and to refer the investigation to a State or local jurisdiction for possible prosecution. The term includes a decision made on an individualized case-by-case basis as well as a decision made pursuant to a general policy or practice or pursuant to prosecutorial discretion.

(D) The term ''case disposition'', for purposes of the Northern Border Prosecution Initiative, refers to the time between a suspect's arrest and the resolution of the criminal charges through a county or State judicial or prosecutorial process. Disposition does not include incarceration time for sentenced offenders, or time spent by prosecutors on judicial appeals.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $28,000,000 for fiscal year 2008 and such sums as may be necessary for each succeeding fiscal year.

SA 1168. Mrs. HUTCHISON (for herself, Mr. BINGAMAN, Mr. DOMENICI, Mr. MCCAIN, Mr. KYL, Mrs. FEINSTEIN, and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 1150 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; as follows:

On page 6, line 11, strike the second period and insert the following: ''.

(C) in paragraph (2), as redesignated—

(i) in the header, by striking ''SECURITY FEATURES'' and inserting ''ADDITIONAL FENCING ALONG SOUTHWEST BORDER''; and

(ii) by striking subparagraphs (A) through (C) and inserting the following:

''(A) REINFORCED FENCING.—In carrying out subsection (a), the Secretary of Homeland Security shall construct reinforced fencing along not less than 700 miles of the southwest border where fencing would be most practical and effective and provide for the installation of additional physical barriers, roads, lighting, cameras, and sensors to gain operational control of the southwest border.

''(B) PRIORITY AREAS.—In carrying out this section, the Secretary of Homeland Security shall—

''(i) identify the 370 miles along the southwest border where fencing would be most practical and effective in deterring smugglers and aliens attempting to gain illegal entry into the United States; and

''(ii) not later than December 31, 2008, complete construction of reinforced fencing along the 370 miles identified under clause (i).

''(C) CONSULTATION.—

''(i) IN GENERAL.—In carrying out this section, the Secretary of Homeland Security shall consult with the Secretary of Interior, the Secretary of Agriculture, States, local governments, Indian tribes, and property owners in the United States to minimize the impact on the environment, culture, commerce, and quality of life for the communities and residents located near the sites at which such fencing is to be constructed.

''(ii) SAVINGS PROVISION.—Nothing in this subparagraph may be construed to—

''(I) create any right of action for a State, local government, or other person or entity affected by this subsection; or

''(II) affect the eminent domain laws of the United States or of any State.

''(D) LIMITATION ON REQUIREMENTS.—Notwithstanding subparagraph (A), nothing in this paragraph shall require the Secretary of Homeland Security to install fencing, physical barriers, roads, lighting, cameras, and sensors in a particular location along an international border of the United States, if the Secretary determines that the use or placement of such resources is not the most appropriate means to achieve and maintain operational control over the international border at such location.''; and

(D) in paragraph (5), as redesignated, by striking ''to carry out this subsection not to exceed $12,000,000'' and inserting ''such sums as may be necessary to carry out this subsection''.

SA 1169. Mr. BINGAMAN (for himself, Mrs. FEINSTEIN, Mr. OBAMA, Mr. DODD, and Mr. DURBIN) proposed an

amendment to amendment SA 1150 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; as follows:

Strike subparagraph (B) of the quoted matter under section 409(1)(B) and insert the following:

''(B) under section 101(a)(15)(Y)(i), may not exceed 200,000 for each fiscal year; or

In paragraph (2) of the quoted matter under section 409(2), strike '', (B)(ii),''.

SA 1170. Mr. MCCONNELL (for himself and Mr. BOND) submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. IDENTIFICATION REQUIREMENT.

(a) NEW REQUIREMENT FOR INDIVIDUALS VOTING IN PERSON.—

(1) IN GENERAL.—Title III of the Help America Vote Act of 2002 (42 U.S.C. 15481 et seq.) is amended by redesignating sections 304 and 305 as sections 305 and 306, respectively, and by inserting after section 303 the following new section:

''SEC. 304. IDENTIFICATION OF VOTERS AT THE POLLS.

''(a) IN GENERAL.—Notwithstanding the requirements of section 303(b), each State shall require individuals casting ballots in an election for Federal office in person to present a current valid photo identification issued by a governmental entity before voting.

''(b) EFFECTIVE DATE.—Each State shall be required to comply with the requirements of subsection (a) on and after January 1, 2008.''.

(2) CONFORMING AMENDMENTS.—

(A) Section 401 of the Help America Vote Act of 2002 (42 U.S.C. 15511) is amended by striking ''and 303'' and inserting ''303, and 304''.

(B) The table of contents of the Help America Vote Act of 2002 is amended by redesignating the items relating to sections 304 and 305 as relating to items 305 and 306, respectively, and by inserting after the item relating to section 303 the following new item:

''Sec. 304. Identification of voters at the polls.''.

(b) FUNDING FOR FREE PHOTO IDENTIFICATIONS.—

(1) IN GENERAL.—Subtitle D of title II of the Help America Vote Act of 2002 (42 U.S.C. 15401 et seq.) is amended by adding at the end the following:

''PART 7—PHOTO IDENTIFICATION

''SEC. 297. PAYMENTS FOR FREE PHOTO IDENTIFICATION.

''(a) IN GENERAL.—In addition to any other payments made under this subtitle, the Commission shall make payments to States to promote the issuance to registered voters of free photo identifications for purposes of meeting the identification requirements of section 304.

''(b) ELIGIBILITY.—A State is eligible to receive a grant under this part if it submits to the Commission (at such time and in such form as the Commission may require) an application containing—

''(1) a statement that the State intends to comply with the requirements of section 304; and

''(2) a description of how the State intends to use the payment under this part to provide registered voters with free photo identifications which meet the requirements of such section.

''(c) USE OF FUNDS.—A State receiving a payment under this part shall use the payment only to provide free photo identification cards to registered voters who do not have an identification card that meets the requirements of section 304.

''(d) ALLOCATION OF FUNDS.—

''(1) IN GENERAL.—The amount of the grant made to a State under this part for a year shall be equal to the product of—

''(A) the total amount appropriated for payments under this part for the year under section 298; and

''(B) an amount equal to—

''(i) the voting age population of the State (as reported in the most recent decennial census); divided by

''(ii) the total voting age population of all eligible States which submit an application for payments under this part (as reported in the most recent decennial census).

''SEC. 298. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—In addition to any other amounts authorized to be appropriated under this subtitle, there are authorized to be appropriated such sums as are necessary for the purpose of making payments under section 297.

''(b) AVAILABILITY.—Any amounts appropriated pursuant to the authority of this section shall remain available until expended.''.

(2) CONFORMING AMENDMENT.—The table of contents of the Help America Vote Act of 2002 is amended by inserting after the item relating to section 296 the following:

''PART 7—PHOTO IDENTIFICATION

''Sec. 297. Payments for free photo identification.

''Sec. 298. Authorization of appropriations.''.

SA 1171. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 26, insert ''of which not less than 17,500 shall be trained and deployed to protect the borders of the United States'' after ''agents''.

SA 1172. Mr. GREGG (for himself, Mr. DEMINT, Mr. CORNYN, and Mrs. DOLE) submitted an amendment intended to be proposed to amendment SA 1150 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; as follows:

Strike section 1 and insert the following:

SECTION 1. EFFECTIVE DATE TRIGGERS.

(a) IN GENERAL.—With the exception of the probationary benefits conferred by section 601(h) of this Act, the provisions of subtitle C of title IV, and the admission of aliens under section 101(a)(15)(H)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)), as amended by title IV, the programs established by title IV, and the programs established by title VI that grant legal status to any individual or that adjust the current status of any individual who is unlawfully present in the United States to that of an alien lawfully admitted for permanent residence, shall become effective on the date that the Secretary submits a written certification to the President and the Congress, based on analysis by and in consultation with the Comptroller General, that each of the following border security and other measures are established, funded, and operational:

(1) OPERATIONAL CONTROL OF THE INTERNATIONAL BORDER WITH MEXICO.—The Secretary of Homeland Security has established and demonstrated operational control of 100 percent of the international land border between the United States and Mexico, including the ability to monitor such border through available methods and technology.

(2) STAFF ENHANCEMENTS FOR BORDER PATROL.—The United States Customs and Border Protection Border Patrol has hired, trained, and reporting for duty 20,000 full-time agents as of the date of the certification under this subsection.

(3) STRONG BORDER BARRIERS.—There has been—

(A) installed along the international land border between the United States and Mexico as of the date of the certification under this subsection, at least—

(i) 300 miles of vehicle barriers;

(ii) 370 miles of fencing; and

(iii) 105 ground-based radar and camera towers; and

(B) deployed for use along the along the international land border between the United States and Mexico, as of the date of the certification under this subsection, 4 unmanned aerial vehicles, and the supporting systems for such vehicles.

(4) CATCH AND RETURN.—The Secretary of Homeland Security is detaining all removable aliens apprehended crossing the international land border between the United States and Mexico in violation of Federal or State law, except as specifically mandated by Federal or State law or humanitarian circumstances, and United States Immigration and Customs Enforcement has the resources to maintain this practice, including the resources necessary to detain up to 31,500 aliens per day on an annual basis.

(5) WORKPLACE ENFORCEMENT TOOLS.—In compliance with the requirements of title III of this Act, the Secretary of Homeland Security has established, and is using, secure and effective identification tools to prevent unauthorized workers from obtaining employment in the United States. Such identification tools shall include establishing—

(A) strict standards for identification documents that are required to be presented by the alien to an employer in the hiring process, including the use of secure documentation that—

(i) contains—

(I) a photograph of the alien; and

(II) biometric data identifying the alien; or

(ii) complies with the requirements for such documentation under the REAL ID Act (Public Law 109-13; 119 Stat. 231); and

(B) an electronic employment eligibility verification system that is capable of querying Federal and State databases in order to restrict fraud, identity theft, and use of false social security numbers in the hiring of aliens by an employer by electronically providing a digitized version of the photograph on the alien's original Federal or State issued document or documents for verification of that alien's identity and work eligibility.

(6) PROCESSING APPLICATIONS OF ALIENS.—The Secretary of Homeland Security has received, and is processing and adjudicating in a timely manner, applications for Z nonimmigrant status under title VI of this Act, including conducting all necessary background and security checks required under that title.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the border security and other measures described in subsection (a) shall be completed as soon as practicable, subject to the necessary appropriations.

(c) PRESIDENTIAL PROGRESS REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, and every 90 days thereafter until the requirements under subsection (a) are met, the

President shall submit a report to Congress detailing the progress made in funding, meeting, or otherwise satisfying each of the requirements described under paragraphs (1) through (6) of subsection (a), including detailing any contractual agreements reached to carry out such measures.

(2) PROGRESS NOT SUFFICIENT.—If the President determines that sufficient progress is not being made, the President shall include in the report required under paragraph (1) specific funding recommendations, authorization needed, or other actions that are or should be undertaken by the Secretary of Homeland Security.

(d) GAO REPORT.—Not later than 30 days after the certification is submitted under subsection (a), the Comptroller General shall submit a report to Congress on the accuracy of such certification.

SA 1173. Mr. GRAHAM (for himself, Mr. CHAMBLISS, Mr. ISAKSON, Mr. MCCAIN, Mr. MARTINEZ, Mr. KYL, and Mr. MCCONNELL) submitted an amendment intended to be proposed to amendment SA 1150 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; as follows:

Strike subsections (a) through (c) of section 276 of the Immigration and Nationality Act, as amended by section 207 of this Act, and insert the following:

''(a) REENTRY AFTER REMOVAL.—Any alien who has been denied admission, excluded, deported, or removed, or who has departed the United States while an order of exclusion, deportation, or removal is outstanding, and subsequently enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, and imprisoned not less than 60 days and not more than 2 years.

''(b) REENTRY OF CRIMINAL OFFENDERS.—Notwithstanding the penalty provided in subsection (a), if an alien described in that subsection—

''(1) was convicted for 3 or more misdemeanors or a felony before such removal or departure, the alien shall be fined under title 18, United States Code, and imprisoned not less than 1 year and not more than 10 years;

''(2) was convicted for a felony before such removal or departure for which the alien was sentenced to a term of imprisonment of not less than 30 months, the alien shall be fined under such title, and imprisoned not less than 2 years and not more than 15 years;

''(3) was convicted for a felony before such removal or departure for which the alien was sentenced to a term of imprisonment of not less than 60 months, the alien shall be fined under such title, and imprisoned not less than 4 years and not more than 20 years;

''(4) was convicted for 3 felonies before such removal or departure, the alien shall be fined under such title, and imprisoned not less than 4 years and not more than 20 years; or

''(5) was convicted, before such removal or departure, for murder, rape, kidnaping, or a felony offense described in chapter 77 (relating to peonage and slavery) or 113B (relating to terrorism) of such title, the alien shall be fined under such title, and imprisoned not less than 5 years and not more than 20 years.

''(c) REENTRY AFTER REPEATED REMOVAL.—Any alien who has been denied admission, excluded, deported, or removed 3 or more times and thereafter enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, and imprisoned not less than 2 years and not more than 10 years.''.

SA 1174. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In section 1(a), strike ''the probationary benefits conferred by Section 601(h), the provisions of Subtitle C of title IV,'' and insert ''the provisions of subtitle C of title IV''.

At the end of section 1, add the following:

(d) No probationary benefit established under title VI shall be issued to an alien until this section is implemented.

SA 1175. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 2, lines 6 and 7, strike ''the probationary benefits conferred by Section 601(h),''

SA 1176. Mr. FEINGOLD (for himself, Mr. LIEBERMAN, and Mr. INOUYE) submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—STUDY OF WARTIME TREATMENT OF CERTAIN PEOPLE

SEC. ____01. SHORT TITLE.

This title may be cited as the ''Wartime Treatment Study Act''.

SEC. ____02. FINDINGS.

Congress makes the following findings:

(1) During World War II, the United States Government deemed as ''enemy aliens'' more than 600,000 Italian-born and 300,000 German-born United States resident aliens and their families and required them to carry Certificates of Identification and limited their travel and personal property rights. At that time, these groups were the 2 largest foreign-born groups in the United States.

(2) During World War II, the United States Government arrested, interned, or otherwise detained thousands of European Americans, some remaining in custody for years after cessation of World War II hostilities, and repatriated, exchanged, or deported European Americans, including American-born children, to European Axis nations, many to be exchanged for Americans held in those nations.

(3) Pursuant to a policy coordinated by the United States with Latin American nations, many European Latin Americans, including German and Austrian Jews, were arrested, brought to the United States, and interned. Many were later expatriated, repatriated, or deported to European Axis nations during World War II, many to be exchanged for Americans and Latin Americans held in those nations.

(4) Millions of European Americans served in the armed forces and thousands sacrificed their lives in defense of the United States.

(5) The wartime policies of the United States Government were devastating to the Italian American and German American communities, individuals, and their families. The detrimental effects are still being experienced.

(6) Prior to and during World War II, the United States restricted the entry of Jewish refugees who were fleeing persecution or genocide and sought safety in the United States. During the 1930's and 1940's, the quota system, immigration regulations, visa requirements, and the time required to process visa applications affected the number of Jewish refugees, particularly those from Germany and Austria, who could gain admittance to the United States.

(7) The United States Government should conduct an independent review to fully assess and acknowledge these actions. Congress has previously reviewed the United States Government's wartime treatment of Japanese Americans through the Commission on Wartime Relocation and Internment of Civilians. An independent review of the treatment of German Americans and Italian Americans and of Jewish refugees fleeing persecution and genocide has not yet been undertaken.

(8) Time is of the essence for the establishment of commissions, because of the increasing danger of destruction and loss of relevant documents, the advanced age of potential witnesses and, most importantly, the advanced age of those affected by the United States Government's policies. Many who suffered have already passed away and will never know of this effort.

SEC. ____03. DEFINITIONS.

In this title:

(1) DURING WORLD WAR II.—The term ''during World War II'' refers to the period between September 1, 1939, through December 31, 1948.

(2) EUROPEAN AMERICANS.—

(A) IN GENERAL.—The term ''European Americans'' refers to United States citizens and resident aliens of European ancestry, including Italian Americans, German Americans, Hungarian Americans, Romanian Americans, and Bulgarian Americans.

(B) ITALIAN AMERICANS.—The term ''Italian Americans'' refers to United States citizens and resident aliens of Italian ancestry.

(C) GERMAN AMERICANS.—The term ''German Americans'' refers to United States citizens and resident aliens of German ancestry.

(3) EUROPEAN LATIN AMERICANS.—The term ''European Latin Americans'' refers to persons of European ancestry, including Italian or German ancestry, residing in a Latin American nation during World War II.

(4) LATIN AMERICAN NATION.—The term ''Latin American nation'' refers to any nation in Central America, South America, or the Carribean.

Subtitle A—Commission on Wartime Treatment of European Americans

SEC. ____011. ESTABLISHMENT OF COMMISSION ON WARTIME TREATMENT OF EUROPEAN AMERICANS.

(a) IN GENERAL.—There is established the Commission on Wartime Treatment of European Americans (referred to in this subtitle as the ''European American Commission'').

(b) MEMBERSHIP.—The European American Commission shall be composed of 7 members, who shall be appointed not later than 90 days after the date of enactment of this Act as follows:

(1) Three members shall be appointed by the President.

(2) Two members shall be appointed by the Speaker of the House of Representatives, in consultation with the minority leader.

(3) Two members shall be appointed by the majority leader of the Senate, in consultation with the minority leader.

(c) TERMS.—The term of office for members shall be for the life of the European American Commission. A vacancy in the European

American Commission shall not affect its powers, and shall be filled in the same manner in which the original appointment was made.

(d) REPRESENTATION.—The European American Commission shall include 2 members representing the interests of Italian Americans and 2 members representing the interests of German Americans.

(e) MEETINGS.—The President shall call the first meeting of the European American Commission not later than 120 days after the date of enactment of this Act.

(f) QUORUM.—Four members of the European American Commission shall constitute a quorum, but a lesser number may hold hearings.

(g) CHAIRMAN.—The European American Commission shall elect a Chairman and Vice Chairman from among its members. The term of office of each shall be for the life of the European American Commission.

(h) COMPENSATION.—

(1) IN GENERAL.—Members of the European American Commission shall serve without pay.

(2) REIMBURSEMENT OF EXPENSES.—All members of the European American Commission shall be reimbursed for reasonable travel and subsistence, and other reasonable and necessary expenses incurred by them in the performance of their duties.

SEC. ____012. DUTIES OF THE EUROPEAN AMERICAN COMMISSION.

(a) IN GENERAL.—It shall be the duty of the European American Commission to review the United States Government's wartime treatment of European Americans and European Latin Americans as provided in subsection (b).

(b) SCOPE OF REVIEW.—The European American Commission's review shall include the following:

(1) A comprehensive review of the facts and circumstances surrounding United States Government actions during World War II with respect to European Americans and European Latin Americans pursuant to the Alien Enemies Acts (50 U.S.C. 21 et seq.), Presidential Proclamations 2526, 2527, 2655, 2662, and 2685, Executive Orders 9066 and 9095, and any directive of the United States Government pursuant to such law, proclamations, or executive orders respecting the registration, arrest, exclusion, internment, exchange, or deportation of European Americans and European Latin Americans. This review shall include an assessment of the underlying rationale of the United States Government's decision to develop related programs and policies, the information the United States Government received or acquired suggesting the related programs and policies were necessary, the perceived benefit of enacting such programs and policies, and the immediate and long-term impact of such programs and policies on European Americans and European Latin Americans and their communities.

(2) A comprehensive review of United States Government action during World War II with respect to European Americans and European Latin Americans pursuant to the Alien Enemies Acts (50 U.S.C. 21 et seq.), Presidential Proclamations 2526, 2527, 2655, 2662, and 2685, Executive Orders 9066 and 9095, and any directive of the United States Government pursuant to such law, proclamations, or executive orders, including registration requirements, travel and property restrictions, establishment of restricted areas, raids, arrests, internment, exclusion, policies relating to the families and property that excludees and internees were forced to abandon, internee employment by American companies (including a list of such companies and the terms and type of employment), exchange, repatriation, and deportation, and the immediate and long-term effect of such actions, particularly internment, on the lives of those affected. This review shall include a list of—

(A) all temporary detention and long-term internment facilities in the United States and Latin American nations that were used to detain or intern European Americans and European Latin Americans during World War II (in this paragraph referred to as ''World War II detention facilities'');

(B) the names of European Americans and European Latin Americans who died while in World War II detention facilities and where they were buried;

(C) the names of children of European Americans and European Latin Americans who were born in World War II detention facilities and where they were born; and

(D) the nations from which European Latin Americans were brought to the United States, the ships that transported them to the United States and their departure and disembarkation ports, the locations where European Americans and European Latin Americans were exchanged for persons held in European Axis nations, and the ships that transported them to Europe and their departure and disembarkation ports.

(3) A brief review of the participation by European Americans in the United States Armed Forces including the participation of European Americans whose families were excluded, interned, repatriated, or exchanged.

(4) A recommendation of appropriate remedies, including how civil liberties can be protected during war, or an actual, attempted, or threatened invasion or incursion, an assessment of the continued viability of the Alien Enemies Acts (50 U.S.C. 21 et seq.), and public education programs related to the United States Government's wartime treatment of European Americans and European Latin Americans during World War II.

(c) FIELD HEARINGS.—The European American Commission shall hold public hearings in such cities of the United States as it deems appropriate.

(d) REPORT.—The European American Commission shall submit a written report of its findings and recommendations to Congress not later than 18 months after the date of the first meeting called pursuant to section ____011(e).

SEC. ____013. POWERS OF THE EUROPEAN AMERICAN COMMISSION.

(a) IN GENERAL.—The European American Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this subtitle, hold such hearings and sit and act at such times and places, and request the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandum, papers, and documents as the Commission or such subcommittee or member may deem advisable. The European American Commission may request the Attorney General to invoke the aid of an appropriate United States district court to require, by subpoena or otherwise, such attendance, testimony, or production.

(b) GOVERNMENT INFORMATION AND COOPERATION.—The European American Commission may acquire directly from the head of any department, agency, independent instrumentality, or other authority of the executive branch of the Government, available information that the European American Commission considers useful in the discharge of its duties. All departments, agencies, and independent instrumentalities, or other authorities of the executive branch of the Government shall cooperate with the European American Commission and furnish all information requested by the European American Commission to the extent permitted by law, including information collected under the Commission on Wartime and Internment of Civilians Act (Public Law 96–317; 50 U.S.C. App. 1981 note) and the Wartime Violation of Italian Americans Civil Liberties Act (Public Law 106–451; 50 U.S.C. App. 1981 note). For purposes of section 552a(b)(9) of title 5, United States Code (commonly known as the ''Privacy Act of 1974''), the European American Commission shall be deemed to be a committee of jurisdiction.

SEC. ____014. ADMINISTRATIVE PROVISIONS.

The European American Commission is authorized to—

(1) appoint and fix the compensation of such personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that the compensation of any employee of the Commission may not exceed a rate equivalent to the rate payable under GS–15 of the General Schedule under section 5332 of such title;

(2) obtain the services of experts and consultants in accordance with the provisions of section 3109 of such title;

(3) obtain the detail of any Federal Government employee, and such detail shall be without reimbursement or interruption or loss of civil service status or privilege;

(4) enter into agreements with the Administrator of General Services for procurement of necessary financial and administrative services, for which payment shall be made by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator;

(5) procure supplies, services, and property by contract in accordance with applicable laws and regulations and to the extent or in such amounts as are provided in appropriation Acts; and

(6) enter into contracts with Federal or State agencies, private firms, institutions, and agencies for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of the duties of the Commission, to the extent or in such amounts as are provided in appropriation Acts.

SEC. ____015. FUNDING.

Of the amounts authorized to be appropriated to the Department of Justice, $600,000 shall be available to carry out this subtitle.

SEC. ____016. SUNSET.

The European American Commission shall terminate 60 days after it submits its report to Congress.

Subtitle B—Commission on Wartime Treatment of Jewish Refugees

SEC. ____021. ESTABLISHMENT OF COMMISSION ON WARTIME TREATMENT OF JEWISH REFUGEES.

(a) IN GENERAL.—There is established the Commission on Wartime Treatment of Jewish Refugees (referred to in this subtitle as the ''Jewish Refugee Commission'').

(b) MEMBERSHIP.—The Jewish Refugee Commission shall be composed of 7 members, who shall be appointed not later than 90 days after the date of enactment of this Act as follows:

(1) Three members shall be appointed by the President.

(2) Two members shall be appointed by the Speaker of the House of Representatives, in consultation with the minority leader.

(3) Two members shall be appointed by the majority leader of the Senate, in consultation with the minority leader.

(c) TERMS.—The term of office for members shall be for the life of the Jewish Refugee

Commission. A vacancy in the Jewish Refugee Commission shall not affect its powers, and shall be filled in the same manner in which the original appointment was made.

(d) REPRESENTATION.—The Jewish Refugee Commission shall include 2 members representing the interests of Jewish refugees.

(e) MEETINGS.—The President shall call the first meeting of the Jewish Refugee Commission not later than 120 days after the date of enactment of this Act.

(f) QUORUM.—Four members of the Jewish Refugee Commission shall constitute a quorum, but a lesser number may hold hearings.

(g) CHAIRMAN.—The Jewish Refugee Commission shall elect a Chairman and Vice Chairman from among its members. The term of office of each shall be for the life of the Jewish Refugee Commission.

(h) COMPENSATION.—

(1) IN GENERAL.—Members of the Jewish Refugee Commission shall serve without pay.

(2) REIMBURSEMENT OF EXPENSES.—All members of the Jewish Refugee Commission shall be reimbursed for reasonable travel and subsistence, and other reasonable and necessary expenses incurred by them in the performance of their duties.

SEC. ____022. DUTIES OF THE JEWISH REFUGEE COMMISSION.

(a) IN GENERAL.—It shall be the duty of the Jewish Refugee Commission to review the United States Government's refusal to allow Jewish and other refugees fleeing persecution or genocide in Europe entry to the United States as provided in subsection (b).

(b) SCOPE OF REVIEW.—The Jewish Refugee Commission's review shall cover the period between January 1, 1933, through December 31, 1945, and shall include, to the greatest extent practicable, the following:

(1) A review of the United States Government's decision to deny Jewish and other refugees fleeing persecution or genocide entry to the United States, including a review of the underlying rationale of the United States Government's decision to refuse the Jewish and other refugees entry, the information the United States Government received or acquired suggesting such refusal was necessary, the perceived benefit of such refusal, and the impact of such refusal on the refugees.

(2) A review of Federal refugee law and policy relating to those fleeing persecution or genocide, including recommendations for making it easier in the future for victims of persecution or genocide to obtain refuge in the United States.

(c) FIELD HEARINGS.—The Jewish Refugee Commission shall hold public hearings in such cities of the United States as it deems appropriate.

(d) REPORT.—The Jewish Refugee Commission shall submit a written report of its findings and recommendations to Congress not later than 18 months after the date of the first meeting called pursuant to section ____021(e).

SEC. ____023. POWERS OF THE JEWISH REFUGEE COMMISSION.

(a) IN GENERAL.—The Jewish Refugee Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this subtitle, hold such hearings and sit and act at such times and places, and request the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandum, papers, and documents as the Commission or such subcommittee or member may deem advisable. The Jewish Refugee Commission may request the Attorney General to invoke the aid of an appropriate United States district court to require, by subpoena or otherwise, such attendance, testimony, or production.

(b) GOVERNMENT INFORMATION AND COOPERATION.—The Jewish Refugee Commission may acquire directly from the head of any department, agency, independent instrumentality, or other authority of the executive branch of the Government, available information that the Jewish Refugee Commission considers useful in the discharge of its duties. All departments, agencies, and independent instrumentalities, or other authorities of the executive branch of the Government shall cooperate with the Jewish Refugee Commission and furnish all information requested by the Jewish Refugee Commission to the extent permitted by law, including information collected as a result of the Commission on Wartime and Internment of Civilians Act (Public Law 96–317; 50 U.S.C. App. 1981 note) and the Wartime Violation of Italian Americans Civil Liberties Act (Public Law 106–451; 50 U.S.C. App. 1981 note). For purposes of section 552a(b)(9) of title 5, United States Code (commonly known as the ''Privacy Act of 1974''), the Jewish Refugee Commission shall be deemed to be a committee of jurisdiction.

SEC. ____024. ADMINISTRATIVE PROVISIONS.

The Jewish Refugee Commission is authorized to—

(1) appoint and fix the compensation of such personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that the compensation of any employee of the Commission may not exceed a rate equivalent to the rate payable under GS–15 of the General Schedule under section 5332 of such title;

(2) obtain the services of experts and consultants in accordance with the provisions of section 3109 of such title;

(3) obtain the detail of any Federal Government employee, and such detail shall be without reimbursement or interruption or loss of civil service status or privilege;

(4) enter into agreements with the Administrator of General Services for procurement of necessary financial and administrative services, for which payment shall be made by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator;

(5) procure supplies, services, and property by contract in accordance with applicable laws and regulations and to the extent or in such amounts as are provided in appropriation Acts; and

(6) enter into contracts with Federal or State agencies, private firms, institutions, and agencies for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of the duties of the Commission, to the extent or in such amounts as are provided in appropriation Acts.

SEC. ____025. FUNDING.

Of the amounts authorized to be appropriated to the Department of Justice, $600,000 shall be available to carry out this subtitle.

SEC. ____026. SUNSET.

The Jewish Refugee Commission shall terminate 60 days after it submits its report to Congress.

SA 1177. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ELIGIBILITY OF AGRICULTURAL AND FORESTRY WORKERS FOR CERTAIN LEGAL ASSISTANCE.

Section 305 of the Immigration Reform and Control Act of 1986 (8 U.S.C. 1101 note; Public Law 99–603) is amended—

(1) by striking ''section 101(a)(15)(H)(ii)(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(a))'' and inserting ''subparagraph (H)(ii)(a) or subparagraph (Y) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15))''; and

(2) by inserting ''or forestry'' after ''agricultural''.

SA 1178. Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. 2____. ARREST AND DETENTION OF ALIENS UNLAWFULLY PRESENT.

(a) ARREST PROCEDURES.—Any immigration enforcement operation by the Department for alleged violations under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), which is reasonably calculated to apprehend, or results in the apprehension of, at least 50 aliens, shall be carried out according to the following procedures:

(1) STATE NOTIFICATION.—The Department shall provide State officials with sufficient advance notice of the enforcement operation to allow State law enforcement officials to notify the appropriate State social service agencies (referred to in this section as ''SSA'') of—

(A) the specific area of the State that will be affected;

(B) the languages spoken by employees at the target worksite; and

(C) any special needs of the employees.

(2) NGO NOTIFICATION.—The Department and the applicable SSA shall determine how appropriate nongovernmental organizations will be notified on the day of the enforcement action. At the discretion of the SSA, representatives of the nongovernmental organization who speak the native language of the aliens detained in the enforcement action may be permitted to participate with SSA officials in interviewing such aliens.

(3) DETERMINATION OF RISK TO RELATIVES.—The Department shall provide the applicable SSA with unfettered and confidential access to aliens detained in the enforcement action to assist in the screening and interviews of aliens to determine whether the detainee, the detainee's children, or other vulnerable people, including elderly and disabled individuals, have been placed at risk as a result of the detainee's arrest.

(4) MEDICAL SCREENING.—After SSA officials have met with the alien detainees, qualified medical personnel from the Division of Immigration Health Services of the Department of Health and Human Services shall—

(A) conduct medical screenings of the alien detainees; and

(B) identify and report any medical issues that might necessitate humanitarian release or additional care.

(5) CONSIDERATION OF RECOMMENDATIONS.—The Department shall immediately consider recommendations made by the applicable SSA and the Division of Immigration Health Services about alien detainees who should be released on humanitarian grounds, including alien detainees who—

(A) have a medical condition that requires special attention;

(B) are pregnant women;

(C) are nursing mothers;

(D) are the sole caretakers of their minor children or elderly relatives;

(E) function as the primary contact between the family and those outside the home due to language barriers;

(F) are needed to support their spouses in caring for sick or special needs children;

(G) have spouses who are ill or otherwise unable to be sole caretaker; or

(H) are younger than 18 years of age.

(6) PUBLICITY.—The Department shall provide, and advertise in the mainstream and foreign language media, a toll-free number through which family members of alien detainees may report such relationships to operators who speak English and the majority language of the target population of the enforcement operation and will convey such information to the Department and the applicable SSA.

(b) DETENTION PROCEDURES.—

(1) IN GENERAL.—In order to maximize full and fair visitation by children, immediate family members, and counsel, an alien should be detained, to the extent space is available, in facilities within the physical jurisdiction or catchment area of the local field office of United States Immigration and Customs Enforcement.

(2) RELEASE.—

(A) IN GENERAL.—Not later than 72 hours of an alien's apprehension, the alien shall be released from Department custody, in accordance with subparagraph (B), if the alien—

(i) is not subject to mandatory detention under section 235(1)(B)(iii)(IV), 236(c), or 236A of the Immigration and Nationality Act (8 U.S.C. 1225(1)(B)(iii)(IV), 1226(c), and 1226a);

(ii) does not pose an immediate flight risk; and

(iii) meets any of the criteria set forth in subsection (a)(5).

(B) TYPE OF RELEASE.—An alien shall be released under this paragraph—

(i) on the alien's own recognizance;

(ii) by posting a minimum bond under section 236(a) of the Immigration and Nationality Act (8 U.S.C. 1226(a));

(iii) on parole in accordance with section 212(d)(5)(A) of such Act (8 U.S.C. 1182(d)(5)(A)); or

(iv) through the Intensive Supervision Appearance Program or another comparable alternative to detention program.

(c) LEGAL ORIENTATION PRESENTATIONS.—Any alien arrested in an immigration enforcement operation that is reasonably calculated to apprehend, or results in the apprehension of, at least 50 aliens shall have access to legal orientation presentations provided by independent, nongovernmental agencies through the Legal Orientation Program administered by the Executive Office for Immigration Review.

(d) REGULATIONS CONCERNING THE TREATMENT OF ALIENS IN A VULNERABLE POPULATION IN THE UNITED STATES.—Not later than 6 months after the date of the enactment of this Act, the Secretary shall promulgate regulations to implement this section, in accordance with the notice and comment requirements under subchapter II of chapter 5 of title 5, United States Code (commonly referred to as the Administrative Procedure Act).

(e) REPORT TO CONGRESS.—The Secretary shall submit an annual report that describes all the actions taken by the Department to implement this section to—

(1) the Committee on the Judiciary of the Senate;

(2) the Committee on the Judiciary of the House of Representatives;

(3) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(4) the Committee on Homeland Security of the House of Representatives.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SA 1179. Mr. LAUTENBERG (for himself, Mr. BROWNBACK, Mr. MENENDEZ, Mrs. CLINTON, Mr. DODD, Mr. FEINGOLD, Mr. LIEBERMAN, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of Title VII, insert the following:

Subtitle __—Humanitarian Relief

SEC. ___1. SHORT TITLE.

This subtitle may be cited as the ''September 11 Family Humanitarian Relief and Patriotism Act''.

SEC. ___2. DEFINITIONS.

(a) APPLICATION OF IMMIGRATION AND NATIONALITY ACT PROVISIONS.—Except as otherwise specifically provided in this subtitle, the definitions used in the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), other than the definitions applicable exclusively to title III of such Act, shall apply in the administration of this subtitle.

(b) SPECIFIED TERRORIST ACTIVITY.—In this subtitle, the term ''specified terrorist activity'' means any terrorist activity conducted against the Government or the people of the United States on September 11, 2001.

SEC. ___3. ADJUSTMENT OF STATUS FOR CERTAIN VICTIMS OF TERRORISM.

(a) ADJUSTMENT OF STATUS.—

(1) IN GENERAL.—The Secretary shall adjust the status of any alien described in subsection (b) to that of an alien lawfully admitted for permanent residence, if the alien—

(A) applies for such adjustment not later than 2 years after the date on which the Secretary establishes procedures to implement this section; and

(B) is otherwise admissible to the United States for permanent residence, except in determining such admissibility the grounds for inadmissibility specified in paragraphs (4), (5), (6)(A), (7)(A), and (9)(B) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)) shall not apply.

(2) RULES IN APPLYING CERTAIN PROVISIONS.—

(A) IN GENERAL.—In the case of an alien described in subsection (b) who is applying for adjustment of status under this section—

(i) the provisions of section 241(a)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(a)(5)) shall not apply; and

(ii) the Secretary may grant the alien a waiver on the grounds of inadmissibility under subparagraphs (A) and (C) of section 212(a)(9) of such Act (8 U.S.C. 1182(a)(9)).

(B) STANDARDS.—In granting waivers under subparagraph (A)(ii), the Secretary shall use standards used in granting consent under subparagraphs (A)(iii) and (C)(ii) of such section 212(a)(9).

(3) RELATIONSHIP OF APPLICATION TO CERTAIN ORDERS.—

(A) APPLICATION PERMITTED.—An alien who is present in the United States and has been ordered excluded, deported, removed, or ordered to depart voluntarily from the United States under any provision of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) may apply for adjustment of status under paragraph (1).

(B) MOTION NOT REQUIRED.—An alien described in subparagraph (A) may not be required, as a condition of submitting or granting such application, to file a separate motion to reopen, reconsider, or vacate such order.

(C) EFFECT OF DECISION.—If the Secretary grants a request under subparagraph (A), the Secretary shall cancel the order. If the Secretary renders a final administrative decision to deny the request, the order shall be effective and enforceable to the same extent as if the application had not been made.

(b) ALIENS ELIGIBLE FOR ADJUSTMENT OF STATUS.—Subject to section ___5, the benefits under subsection (a) shall apply to any alien who—

(1) was lawfully present in the United States as a nonimmigrant alien under the immigration laws of the United States on September 10, 2001;

(2) was, on such date, the spouse, child, dependent son, or dependent daughter of an alien who—

(A) was lawfully present in the United States as a nonimmigrant under the immigration laws of the United States on such date; and

(B) died as a direct result of a specified terrorist activity; and

(3) was deemed to be a beneficiary of, and by, the September 11th Victim Compensation Fund of 2001 (49 U.S.C. 40101 note).

(c) STAY OF REMOVAL; WORK AUTHORIZATION.—

(1) IN GENERAL.—The Secretary shall establish a process by which an alien subject to a final order of removal may seek a stay of such order based on the filing of an application under subsection (a).

(2) DURING CERTAIN PROCEEDINGS.—Notwithstanding any provision of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), the Secretary may not order any alien to be removed from the United States, if the alien is in removal proceedings under any provision of such Act and has applied for adjustment of status under subsection (a), unless the Secretary has rendered a final administrative determination to deny the application.

(3) WORK AUTHORIZATION.—The Secretary shall authorize an alien who was deemed to be a beneficiary of, and by, the September 11th Victim Compensation Fund of 2001 (49 U.S.C. 40101 note), and who has applied for adjustment of status under subsection (a) to engage in employment in the United States during the pendency of such application.

(d) AVAILABILITY OF ADMINISTRATIVE REVIEW.—The Secretary shall provide to applicants for adjustment of status under subsection (a) the same right to, and procedures for, administrative review as are provided to—

(1) applicants for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255); or

(2) aliens subject to removal proceedings under section 240 of such Act (8 U.S.C. 1229a).

SEC. ___4. CANCELLATION OF REMOVAL FOR CERTAIN IMMIGRANT VICTIMS OF TERRORISM.

(a) IN GENERAL.—Subject to the provisions of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) (other than subsections (b)(1), (d)(1), and (e) of section 240A of such Act (8 U.S.C. 1229b)) and section ___5 of this Act, the Secretary shall, under such section 240A, cancel the removal of, and adjust to the status of an alien lawfully admitted for permanent residence, an alien described in subsection (b), if the alien applies for such relief.

(b) ALIENS ELIGIBLE FOR CANCELLATION OF REMOVAL.—The benefits provided by subsection (a) shall apply to any alien who—

(1) was, on September 10, 2001, the spouse, child, dependent son, or dependent daughter of an alien who died as a direct result of a specified terrorist activity; and

(2) was deemed to be a beneficiary of, and by, the September 11th Victim Compensation Fund of 2001 (49 U.S.C. 40101 note).

(c) STAY OF REMOVAL; WORK AUTHORIZATION.—

(1) IN GENERAL.—The Secretary shall establish a process to provide for an alien subject to a final order of removal to seek a stay of such order based on the filing of an application under subsection (a).

(2) WORK AUTHORIZATION.—The Secretary shall authorize an alien who was deemed to be a beneficiary of, and by, the September 11th Victim Compensation Fund of 2001 (49 U.S.C. 40101 note), and who has applied for cancellation of removal under subsection (a) to engage in employment in the United States during the pendency of such application.

(d) MOTIONS TO REOPEN REMOVAL PROCEEDINGS.—

(1) IN GENERAL.—Notwithstanding any limitation imposed by law on motions to reopen removal proceedings (except limitations premised on an alien's conviction of an aggravated felony (as defined in section 101(a)(43) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43))), any alien who has become eligible for cancellation of removal as a result of the enactment of this section may file 1 motion to reopen removal proceedings to apply for such relief.

(2) FILING PERIOD.—The Secretary shall designate a specific time period in which all such motions to reopen are required to be filed. The period shall begin not later than 60 days after the date of the enactment of this Act and shall extend for a period not to exceed 240 days.

SEC. ___5. EXCEPTIONS.

Notwithstanding any other provision of this subtitle, an alien may not be provided relief under this subtitle if the alien is—

(1) inadmissible under paragraph (2) or (3) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)), or deportable under paragraph (2) or (4) of section 237(a) of such Act (8 U.S.C. 1227(a)), including any individual culpable for a specified terrorist activity; or

(2) a family member of an alien described in paragraph (1).

SEC. ___6. EVIDENCE OF DEATH.

For purposes of this subtitle, the Secretary shall use the standards established under section 426 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT Act) Act of 2001 (115 Stat. 362) in determining whether death occurred as a direct result of a specified terrorist activity.

SEC. ___7. AUTHORITY OF THE ATTORNEY GENERAL.

The requirements and authorities under this subtitle pertaining to the Secretary, other than the authority to grant work authorization, shall apply to the Attorney General with respect to cases otherwise within the jurisdiction of the Executive Office for Immigration Review.

SEC. ___8. PROCESS FOR IMPLEMENTATION.

The Secretary and the Attorney General—

(1) shall carry out this subtitle as expeditiously as possible;

(2) are not required to promulgate regulations before implementing this subtitle; and

(3) shall promulgate procedures to implement this subtitle not later than 180 days after the date of the enactment of this subtitle.

SA 1180. Mr. HAGEL (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In section 616, strike subsection (a) and insert the following:

(a) RESTORATION OF STATE OPTION TO DETERMINE RESIDENCY FOR PURPOSES OF HIGHER EDUCATION BENEFITS.—

(1) IN GENERAL.—Section 505 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1623) is repealed.

(2) EFFECTIVE DATE.—The repeal under paragraph (1) shall take effect as if included in the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 110 Stat. 3009–546).

SA 1181. Mr. DORGAN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 401, add the following:

(d) SUNSET OF Y–1 VISA PROGRAM.—

(1) SUNSET.—Notwithstanding any other provision of this Act, or any amendment made by this Act, no alien may be issued a new visa as a Y–1 nonimmigrant (as defined in section 218B of the Immigration and Nationality Act, as added by section 403) after the date that is 5 years after the date that the first such visa is issued.

(2) CONSTRUCTION.—Nothing in paragraph (1) may be construed to affect issuance of visas to Y–2B nonimmigrants (as defined in such section 218B), under the AgJOBS Act of 2007, as added by subtitle C, or any visa program other than the Y–1 visa program.

SA 1182. Mr. THOMAS submitted an amendment intended to be proposed to amendment SA 1150 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 101 of the amendment, insert the following:

(c) SHADOW WOLVES APPREHENSION AND TRACKING.—

(1) PURPOSE.—The purpose of this subsection is to authorize the Secretary, acting through the Assistant Secretary of Immigration and Customs Enforcement (referred to in this subsection as the ''Secretary''), to establish new units of Customs Patrol Officers (commonly known as ''Shadow Wolves'') during the 5-year period beginning on the date of enactment of this Act.

(2) ESTABLISHMENT OF NEW UNITS.—

(A) IN GENERAL.—During the 5-year period beginning on the date of enactment of this Act, the Secretary is authorized to establish within United States Immigration and Customs Enforcement up to 5 additional units of Customs Patrol Officers in accordance with this subsection, as appropriate.

(B) MEMBERSHIP.—Each new unit established pursuant to subparagraph (A) shall consist of up to 15 Customs Patrol Officers.

(3) DUTIES.—The additional Immigration and Customs Enforcement units established pursuant to paragraph (2)(A) shall operate on Indian reservations (as defined in section 3 of the Indian Financing Act of 1974 (25 U.S.C. 1452)) located on or near (as determined by the Secretary) an international border with Canada or Mexico, and such other Federal land as the Secretary determines to be appropriate, by—

(A) investigating and preventing the entry of terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband into the United States; and

(B) carrying out such other duties as the Secretary determines to be necessary.

(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection such sums as are necessary for each of fiscal years 2008 through 2013.

SA 1183. Mrs. CLINTON (for herself, Mr. HAGEL, and Mr. MENENDEZ) submitted an amendment intended to be proposed by her to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 238, line 13, strike ''567,000'' and insert ''480,000''.

On page 238, line 19, strike ''127,000'' and insert ''40,000''.

On page 247, line 1, insert ''or the child or spouse of an alien lawfully admitted for permanent residence'' after ''United States''.

On page 247, line 5, insert ''or lawful permanent resident'' after ''citizen''.

On page 247, line 6, insert ''or lawful permanent resident'' after ''citizen''.

On page 247, line 6, insert ''or lawful permanent resident's'' after ''citizen's''.

On page 247, line 7, insert ''or lawful permanent resident'' after ''citizen''.

On page 247, line 8, insert ''or lawful permanent resident's'' after ''citizen's''.

On page 247, line 9, insert ''or lawful permanent resident's'' after ''citizen's''.

On page 247, line 15, insert ''or lawful permanent resident's'' after ''citizen's''.

On page 247, line 24, insert ''or lawful permanent resident'' after ''citizen''.

On page 248, strike lines 2 through 11.

On page 248, line 13, strike the first ''(3)'' and insert ''(2)''.

On page 249, line 1, strike ''(4)'' and insert ''(3)''.

On page 250, between lines 42 and 43, insert the following:

(5) RULES FOR DETERMINING WHETHER CERTAIN ALIENS ARE IMMEDIATE RELATIVES.—Section 201(f) of the Immigration and Nationality Act (8 U.S.C. 1151(f)) is amended—

(A) in paragraph (1)—

(i) by striking ''paragraphs (2) and (3),'' and inserting ''paragraph (2),''; and

(ii) by striking ''(b)(2)(A)(i)'' and inserting ''(b)(2)'';

(B) by striking paragraph (2);

(C) by redesignating paragraph (3) as paragraph (2); and

(D) in paragraph (2), as so redesignated, by striking ''(b)(2)(A)'' and inserting ''(b)(2)''.

(6) NUMERICAL LIMITATION TO ANY SINGLE FOREIGN STATE.—Section 202 of the Immigration and Nationality Act (8 U.S.C. 1152) is amended—

(A) by striking paragraph (4); and

(B) by redesignating paragraph (5) as paragraph (4).

(7) ALLOCATION OF IMMIGRATION VISAS.—Section 203(h) of the Immigration and Nationality Act (8 U.S.C. 1153(h)) is amended—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''subsections (a)(2)(A) and (d)'' and inserting ''subsection (d)'';

(ii) in subparagraph (A), by striking ''becomes available for such alien (or, in the case of subsection (d), the date on which an immigrant visa number became available for the alien's parent)'', and inserting ''became available for the alien's parent,''; and

(iii) in subparagraph (B), by striking ''applicable'';

(B) in paragraph (2), by striking ''The petition'' and all that follows through the period and inserting ''The petition described in this paragraph is a petition filed under section 204 for classification of the alien parent under subsection (a) or (b).''; and

(C) in paragraph (3), by striking ''subsections (a)(2)(A) and (d)'' and inserting ''subsection (d)''.

(8) PROCEDURE FOR GRANTING IMMIGRANT STATUS.—Section 204 of the Immigration and Nationality Act (8 U.S.C. 1154) is amended—

(A) in subsection (a)(1)—

(i) in subparagraph (A)—

(I) in clause (iii)—

(aa) by inserting ''or legal permanent resident'' after ''citizen'' each place that term appears; and

(bb) in subclause (II)(aa)(CC)(bbb), by inserting ''or legal permanent resident'' after ''citizenship'';

(II) in clause (iv)—

(aa) by inserting ''or legal permanent resident'' after ''citizen'' each place that term appears; and

(bb) by inserting ''or legal permanent resident'' after ''citizenship'';

(III) in clause (v)(I), by inserting ''or legal permanent resident'' after ''citizen''; and

(IV) in clause (vi)—

(aa) by inserting ''or legal permanent resident status'' after ''renunciation of citizenship''; and

(bb) by inserting ''or legal permanent resident'' after ''abuser's citizenship'';

(ii) by striking subparagraph (B);

(iii) by redesignating subparagraphs (C) through (J) as subparagraphs (B) through (I), respectively;

(iv) in subparagraph (B), as so redesignated, by striking ''subparagraph (A)(iii), (A)(iv), (B)(ii), or (B)(iii)'' and inserting ''clause (iii) or (iv) of subparagraph (A)''; and

(v) in subparagraph (I), as so redesignated—

(I) by striking ''or clause (ii) or (iii) of subparagraph (B)''; and

(II) by striking ''under subparagraphs (C) and (D)'' and inserting ''under subparagraphs (B) and (C)'';

(B) by striking subsection (a)(2);

(C) in subsection (h), by striking ''or a petition filed under subsection (a)(1)(B)(ii)''; and

(D) in subsection (j), by striking ''subsection (a)(1)(D)'' and inserting ''subsection (a)(1)(C)''.

SA 1184. Mr. CORNYN (for himself, Mr. NELSON of Nebraska, and Mr. DEMINT) proposed an amendment to amendment SA 1150 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; as follows:

On page 47, line 25, insert '', even if the length of the term of imprisonment for the offense is based on recidivist or other enhancements,'' after ''15 years''.

On page 47, beginning with line 34, strike all through page 48, line 10, and insert:

(3) in subparagraph (N), by striking ''paragraph (1)(A) or (2) of'';

(4) in subparagraph (O), by striking ''section 275(a) or 276 committed by an alien who was previously deported on the basis of a conviction for an offense described in another subparagraph of this paragraph'' and inserting ''section 275 or 276 for which the term of imprisonment is at least 1 year'';

(5) by striking the undesignated matter following subparagraph (U);

(6) in subparagraph (E)—

(A) in clause (ii), by inserting ''(c),'' after ''924(b)'' and by striking ''or'' at the end, and

(B) by adding at the end the following new clauses:

''(iv) section 2250 of title 18, United States Code (relating to failure to register as a sex offender); or

''(v) section 521(d) of title 18, United States Code (relating to penalties for offenses committed by criminal street gangs);''; and

(7) by amending subparagraph (F) to read as follows:

''(F) either—

''(i) a crime of violence (as defined in section 16 of title 18, United States Code, but not including a purely political offense), or

''(ii) a third conviction for driving while intoxicated (including a third conviction for driving while under the influence or impaired by alcohol or drugs), without regard to whether the conviction is classified as a misdemeanor or felony under State law,

for which the term of imprisonment is at least one year;''.

(b) EFFECTIVE DATE.—The amendments made by this section shall—

(1) take effect on the date of the enactment of this Act; and

(2) apply to any act that occurred before, on, or after such date of enactment.

In title II, insert after section 203 the following:

SEC. 204. TERRORIST BAR TO GOOD MORAL CHARACTER.

(a) DEFINITION OF GOOD MORAL CHARACTER.—Section 101(f) (8 U.S.C. 1101(f)) is amended by inserting after paragraph (1) the following:

''(2) one who the Secretary of Homeland Security or the Attorney General determines, in the unreviewable discretion of the Secretary or the Attorney General, to have been at any time an alien described in section 212(a)(3) or 237(a)(4), which determination—

''(A) may be based upon any relevant information or evidence, including classified, sensitive, or national security information; and

''(B) shall be binding upon any court regardless of the applicable standard of review;''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act and shall apply to—

(1) any act that occurred before, on, or after the date of the enactment of this Act, and

(2) any application for naturalization or any other benefit or relief, or any other case or matter under the immigration laws, pending on or filed after the date of enactment of this Act.

SEC. 204A. PRECLUDING ADMISSIBILITY OF ALIENS CONVICTED OF AGGRAVATED FELONIES OR OTHER SERIOUS OFFENSES.

(a) INADMISSIBILITY ON CRIMINAL AND RELATED GROUNDS; WAIVERS.—Section 212 (8 U.S.C. 1182) is amended—

(1) by adding at the end of subsection (a)(2) the following new subparagraphs:

''(J) CERTAIN FIREARM OFFENSES.—Any alien who at any time has been convicted under any law of, or who admits having committed or admits committing acts which constitute the essential elements of, purchasing, selling, offering for sale, exchanging, using, owning, possessing, or carrying, or of attempting or conspiring to purchase, sell, offer for sale, exchange, use, own, possess, or carry, any weapon, part, or accessory which is a firearm or destructive device (as defined in section 921(a) of title 18, United States Code) in violation of any law is inadmissible.

''(K) AGGRAVATED FELONS.—Any alien who has been convicted of an aggravated felony at any time is inadmissible.

''(L) CRIMES OF DOMESTIC VIOLENCE, STALKING, OR VIOLATION OF PROTECTION ORDERS; CRIMES AGAINST CHILDREN.—

''(i) DOMESTIC VIOLENCE, STALKING, AND CHILD ABUSE.—Any alien who at any time is convicted of, or who admits having committed or admits committing acts which constitute the essential elements of, a crime of domestic violence, a crime of stalking, or a crime of child abuse, child neglect, or child abandonment is inadmissible. For purposes of this clause, the term 'crime of domestic violence' means any crime of violence (as defined in section 16 of title 18, United States Code) against a person committed by a current or former spouse of the person, by an individual with whom the person shares a child in common, by an individual who is cohabiting with or has cohabited with the person as a spouse, by an individual similarly situated to a spouse of the person under the domestic or family violence laws of the jurisdiction where the offense occurs, or by any other individual against a person who is protected from that individual's acts under the domestic or family violence laws of the United States or any State, Indian tribal government, or unit of local or foreign government.

''(ii) VIOLATORS OF PROTECTION ORDERS.—Any alien who at any time is enjoined under a protection order issued by a court and whom the court determines has engaged in conduct that violates the portion of a protection order that involves protection against credible threats of violence, repeated harassment, or bodily injury to the person or persons for whom the protection order was issued is inadmissible. For purposes of this clause, the term 'protection order' means any injunction issued for the purpose of preventing violent or threatening acts of domestic violence, including temporary or final orders issued by civil or criminal courts (other than support or child custody orders or provisions) whether obtained by filing an independent action or as a independent order in another proceeding.''; and

(2) in subsection (h)—

(A) by striking ''The Attorney General may, in his discretion, waive the application of subparagraphs (A)(i)(I), (B), (D), and (E) of subsection (a)(2)'' and inserting ''The Attorney General or the Secretary of Homeland Security may, in his discretion, waive the application of subparagraphs (A)(i)(I), (III), (B), (D), (E), (J), and (L) of subsection (a)(2)'';

(B) by striking ''if either since the date of such admission the alien has been convicted of an aggravated felony or the alien'' in the next to last sentence and inserting ''if since the date of such admission the alien''; and

(C) by inserting ''or Secretary of Homeland Security'' after ''the Attorney General'' each place it appears.

(b) DEPORTABILITY FOR CRIMINAL OFFENSES INVOLVING IDENTIFICATION.—Section 237(a)(2) (8 U.S.C. 1227(a)(2)) is amended by adding after subparagraph (E) the following new subparagraph:

''(F) CRIMINAL OFFENSES INVOLVING IDENTIFICATION.—An alien shall be considered to be deportable if the alien has been convicted of a violation of (or a conspiracy or attempt to violate) an offense described in section 208 of the Social Security Act (42 U.S.C. 408) (relating to social security account numbers or social security cards) or section 1028 of title 18, United States Code (relating to fraud and related activity in connection with identification).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to—

(1) any act that occurred before, on, or after the date of enactment, and

(2) to all aliens who are required to establish admissibility on or after the date of enactment of this section, and in all removal,

deportation, or exclusion proceedings that are filed, pending, or reopened, on or after such date.

(d) CONSTRUCTION.—The amendments made by subsection (a) shall not be construed to create eligibility for relief from removal under former section 212(c) of the Immigration and Nationality Act if such eligibility did not exist before the amendments became effective.

On page 48, line 36, insert ''including a violation of section 924 (c) or (h) of title 18, United States Code,'' after ''explosives''.

On page 49, lines 7 and 8, strike '', which is punishable by a sentence of imprisonment of five years or more''.

On page 49, beginning with line 44, through page 50, line 2, strike ''Unless the Secretary of Homeland Security or the Attorney General waives the application of this subparagraph, any'' and insert ''Any''.

On page 50, lines 20 through 22, strike ''The Secretary of Homeland Security or the Attorney General may in his discretion waive this subparagraph.''.

On page 282, strike lines 32 through 38, and insert:

(A) is inadmissible to the United States under section 212(a) of the Act (8 U.S.C. 1182(a));

On page 284, strike lines 1 through 7, and insert:

(I) is an alien who is described in or subject to section 237(a)(2)(A)(iii), (iv) or (v) of the Act (8 U.S.C. 1227(a)(2)(A)(iii), (iv) or (v)), except if the alien has been granted a full and unconditional pardon by the President of the United States of the Governor of any of the several States, as provided in section 237(a)(2)(A)(vi) of the Act (8 U.S.C. 1227(a)(2)(A)(vi);

(J) is an alien who is described in or subject to section 237(a)(4) of the Act (8 U.S.C. 1227(a)(4); and

(K) is an alien who is described in or subject to section 237(a)(3)(C) of the Act (8 U.S.C. 1227(a)(3)(C)), except if the alien is approved for a waiver as authorized under section 237 (a)(3)(C)(ii) of the Act (8 U.S.C. 1227(a)(3)(C)(ii)).

On page 284, line 21, strike ''(9)(C)(i)(I),''.

On page 284, line 41, strike ''section 212(a)(9)(C)(i)(II)'' and insert ''section 212(a)(9)(C)''.

On page 285, between lines 2 and 3, insert:

(VII) section 212(a)(6)(E) of the Act (8 U.S.C. 1182(a)(6)(E)), except if the alien is approved for a waiver as authorized under section 212(d)(11) of the Act (8 U.S.C. 1182(d)(11)); or

(VIII) section 212(a)(9)(A) of the Act (8 U.S.C. 1182(a)(9)(A)).

On page 286, between lines 6 and 7, insert:

(5) GOOD MORAL CHARACTER.—The alien must establish that he or she is a person of good moral character (within the meaning of section 101(f) of the Act (8 U.S.C. 1101(f)) during the past three years and continue to be a person of such good moral character.

SA 1185. Mr. OBAMA submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Section 1(a) is amended by adding at the end the following:

(6) STAFF ENHANCEMENTS FOR THE DEPARTMENT OF LABOR.—The Department of Labor has hired at least 250 compliance investigators and attorneys who are dedicated to the enforcement of labor standards, including those contained in sections 218A, 218B, and 218C of the Immigration and Nationality Act (as added by this Act), the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.), and the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.), in geographic and occupational areas in which a high percentage of workers who are Y nonimmigrants will be working.

In section 1(c), strike ''(a)(1)–(5)'' and insert ''(a)(1)–(6)''.

SA 1186. Mr. AKAKA (for himself, Mr. REID, Mr. DURBIN, Mr. INOUYE, Mrs. BOXER, Mrs. MURRAY, and Ms. CANTWELL) proposed an amendment to amendment SA 1150 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. __. EXEMPTION FROM IMMIGRANT VISA LIMIT.

Section 201(b)(1) (8 U.S.C. 1151(b)(1)) is amended by inserting after subparagraph (G), as added by section 503 of this Act, the following:

''(H) Aliens who are eligible for a visa under paragraph (1) or (3) of section 203(a) and who have a parent who was naturalized pursuant to section 405 of the Immigration Act of 1990 (8 U.S.C. 1440 note).''.

SA 1187. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VI, insert the following:

SEC. 6___. MANDATORY DISCLOSURE.

(a) IN GENERAL.—An alien may not be granted Z nonimmigrant status under this title unless the alien fully discloses to the Secretary all the names and Social Security account numbers that the alien has ever used to obtain employment in the United States.

(b) ENFORCEMENT.—If the Secretary determines that a Z nonimmigrant has not complied with the requirement under subsection (a), the Secretary shall revoke the alien's Z nonimmigrant status.

(c) NOTIFICATION OF RIGHTFUL ASSIGNEES.—The Secretary may disclose information received from aliens pursuant to a disclosure under subsection (a) to any Federal or State agency authorized to collect such information to enable such agency to notify each named individual or rightful assignee of the Social Security account number of the alien's misuse of such name or number to obtain employment.

SA 1188. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. INFORMATION REGARDING EMPLOYMENT AUTHORIZATION.

(a) IN GENERAL.—The Secretary shall submit to the Commissioner of Social Security, in a format established by the Commissioner and the Secretary—

(1) the name, Social Security number, and date of birth of each alien who the Secretary authorizes, or renews or extends such authorization, to engage in employment in the United States;

(2) the date such authority, or renewal or extension of authority, is granted;

(3) the name, Social Security number, and date of birth of each alien whose authority to engage in employment in the United States expires without renewal, is revoked by the Secretary, or otherwise ceases to be authorized to engage in employment in the United States, and

(4) the effective date of such expiration, revocation, or other cessation.

(b) TIME OF SUBMISSION.—The information described in subsection (a) shall be submitted to the Commissioner after any review or appeal under procedures established by the Secretary.

(c) ADMINISTRATIVE REVIEW.—The information submitted pursuant to subsection (a) shall be the final determination of the Secretary and is not subsequently reviewable by the Commissioner.

(d) STORAGE OF INFORMATION.—The Commissioner shall electronically store the information received pursuant to subsection (a) in a format that facilitates the calculation adjustment described in subsection (e).

(e) EFFECT ON SOCIAL SECURITY BENEFITS.—In calculating benefits under title II of the Social Security Act (42 U.S.C. 401 et seq.), the Social Security Administration shall not count, as a quarter of coverage (as defined in section 213(a)(2)(A) of such Act (42 U.S.C. 413(a)(2)(A)), any quarter after the effective date of this section during which the individual, if not a citizen or national of the United States, was not identified by the Secretary pursuant to subsection (a) as an alien authorized to engage in employment in the United States.

(f) EFFECTIVE DATE.—This section shall be effective with respect to determinations made by the Secretary with regard to authority to engage in employment in the United States beginning 1 year after the date of the enactment of this Act.

SA 1189. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill S. 1348, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In section 203(b)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(1)(A)), as amended by section 502, in the table in that section, strike the items relating to the Supplemental schedule for Zs.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the sessions of the Senate on Wednesday, May 23, 2007 at 2:30 p.m. in closed session to mark up the national defense authorization act for fiscal year 2008.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. KENNEDY. Mr. President I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a hearing during the session of the Senate on Wednesday, May 23, 2007, at 10:00 a.m., in room 253 of the Russell Senate Office Building.

The purpose of the hearing is to address the current moratorium that bars state and local taxes on Internet access.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to hold a business meeting during the session of the Senate on Wednesday, May 23, 2007, at 11:30 a.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of the business meeting is to consider pending calendar business.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Wednesday, May 23, 2007, at 10:00 a.m., in room 215 of the Dirksen Senate Office Building, to hear testimony on ''Funding Social Security's Administrative Costs: Will the Budget Meet the Mission?''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet to conduct a hearing entitled ''Rising Crime in the United States: Examining the Federal Role in Helping Communities Prevent and Respond to Violent Crime'' on Wednesday, May 23, 2007 at 9:30 a.m. in Dirksen Senate Office Building Room 226.

Witness list

Ted Kamatchus, President, National Sheriffs Association; Russ Lane, Vice President, International Association of Chiefs of Police; Tom Nee, President, National Association of Police Organizations; Douglas Palmer, Mayor of Trenton, NJ, President, United States Conference of Mayors, Trenton, NJ; James Alan Fox, Criminologist, Northeastern University; Rick Gregory, Chief of Police, New Castle, DE.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet to conduct a hearing entitled ''Ending Taxation without Representation: The Constitutionality of S. 1257'' on Wednesday, May 23, 2007 at 1:30 p.m. in Dirksen Senate Office Building Room 226.

Witness list

Panel I: The Honorable Chris Cannon, United States Representative, R–UT, Washington, DC; The Honorable Eleanor Holmes Norton, United States Representative, D–DC Delegate, Washington, DC.

Panel II: Representative from the Department of Justice, Washington, DC, Richard P. Bress, Partner, Latham & Watkins, LLP, Washington, DC; Charles J. Ogletree, Jesse Climenko Professor of Law, Harvard Law School, Cambridge, MA; Kenneth R. Thomas, Congressional Research Service, Washington, DC; Jonathan Turley, Professor, George Washington University Law School, Washington, DC; The Honorable Patricia Wald, Former Chief Judge, United States Court of Appeals for the District of Columbia Circuit, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. KENNEDY. Mr. President, I ask unanimous consent for the Committee on Veterans' Affairs to meet during the session of the Senate on Wednesday, May 23, 2007 to hold a hearing on pending health legislation. The hearing will take place in room 562 of the Dirksen Senate Office Building beginning at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

JOINT ECONIMC COMMUNITTEE

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Joint Economic Committee be authorized to conduct a hearing entitled, ''Is Market Concentration in the U.S. Petroleum Industry, Harming Consumers?'', in Room 215 of the Hart Senate Office Building, Wednesday, May 23, 2007, from 10 a.m. to 12:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SECURITY AND INTERNATIONAL TRADE AND FINANCE SUBCOMMITTEE

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Security and International Trade and Finance be authorized to meet during the session of the Senate on May 23, 2007, at 2:30 p.m. to conduct a hearing entitled ''U.S. Economic Relations With China: Strategies and Options on Exchange Rates and Market Access.''

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 23, 2007 at 10:30 a.m. to hold a closed markup.

The PRESIDING OFFICER. Without objection, it is so ordered.

STRATEGIC FORCES SUBCOMMITTEE

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Strategic Forces Subcommittee of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, May 23, 2007 at 11:30 a.m., in closed session, to mark up the Strategic Forces Programs and Provisions contained in the National Defense Authorization Act for fiscal year 2008.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. BINGAMAN. Mr. President, I ask unanimous consent that a staff member in my office, Lauren Weeth, be granted the privileges of the floor during the pendency of this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent that Amy Meyers and Adam Zimmerman of my staff be granted floor privileges for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTES TO SENATOR STEVENS

Mr. SALAZAR. Mr. President, I ask unanimous consent that the deadline for Senators to submit tributes on Senator STEVENS for the CONGRESSIONAL RECORD be extended until close of business on Monday, June 4, 2007.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR STAR PRINT—S. 60

Mr. SALAZAR. Mr. President, I ask unanimous consent that S. 60 be starprinted with the changes at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZING PRINTING OF COMMEMORATIVE DOCUMENT IN MEMORY OF THE LATE PRESIDENT GERALD RUDOLPH FORD

Mr. SALAZAR. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of H. Con. Res. 128, just received from the House, and which is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 128) authorizing the printing of a commemorative document in memory of the late President of the United States, Gerald Rudolph Ford.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. SALAZAR. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 128) was agreed to.

CALENDAR

Mr. SALAZAR. Mr. President, I ask unanimous consent that it be in order for the Senate to proceed en bloc to the consideration of the following calendar items: Calendar No. 161, S. 1352; Calendar No. 162, H.R. 414; Calendar No. 163, H.R. 437; Calendar No. 164, H.R. 625;

Calendar No. 165, H.R. 988; and Calendar No. 166, H.R. 1402.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SALAZAR. Mr. President, I ask unanimous consent that the bills be read a third time and passed en bloc; that the motions to reconsider be laid upon the table en bloc; that the consideration of these items appear separately in the RECORD; and that any statements related to the measures be printed in the RECORD, without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

DR. FRANCIS TOWNSEND POST OFFICE BUILDING

The bill (S. 1352) to designate the facility of the United States Postal Service located at 127 East Locust Street in Fairbury, Illinois, as the ''Dr. Francis Townsend Post Office Building,'' was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1352

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

SECTION 1. DR. FRANCIS TOWNSEND POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 127 East Locust Street in Fairbury, Illinois, shall be known and designated as the ''Dr. Francis Townsend Post Office Building''.

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

MIGUEL ANGEL GARCIA MENDEZ POST OFFICE

The bill (H.R. 414) to designate the facility of the United States Postal Service located at 60 Calle McKinley, West in Mayaguez, Puerto Rico, as the ''Miguel Angel Garcia Mendez Post Office Building,'' was ordered to a third reading, read the third time, and passed.

LINO PEREZ, JR. POST OFFICE

The bill (H.R. 437) to designate the facility of the United States Postal Service located at 500 West Eisenhower Street in Rio Grande City, Texas, as the ''Lino Perez, Jr. Post Office,'' was ordered to a third reading, read the third time, and passed.

ATANACIO HARO-MARIN POST OFFICE

The bill (H.R. 625) to designate the facility of the United States Postal Service located at 4230 Maine Avenue in Baldwin Park, California, as the ''Atanacio Haro-Marin Post Office,'' was ordered to a third reading, read the third time, and passed.

LIEUTENANT TODD JASON BRYANT POST OFFICE

The bill (H.R. 988) to designate the facility of the United States Postal Service located at 5757 Tilton Avenue in Riverside, California, as the ''Lieutenant Todd Jason Bryant Post Office,'' was ordered to a third reading, read the third time, and passed.

SERGEANT DENNIS J. FLANAGAN LECANTO POST OFFICE BUILDING

The bill (H.R. 1402) to designate the facility of the United States Postal Service located at 320 South Lecanto way in Lecanto, Florida, as the ''Sergeant Dennis J. Flanagan Lecanto Post Office Building,'' was ordered to a third reading, read the third time, and passed.

ORDERS FOR THURSDAY, MAY 24, 2007

Mr. SALAZAR. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9:30 a.m., Thursday, May 24; that on Thursday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders reserved for their use later in the day; that there then be a period of morning business for 60 minutes, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled, with the Republicans controlling the first half and the majority controlling the final half; that at the close of morning business the Senate resume consideration of S. 1348, the immigration bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. SALAZAR. Mr. President, if there is no further business, I ask unanimous consent that the Senate stand adjourned, following the remarks of Senator SESSIONS.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Alabama is recognized.

COMPREHENSIVE IMMIGRATION REFORM

Mr. SESSIONS. Mr. President, I thank Senator SALAZAR for his courtesy. I want to share a few thoughts tonight. In particular, I wish to talk about the Grassley amendment that deals with the granting of visas, which, by error or inadvertence, could in fact involve individuals who are very dangerous, who would get into our country on a valid visa, and then it be determined that they should never have been issued that visa.

That happens quite often. The State Department is concerned about it. The FBI is concerned about it. The Grassley amendment would help fix that in a significant way. In any comprehensive immigration reform, it is my view that should be a part of it.

We have talked about this for a number of years, but somehow we never got around to getting it done. I am glad he has offered it. If we are going to pass immigration reform, it certainly should be a part of it.

I think one of the problems we have had in our thinking throughout this process is an insufficient understanding that we as Senators should place our national interests first, and we should set policy that serves our laws, that serves our financial interests, and should validate those who follow the law properly and have consequences for those who do not follow the law.

In 1986, there was this discussion that led to immigration reform. It was admitted to be amnesty, and it was supposed to be the last amnesty of all time, a one-time amnesty, and we are going to enforce the law in the future. They promised.

Of course, the amnesty took place immediately and the promises of enforcement and funding and enough Border Patrol agents and all the things necessary to have enforcement never occurred for two main reasons. No President of the United States cared to do anything about lawlessness at the border, and the Congress didn't. Congress, every now and then, would rise up and suggest that something should be done, and some Congressman or Senator would talk about it, but nothing ever really got done.

Now we are at a point where we have perhaps 12, maybe 20 million people here illegally, and they desire amnesty. What will happen next? How many years will it be until the next time?

I have a simple view that goes to the core of what this bill fails to do, and that is to affirm the rule of law. My view is that a compassionate and kind and very generous thing to do for persons who came into our country illegally, who have not been forced to stay here but stay here because they choose to stay here—presumably the life and the pay and the benefits they have here are sufficient that they would choose to stay here rather than where they came from—that those persons, as a result of coming here illegally and of their own volition, should not be given every single benefit that we would give to persons who come to America legally. That is just it. We said that in 1986 and this will be a defining moment about whether we mean it.

We could take two positions. One is, this is not amnesty and maybe we can go on and the same thing would be prepared to happen a few years from now, 15 years from now. Or we can say: No, sir, nobody from 1986 and forever hereafter who comes to our country illegally will be given the full panoply of benefits we give to persons who come to our country legally.

I just want to mention two or three things I think about that. One is citizenship. You don't get citizenship if you break into this country illegally. You don't receive some of the benefits we would give, such as the earned-income tax credit. The earned-income tax credit was designed to help people with families, who are poor, but who do work. It was an idea that went back to the Nixon days. The theory was there was not enough distinction between the income you could get staying home on welfare and actually going out and working. So they tried to incentivize and encourage poor people to see the advantage of work and would give them the earned-income tax credit, which a lot of people do not know is $41 billion a year in expenditures, which is a lot of money designed to help poor people.

Conservatives talk about it, others talk about it, but fundamentally it was designed to incentivize work for American working poor, particularly if they had children. The average recipient of the earned-income tax credit in America receives from $1,700 to $2,000 a year. That is designed to help them work.

But if somebody comes to our country illegally, I see no reason they should be rewarded with the earned-income tax credit; nor should they get Social Security benefits if they paid benefits over a false Social Security number, working under a fraudulent name in a business where they were illegal. They should not get those benefits.

One cannot, in America today, go to court and enforce an illegal contract. If a person promises to pay a drug dealer money for dope and that person doesn't pay the drug dealer, the drug dealer can't sue that person in court. It is an illegal contract, a contract for dope.

It is an illegal contract. When a person comes here and pays money using a fake name or fake Social Security number, that person is not entitled to receive any benefits, in addition to the problems we would have in determining who paid what money under what number and where and when. Fraud would be rampant, so we should not do that.

I am worried about this legislation. I think it has some containment of the Social Security, a good bit better than last year, although I am not sure it is real tight. But there is no containment of the earned-income tax credit. Those are some things we need to think about as we analyze the cost of the legislation that is before us today.

With regard to the Grassley amendment, this amendment would revise the current law related to visa revocations for visa holders who are on U.S. soil. Under the current law, visas approved or denied by consular officers in foreign countries are nonreviewable. In other words, if you go into the consular office, as I did with Senator SPECTER last summer in the Dominican Republic, and happened to meet one and talked with him about how his day was and what it was like—they make decisions. The consular officers ask for information. If they think somebody has a scheme to go into the United States with a visa and never to return back to the Dominican Republic, or whichever country is involved, they deny the visa. The alien whose visa was denied doesn't get to sue the consular officers. That alien doesn't get to complain. This is a discretionary act by a designated agent of the United States of America, a sovereign nation. A sovereign nation gets to decide who gets into its country, who does not get into its country, and under what conditions they come into their country. That is fundamental.

You don't get to sue over it, if you were denied by the consular official in Cyprus or Poland or the Dominican Republic. That's just it. OK.

However, if you are approved by a consular official, but that is later revoked and that individual has now landed on American soil already, the consular official's decision to revoke is turned into a big court case. The practice has made visa revocations ineffective, in fact, as an antiterrorism tool.

This amendment, the Grassley amendment, would treat visa revocations similar to visa denials because the right of a person to be in the United States would expire once the visa is revoked, regardless of whether that person is in the United States.

I think that is something the 9/11 Commission has suggested we should do. That is a very important issue that I will talk about in a little bit.

At a judiciary hearing in March of this year the Secretary of Homeland Security, Secretary Chertoff, said this:

> The fact is that we can prevent someone who is coming in as a guest. We can say you can't come in from overseas. But once they come in, if they abuse the terms and conditions of their coming in, we have to go through a very cumbersome process. That strikes me as not particularly sensible. People who are admitted as guests, like guests in my house, if a guest misbehaves, I tell them to leave. They don't go to court over it.

In 2003, the General Accounting Office reported that suspected terrorists could stay in this country after their visas had been revoked because of a legal loophole in the wording of revocation papers. GAO found the FBI and the intelligence community suspected ties of terrorism in hundreds of visa applications but did not always share that information with consular officials properly so that the application could be rejected. So the consular officers granted the visa, not knowing that the applicant may have connections to terrorist organizations. Had the consular officials known that, they would not have granted the visa. Maybe the FBI was tardy in giving it to them; maybe it was a product of sensitive information they were not at liberty to reveal; maybe they did not discover the terrorist connections until the person got into our country. By the time they got the derogatory information, it was often too late; the visa had been issued. Immigration officials could not do a thing about it if the person had already arrived here. We were handicapped from locating the visa holders and deporting them, even if they were terrorists or there were other serious reasons to deny the visa.

Revocation of a visa is not a thing done lightly, although as a matter of law, I cannot think there is any constitutional requirement they have any kind of extended procedure. But we have established strong procedures on revocation decisions. To revoke a visa is not done lightly. If a consular officer wants to revoke a visa, the case is thoroughly vetted. In fact, the final decision cannot be made by the consular official in the Dominican Republic or Cypress or Poland; it must be made by a higher official in Washington.

Revocation cannot be based on suspicion. It must be based on an actual finding that the alien is ineligible for the visa; in other words, they should not have received the visa. They had the power to say no to begin with. Once the alien is in our country, without judicial review, you cannot revoke a visa.

The consular official gives the visa holder an opportunity to explain their case. They may have the visa holder come down to the embassy and defend their position. So when a visa is revoked, it is serious business. It takes a good bit of time. But current law handicaps our enforcement and makes it nearly impossible to deport the alien if they have already made it to the United States. Current law allows aliens to run to the steps of our country's courts to take advantage of the litigation system. There is no reason for special treatment of those whose visas we revoke simply because they happen to be on land here after we figured out that their permission to come should have been denied.

Allowing judicial review of revoked visas, especially on terrorism grounds, jeopardizes classified intelligence that led to the revocation. It can force agencies such as the FBI and CIA to be hesitant to share information.

Current law could be reversing this very process we set up after 9/11 so we could share information more readily among agencies. Our poor visa policies contributed to the events of September 11.

Nineteen hijackers used 364 aliases. Two of the hijackers may have obtained passports from family members working in the Saudi passport mission, in other words, fraudulent passports.

Nineteen hijackers applied for 23 visas and obtained 22 visas. The hijackers lied on their visa applications in detectable ways. The hijackers violated the terms of their visas. They came and went at their convenience. The 9/11 Commission pointed out the obvious by stating that:

> Terrorists cannot plan and carry out attacks in the United States if they are unable to enter the country.

The 9/11 Commission recommended that we intercept terrorists and constrain their mobility. This amendment

would do that. Allowing aliens to remain on U.S. soil with a revoked visa or petition is a national security concern. It is something we should do something about.

Think about it. An individual came into America, approved for a visa, and it is now discovered the individual had ties to terrorist organizations, may well be deeply connected in some dangerous way where they could threaten the security of the United States, and all we can do is revoke their visa, eventually ask the person to leave, and they file petitions and object and go to court and turn it into a big process.

It is this kind of thing that has the capacity to overwhelm and flood our courts and to create circumstances such that the immigration laws become unenforceable. It is a realistic concern. We have to go back to the basics of immigration and see what this process is all about.

A person who comes into any sovereign nation, the United States certainly being one, comes at the pleasure of the United States, at the sufferance of the United States. Without a right to stay here, but as a free gift that can be taken away or rejected at any time. An alien is not entitled to stay here. An alien does not have a constitutional right to stay here. An alien has no legal right to stay here if he or she is not in compliance with the rules and regulations of the United States. We have designated officials, agents, and officers with the procedures and plans to make those decisions about visas, and we can't have all of those revoked visas turning into lawsuits. I mean, there are not enough hours in the day. It can subject our Nation to threats in many different and terrible ways.

What I would suggest to my colleagues is, let's think about the basics of what immigration is about. It is not a matter of the right of somebody wants to come here. Nobody has a constitutional right, a legal right, or a moral right, for that matter, to enter the United States. It is a decision we make based on policies that presumably serve the national interests of the United States.

If a person is not in compliance after they get here, if a person did not meet the standards when they were admitted, if the person did not meet the standards when they first applied, they should be rejected without a court hearing or a lawsuit. If they get into this country and we find additional information that would have prohibited them from coming, they can be asked to leave without going through a big trial, because they do not have that property right or legal right that would justify such an action.

This is something I have dealt with for some time. I think we can do better about this area of the law. This was a request from the State Department which deals with this every day. We need to do better to support the State Department.

When I met with the consular official in the Dominican Republic, he talked about the fraud they see, and it is pretty common. Frequently people produce fraudulent marriage licenses. Sometimes people actually pretend to be married. Sometimes they just produce documents; they say they are married when they are not married. That makes people eligible to come.

You know what he said? In all of the time he has been working on it, nobody has ever prosecuted someone for a fake marriage license to get entry into the United States.

When I was U.S. attorney, I prosecuted one or two, anyway. I remember people who created fraudulent marriages to set up to get in the country. For one reason or another it came to our attention and we prosecuted the case. It is a violation of Federal law.

What we have got, our guess is, there are so many that people do not have time to do it. But if a person says they are married and they come here to the country, and you find out they are not married, they should be able to depart without having a big trial. You can try them, as I did, and convict them and send them to jail, or give them a probationary sentence for filing a false claim to the Government or false document to the Government or false claim for entry into the United States. All that would be criminal, but it takes a tremendous amount of time, effort, and money to prosecute a case like that, more than probably we can afford to do today. So the better thing is to give our people the power to make that decision and move people out if they are here on a visa.

Now, if they have legal permanent residence or citizenship, of course, that is not so. If you get a legal permanent resident status, then you have certain rights that go beyond what I described.

Mr. President, I thank Senator GRASSLEY for his leadership and for working on this amendment. I think it would be a critically important aspect of any comprehensive reform. I thank the Chair for his patience late into the evening.

I yield the floor.

The PRESIDING OFFICER (Mr. SALAZAR.) Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Thereupon, the Senate, at 8:26 p.m., adjourned until Thursday, May 24, 2007, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate May 23, 2007:

DEPARTMENT OF JUSTICE

ONDRAY T. HARRIS, OF VIRGINIA, TO BE DIRECTOR, COMMUNITY RELATIONS SERVICE, FOR A TERM OF FOUR YEARS, VICE SHAREE M. FREEMAN.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. DOUGLAS E. LUTE, 0000

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIGADIER GENERAL AUGUSTUS L. COLLINS, 0000
BRIGADIER GENERAL JAMES B. GASTON, JR., 0000
BRIGADIER GENERAL JOE L. HARKEY, 0000
BRIGADIER GENERAL JOHN S. HARREL, 0000
BRIGADIER GENERAL EDWARD A. LEACOCK, 0000
BRIGADIER GENERAL JOSE S. MAYORGA, JR., 0000
BRIGADIER GENERAL KING E. SIDWELL, 0000
BRIGADIER GENERAL JON L. TROST, 0000

To be brigadier general

COLONEL ROBERT K. BALSTER, 0000
COLONEL JULIO R. BANEZ, 0000
COLONEL WILLIAM A. BANKHEAD, JR., 0000
COLONEL ROOSEVELT BARFIELD, 0000
COLONEL GREGORY W. BATTS, 0000
COLONEL THOMAS E. BERON, 0000
COLONEL DAVID L. BOWMAN, 0000
COLONEL GEORGE A. BRINEGAR, 0000
COLONEL JEFFERSON S. BURTON, 0000
COLONEL GLENN H. CURTIS, 0000
COLONEL LARRY W. CURTIS, 0000
COLONEL SANDRA W. DITTIG, 0000
COLONEL ALAN S. DOHRMANN, 0000
COLONEL ALEXANDER E. DUCKWORTH, 0000
COLONEL FRANK W. DULFER, 0000
COLONEL ROBERT W. ENZENAUER, 0000
COLONEL LYNN D. FISHER, 0000
COLONEL BURTON K. FRANCISCO, 0000
COLONEL HELEN L. GANT, 0000
COLONEL TERRY M. HASTON, 0000
COLONEL BRYAN J. HULT, 0000
COLONEL GEORGE E. IRVIN, SR., 0000
COLONEL LENWOOD A. LANDRUM, 0000
COLONEL ROGER L. MCCLELLAN, 0000
COLONEL RONALD O. MORROW, 0000
COLONEL JOHN M. NUNN, 0000
COLONEL ISAAC G. OSBORNE, JR., 0000
COLONEL ROBERT J. PRATT, 0000
COLONEL JERRY E. REEVES, 0000
COLONEL TIMOTHY A. REISCH, 0000
COLONEL JAMES M. ROBINSON, 0000
COLONEL MARK D. SCRABA, 0000
COLONEL DONALD P. WALKER, 0000
COLONEL CHARLES F. WALSH, 0000

WITHDRAWALS

Executive Message transmitted by the President to the Senate on May 23, 2007 withdrawing from further Senate consideration the following nominations:

MICHAEL E. BAROODY, OF VIRGINIA, TO BE A COMMISSIONER OF THE CONSUMER PRODUCT SAFETY COMMISSION FOR A TERM OF SEVEN YEARS FROM OCTOBER 27, 2006, VICE HAROLD D. STRATTON, RESIGNED, WHICH WAS SENT TO THE SENATE ON MARCH 5, 2007.

MICHAEL E. BAROODY, OF VIRGINIA, TO BE CHAIRMAN OF THE CONSUMER PRODUCT SAFETY COMMISSION, VICE HAROLD D. STRATTON, RESIGNED, WHICH WAS SENT TO THE SENATE ON MARCH 5, 2007.

EXTENSIONS OF REMARKS

ONCOLOGY NURSING MONTH

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2007

Mrs. CAPPS. Madam Speaker, I rise today to call attention to the important and essential role that oncology nurses play in providing quality cancer care and to recognize May as ''Oncology Nursing Month.'' Oncology nurses are the health professionals involved in the administration and monitoring of chemotherapy and managing the associated side-effects patients may experience. As anyone who has ever been treated for cancer will tell you, oncology nurses are intelligent, well-trained, highly skilled, kind-hearted angels who provide quality clinical, psychosocial, and supportive care to patients and their families. Every day, oncology nurses see the pain and suffering caused by cancer and understand the physical, emotional, and financial challenges that people with cancer face throughout their diagnosis and treatment. In short, they are integral to our Nation's cancer care delivery system.

Cancer is a complex, multifaceted and chronic disease. People with cancer are best served by a multidisciplinary health care team specializing in oncology care, including nurses who are certified in that specialty. One in three women and one in two men will receive a diagnosis of cancer at some point in their lives, and one out of every four deaths in the United States results from cancer. Today, more than two-thirds of cancer cases strike people over the age of 65, and the number of Medicare beneficiaries is projected to double in the coming years. Last year approximately 138,680 people in California were diagnosed with cancer and another 55,960 lost their battles with this terrible disease.

Since 1975, the Oncology Nursing Society (ONS) has been dedicated to excellence in patient care, teaching, research, administration, and education in the field of oncology. ONS is the largest organization of oncology health professionals in the world, with more than 35,000 registered nurses and other health care professionals. The Society's mission is to promote excellence in oncology nursing and quality cancer care. I am pleased that ONS has 19 chapters in California which support oncology nurses in their efforts to provide high quality cancer care to patients and their families throughout our state. I commend ONS and its members for their steadfast commitment to improving and ensuring access to quality cancer care for all people with cancer.

I am proud to support the goals and ideals ONS and I urge my colleagues to join me in recognizing oncology nurses for their communities not only in May, but year-round.

THE JOHN R. JUSTICE PROSECUTORS AND DEFENDERS INCENTIVE ACT OF 2007

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2007

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker, I am pleased to join my colleagues in supporting the John R. Justice Prosecutors and Defenders Incentive Act, a bill that will help local governments to recruit and retain talented young people to their district attorney and public defender offices.

Tuition has been rising steeply at law schools across the country, increasing more than 130 percent at private law schools since 1990. Unfortunately, scholarships and pay at part-time jobs have simply not kept up. As a result, students have been forced to take on additional debt in order to afford a legal education. By 2006, the average law student graduated with nearly $80,000 of debt. Eighty thousand dollars would have bought a nice big house in Los Angeles in my parents' day!

But this debt load affects more than just the credit scores and disposable incomes of recent graduates. It affects their career choices. Young people bearing the burden of eighty and hundred thousand dollar debts must seek jobs that will provide enough income to allow them to make their loan payments as well as pay for transportation, rent, food, clothing, healthcare, and other necessities.

However, many government and public service jobs do not provide this level of pay to starting lawyers. Some locales can only afford to pay starting attorneys $36,000 a year (even while the top New York law firms pay their starting attorneys $140,000 or more). It's no surprise, then, that an entire generation of bright young people can't afford to consider the possibility of becoming a district attorney or a public defender.

That is why I am pleased to join the American Bar Association, the National District Attorneys Association, and the National Legal Aid and Defender Association in support of this important bill, which will provide student loan repayment assistance to borrowers who remain employed for at least 3 years as state or local criminal prosecutors or state, local, or federal public defenders.

We want and need the best and brightest to join these professions. Indeed, public trust in the justice system requires trust in the attorneys tasked with prosecuting and defending the accused. I am proud to support local and state attorneys in enforcing their laws and proud to support this bill.

CONGRATULATING THE WE THE PEOPLE TEAM FROM FINDLAY HIGH SCHOOL

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2007

Mr. JORDAN of Ohio. Madam Speaker, I am honored to highlight the outstanding achievements of a group of young scholars from my congressional district.

Last month, Findlay High School students Christina Back, Anthony Baratta, Kyle Collette, Meghan Gannon, Jessica Gephart, Bryant Hendriksen, Emily Janowiecki, Stephen Kostyo, Jaime Malloy, Debra McCaffrey, Jade Mummert, Will Olthouse, Nicholas Rackley, Michael Sears, Caroline Solis, Stephen Strigle, Rebecca Walter, and Matthew Wiseman represented the State of Ohio in the national finals of the We the People: The Citizen and the Constitution program. They joined more than 1,200 students from across the country at this three-day competition in Washington.

Authorized by act of Congress, the We the People program allows high school students to develop in-depth knowledge and understanding of the fundamental principles and values of our republic. Students testify at mock congressional hearings before a panel of experts, answering questions that test their understanding of the Constitution and their ability to apply that knowledge. Columnist David Broder has described the national competition as ''the place to have your faith in the younger generation restored.''

These 18 students continue a long tradition of success for Findlay High School in this competition. I commend them for their hard work—along with the efforts of their teacher Mark Dickman, who helped them prepare for the local, state, and national competitions. In addition, I salute the tireless work of Jared Reitz, the state coordinator for We the People, and district coordinator Libby Cupp.

Madam Speaker, all of Ohio can take great pride in the performance of these scholars, who are excellent role models for their peers. They are perfect examples of all that is right in our education system today, and are to be commended for a job well done.

TRADE AND LABOR

SPEECH OF

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 21, 2007

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I am pleased to join my colleagues in addressing the House and the American people regarding our trade policy and its effect on working families.

I'd like to thank my colleague, PHIL HARE, who organized this special order debate and

who is an active member of the Congressional Labor and Working Families Caucus and the House Trade Working Group.

On May 10, the Administration and Members of this House announced a ''New Policy on Trade.''

It's about time. Democrats have been calling for a new direction in trade for years. Finally, the Administration appears to be listening to these calls for improved provisions to protect workers, their families, and the environment. I applaud the baby steps the Administration has taken. But the Administration needs to take giant leaps to improve on its current, failing approach to trade.

This new ''deal'' on trade covers changes to certain provisions of the Bush-negotiated Free Trade Agreements, FTAs, with Peru and Panama. Though we have seen outlines and summaries of this new ''deal'' on trade, we have not seen the final, legal text. Yet we have been asked to trust the Administration's promises and support this new ''deal.''

To those of us in Congress who have been working to champion the rights of American working families and begin a new approach to trade, the Administration's promises sound awfully familiar.

And when I say awful, I mean awful.

Each time this Administration has presented one of its trade schemes to Congress, it has promised us that the agreement includes all sorts of so-called ''innovative'' worker protections. We heard this over and over again during the debate on the Central American Free Trade Agreement.

But the fact is, no matter what label you use to describe them, the so-called labor protections in CAFTA were disappointingly weak. For example, under CAFTA, countries can down-grade their own labor laws, without facing any trade penalties or sanctions.

Allowing our partners in free trade deals to erode their own labor standards is unfair to our workers here at home, who can't possibly compete with workers who are denied basic workplace rights, who are paid two dollars a day, or who face forced labor—as our own State Department reported was the case in Oman.

CAFTA passed the House by the narrowest of margins at a time when it was Republican controlled. You would think that the Administration would have gotten the message that it needed to do better.

You would think the Administration would have realized that from then on, it should include more of us in the process and work out a different type of trade deal.

But unfortunately no one was listening. Since CAFTA, we've seen the same weak labor provisions in the Oman FTA.

And now we are asked to have faith that the Administration has really turned over a new leaf? That enforceable labor and environmental standards will be included in the text of the Peru and Panama agreements?

I have faith in many things, but not in these promises.

This Administration has lost my faith. It has lied too many times, about too many things: that Iraq posed an imminent danger, that the mission in Iraq was accomplished, that at least nine U.S. attorneys were fired because they were incompetent, that the air around ground zero was safe to breathe, that we have not been experiencing any change in our climate.

Perhaps more importantly, even if these agreements are the best written, fairest trade agreements possible, so long as they rely on this Administration to enforce the labor and environmental standards they contain, they are not worth the paper they are written on.

This Administration has failed to protect workers here in the United States. The BP Texas City explosion, the Sago Mine Disaster, and the 9/11 first responders and clean-up workers who have developed serious breathing ailments—these are just the most notorious examples of this Administration's relinquishment of its responsibilities to provide even the most basic protection to workers: the right to work in a safe environment.

And that's not even mentioning the Administration's opposition to increasing the minimum wage, to protecting pensions and Social Security, and to ensuring that workers have the right to organize.

The Bush trade deal would give private corporations the ability to take action on their own to protect their rights. It would not, however, extend that same power to workers, who would have to rely on the Bush Administration to do that for them.

Trust this Administration to protect working American families? I don't think so. This new trade deal—like the previous bad deals—is a one-sided raw deal for workers.

We're continually told that NAFTA-style free trade will create more wealth in all the countries involved. Yet NAFTA-style free trade has meant the loss of jobs as those jobs have been shipped overseas.

Just as trickle-down economics proved to be a failure at lifting people out of poverty, the current free trade model has also proved to be a failure. Since NAFTA, the real income of working families has been on the decline or stagnant at best.

The middle class is getting squeezed from all directions. Downward pressure on wages is being accompanied by higher health care costs, higher gas prices, and higher education costs.

It's high time to develop a new trade policy that works for working families. American workers came out in droves in the last election, and they voted for a new majority. As part of the new majority, we owe it to them to stand with them for fair trade. To stand with them in creating a new America.

This is possible.

Fair trade is an option.

If we stand united for working Americans, we can deliver a real new deal on trade, not warmed over hash masquerading as caviar. You know the old saying about putting lipstick on a pig? Well, I smell bacon. I don't have to read the complete text of the deal to read between the lines.

The bottom line is this: minor adjustments to NAFTA-style deals are not good enough.

No more agreements based on the failed NAFTA model.

No more ''Fast Track'' trade negotiation authority.

We cannot give this Administration or future ones a blank check on trade deals that devastate our communities.

Trade can benefit our economy and the economies of our trading partners. We can negotiate deals that create new markets, bringing new jobs and new prosperity. We can achieve significant new foreign market access and reduce our trade deficit.

But to do so, we must embark on a new path. Not a slight detour from our current direction.

I challenge Republicans and Democrats, employers and employees, all those who care about shared prosperity in this country, and not just the rich getting richer, to work together to embark on this entirely new journey to fair trade.

COMMEMORATING AZERBAIJAN'S REPUBLIC DAY

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2007

Mr. BURTON of Indiana. Madam Speaker, I rise as a senior member of the House Foreign Affairs Committee and member of the House Azerbaijan Caucus, to honor the people of the Republic of Azerbaijan—a strong strategic partner and ally not only to the United States but also among the democratic nations of our world—as they prepare to celebrate Republic Day on May 28.

Republic Day commemorates the day Azerbaijan first declared independence from the Russian Empire in 1918—becoming the first ever Muslim democratic republic. Although the Azerbaijan Democratic Republic only lasted 2 short years, succumbing to Soviet forces in 1920, in its 2 years of independence Azerbaijan made great strides in areas such as state building, education, and economic growth. The Azerbaijan Democratic Republic was even ahead of the United States in terms of granting suffrage to women; which didn't happen here in the U.S. until 1920.

Azerbaijan's second opportunity for freedom and independence began in 1990 when Azerbaijanis began openly gathering in protest against Soviet rule. Tragically, January 1990 will forever be known to all Azerbaijanis as Black January, as these peaceful demonstrations were crushed by Soviet intervention at a cost of over a hundred and thirty civilians' lives.

Yet even in the face of such brutality Azerbaijanis never gave up their dream of freedom and independence and following the final collapse of the Soviet Union, Azerbaijan quickly declared its re-independence.

By August 30, 1991, a free Azerbaijan's Parliament adopted the Declaration on the Restoration of the State of Independence of the Republic of Azerbaijan, and on October 18, 1991, the Constitution was approved.

Having lived under Soviet rule, the people of Azerbaijan have a great appreciation of living in a democratic civil society and since its re-independence, the Republic of Azerbaijan has been an invaluable ally in the Global War on Terror; committing both their human resources and their leadership to the fight. Azerbaijan was among the first nations—Muslim and non-Muslin—to offer unconditional support to the United States in the war against terrorism; providing airspace and the use of its airports for Operation Enduring Freedom in Afghanistan. Today, Azerbaijan peacekeeping troops continue to serve with distinction in Kabul under the leadership of the International Security Assistance Force.

Azerbaijanis have also fought shoulder-to-shoulder with our troops in the second front in the war against terrorism, Iraq. In fact, Azerbaijan—in another first—was the first Muslim nation to join the Coalition and send troops to Iraq.

Finally, Azerbaijan has joined all 12 international conventions on counter-terrorism and continues to support regional cooperation on fighting terrorism through numerous local agreements as well as its participation in the activities of regional organizations such as NATO, the Organization for Security in Europe and others.

Azerbaijan has also assumed an important political role in the fight against terrorism and tyranny. As a founding member of the GUAM Organization for Democracy and Economic Development—whose namesake members include Georgia, Ukraine, Azerbaijan and Moldova—Azerbaijan has been a leading voice on enhanced regional economic cooperation through development of a Europe-Caucasus-Asia transport corridor; and a facilitator for discussion on various levels of existing security problems, promoting conflict resolution and the elimination of other risks and threats, such as illegal trafficking and border security.

I believe that the past several years have proven that the people and government of Azerbaijan are committed to democracy. They have taken a bold and courageous stand for freedom and democracy by committing troops and resources to the fights in Afghanistan and Iraq. They have expended their political capital to bring different nations together in their region, and abroad, to peacefully organize and build, through democratic institutions and commerce, a safer world.

Madam Speaker, I would ask all of my colleagues to join me now to thank the people of Azerbaijan for their friendship, to congratulate them on the 89th Anniversary of Republic Day and to renew our commitment to further develop and strengthen the bonds between our two peoples.

AIR INDIA INQUIRY QUESTIONED

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2007

Mr. TOWNS. Madam Speaker, recently a Canadian writer and editor named Dr. Awatar Singh Sekhon, Managing Editor of the International Journal of Sikh Affairs, wrote a detailed response to an article about the 1985 Air India bombings. As you know, those bombings continue to be controversial more than 20 years later and the Canadian government is launching yet another inquiry into the matter.

Dr. Sekhon's quite comprehensive letter, which was written in response to an Edmonton Sun article, is very detailed. It makes a very strong argument and brings up a lot of very important information on the case. Before I put it into the RECORD, I will attempt to summarize the highlights.

Dr. Sekhon points out that Indian diplomat Mani Shankar says that in 1984, the year before the bombing, the Indira Gandhi government in India commissioned him "to portray Sikhs as terrorists." This directive occurred before Operation Bluestar, the June 1984 attack on the golden Temple in amritsar (the seat of Sikhism) and several other Sikh Gurdwaras around Punjab, in which 20,000 Sikhs, including over 100 Sikh youth ages 8 to 13, were killed and the Sikh holy scripture, the Guru Granth Sahib, was desecrated by being shot with Indian Army bullets. The orders for that operation were given in January 1984, according to the Sikh Bulletin, October–November 1985. The Air India operation was part of that campaign. In addition, the newspaper Hitavada reported that the Indian government paid the late governor of Punajb, Surendra Nath, the equivalent of $1.5 billion to foment terrorist activity in Punjab and Kashmir.

Dr. Sekhon refers to the first hijacking of an Air India plane by two Brahmin brothers named Pandey to secure Indira Gandhi's release from jail. He notes the penetration of Canada by Indian intelligence in the 1980s.

The letter cites both Zuhajr Kashmeri and Brian McAndrew's excellent book Soft Target and former Canadian Member of Parliament David Kilgour's book Betrayal: The Spy That Canada Forgot. Both show India's responsibility for the bombing. Kashmeri and McAndrew cite the Canadian Security Intelligence Service (CSIS), which said, "if you really want to clear the incidents quickly, take vans to the Indian High Commission and the consulates in Toronto and Vancouver, load up everybody and take them down for questioning. We know it and they know it that they are involved."

Kilgour writes that a Canadian-Polish double agent was approached by an East German named Udo Ulbrecht, who was working with people affiliated with the Indian government, to participate in a second bombing, but he declined to be part of it and the plot never came off. Dr. Sekhon rightly asks why neither Kashmeri, McAndrew, nor Kilgour has been asked to testify in the current inquiry. He also requests that the Indian diplomatic and intelligence personnel who were declared persona non grata in Canada in the wake of the Air India bombing be summoned back to testify before the inquiry.

He notes the mass killings of Sikhs, Christians, Muslims, Assamese, Tamils, and other non-Brahmin minorities by the Indian government Their effort to portray the Sikhs, especially those who speak out peacefully and democratically for an independent Khalistan, as terrorists is a pretext for this "ethnic cleansing."

He quotes my colleague, the gentleman from California, who said in this chamber that for Sikhs and Kashmiris, "India might as well be Nazi Germany." The late General Narinder Singh said that Punjab was a police state. This has been an extension of the India government's strategy that was outlined in a memo in 1947 in which India's first Home Minister V.B. Patel described the Sikhs as "a lawless people" and "a criminal tribe." In other words, the Indian government was trying to discredit and destroy the Sikhs almost from the moment of independence.

Madam Speaker, the time has come to stop our aid and trade with this repressive regime and to demand self-determination for the Sikhs of Punjab, Khalistan, the Muslims of Kashmir, the Christians of Nagalim, and all the people seeking freedom in South Asia. The essence of democracy is the right to self-determination, not an ongoing half-century effort to kill your minority citizens.

I would like to place Dr. Sekhon's letter into the RECORD at this time for the information of my colleagues.

THE SIKH EDUCATIONAL TRUST,
INTERNATIONAL JOURNAL OF SIKH AFFAIRS,
Edmonton, Alberta, Canada, May 9, 2007.

Ret Air India Flight 182 (Toronto—Montreal—London—Delhi),
June, 23 1985: Enquiry of Justice John Major

DEAR SIR, My writing to you relates with some minor and major comments related to the subject, and also on "Air India's Shared Tragedy Lost in the 'SILOS' between two nations by George Abraham (The Edmonton Journal, 8th May, 2007)."

I would like to comment on Abraham's writing "Prime Minister (Brian) Mulroney had telephoned his condolences to his Indian counterpart, Rajiv Gandhi—an act that was based on a fundamental misunderstanding of who, exactly, had been victimized, and who, in fact, was to blame." Mr. Abraham seems to be in the grip of part of the problem. As a Canadian national and belonging to the Canadian Sikh community, it appears to me that 'telephoning to the prime minister of a country, which had betrayed Canada and the international community in 1974 (explosion of a nuclear device prepared from the by-product of a Candu reactor technology for peaceful and medical purposes) by the Right Hon. Prime Minister of Canada' was far more important than about 90 percent of the Canadian passengers of the ill-fated aircraft. It, certainly, is new information that has come out in Justice Major's enquiry. What a pity our Canadian prime minister, who put Rajiv Gandhi first rather than thinking and offering his condolences to the Canadian Sikhs and the victimized families. This act of Prime Minister Mulroney will never be forgotten by the Canadian Sikhs. Earlier, his predecessor, Charles Joseph Clark, had said to the journalists that "if you want more information about Sikhs, go and call these numbers (of the Indian Consulate Toronto and High Commission in Ottawa):" What an unacceptable act of the prime minister, who hands out the telephone numbers of a foreign mission to get information about Canadian Sikhs. Should we, the Canadian Sikhs who have been in Canada over a century, imply that our Canadian administration has no idea of its Sikh Canadians; or, a foreign mission in Canada has more information about the Canadian Sikhs, especially when the Indian Constitution 1950, Article 25, has eliminated the 'Sikh Identity and Sikh Faith'. The latter is one of the six major faiths of our world.

Does George Abraham know that Mani Shanker Iyer, an Indian diplomat, said, "In early 1984, to the hearing of all, mentioned that at the instance of Indira Gandhi, he was given an unpleasant job of portraying Sikhs as terrorists." A few days later, Iyer stated that, "against his wishes he had done the job?" This was before "Operation Bluestar, the orders for which had been delivered in January 1984" (The Sikh Bulletin, October–November 2005, p. 11; *editor@sikhbulletin.com).*

Based on the two previous enquiries and the present one which is going on, it appears to me that nothing extraordinary will come from these enquiries, because the major things which might yield substantial information and which might reveal the real cause of the 'Air India Explosion of Flight 182' will never find a place in the enquiry that is going on. Some of the points that, as I believe, have not been discussed so far, are summarized below:

1. Why Mr. Zuhaire Kashmeri and Mr. Brian McAndrew, two Canadian journalists, who gave their views in their title, Soft Target India's Intelligence Service and its Role in The Air India Disaster 1989 first ed. and 2005 second ed. ISBN 10:1–55028–904–7 and 13: 978–1–55028–904–6, have not been called to testify before the enquiry commission?

2. Why Hon. David Kilgour, former member of parliament, Speaker of the House of Commons, former Secretary of State for Asia and Africa, and the author of the title BETRAYAL THE SPY CANADA ABANDONED 1994 Prentice Hall Canada Inc., Scarborough, ON ISBNO–13–325697–9, the title that contained Chapter 9 and 10, A Bizarre Episode in Rome and A Battle For Canada, pp.129–163, has not been asked to testify? Hon. Kilgour writes ''One day, while reading a German newspaper, I spotted the photograph and description of a wanted terrorist. I would have known that face anywhere. It was the man who had conducted the meeting in Rome, plotting to bomb some Air India flight. I was quite positive it was him; his name was Udo Ulbrecht or Albrecht, wanted for many terrorist attacks and kidnappings in West Germany and Western Europe. I was upset by the whole thing and decided I wanted out of West Germany as soon as I had done my time.'' In Hon. Kilgour's title, he further writes ''He was greeted in English, heavily accented with German, and led into a larger room where a number of men were already seated and smoking. There were two Sikhs wearing traditional turbans, another pair who looked Italian, Paszkowski and the German, who chaired and greeted them in English as all of them spoke the language with differing levels of fluency. The German spoke of the need for international co-operation and how important the mission was for each of their respective governments. He stressed that the group must work closely together. ''Some of the tasks,'' he said, ''might appear strange or even incomprehensible to you. Don't worry about that. Let it be the concern of those who sent you here. Your role is to carry out orders to the letter without asking questions.'' Everyone sat quietly and listened intently. ''The job at hand is, with the use of explosives, to blow up an Air India plane in Europe. Lives will be lost but we must not think about it . . . Each of you will be supplied with documents allowing you to move freely in Europe, weapons, explosives, money and detailed instructions. I will meet with each of you personally to supply you with all these. Wait for me and be prepared for action at any time.''

3. Under the guise of 'Democracy', the Indian administrations of post-15th of August, 1947 era ((JL Nehru to Manmohan Sinh) and before becoming the political masters of the British Empire later known as the British India Empire, the Brahmins/Hindus (neither a religion nor a culture; see Dalit Voice, Dalit Sahitya Akademy, Bangore, and other Sikh and non-Sikh academics), betrayed the international community and the Sikhs of Punjab, now the State of Punjab (under the occupation of the alleged Indian democracy, since the 15th of August, 1947). It must be noted that the Sikh Raj of monarch Ranjit Singh, 1799 to 14th March, 1849, was the first Secular and Sovereign country of South Asia. The Sikhs lost to the British Empire's forces led by General Gilbert on the 14th of March, 1849. As such, the ''Struggle To Regain Their Lost Sovereignty, Independence and Political Power of the Sikhs began, by peaceful means taught by their 10 Masters/Gurus (from Guru Nanak Sahib to Guru Gobind Singh ji) right on the day they lost to the British Empire's forces.'' ''The new territory of the British Empire remained 'status less' but on the 29th of March, 1849, the British agent made a proclamation that the newly conquered 'Sikh Raj' is ''annexed'' but not ''amalgamated'' to the British Empire for the 'administration purpose only'. It should be noted that the status of the Sovereign and Secular Sikh Raj of Monarch Ranjit Singh remained as ''annexed'' territory and 'not' the art of India under British Empire or the time British exit from India on the 15th of August, 1947. It should also be noted that there did not exist the word 'India' in any dictionary or Encyclopedia of the English language until the British agent made the annexation of The Sikh Raj to the British Empire on the 29th of March, 1849. As such, the existence of the 'Indian nationality' until the 29th of March, 1849, was out of question. The Sikhs were 'never' Indian nationals, as evident from the Indian Constitution 1950, Article 25. The Constitution which Sikhs' elected representatives 'rejected' in its draft and final forms in the Indian parliament in 1948, the 26th of November, 1949, 1950 and more recently on the 6th of September, 1966. The Canadian news media, along with the international news media and major democratic administrations like the United Kingdom., Canada, United States, Australia, etc., never paid any attention on the ''Sikhs'' Struggle for Independence'' for the reason only known to themselves. Volumes of books and tens of tons news dispatches have been made by the journalists virtually 'devoid' of the Sikhs' Struggle for Sovereignty and Sikhs' status in the Indian Constitution 1950 Article 25. which proclaimed the alleged Indian state as the Republic of India.

Under the umbrella of democracy (or Brahmins autocracy), India has killed more than 2.3 to 3.2 million Sikhs; over 500,000 Muslims in general; more than 100,000 Muslims of the Internationally Disputed Areas of Jammu and Kashmir; over 300,000 Christians; tens of thousands of Dalits; 15,000 Tamils, thousands of Assamese and other non-Brahmin, non-Hindu minorities, since 15th August, 1947. What kind of democracy in India is this which kills its own citizens? There are other democracies in our world, like the United States, Canada, United Kingdom, Australia and others. Has anyone of these countries killed its own citizen(s)? How many Brahmins, Hindus or pro-Brahmins India and its armed forces killed since its inception?

I would like to hear from the journalists like Madam Kim Bolan on the genocides of the Sikhs, Muslims, Christians, Kashmiris and other non-Brahmin and non-Hindu minorities carried out by the Indian democracy? Does she have any information or has she written even a single word on India carrying out genocides of non-Brahmin and non-Hindus since the 15th of August, 1947? Or, else she loves writing against the Sikhs.

For Madam Kim Bolan and her national and international colleagues written specifically or generally on the 'fake hijacking' carried out by the RAW of India (they must examine the archives of the All India Radio, if they pretend to be unaware of the activities of the Indian personnel of RAW and other agencies).

The author was wondering if Madam Kim Bolan and her journalistic colleagues know that the 'first hijacking' of South Asia' was carried out by two 'Brahmin' brothers (the Pandey brothers), to secure the release of their Congress leader Indira Gandhi from a jail. Indira Gandhi awarded them, the Brahmins, with her Congress' nominations to the UP Legislative Assembly. These criminals were made the 'law makers'. When criminals are made the law makers intentionally, then what could be expected in a democratic country, so to speak?

Madam Kim Bolan and other journalists must read Congressman Dan Rohrabacher of California's remarks appeared in the United States Congressional Records of the House of Representatives that ''For the Sikhs, Christians, Muslims and other non-Hindu minorities, India might as well be a Nazi Germany.''

4. A community, which is less than 15 percent of the total population of India, i.e., the Brahmins, Hindus and pro-Brahmins (3+12=15 percent), deceived and betrayed the Sikhs of the Sikh Raj of monarch Ranjit Singh, robbed them from their land (partitioned on the 15th of August, 1947) in the day light, along with the Sovereign people of states like Assam, Jammu and Kashmir, Hyderabad, Faridkot (now in Punjab), Bikaner (now in Rajasthan), Dalits (who are still used to remove the human waste from the households and public places of India), Adivaasis, etc.

5. The journalists and writers like Kim Bolan, George Abraham, Martin Collacott, Ian Mulgrew, Bharti Mukeherjee, Clark Blaise, Bill Moyer, etc., are virtually devoid of the 'Sikhs' history from the Sikhs' point of view'. They are known as staunchly anti-Sikh writers and do not get along with the Canadian and/or American Sikhs, simply because they are 'devoid' of the Sikh history. Indeed, they are well known anti-Sikh writers. Why are they anti-Sikhs and write against the Sikhs, it is only known to them. They cannot exonerate themselves from the 'anti-Sikh' renowned journalists or writers for the reasons only known to them.

6. Madam Kim Bolan and other Canadian journalists, with the exception of well respected Zuhaire Kashmeri and Brian McAndrew, never understood the Canadian Sikh psyche. Why is it so? Only Madam Kim Bolan, other journalists and one Narula of the Asia Watch may explain their position, if they so desire.

7. It goes without doubt that Indian intelligence penetrated Canada in 1980s. This was done to provide cover for the Indian administration's intended 'attack on the Sikhs' Darbar Sahib Complex (mistakenly known as the Golden Temple Complex), which includes the Supreme Seat of Sikh Polity, The Akal Takht Sahib, Amritsar, in the name of a brutal Indian military ''Operation Bluestar'' of June, 1984. This was not only an 'undeclared' war on the Sikh Nation, Punjab, but it was carried out to 'Exterminate The Sikh Identity and The Sikh Faith'. One may ask the question did Indian administration succeed? The answer is 'No'; it failed miserably. Their penetration made the life of the Sikhs of Canada no less than a hell. Did anybody, especially the Canadian journalists, with two exceptions, pay any attention to Sikh nationals of Canada? Every Sikh, who is the follower of the Sikh religion, believes in the Canadian way of life, Canadian law, Canadian policy of multiculturalism provided by the administration of the Right Honourable Pierre Elliot Trudeau and Canadian values. Whereas, the Indian administration deliberately made the Sikhs as 'terrorists'; on the 10th of October, 1947, just 7-weeks post of the 15th of August, 1947; the Indian administration of JL Nehu and VB Patel and their man, Chandulal Trivedi in Punjab 'declared' the ''Sikhs as lawless people'' in a secret memo. The writer is citing only a few major points out of numerous.

8. Considering the penetration of Indian intelligence in 1980s, not only the RAW personnel (Research and Analysis Wing), but the Indian administration made use of Sikhs, especially Akalis like Gurcharan Singh Tohra, Harchand Longowal, Balwant Ramoowalia, Prakash Singh Badal, Balwant Singh, Dr Jagjit Singh Chohan (now deceased), Maj-Gen Jaswant Bhullar, M S Sidhu, Didar Singh Bains of the United States, Prabhu Dayal Singh, Harjinderpal Singh Nagra and Akalis (correspondence between R K Dhawan of 1, Safdarjang Road, New Delhi; the 30th of January—April 25, 1984; please see Chakravyuh Web of Indian Secularism by Gurtej Singh 2000 ISBN81–85815–14–3).

When democratic administrations employ their 'state intelligence' against their own citizens, then what is the guarantee that any

individual or state appointed commission will find a way to deliver its 'just' judgment?

I could write more but I should conclude my writing by elaborating that (i) the Indian missions' employees/intelligence workers, who have since been declared persona non grata or left Canada should be summoned back by the commission to question them. I have my doubts that the 'Diplomatic Immunity' may play its stumbling block's role and nothing constructive will come out from any commission; (ii) the Indian administrations' notoriousness is responsible for the Air India disaster of 1985; (iii) in fact, there should be an International Commission to explore and examine the terrorism, persecution, atrocities, human rights violations, and genocides committed by the democratic India. I am of the opinion that Sirdar Gurtej Singh, IAS & IPS (formerly), Professor of Sikhism and Editorial Advisor of the International Journal of Sikh Affairs ISSN 1481–5435 may shed much needed light to the Commission of Justice John Major. All in all, Indian administrations have been responsible not only of the Air India Flight 182, but also of other humanitarian problems, such as Manorama of Assam, who was raped by the Indian Armed personnel in Assam (Assam situation discussed at the 5th United Nations Human Rights Council, Geneva, Switzerland in March 2007).

Best wishes and warmest regards.

Sincerely,

AWATER SINGH SEKHON,
Managing Editor and Acting Editor in Chief.

PERSONAL EXPLANATION

HON. KENNY C. HULSHOF

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2007

Mr. HULSHOF. Madam Speaker, unfortunately, I missed last night's rollcall votes. Had I been present, I would have voted "aye" on H.R. 698, the Industrial Bank Holding Company Act of 2007 and "aye" on H.R. 1425, to designate the facility of the United States Postal Service in Odessa, Texas, as the "Staff Sergeant Marvin "Rex" Young Post Office Building."

ON MOTION TO TABLE THE RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2007

Mr. BLUMENAUER. Madam Speaker, I do not support the motion to table the Resolution regarding Representative MURTHA. My vote is not a statement of judgment on the allegations since I don't know the facts about what happened, and that's exactly the point. The issue deserved debate or a referral to the Ethics Committee. If Tom DeLay had been accused of threatening a Democrat on the House floor, I would expect the same. A discussion of a potential violation of House Rules is in order if we are going to be the most ethical and transparent Congress in history.

CONGRATULATING ROMAN YAVICH

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. TANCREDO. Madam Speaker, I rise today to pay tribute to one of my constituents, Mr. Roman Yavich of the University of Colorado, Boulder. Mr. Yavich is an economic development student and is a recipient of the prestigious Fulbright Award. This grant is given to promising individuals to aid them in their academic and cultural pursuits abroad.

The Fulbright Program was established by Congress in 1946 and is sponsored by the U.S. State Department. This program was designed to help build mutual understanding between Americans and the global community. Individuals who are awarded this distinction have demonstrated outstanding academic or professional achievement and have proven themselves as leaders in their field.

Madam Speaker, please join me in paying tribute to Mr. Yavich and wishing him the best in his future endeavors.

INDIAN POLICEMAN IN GOLDEN TEMPLE WITH A REVOLVER

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. TOWNS. Madam Speaker, Indian policeman in temple with revolver is not the solution to a game of Clue, it's the latest outrage out of India. As we approach the 23rd anniversary of India's brutal military attack on the Golden Temple, the center of the Sikh culture and religion, an undercover Indian policeman was found carrying a revolver into the Golden Temple, where these kinds of weapons are prohibited. It was discovered when the gun fell out of his pocket. I shudder to think what he may have been intending to do with it.

The chief minister of Punjab, Paraksh Singh Badal, did nothing about this outrage because he is in bed with the Indian Government and in opposition to his Sikh constituents. This desecration of the Golden Temple is outrageous and a reminder that India remains an occupying power in the Sikh homeland, Punjab, Khalistan, which declared its independence on October 7, 1987.

The Council of Khalistan has published an open letter deploring this desecration of the Sikh nation's most sacred site. It notes that this is part of the Indian Government's ongoing effort to destroy the Sikh religion and demands that the jathedar of the Akal Takht, Joginder Singh Vedanti, censure chief Minister Badal for his part in allowing this to occur.

We cannot continue to support such actions. They violate the fundamental religious freedom that all free people enjoy. We must take strong action. Cutting off aid and trade until these kinds of atrocities end would be a good first step. And we should demand a free and fair vote in Khalistan, in Kashmir, in Nagaland, and wherever the people seek freedom on the subject of independence. Self-determination is the essence of democracy.

INDIAN POLICEMAN CAUGHT AT AKAL TAKHT SAHIB WITH REVOLVER

Just a few days ago, the Tribune of Chandigarh reported that an Indian policeman was caught with a revolver at the Akal Takht Sahib. His revolver fell on the ground. He was manhandled by the Sikhs there.

No one is allowed to take firearms inside the Golden Temple. By doing so, this policeman violated the Maryada of the Golden Temple. The shameful Akali government has allowed undercover policemen to desecrate the Golden Temple. The Khalsa Panth condemns this with full force.

Chief Minister Parkash Singh Badal should be removed from his position and the Akal Takht Jathedar should censure him for his sacrilege and violating the Rehat Maryada of the Akal Takht.

The Indan government is determined to destroy the Sikh religion by any and all means. They are trying to create sects in the Sikh religion, such as Dera Sucha (Jhutha) Sauda, Nirankari, Radswami, and other such cults. After Guru Gobind Singh there is no living guru, as the heads of these sects claim to be. That is contrary to the Sikh religion. It is blasphemous. These Deras are a cancer on the Sikh religion. They must not be allowed to spread their cancer and the violence that they bring among the Sikhs.

Guru Gobind Singh Sahib bestowed the guruship on the Guru Granth Sahib and for political decisions transferred power to the Panj Piaras (the Five Chosen Ones.) This desecration of Sikhism cannot be allowed to continue. It will only stop when we free Khalistan from Indian occupation.

Badal blames Captain Amarinder Singh for this situation. He cannot shirk his own responsibility. As Chief Minister, he is responsible for law and order. He should prosecute this baba and such cult leaders and close all Deras in Punjab. If he won't do it, the Khalsa Panth will and we will find new leaders who can serve the interests of the Khalsa Panth, not the Indian government.

Sikhs should have known better. In 1984, it was this Akali party and this Akali leadership of Badal, Tohra, and Longowal who invited the Indian army into the Golden Temple. If anyone attacks the Golden Temple, Sikhs can never forgive or forget it. The Congress Party attacked the Golden Temple; they should not be supported by the Khalsa Panth. It was the Akalis who invited them in. They should also be rejected. We need new Sikh leadership which can deliver a sovereign, independent Khalistan to the Sikh Nation.

Power resides in the Khalsa Panth. Sikhs in Punjab must shoulder their responsibility. Get rid of the present Akali leadership and establish a new Sikh leadership. If we do not, if we let this leadership linger, our misery is prolonged and the Sikh Nation suffers more. It is time to stand up and free the Sikh homeland, Punjab, Khalistan.

In 1986, the Sarbat Khalsa was called. The Sarbat Khalsa formed the Panthic Committee under the leadership of Baba Gurcharan Singh Manochahal (who was later murdered by the Indian government.) It passed a resolution for Khalistan on April 29, 1986. The Panthic Committee formally declared independence on October 7, 1987. It established the Council of Khalistan at that time to serve as the government pro tempore of Khalistan and appointed this humble sewadar as President of the Council of Khalistan.

For the past 20 years, I have worked very hard, along with all the advisors and supporters of the Council of Khalistan, to achieve our objective of sovereignty for Khalistan. Any major event in Punjab since 1984 has been documented in the Congressional Record in statements by various Members of Congress. We thank them for their support for the independence of Khalistan. Congressional hearings were held in the U.S. Congress by Rep. Ben Blaz, Rep. Dan Burton,

and others on human-rights violations and the independence of Khalistan. Special orders of the U.S. Congress on human-rights violations and the independence of Khalistan have been conducted. The Indian government is trying to alter the Sikh history in Punjab since 1984. They will not succeed because it is preserved in the library of the U.S. Congress. It will lie there safely for a long time. Students of history will find the true story of what happened to the Sikh Nation since 1984.

Khalsa Ji, the time has come for Sikhs to unite and free Khalistan. Remember the words of Guru Gobind Singh, ''I grant sovereignty to the humble Sikhs.'' Freedom is the birthright of all people and nations. It is also granted by our Gurus. The Indian government is so afraid that it is planting agents in Gurdwara committees and organizations that fight for Khalistan. It is creating Deras and planting agents in the Golden Temple to try to stoke violence. It is arresting Sikh activists for protesting a statue of the repressive, murderous Beant Singh, who was responsible for the murder of over 50,000 Sikhs and the secret cremation of their bodies by declaring them ''unidentified'', as well as the murders of Sardar Jaswant Singh Khalra, who exposed that brutal policy, and Jathedar Gurdev Singh Kaunke, or for making pro-Khalistani speeches and raising the flag of Khalistan. Beware of Sikh leaders who do the bidding of the Indian government.

Just the other day in the Southall Gurdwara in the United Kingdom, Sikh youth took control of the stage when the present management, which is under the control of the Indian Embassy, refused to do Ardas for Shaheed Bhai Kanwaljit Singh, who was killed by followers of the cult leader Ram Rahim when he went to confront them. We must replace these management committees with pro-Sikh, pro-Khalistani managements.

Khalsa Ji, the time has come. Take responsibility and rise to the occasion. Work for the freedom of Khalistan so that the Sikh religion can flourish and the Sikh Nation can live with honor and dignity. Only then can the future of the Khalsa Panth be bright. Remember the words of the former Jathedar of the Akal Takht Sahib, Professor Darshan Singh, that ''If a Sikh is not a Khalistani, he is not a Sikh.'' Let us show true Sikh spirit. We must rise up and free Khalistan now.

HONORING THE 50TH ANNIVERSARY OF THE WILLIAMSON–SODUS AIRPORT

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. WALSH of New York. Madam Speaker, I rise today in honor of the 50th anniversary of the Williamson-Sodus Airport. The airport's history dates back to May 9, 1957, when members of the Williamson Flying Club, Inc. purchased a half-mile parcel of land in the Town of Sodus.

The Williamson-Sodus Airport was an 1,800-foot runway that was seeded in July 1957. Over the years the runway was upgraded and is now a 3,800 ft. hard-surface asphalt runway with modern lighting and taxiways and is always under improvement. Operated by the Williamson Flying Club, Inc., the Williamson-Sodus Airport has tremendously grown to serve the various needs of the community.

One of the airport's functions is to serve as a ''reliever'' airport for the Greater Rochester area. The airport is also utilized by local industries as well as the United States Coast Guard.

On behalf of the citizens of the 25th Congressional District of New York, I congratulate the Williamson-Sodus Airport for its 50 years of operation and achievements.

PERSONAL EXPLANATION

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. SIMPSON. Madam Speaker, on rollcall No. 385, to suspend the rules and pass H.R. 1425, the Staff Sergeant Marvin ''Rex'' Young Post Office Building, I was unavoidably detained and unable to vote. Had I been present, I would have voted ''aye.''

CONGRATULATING DARIA VAN TYNE

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. TANCREDO. Madam Speaker, I rise today to pay tribute to one of my constituents, Ms. Daria Van Tyne of Vassar College. Ms. Van Tyne is a biology student and is a recipient of the prestigious Fulbright Award. This grant is given to promising individuals to aid them in their academic and cultural pursuits abroad.

The Fulbright Program was established by Congress in 1946 and is sponsored by the U.S. State Department. This program was designed to help build mutual understanding between Americans and the global community. Individuals who are awarded this distinction have demonstrated outstanding academic or professional achievement and have proven themselves as leaders in their field.

Madam Speaker, please join me in paying tribute to Ms. Van Tyne and wishing her the best in her future endeavors.

23RD ANNIVERSARY OF GOLDEN TEMPLE ATTACK

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. TOWNS. Madam Speaker, the beginning of June marks the 23rd anniversary of India's military attack on the Golden Temple in Amritsar, which is the seat of the Sikh religion. It occurred from June 3 through June 6, 1984. Many other Sikh Gurdwaras were attacked at the same time in what was known as Operation Bluestar, which killed over 20,000 Sikhs. That was the beginning of a genocide in which over 250,000 Sikhs were killed.

During the attack, young Sikh boys, ranging in age from 8 to 13 years old, were taken outside and shot to death. Other soldiers bravely shot bullets into the Sikh holy scriptures. As Sant Jarnail Singh Bhindranwale, who was killed in the attack, predicted, it laid the foundation for the liberation of the Sikh homeland, Khalistan.

This brutal attack was a desecration of the Sikh religion and culture and a bitter reminder that there is no place for Sikhs or other minorities in Hindu India. They are simply used for the greater glory of the Brahmins.

The Council of Khalistan, which will be leading a commemorative demonstration across from the White House on June 2, has published an excellent open letter on the massacre.

If we want to put an end to ongoing repression, Madam Speaker, we should support independence for all the nations of South Asia. We should go on record in support of a free and fair plebiscite, monitored, on the question of independence for Khalistan, Kashmir, Nagaland, and all the nations of the subcontinent. We should stop trading with India and providing it aid until it respects the basic right to self-determination and all human rights for all its people, whether Brahmin or Dalit, whether Hindu, Sikh, Christian, Muslim, or whatever. We send India development aid, Madam Speaker, and it puts just 2 percent of its development budget to education and just 2 percent to health, but 25 percent to nuclear development! Remember that India began the nuclear escalation in South Asia.

23RD ANNIVERSARY OF GOLDEN TEMPLE ATTACK

DEAR KHALSA PANTH: Next month marks the 23rd anniversary of the Indian government's brutal attack and desecration of Darbar Sahib, the Golden Temple complex in Amritsar. Sikhs must never forget or forgive this atrocity. Remember that the Indian troops shot bullet holes into an original copy of the Guru Granth Sahib, written in the time of the Gurus. They took over 100 young Sikh boys, ages 8 to 13, out into the courtyard of the complex and asked them if they supported Khalistan. When they answered ''Bole So Nihar'', they were shot to death. Thirty seven (37) other Gurdwaras were simultaneously attacked. In all, more than 20,000 Sikhs were killed in that operation. This kind of brutality makes it clear that there is no place for Sikhs in India.

Since that horrible four-day operation, which took place from June 3 through 6, 1984, over a quarter of a million Sikhs have been murdered at the hands of the Indian government, according to figures compiled by the Punjab State magistracy and human-rights groups. More than 52,000 are being held as political prisoners, according to a report by the Movement Against State Repression. They are held without charge or trail, many since 1984. We demand the immediate release of all political prisoners and a full accounting for those who may have died in custody.

Instead, our highest institutions—the Golden Temple, the Punjab government, the Akali Dal, and others—remain under Indian control. Our homeland, Khalistan, remains under Indian occupation 20 years after declaring its independence from India. Half a million Indian troops continue to enforce the peace of the bayonet in Punjab, Khalistan.

Remember the words of Narinder Singh, a spokesman for the Golden Temple, to America's National Public Radio: ''The Indian government, all the time they boast that they are democratic, that they are secular, that they have nothing to do with a democracy, nothing to do with a secularism. They just kill Sikhs just to please the majority.''

Sant Bhindranwale told us that the attack would ''lay the foundation of Khalistan.'' Indeed, it did. On October 7, 1987, Khalistan declared its independence. We must use this

anniversary to rededicate ourselves to reclaiming that freedom that is our birthright.

In 1986, Harcharan Singh Longowal struck the Rajiv-Longowal Accord, in which India promised to return the capital city of Chandigarh, which Sikhs built, and the Punjabi-speaking areas of Himachal Pradesh and Haryana, which were kept out of Punjab in 1965. Twenty-one years later, India has not kept that promise.

India has a long history of not keeping its promises. It promised the people of Kashmir a plebiscite on their status in 1948 and the vote has never been held. Nor has it kept its promises to the people of Nagaland. Instead, Nehru said that even if he had to put a soldier under every tree, he would never allow a free Nagaland. The Indian government has killed over 90,000 Kashmiri Muslims, over 300,000 Christians in Nagaland, tens of thousands of Muslims and Christians elsewhere in the country, and tens of thousands of Assamese, Bodos, Dalits, Manipuris, Tamils, and other minorities. Tens of thousands more of them continue to be held as political prisoners, according to Amnesty International. Is that a democracy? These facts underline the necessity to free our homeland, Khalistan, now, and to support freedom for all the people of South Asia.

Remember the words of Guru Gobind Singh, ''In grieb Sikhin ko deon Patshahi.'' (''I grant sovereignty to the humble Sikhs.'') Freedom is the birthright of all people and nations. It is also granted by our Gurus.

When I visited Pakistan in November for Guru Nanak's birthday, the Prime Minister of Pakistan, Shaukat Aziz, offered to build a road from Kartarpur (where Guru Nanak left this world) to the border if India will build their portion. They even offered to build a fence if India wants one. With this road, Sikhs could go, and visit this holy site with no visa. The Akalis could build this road themselves, but they have not done it so far. The spineless Akalis continue to be lapdogs of Delhi. How could the Akalis join with the BJP (the political arm of the RSS) to form a government when the BJP is determined to destroy the Sikh religion by any and all means at their disposal? We must end Indian control of our government, society, and institutions. That control is what the Golden Temple attack was designed to cement. We must stand up and say no. Remember Maharajah Ranjit Singh, who led a powerful, secular Sikh state that was independent from 1765 to 1849. Let us have a new birth of freedom, in our homeland, Khalistan.

The Indian government is scared of the Sikh Nation's aspiration for freedom. Recently, it set off an incident in which Baba Gurmit Ram Rahim Singh dressed up as Guru Gobind Singh and advertised in the newspaper, offering to give Amrit to anyone, a function reserved for the Panj Piaras after Guru Gobind Singh baptized them. In addition, it recently put up a statue of Beant Singh, former Chief Minister of Punjab, who presided over the killing of a majority of the 250,000-plus Sikhs who have been murdered. Simranjit Singh Mann and Wassan Singh Zaffarwal were arrested for peacefully protesting the statue. In 2005, 35 Sikhs were arrested for making speeches and raising the flag of Khalistan. All these repressive acts are in the spirit of the Golden Temple attack and continue the repression. They are evidence that we must free Khalistan now.

Let us remind the Indian government that we have not forgotten the atrocities committed against the Khalsa panth at the Golden Temple and from then on. It is time to reclaim our freedom. India must act like the democracy it claims to be and grant a free and fair plebiscite on the issue of Khalistan under international supervision. It must stop arresting Sikh activists for peaceful political activity. And we must honor the spirits of Bhindranwale and all the others killed at the Golden Temple and the 37 other Gurdwaras by launching a Shantmai Morcha to liberate our homeland, Khalistan, once and for all. Until then, we will continue to suffer under India's brutal repression. Let's see to it that our Sikh brothers and sisters finally enjoy the glow of freedom. I ask Sikhs of all shades and political affiliations to join hands to free Khalistan. Remember the words of the former Jathedar of the akal Takht Sahib, Professor Darshan Singh, that ''If a Sikh is not a Khalistani, he is not a Sikh.''

Sincerely,

DR. GURMIT SINGH AULAKH,
President,
Council of Khalistan.

HONORING THE ONONDAGA COMMUNITY COLLEGE LAZERS MEN'S LACROSSE TEAM

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. WALSH of New York. Madam Speaker, I rise today in tribute to the Onondaga Community College Lazers Lacrosse team, 2007 National Junior College Athletics Association Men's Lacrosse Champions. Onondaga Community College, OCC, defeated Nassau Community College by a score of 21–14, giving the school their second consecutive men's lacrosse national title.

The Lazers have an excellent track record in college lacrosse. For the past 7 consecutive years, the Lazers have won the Mid-State Athletic conference title, for the last 3 years they have been Region III Champions, and for the last 2 years they have been undefeated and national champions. The OCC Lazers Men's Lacrosse program has produced 23 All Americans, and 27 Lacrosse Coaches Association Academic All Americans. With their display of outstanding athleticism in going undefeated and winning national championships two seasons in a row, OCC has certainly established itself as one of the best junior college lacrosse teams in history.

On behalf of the entire 25th Congressional District, I congratulate these young men on their outstanding athletic achievement and praise Head Coach Chuck Wilbur, and Assistant Coaches Mike Villano, Joe Villano, and Chris Brim on their team's success. I look forward to another exciting year when the Lazers take the field to defend their title in 2008.

No. 1, Brooks Robinson; No. 2, Jerome Thompson; No. 3, Dan Casciano; No. 4A/37H, Jeremy Thompson; No. 5, Holdon Vyse; No. 6, Lee Nanticoke; No. 7, Jack Redmond; No. 8, Kent Squires-Hill; No. 9, Nick Larocca; No. 10, Logan Kane; No. 11, Isaiah Kicknosway; No. 12, Thomas Anthis; No. 13, Andy Lamb; No. 14, Joe Taylor; No. 15, Lee Thomas; No. 16, Bill Walton; No. 17, Ross Bucktooth; No. 18, Sean Griffin; No. 19, Pat DiMatteo; No. 20, PJ Motondo; No. 21, Nick Kazimer; No. 22, Cody Jamieson; No. 23, Keith Tomazic; No. 24, Tyler Hill; No. 25, Cody Dummer; No. 26, Adam Rivers; No. 27, Kasey Fellows; No. 28, Josh Groth; No. 29, Steve Prosonic; No. 30, Kris Frier; No. 31, Wade Bucktooth; No. 32, Kyle Wenzel; No. 33, Padraic McKendry; No. 34, Pat Dwyer; No. 35, Brian Buckley; No. 36, Fred Bush; No. 38, Kyle Turbe; No. 39, James Synowiez; No. 40, John Stanistreet; No. 41, Mike Fahey; No. 42, Spencer Mallia; No. 43, Greg Haney; No. 44, Sean McCauliffe; No. 45, Dustin Jacobsen; No. 48, Clinton Kennedy.

PERSONAL EXPLANATION

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. SIMPSON. Madam Speaker, on rollcall No. 384, to suspend the rules and pass H.R. 689, the Industrial Bank Holding Company Act, I was unavoidably detained and unable to vote. Had I been present, I would have voted ''aye.''

CONGRATULATING KAMLEH SHABAN

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. TANCREDO. Madam Speaker, I rise today to pay tribute to one of my constituents, Ms. Kamleh Shaban of Doane College. Ms. Shaban is a public health student and a recipient of the prestigious Fulbright Award. This grant is given to promising individuals to aid them in their academic and cultural pursuits abroad.

The Fulbright Program was established by Congress in 1946 and is sponsored by the U.S. State Department. This program was designed to help build mutual understanding between Americans and the global community. Individuals who are awarded this distinction have demonstrated outstanding academic or professional achievement and have proven themselves as leaders in their field.

Madam Speaker, please join me in paying tribute to Ms. Shaban and wishing her the best in her future endeavors.

INDIA MUST STOP PROMOTING SECTARIAN VIOLENCE

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. TOWNS. Madam Speaker, India is again promoting sectarian violence in pursuit of its continued control of the Sikhs and other minorities. A fake baba named Baba Gurmit Ram Rahim Singh, who is sponsored by the Indian government, created a sect called Dera Sacha Sauda, one of many sects set up to divide the Sikh people. He took out a newspaper ad in which he dressed up as Guru Gobind Singh and offered to perform the rite of Amrit, which not anyone can perform, for anyone who contacted him. Performing this rite is reserved for specific religious leaders.

This ad caused massive protests, as it was an insult to the Sikh religion. Those demonstrations turned violent. A man named Kanwaljit Singh was murdered by the followers of the Dera when he went there to confront them about Ram Rahim's behavior.

This marks an ongoing practice of promoting violence in the minority communities so as to divide and rule them. As they did in Gujarat a few years ago, the Hindu government set in motion bloodshed to keep the minority community—Muslims then, Sikhs now—divided.

Madam Speaker, this is reprehensible, unacceptable, and undemocratic. It is outrageous behavior for any government and it should not be supported by countries like ours. We must stop aid and trade with India and we must support freedom for Khalistan and the other nations seeking their freedom from Indian rule.

The Council of Khalistan put out a good press release condemning the Indian government's incitement of sectarian violence.

COUNCIL OF KHALISTAN CONDEMNS PROMOTION OF SECTARIAN VIOLENCE BY INDIA

WASHINGTON, DC, May 16, 2007.—The Council of Khalistan condemned the recent violence in Punjab, sparked by an advertisement in the newspaper by Baba Gurmit Ram Rahim Singh, the head of Dera Sacha Sauda, in which Baba Gurmit Ram Rahim Singh dressed as Guru Gobind Singh and advertised that he would give Amrit to anyone who asked. This is reserved only for the Panj Plaras. This is an insult to the Sikh religion and clearly backed by the Indian government, said Dr. Gurmit Singh Aulakh, President of the Council of Khalistan, the government pro tempore of Khalistan, which leads the struggle for Khalistan's independence.

''There are no Deras or sects in the Sikh religion. There is only one Sikh religion and Sikh Nation,'' said Dr. Aulakh. ''Fake Babas like Baba Gurmit Ram Rahim Singh are part of the Indian government's ongoing effort to weaken the Sikh religion and prevent Sikhs from achieving freedom,'' he said,

Next month marks the anniversary of the Golden Temple massacre, Dr. Aulakh noted. During that attack, young boys ages 8 to 13 were taken outside and asked if they supported Khalistan, the independent Sikh country. When they answered with the Sikh religious phrase ''Bole So Nihal,'' they were shot to death. The Guru Granth Sahib, the Sikh holy scriptures, written in the time of the Sikh Gurus, were shot full of bullet holes and burned by the Indian forces.

Former President Bill Clinton wrote in the foreword to Madeleine Albright's book that Indian forces were responsible for the massacre of 38 Sikhs in 2000 in the village of Chithisinghpora. Recently, two leading Sikh activists were arrested for peacefully protesting the construction of a statue to honor Beant Singh, the late Chief Minister who presided over the murder of tens of thousands of Sikhs. In 2005, 35 Sikhs were arrested for making speeches and raising the flag of Khalistan. Sikh farmers are forced by the government to buy supplies and seeds for unaffordably high prices and forced to sell their crops well below market prices.

''These incidents show that we need to free our homeland, Khalistan,'' said Dr. Aulakh. ''Remember what former Akal Takht Jathedar Professor Darshan Singh said: 'If a Sikh is not a Khalistani, he is not a Sikh.' ''

A report issued by the Movement Against State Repression (MASR) shows that India admitted that it held 52,268 political prisoners under the repressive ''Terrorist and Disruptive Activities Act'' (TADA) even though it expired in 1995. Many have been in illegal custody since 1984. There has been no list published of those who were acquitted under TADA and those who are still rotting in Indian jails. Additionally, according to Amnesty International, there are tens of thousands of other minorities being held as political prisoners. MASR report quotes the Punjab Civil Magistracy as writing ''if we add up the figures of the last few years the number of innocent persons killed would run into lakhs [hundreds of thousands.]'' The Indian government has murdered over 250,000 Sikhs since 1984. more than 300,000 Christians in Nagaland, over 90,000 Muslims in Kashmir, tens of thousands of Christians and Muslims throughout the country, and tens of thousands of Tamils, Assamese, Manipuris, and others. The Indian Supreme Court called the Indian government's murders of Sikhs ''worse than a genocide.''

''Only in a free Khalistan will the Sikh Nation prosper and get justice,'' said Dr. Aulakh. ''When Khalistan is free, we will have our own Ambassadors, our own representation in the UN and other international bodies, and our own leaders to keep this sort of thing from happening. We won't be at the mercy of the brutal Indian regime and its Hindu militant allies,'' he said. ''Democracies don't commit genocide. India should act like a democracy and allow a plebiscite on independence for Khalistan and all the nations of South Asia,'' Dr. Aulakh said. ''We must continue to pray for and work for our God-given birthright of freedom,'' he said. ''Without political power, religions cannot flourish and nations perish.''

RECOGNIZING THE SERVICE OF UNITED STATES MERCHANT MARINE VETERANS

SPEECH OF

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2007

Ms. SCHAKOWSKY. Madam Speaker, I rise in strong support of H. Res. 413, which recognizes the service of United States Merchant Marine Veterans. I encourage all of my colleagues to support this important resolution.

United States Merchant Mariners played a critical role during World War II, delivering troops, tanks, food, airplanes, fuel and other needed supplies to every theater of the war. The Merchant Mariners were the necessary link between the supplies that were manufactured in the U.S. and used overseas.

The Merchant Mariners took part in every invasion from Normandy to Okinawa and suffered the highest casualty rate of any of the branches of the Armed Forces. Despite their valiant service, the U.S. Merchant Marines were not included in the 1944 G.I. Bill of Rights. In 1988, they were finally granted veteran status, but some portions of the G.I. Bill have never been made available to the Merchant Marines and the lost benefits can never be recouped.

In April I had the opportunity to deliver testimony to the Veterans Affairs Committee on behalf of my constituent, World War II Merchant Marine veteran Bruce Felknor, urging support of H.R. 23, the Belated Thank You to the Merchant Mariners of World War II Act of 2007. I hope that the 110th Congress will enact that important legislation into law as well.

I'm so pleased that the Merchant Mariners are finally getting the respect and attention they deserve for their service and sacrifice to our country. For more than 40 years, their remarkable and distinguished service has gone by virtually unnoticed by our government and people.

Again, I urge all of my colleagues to support H. Res. 413.

TRIBUTE TO ASH GROVE CHRISTIAN CHURCH

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. SHIMKUS. Madam Speaker, I rise today to honor Ash Grove Christian Church in rural Windsor, IL, on the 175th anniversary of its founding. The church will be celebrating this historic occasion with a special service and program on June 3, 2007.

Ash Grove Christian church was founded in June of 1832 with John Storm Sr. as pastor. The church started with only 18 members. Ash Grove Christian Church is the oldest Christian Church in Shelby County and one of the oldest Christian churches in the entire State of Illinois.

Today, the congregation of Ash Grove Christian Church still holds traditional Sunday morning worship services with Jim Dona as pastor.

I am pleased to congratulate Ash Grove Christian Church on this blessed occasion. My prayers will be with the congregation as they celebrate this anniversary. May God continue to bless Ash Grove Christian Church.

COUNCIL OF KHALISTAN WRITES TO CANADIAN JUSTICE MINISTER ABOUT AIR INDIA INVESTIGATION

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. TOWNS. Madam Speaker, as you mow, the government of Canada has undertaken another investigation into the 1985 Air India bombing. Recently, the Council of Khalistan wrote to the Canadian Justice Minister about that investigation.

The letter states that ''the Indian government continues to try to blame Sikhs for this atrocity, despite the fact that Ripudaman Singh Malik and Ajaib Singh Bagri were acquitted by a Canadian judge, who said that the witnesses against them were not credible.'' In the letter, Dr. Gurmit Singh Aulakh, President of the Council of Khalistan, notes that the Canadian Security Investigation Service (CSIS) said at the time, ''if you really want to clear the incidents quickly, take vans down to the Indian High Commission and the consulates in Toronto and Vancouver, load up everybody and take them down for questioning. We know it and they know it that they were involved.''

The Indian Consul General in Toronto, Mr. Surinder Malik, pulled his wife and daughter off the flight at the last minute. A friend of his who was a car dealer also cancelled his reservation suddenly. Mr. Malik called in a lot of information about the case before the incident was even public knowledge, including a tip to look for an ''L. Singh'' on the passenger manifest. ''L. Singh'' was the name under which one of the bombers held his tickets. The other was ''M. Singh.'' Later, a man named Lal

Singh told the press that he was offered ''two million dollars and settlement in a nice country'' to give false testimony in the case—an offer that Mr. Singh declined. It seems that, as Zuhair Kashmeri and Brian McAndrew, the Canadian journalists who wrote the definitive book on the case, Soft Target, noted, ''[Consul General] Malik knew more details about the two blasts than did the police investigators.'' How did this Indian government official know so much so soon?

He also admitted that he fed information to the Toronto Globe and Mail to make a stronger case to blame the Sikhs for the bombing. This was part of a coordinated Indian government effort to paint the Sikh community as terrorists.

It is also worth noting that the Sikh group on whom India has placed the blame all these years is a group called Babbar Khalsa. It is heavily infiltrated by the Indian government. So by trying to blame Babbar Khalsa, the government is essentially taking the blame itself.

I recommend to all my colleagues that they read this informative letter.

This is just further proof, if any is needed, that India is a regime that will carry out acts of terror to promote its own political objectives. Remember that India has killed more than a quarter of a million Sikhs, according to the Punjab State Magistracy, and hold over 52,000 of them as political prisoners, according to the Movement Against State Repression. As I have asked before, why does a democracy need a Movement Against State Repression anyway? Amnesty International reports that tens of thousands of other minorities are held as political prisoners in India, and it has killed over 90,000 Kashmiri Muslims, over 300,000 Christians in Nagaland, and tens of thousands of other minorities as well.

Why should the American people and government support such a government, especially at a time when we are putting our young people on the front lines to fight against terrorism? The time has come to cut off our aid to Indian, end our trade with them, and put Congress on record in support of the freedom movements there. This is the way to peace, freedom, prosperity, and stability in South Asia, Madam Speaker.

COUNCIL OF KHALISTAN,
Washington, DC, May 16, 2007.

Hon. ROBERT DOUGLAS NICHOLSON,
Justice Minister of Canada,
House of Commons, Ottawa, Canada.

DEAR MINISTER NICHOLSON: I am writing in regard to your new inquiry into the Air India Flight 182 bombing of 1985. I see no purpose for this ongoing inquiry. As you know, the Indian government continues to try to blame Sikhs for this atrocity, despite the fact that Ripudaman Singh Malik and Ajaib Singh Bagri were acquitted by a Canadian judge, who said that the witnesses against them were ''not credible.''

Shortly after the bombing occurred, two Canadian journalists, Zuhair Kashmeri of the Toronto Globe and Mail and Brian McAndrew of the Toronto Star, wrote an excellent book on the case entitled Soft Target, which proves that the Indian government itself carried out the bombing. This finding is confirmed in a book by former Member of Parliament David Kilgour entitled Betrayal: The Spy Canada Abandoned. I urge you to call Mr. Kashmeri and Mr. Mcandrew as witnesses in the inquiry.

Soft Target shows how the Indian regime bombed its own airliner in 1985, killing 329 innocent people, to justify further repression against the Sikhs. The book quotes an investigator from the Canadian Security Investigation Service as saying, ''If you really want to clear the incidents quickly, take vans down to the Indian High Commission and the consulates in Toronto and Vancouver, load up everybody and take them down for questioning. We know it and they know it that they are involved.''

Among many other things, they note that the Indian Consul General in Toronto, Mr. Surinder Malik (no relation to Ripudaman Singh Malik), called in a detailed description of the disaster just hours later when it took the Canadian investigators weeks to find that information. He told them that they should check the passenger manifest for an ''L. Singh'' because he was responsible—before there was any public knowledge of the bombing!

According to Wikipedia, on June 20, 1985, two days before the flight, ''at 1910 GMT, a man paid for the two tickets with $3,005 in cash at a CP ticket office in Vancouver. The names on the reservations were changed; 'Jaswand Singh' became 'M. Singh' and 'Mohinderbel Singh' became 'L. Singh.'''. Note that this is the same name that Consul General Malik told investigators to look for—''L. Singh.''

It would later come out in newspaper reports that a Sikh named Lal Singh told the press that he was offered ''two m111ion dollars and settlement in a nice country'' by the Indian regime to give false testimony in the case.

Consul General Malik had also pulled his wife and daughter off the flight suddenly at the last minute, on the feeble excuse that the daughter had a paper for school. A friend of Consul General Malik's who was a Car dealer also cancelled at the last minute.

According to Kashmeri and McAndrew, ''Curiously, [Consul General] Malik knew more details about the two blasts than did the police investigators. . . . Malik said that while one of the suspects was booked to Japan, the other was booked to Toronto and onwards to Bombay. He also said that the two checked their bomb-laden bags but did not board the flight themselves. In sum, Malik had painted a scenario of the double sabotage operation that was a near perfect account of what the Mounties would take weeks to fathom.

[Consul General] Malik continually fed the Globe information pointing to Sikh terrorists as the source of the bombs. He was behind another story six days after the crash, this one headlined 'Air-India pilot reported given parcel by Sikh.'.'' Kashmeri and McAndrew also wrote, ''Malik pressured the Globe to publish this story, adding that it could be used to make a stronger case for blaming the Air-India and Narita bombings on the Babbar Khalsa leader. Malik also decried the Canadian system of justice for failing to come up with a quick solution to the bombings. 'In India we would have had a confession by now. You people have too many civil and human-rights laws,' he complained.''

The Sikh organization that the Indian government said was responsible, Babbar Kahlsa, is and was then heavily infiltrated by Indian government operatives at very high levels of the organization. The main backer of the group had received a $2 million loan from the State Bank of India just before the plane was attacked, according to Soft Target. The year after the bombing, three Indian consuls general were asked to leave the country.

In his book, Kilgour wrote that Canadian-Polish double agent Ryszard Paszkowski was approached to join a plot to carry out a second bombing. The people who approached Paszkowski were connected to the Indian government.

Yet the Indian government continues to apply pressure to find some Sikhs guilty of the bombing. I am sure that your inquiry will be conducted with fairness and justice. I hope that you will find the real culprits and put this matter to rest. The bombing was an Indian government operation from the beginning.

If there is anything I can do to assist you, please feel free to contact me.

Sincerely,

DR. GURMIT SINGH AULAKH,
President, Council of Khalistan.

CONGRATULATING DR. SIGMUND ROTHSCHILD

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. TANCREDO. Madam Speaker, I rise today to pay tribute to one of my constituents, Dr. Sigmund Rothschild of the University of Colorado at Denver. Dr. Rothschild is a music scholar and is a recipient of the prestigious Fulbright Award. This grant is given to promising individuals to aid them in their academic and cultural pursuits abroad.

The Fulbright Program was established by Congress in 1946 and is sponsored by the U.S. State Department. This program was designed to help build mutual understanding between Americans and the global community. Individuals who are awarded this distinction have demonstrated outstanding academic or professional achievement and have proven themselves as leaders in their field.

Madam Speaker, please join me in paying tribute to Dr. Rothschild and wishing him the best in his future endeavors.

CELEBRATING 100TH BIRTHDAY OF MRS. MARY PAULINE CUNNINGHAM MCNEAL

HON. DEBORAH PRYCE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Ms. PRYCE of Ohio. Madam Speaker, I rise today to honor Mary Pauline Cunningham McNeal, and pay tribute to her on her 100th birthday, July 9, 2007. Born in Madison County, OH, Mrs. McNeal now resides in London, OH. She will gather with her loved ones on July 8, 2007 to celebrate her 100th birthday.

Mrs. McNeal continues to impress her children, grandchildren, great- grandchildren, and even great-great grandchildren, with her active lifestyle that includes cooking, yard maintenance, and bingo four to six times a week. As a member of the St. Paul African Methodist Episcopal Church, she seldom misses Sunday services, and participates in their annual chicken and noodle dinner. Mrs. McNeal is also well-known for her delicious lemon pies and her famous chicken pie casseroles.

Mrs. McNeal's vibrant personality and active lifestyle make her an important part of our community. Mrs. McNeal serves as an inspiration and joy to those who know and enjoy her friendship and love. On this very special occasion, I salute this amazing woman for her long life, and her dedication to her family and her church.

RECOGNIZING THE 75TH ANNIVERSARY OF THE CITY OF BERKLEY, MICHIGAN

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. KNOLLENBERG. Madam Speaker, I want to recognize the City of Berkley, in Oakland County, MI, which is celebrating its 75th anniversary this week. This City's rich history and enduring perseverance serves as a shining example of the mettle of all Michiganders.

Before being established as a village in 1823, Berkley was part of a vast forest and swamp teeming with quicksand and other perils. Despite these hardships, settlers pressed on through the wilderness outside of Detroit to stake their claims in Berkley. By 1832, the burgeoning number of settlers arriving in Detroit warranted a stagecoach route that ran through Berkley on the way to Pontiac.

Berkley, along with many other communities, suffered through many adversities during the Great Depression. However, the village met those challenges head on and established a pay-as-you-go plan, spending only what it took in, in order to continue to govern responsibly. Many of the residents became active in local politics, and upon learning of the benefits of becoming a city, the discussion commenced.

After a year of debate and preparation, the residents of Berkley adopted a city charter, and elected a mayor and six commissioners. On May 23, 1932, now with a population of 6,000, the City of Berkley was established. With Detroit opening up its factories to produce materials at the onset of World War II, the residents of Berkley joined in the war effort. In 1946 Berkley had spent more for constructing new facilities and factories than any other city in Oakland County.

Madam Speaker, today Berkley is a vibrant community in Oakland County that is home to over 15,000 residents, a state-of-the-art library, and a bustling downtown district. I congratulate them on their 75th anniversary and wish the residents many more years of prosperity.

PUNJAB CHIEF MINISTER ATTACKED FOR ANTI-SIKH BEHAVIOR

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. TOWNS. Madam Speaker, recently it has been discovered that the Chief Minister of Punjab, Parkash Singh Badal, went and met with a Punjabi cult leader named Gurmit Ram Rahim Singh, who claimed to be a baba and was recently in the news for dressing up as the last Sikh guru, Guru Gobind Singh, and offering Amrit to anyone who called. Amrit is a very sacred ceremony in the Sikh religion and it cannot be done by just anyone. Ram Rahim also has murder and rape charges pending against him. Yet Mr. Badal went to him and bowed, seeking votes. Ironically, Ram Rahim came out for Mr. Badal's political opponents, the Congress Party.

As Chief Minister, one of Mr. Badal's chief responsibilities is maintaining law and order. Yet he seeks support from this fake religious leader instead of prosecuting him for the damage he has done to the Sikh community and to Punjab.

Dr. Gurmit Singh Aulakh, President of the Council of Khalistan, has issued a press release condenming Badal's activities. It shows that chief Minister is allied with the Indian government against the Sikh people. Remember that when Badal was chief Minister before, he presided over the most corrupt government in Punjab's history. They even renamed bribery "fee for service." His wife could tell the amount of money in a bag just by picking it up.

Only by freeing themselves of Indian rule will the Sikhs be able to rid themselves of this kind of anti-Sikh leadership. The U.S. government can help by stopping aid and trade with India until criminals such as Ram Rahim are prosecuted and all human rights are observed and by putting ourselves on record publicly in support of self-determination for the Sikhs of Punjab, Khalistan, the Muslims of Kashmir, the Christians of Nagalim, and all the people seeking freedom in South Asia in the form of a free and fair vote. Isn't that the democratic way? The people of Kashmir were promised a vote on their status in 1948. They're still waiting.

COUNCIL OF KHALISTAN DEPLORES ANTI-SIKH BEHAVIOR OF PARAKSH SINGH BADAL

WASHINGTON, DC, May 22, 2007.—The Council of Khalistan condemned the behavior of Punjab Chief Minister Parkash Singh Badal. It has recently surfaced that before the Punjab elections, Badal and his son Sukhbir went to meet with Baba Gurmit Ram Rahim Singh, leader of the Dera Sacha Sauda cult which has brought about so much strife in Punjab. While there, they bowed their heads to Ram Rahim. A Sikh is not supposed to bow except to the Guru Granth Sahib. This is the moral degeneration of the Akali leadership.

Ironically, despite Badal's begging and pleading, Ram Rahim supported the Congress Party in the recent elections in Punjab. Now Badal is blaming his predecessor, Captain Amarinder Singh, for the problem. Badal didn't even get votes out of his shameful actions. Perhaps it's time he paid attention to the Sikhs who elected him rather than the anti-Sikh BJP, his coalition partner, and the leaders in Delhi.

Badal is the Chief Minister. As such, he is responsible for law and order. Yet he refused to prosecute this fraudulent baba pretending to be Guru Gobind Singh. There are pending charges of murder and rape against Ram Rahim. Why does Badal kowtow to him?

''There are no Deras or sects in the Sikh religion. There is only one Sikh religion and Sikh Nation,'' said Dr. Gurmit Singh Aulakh, President of the Council of Khalistan. ''Fake Babas like Baba Gurmit Ram Rahim Singh are part of the Indian government's ongoing effort to weaken the Sikh religion and prevent Sikhs from achieving freedom,'' he said. ''Sikh leaders should not be dignifying them. Badal should be prosecuting this fraudulent baba for these despicable acts:'

''Badal's conduct is shameful for a Sikh leader,'' said Dr. Gurmit Singh Aulakh, President of the Council of Khalistan. ''This shameful conduct shows that Badal is under the complete control of the Indian government, rather than working for the Sikhs. We must free ourselves of corrupt, anti-Sikh leaders like Badal and his friends by liberating Khalistan,'' he said. ''Remember what former Akal Takht Jathedar Professor Darshan Singh said: 'If a Sikh is not a Khalistani, he is not a Sikh.' ''

A report issued by the Movement Against State Repression (MASR) shows that India admitted that it held 52,268 political prisoners under the repressive ''Terrorist and Disruptive Activities Act'' (TADA) even though it expired in 1995. Many have been in illegal custody since 1984. There has been no list published of those who were acquitted under TADA and those who are still rotting in Indian jails. Additionally, according to Amnesty International, there are tens of thousands of other minorities being held as political prisoners. MASR report quotes the Punjab Civil Magistracy as writing ''if we add up the figures of the last few years the number of innocent persons killed would run into lakhs [hundreds of thousands.]'' The Indian government has murdered over 250,000 Sikhs since 1984, more than 300,000 Christians in Nagaland, over 90,000 Muslims in Kashmir, tens of thousands of Christians and Muslims throughout the country, and tens of thousands of Tamils, Assamese, Manipuris. and others. The Indian Supreme Court called the Indian government's murders of Sikhs ''worse than a genocide.''

''The Sikh masses must rise to the occasion and establish new leadership that works for the interest of the Khalsa Panth and abides by Sikh tradition,'' said Dr. Aulakh. ''Badal and his son have betrayed the Sikh Rehat Maryada, Sikh principles, and Sikh tradition. Their leadership must be rejected for the interests of the Khalsa Panth. The Jathedar of the Akal Takht must censure him for violating the Sikh Rahat Maryada, betraying the Sikh Nation, and defaming the Sikh religion,'' he said. ''Incidents like this test the resolve of the Sikh Nation. The Khalsa Panth will never allow the cult babas to dare to compare themselves with our revered Guru Gobind Singh Sahib. who sacrificed his whole family for the Chardi Kala of the Khalsa Panth,'' said Dr. Aulakh. ''Remember Guru Gobind Singh's words: 'Sava lath se ek laraon, tabe nam Gobind Singh kahaon.' Also remember Guru's blessing, 'In grieb Sikh in ko deon patshahi.' Only a free Khalistan will put a stop to occurrences like this. We must continue to pray for and work for our God-given birthright of freedom,'' he said. ''Without political power, religions cannot flourish and nations perish. The time is now to free Khalistan.''

[From the Panthic Weekly, May 17, 2007]

BADAL AND FAMILY ARE SACHA SAUDA PREMIS: CULT SPOKESMAN

Amritsar Sahib (KP)—At a news conference organized by the Sacha Sauda Cult, photographic evidence was released indicating that as recent as January of 2007, Shiromani Akali Dal's president Parkash Badal, his son Sukhbir Badal, and other Akalis met with the dehdahri-cult guru Ram-Rahim and asked for his blessings.

This announcement was made after a large Sikh conclave held at Takht Sri Damdama Sahib called upon the Sikh Nation to socially boycott the entire Sirsa cult, and demanded the Punjab and Haryana Governments to take stern action against the cult leader.

Panthic observers doubt any action would be taken by the Akal Takht Jathedars against the Badals, nor will the Punjab Government take action against the cult. Parkash Badal's cozy relationship between the Sauda leader and other similar cults is now a widely accepted fact.

The recent softening of the tone by Jathedar Joginder Singh Vedanti is an indication that he does not want to ruffle the

feathers of his Akali bosses. The recent call for a boycott was not what Vedanti wanted—as evidenced by his silence at the meeting—instead pressure from Jathedar Balwant Singh Nandgarh and the Sikh Sangat left him no other option. Observers predict ultimately it would be the Sikh Sangat that will rise up against the onslaught of derawaad that has been flourishing in Punjab under the Akali administration. Photos such as the above should be ample proof for the agitating Sikh Sangat which side of the fence the Akalis and their puppet Jathedars are really standing on.

HONORING COLONEL KATHLEEN M. SPENCER ON HER RETIREMENT FROM THE U.S. AIR FORCE

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to recognize and honor Colonel Kathleen M. Spencer, a soldier who has served her country with honor and distinction. Colonel Spencer is retiring at the end of this month following 30 years in the United States military.

First commissioned in the U.S. Air Force on June 23, 1977, Colonel Kathleen M. Spencer received her B.S., cum laude, from the University of Massachusetts. Upon her entry into the Air Force, she was commissioned a munitions officer.

Colonel Spencer served honorably in 16 different assignments throughout the United States, including a 3-year stint in Germany. She will complete her military career as the Chief of Munitions at Hickam Air Force Base, Honolulu, Hawaii.

During her career, Colonel Spencer served as a munitions maintenance officer and supervisor, as a munitions staff officer and an instructor to Squadron Officer School. She has also held multiple commander positions, served as a military assistant to the Executive Secretary in the Pentagon, as a chief of logistics, and deputy director.

Retiring with numerous decorations for her years of service, Colonel Spencer is especially proud of her Meritorious Service Medal with four oak leaf clusters, her Air Force Commendation medal with two oak leaf clusters, and the Air Force Achievement Medal.

Madam Speaker, it is service members like Colonel Spencer who help make our military the finest fighting force in the world. This Congress congratulates Colonel Spencer on her retirement and wishes her the best in her future endeavors.

HONORING STEPHEN E. MILLARD

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. UDALL of Colorado. Madam Speaker, I rise today to remember the life of Stephen E. Millard, who passed away on Saturday, May 19th, 2007, and to offer his family and friends my sympathies as they grieve and reflect on their time spent with him. In his passing, Steve leaves us all with occasion to consider our own pursuits of integrity and honesty as we remember a life distinguished by both.

Steve Millard came to Colorado's Second Congressional District late in life and, at the age of 40, began a career in professional journalism with the Boulder Daily Camera. In a fairly quick manner Steve transitioned to the editorial staff of the paper and then to a well-suited perch as the editorial-page editor, which is perhaps the professional position for which he will be best remembered. Steve's editorial writing was remarkable not only for its deep well of knowledge and insight, but also for its adherence to logic and restraint. His arguments were the results of intellectual curiosity and clear thinking, not the pursuit of a political agenda. Steve chose to provoke thought with reason and forceful writing which, in a time of increased media and political sensationalism, is a sobering reminder of the public trust held in our journalists and public servants.

As his family reminds us in a May 22 eulogy in the Boulder Daily Camera, Steve Millard lived his life by those same terms, setting an example of integrity, honesty, and intellectual curiosity for those who had the pleasure of knowing him. For members of the Boulder community and readers of the Boulder Daily Camera, he reminds us of the importance of engaging in issues as an informed, thoughtful citizen. As his family and friends mourn their loss, I hope my colleagues will join me in praising Stephen Millard's example and recognizing his contribution to the public discourse.

CONGRATULATING CASEY LEEK

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. TANCREDO. Madam Speaker, I rise today to pay tribute to one of my constituents, Ms. Casey Leek. Ms. Leek is a student of anthropology and a recipient of the prestigious Fulbright Award. This grant is given to promising individuals to aid them in their academic and cultural pursuits abroad.

The Fulbright Program was established by Congress in 1946 and is sponsored by the U.S. State Department. This program was designed to help build mutual understanding between Americans and the global community. Individuals who are awarded this distinction have demonstrated outstanding academic or professional achievement and have proven themselves as leaders in their field.

Madam Speaker, please join me in paying tribute to Ms. Leek and wishing her the best in her future endeavors.

RECOGNIZING ELENI P. KALISCH

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. WOLF. Madam Speaker, I rise today to bring the attention of the House to the exceptional work of Eleni P. Kalisch at the Federal Bureau of Investigation. It has come to my attention that she will stepping down as assistant director of the Office of Congressional Affairs and I want to take this opportunity to recognize her leadership within the FBI, and dedication to her work with the Science-State-Justice-Commerce (SSJC) Appropriations subcommittee, which I chaired during the 109th Congress.

FBI Director Robert Mueller recently stated that Eleni "has been directly involved in every issue facing the FBI over the past five years. . ." and that "as an advocate for the FBI and its mission, Eleni's abilities and professionalism have earned her the respect of both lawmakers and colleagues." I could not agree more with Director Mueller. Eleni worked with the SSJC subcommittee not only to increase resources for the FBI, but to help transform the FBI from an organization focused on arresting criminals to one focused on terrorism prevention after the September 11, 2001, terrorist attacks that forever changed America. Eleni's public service deserves to be recognized.

During her tenure as assistant director of Congressional Affairs the FBI received funding from Congress to establish more than 100 joint terrorism task forces; increase the number of translators by 82 percent, including a 284 percent increase in Arabic translators since FY 2001; enhance the FBI's capability to communicate classified information with the intelligence community and state and local law enforcement; increase the number of legal attaché offices from 44 to 57; increase training for new agents to include classes on terrorism investigate techniques; establish field intelligence groups in every field office, and hire thousands of new agents and analysts.

While I was chairman, we also conducted vigorous oversight of the FBI and Eleni was cooperative and essential in preparatory work to help facilitate FBI transformation hearings each year in addition to the annual budget hearings. Her professionalism and willingness to ensure that the committee had all appropriate information was superior. I also want to recognize Eleni's work with Congress to help enact the PATRIOT Act Reauthorization and Intelligence Reform acts.

In short, Eleni has been a great asset to the FBI, has served the director well, and been an excellent resource for Congress. I wish Eleni the best in her future endeavors and ask that my colleagues join me in thanking Eleni for her hard work and dedication.

IN HONOR OF TIMOTHY J. CRADDOCK, MARGUERITE GABRIELE, JESSICA E. SHAY, AND AVI M. WOLFSON AS THE RECIPIENTS OF UNDERGRADUATE RESEARCH FELLOWSHIPS AT THE UNIVERSITY OF TEXAS AT AUSTIN

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. SESSIONS. Madam Speaker, I rise to acknowledge the accomplishments of Timothy J. Craddock, Marguerite Gabriele, Jessica E. Shay, and Avi M. Wolfson as the recipients of this year's Undergraduate Research Fellowships at the University of Texas at Austin. They have been selected to receive scholarships to pursue research in their respective areas of interest.

The University of Texas in Austin offers financial support for students who undertake

scholarly research projects through Undergraduate Research Fellowships. Since its inception in 1996, the fellowship has remained committed to enriching academic experiences by providing 236 students with over $200,000 over the past 10 years to support efforts in their area of study.

After competing in a rigorous application process that included resume submissions, itemized budget proposals, and faculty recommendations, these four outstanding students from the 32nd District of Texas were selected. They were chosen with the anticipation that their efforts would assist in future studies of the field and contribute to the researchers' disciplines. The high caliber of these students' achievements is truly impressive and for that I wish to acknowledge them to my congressional colleagues.

It is my honor to recognize these students. The people of the 32nd District of Texas are proud of their successes. I wish the recipients the best of luck in both present and future endeavors.

TRIBUTE TO THE LATE JOSE LUIS FLORES, SR., 1922–2007

HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. GONZALEZ. Madam Speaker, it is with great sadness that I rise today to recognize the passing of a distinguished Texan and member of the San Antonio community, Mr. Jose Luis Flores, Sr. Mr. Flores passed away on Wednesday, May 16, 2007 at the age of 84. He was a friend, a husband, a father, and an inspiration to many in San Antonio, and he will be missed.

Mr. Flores's life was devoted to service to both his community and our country. He was an active parishioner of his church for 47 years, worked tirelessly to improve the lives of others by serving in the Civilian Conservation Corps, and courageously served our nation during the Second World War. For these reasons, we'll forever be grateful for all that he did on behalf of others, and San Antonio will deeply miss one of its native sons.

His life of service epitomizes the word ''American.'' He gave back to his community and served his country to the best of his ability with the hope that he could better the lives of others. His life and legacy provide a great example for all that we as a Nation to strive to accomplish, and he will be missed by all who were lucky enough to know him.

HONORING CITY TILE AND FLOOR COVERING COMPANY'S 50 YEARS IN BUSINESS

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. GORDON of Tennessee. Madam Speaker, I rise today to congratulate Doug Young and City Tile and Floor Covering Company on its 50th anniversary. The Murfreesboro, Tennessee, store began with fewer than five staff and now has about 20 employees and 30 subcontractors.

Doug's father, Andrew Young, was a partner in the business and brought Doug in as a partner shortly before he passed away. In 1978, after college and a tour in the U.S. Army, Doug became the sole proprietor of the business while in his late 20s.

Today, Doug's son, Andrew; brother, Rule; and son-in-law, Jerry Clark, are future partners-in-training. Doug says the tremendous amount of trust that exists in having a family business is the way to go. That trust exists not only inside the business, but also for City Tile and Floor Covering Company customers, as well. Doug's family has provided any type of flooring you can imagine for current generations, their parents and grandparents.

Doug lived down the street from me as we were growing up, so I have had the opportunity to watch and admire as Doug has developed his business and raised his family. Doug, I wish you and your family business many more happy milestones.

CONGRATULATING AMY KUENKER

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. TANCREDO. Madam Speaker, I rise today to pay tribute to one of my constituents, Ms. Amy Kuenker of the College of William and Mary. Ms. Kuenker is a teaching student and a recipient of the prestigious Fulbright Award. This grant is given to promising individuals to aid them in their academic and cultural pursuits abroad.

The Fulbright Program was established by Congress in 1946 and is sponsored by the U.S. State Department. This program was designed to help build mutual understanding between Americans and the global community. Individuals who are awarded this distinction have demonstrated outstanding academic or professional achievement and have proven themselves as leaders in their field.

Madam Speaker, please join me in paying tribute to Ms. Kuenker and wishing her the best in her future endeavors.

IN TRIBUTE TO ANDREW R. RENEAU

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Ms. MOORE of Wisconsin. Madam Speaker, I rise to pay tribute to the life and work of Mr. Andrew Reneau, a highly-respected and deeply principled Milwaukee attorney and Family Court Commissioner. Mr. Reneau died on May 6, 2007, at the age of 90.

Andrew R. Reneau was one of two African Americans to graduate from the University of Wisconsin in 1942. Upon graduation, the only work he could find was as a metal chipper at the Allis Chalmers foundry. After sustaining a serious eye injury, Mr. Reneau went back to school. A coin toss determined whether Mr. Reneau should become a mortician or go to law school. In 1946, Andrew Reneau earned a law degree and was the only African American in his Marquette University graduating class.

Mr. Reneau began a successful private law practice serving people from all over the city, conversing both in Polish and Italian with his clients. In 1976, Reneau became an Assistant Family Court Commissioner. He was named the first African American Family Court Commissioner in 1978, serving until his retirement in 1995. Andrew Reneau was a NAACP chapter president, the first editor of The Globe newspaper, and was active with the Boy Scouts of America Council and the YMCA. He was a founding member of St. James United Methodist Church and involved in the National Conference of Christians and Jews. A proud graduate of UW and Marquette, he lectured on family law at both law schools.

The grandson of slaves, he was born in Pontotoc, Mississippi in 1916, the youngest of eight children. The family moved to Beloit, WI, when he was 2 seeking better opportunities. Due to ill health, Mr. Reneau was unable to attend grade school for several years thus delaying graduation from high school until age 21.

Mr. Reneau met the former Phyllis Cabell at a church convention in St. Paul, Minnesota, and they were married after he graduated from UW. Phyllis Reneau supported the family by working at a foundry while he attended law school. Phyllis Reneau passed away in 1995. Reneau family survivors include sons David, Paul, Joseph, and Peter; grandchildren; and great-grandchildren.

Madam Speaker, in Andrew Reneau's death Milwaukee has experienced a profound loss. Today, I thank him and his family for their immeasurable achievements, I mourn his loss and I salute his legacy.

FREEDOM FOR NORMANDO HERNÁNDEZ GONZÁLEZ

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I rise to inform Congress about Normando Hernández González, a valiant prisoner of conscience in totalitarian Cuba.

Mr. Hernández, an independent journalist and the director of the Camagüey College of Independent Journalists in Cuba, has been a chronicler of truth amid the lies and deceit of the Cuban totalitarian regime. Because he is a journalist who exposed the deplorable conditions, ruthless repression and failed policies of the totalitarian tyranny, Castro's thugs have continuously harassed Mr. Hernández. He has been detained and released miles from his home on various occasions and his telephone service has been cut off since June 15, 2002. In Cuba, men and women who seek truth or freedom are considered enemies of the state.

In March 2003, as part of the tyrant's heinous island wide crackdown on peaceful prodemocracy activists, Mr. Hernández was arrested by the tyranny. In a sham trial, he was sentenced to 25 years in the totalitarian gulag, for the crime of preparing reports, in which he attacked the health system, and the education provided in this country, questioned the justice system, tourism, culture, agriculture. Following his incarceration, Mr. Hernández has been kept is solitary confinement and allowed only

4 hours of sunlight a week. All communication with his family has been severely restricted and according to Yarai Reyes, his wife, he has been fed rotten food, refused all medical care and has been kept in a cell with no electricity.

When Mr. Hernández participated in a hunger strike to protest the deplorable prison conditions, he was transferred to another prison over 400 miles away from his family and loved ones. In this prison, he languishes in a rat and insect infected dungeon which he shares with common prisoners, many of which are considered dangerous and unstable. Mr. Hernández is routinely beaten and denied access to the outside world.

Madam Speaker, on April 30, 2007, the PEN American Center, which works to advance literature, defend free expression, and to foster international literary fellowship, named Mr. Hernández the recipient of its 2007 PEN/Barbara Goldsmith Freedom to Write Award honoring international literary figures that have been imprisoned or persecuted for defending the basic human right of expression. Let me be clear, Mr. Hernández is confined in an infernal dungeon for reporting truth instead of the mandated lies of the dictatorship in Cuba.

My colleagues, it is unconscionable and condemnable that just miles from our shores, a grotesque gangster regime keeps thousands behind bars simply for supporting freedom and democracy. I ask all members of this great Congress to demand with one, united, voice, the immediate release of Normando Hernández Gonzalez and every political prisoner in totalitarian Cuba.

EXPRESSING SYMPATHY TO THE CITIZENS OF GREENSBURG, KANSAS

SPEECH OF

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 22, 2007

Mr. TIAHRT. Mr. Speaker, I rise today in sympathy of the citizens of Greensburg, Kansas. On May 4, 2007 a devastating tornado ripped through the community and destroyed 95 percent of the town. Ten lives were lost and 1,500 people were directly affected by this deadly terror. Greensburg was a quiet and charming town surrounded by pasture land lush and fertile. This town was preserved by generations of hardworking people who valued what they had and worked to keep it.

In the heartland, people know what it means to be a good neighbor. After this deadly tornado ripped through the community, there were countless examples, of strength, compassion and perseverance, traits we often see in Kansans. As people sifted through the shambles and rumble of what had been, at one time, their homes and personal belongings, wheat trucks and regular old four wheel drive pick-ups from neighboring towns drove in to lend a hand and a shoulder of comfort. It is heartwarming to witness how Kansans have come together in response to the Greensburg tragedy.

Mr. Speaker, my heart and prayers go out to all the citizens in Greensburg. Progress is being made and being made daily. They are picking up the pieces of their lives from what was left from this horrible force of nature and are moving forward. The people of Greensburg obviously have tough days ahead, but I know with the resilient spirit they have demonstrated, they are up to the challenge and they will not be alone in overcoming it.

IN HONOR OF THE STUDENT GRADUATES OF PARAMUS' D.A.R.E. PROGRAM AT EAST BROOK MIDDLE SCHOOL

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. GARRETT of New Jersey. Madam Speaker, today, the Paramus Police Department will hold its D.A.R.E. graduation ceremony with the students of East Brook Middle School. More than 140 students are participating in this important program that gives young people the support they need to say no to drugs, underage drinking, and gang violence.

Drug Abuse Resistance Education, or D.A.R.E., began as a small program in Los Angeles in 1983. Today, it is implemented in more than 75 percent of our Nation's school districts and in more than 43 other nations. It uses positive peer pressure to help children defeat the negative cultural influences that bombard them daily.

I am proud of the young boys and girls who participated in this program at East Brook Middle School, and I would like to recognize them all for taking this step toward positive citizenship:

Pankti Acharya, Omar Al-Rashdan, Danielle Ambrose, Elias Atie, Benjamin Audi, Amanda Aydin, Joseph Bacich, Matthew Barbara, Timothy Barkho, Adam Basner, Brianna Behrens, Christopher Billera, Lindsay Braverman, Vince Calupad, Eric Carminio, Tyler Casamenti, Alexa Cascione, Jessica Chakonis, Winnie Chau, Hae Chang Cheong, Daniel Choi, Emily Colasante, Matthew Criscione, Erica Cruz, Nicolas Datz, Dean Delucia, Michael DeSimone, Lillian Do, Timothy Dungan, Jermiah Emmenuel, Shannon English, Veronique Falkovich, Kenny Frohnapfel, Gia Fuerte, Cayla Gao, Kaitlyn Garcia, Miny Ge, Eric Giannantonio, Harlee Glock, Zoe Gnecco, Keisuke Goto, Tance Gozukucuk, Nicholas Gramuglia, Daniel Grisanti, Rebekah Guidroz, Aris Gungormez, Leila Hassak, Sabrina Helm, Erik Helstrom, Adriana Hemans, Kellie Heom, Darius House, Phillip Huffman, Yoon Jeong Hwang, Jaime Iacono, Suguru Ikeda, Alen Jo, Laila Jouejati, Erica Kato, Ji Soo Kim, Ah Young Kim, Victor Kim, Alexandra Kipp, Caroline Kordell, Theodore Koutros, Karen Kouyoumdjian, Anna Kuriakose, Richard Labarbiera, Kevin Lannigan, Stephanie Lasprilla, Paul Lawton, Sarah Lee, Jun Oh Lee, Monica Lehner, Andrew Licini, John Lukert, Aysia Luna, Melissa Lynch, Fabio Macias, Yu Maruyama, David Medvitz, Samuel Melendez, Paul Meyer, Matthew Miller, Koji Minoda, Edwin Montalvo, Bryan Mosquera, Heather Murphy, Stephen Obregon, Timothy Oechsner, Kevin Oh, Yula Oh, Daichi Omori, Rasha Orfali, Pamela Ospina, Abigail Ovadia, Kyrstie Pagunsan, Sylvia Pak, Michael Paladino, Thomas Palestina, Michelle Park, Dean Park, Mona Park, Sungho Park, Alexandra Pascual, Michael Passarelli, Kinjal Patel, Mitesh Patel, Gina Pecchinenda, Justin Peter, Kishen Pujara, Alejandra Ramirez, Elizabeth Reyes, Julia Reynolds, Colin Richardson, Jerry Rickelmann, III, Kathryn Roque, Gina Ruzhansky, Victoria Savastano, Stephen Scheideler, Gianna Scimeca, Bryan Shin, Olivia Sluka, Dominick Smith, Zachary Smith, Regina Smith, Alexis Stella, Rose Velli, Danielle Villa, Chelsea Virga, Thomas V. onborstel, Corinne Weinzierl, Alison Wolfer, Cindy Wu, Hosun Yoo, Andrew Yoon, Geena Yum, Ariana Zarour, Colette Zarour.

PERSONAL EXPLANATION

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. HONDA. Madam Speaker, on Tuesday, May 22, I was unavoidably detained and was not present for six rollcall votes on that day.

Had I been present I would have voted: "no" on rollcall 390 on agreeing to the Price of Georgia amendment No. 9; "no" on rollcall 391 on agreeing to the Doolittle of California amendment No. 19; "no" on rollcall 392 on agreeing to the Hensarling of Texas amendment No. 30; "no" on rollcall 393 on agreeing to the Neugebauer of Texas amendment; "yea" on rollcall 394 on agreeing to the Neugebauer of Texas amendment No. 4; "no" on rollcall 395 on motion to recommit with instructions for H.R. 1427.

IN MEMORY OF DR. BENEDICT K. ZOBRIST

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. SKELTON. Madam Speaker, it is with deep sadness that I inform the House of the death of Dr. Benedict K. Zobrist, the former director of the Harry S. Truman Presidential Library.

Dr. Zobrist was born in Moline, Illinois, on August 21, 1921, son of Benedict and Lila A. Colson Zobrist. He graduated from Moline High School in 1939 and went on to attend Augustana College, but left his studies to join the United States Army in 1942. After serving in World War II and upon discharge from active duty, he returned to complete his college studies. It was at Augustana College that he met Donna Anderson, his future wife. Benedict graduated in 1946 with a bachelor's degree in history and began graduate school at Stanford University. However, he returned to the Midwest to be closer to Donna and on October 23, 1948, they were united in marriage.

Dr. Zobrist resumed his studies at Northwestern University, earning both a master's degree (1948) and a doctor of philosophy degree (1953) in history. After completing his education, Dr. Zobrist joined the staff of Augustana College, where he became a full-time faculty member in 1960. In 1962, he won a Fulbright Fellowship and studied at Tunghai University in Taichung, Taiwan. He also pursued advanced studies at the East Asia Institute at Columbia University in New York in 1962–63.

Dr. Zobrist moved to Missouri in 1969 to join the staff of the Truman Library in Independence; he became director shortly thereafter. He worked diligently to expand the collections of the library, traveling from coast to coast to meet with members of the Truman administration, as well as other significant figures of that period. Zobrist expanded the work of the Harry S. Truman Library Institute, the not-for-profit foundation associated with the library. He went on to charter a course for the expansion of the Institute's education efforts and its support of the library's operations within the National Archive system. Dr. Zobrist was most proud of instituting "Truman Week", a week long annual celebration held around President Truman's May 8th birthday.

Dr. Zobrist maintained his affiliation with the United States Army as a reservist, and retired as lieutenant colonel. He spent many summers on active duty with the Office of the Chief of Military History in Washington, DC,; he also served as a faculty member at the Command and General Staff College, Fort Leavenworth, and the Army Intelligence School, Fort Bragg.

Madam Speaker, I know the members of the House will join me in extending heartfelt condolences to Donna Anderson Zobrist and their three sons: Karl, Mark, and Erik.

CONGRATULATING SHANA KHADER

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. TANCREDO. Madam Speaker, I rise today to pay tribute to one of my constituents, Ms. Shana Khader of Occidental College. Ms. Khader is a teaching student and is a recipient of the prestigious Fulbright Award. This grant is given to promising individuals to aid them in their academic and cultural pursuits abroad.

The Fulbright Program was established by Congress in 1946 and is sponsored by the U.S. State Department. This program was designed to help build mutual understanding between Americans and the global community. Individuals who are awarded this distinction have demonstrated outstanding academic or professional achievement and have proven themselves as leaders in their field.

Madam Speaker, please join me in paying tribute to Ms. Khader and wishing her the best in her future endeavors.

INTRODUCTION OF THE INCOME-DEPENDENT EDUCATION ASSISTANCE ACT OF 2007

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. PETRI. Madam Speaker, today, I am introducing of the Income-Dependent Education Assistance (IDEA) Act of 2007. This legislation would provide a new consolidation option for federal Stafford student loan borrowers with an improved repayment schedule through direct IRS collection of payments, along with other new protections for borrowers and taxpayers.

I believe that the IDEA Act will address the oft-overlooked side of federal student loan assistance: repayment. For over four decades, most of the discussion regarding federal student loans has primarily focused on making ever-increasing amounts of money available to students to keep up with the rising costs of college tuition.

However, providing students with larger loans to attend college leads to another, more complex challenge after graduation. How should students be expected to repay these taxpayerfunded loans? This is an area that has received relatively little attention until recently. With students graduating with ever-increasing debt loads, averaging over $18,000 this year and projected to continue to rise, students are finding it increasingly difficult to make loan payments on time and in full.

Unfortunately, little has been done by way of providing more flexible repayment options for borrowers after graduation. Traditionally it has been expected that the borrower will pay the amortized loan over a standard period, usually 10 years, with the same repayment amount on day one as on the last day. However, this model of repayment fails to take into account that students often face periods of significant unemployment or underemployment during the first years after leaving college.

As of now, for the most part, the only options available to borrowers are to request a period of forbearance or slip into default, which is bad for both borrower and taxpayers. We simply cannot keep providing more and more money for education if graduates then enter the workforce saddled with payments they can't afford.

While there have been some attempts to provide more diverse repayment options, such as the income-contingent loan repayment program available through Direct Lending that has been in existence for over a decade, borrowers have failed to adopt them, usually due to a lack of information or current program limitations. The bottom line is that Congress needs to develop better repayment alternatives for federal student loan borrowers, especially as students continue to take out larger and larger loans in coming years.

I believe the IDEA Act does just that. This legislation would allow any Stafford loan borrower the ability to consolidate into a direct IDEA loan with a repayment schedule that corresponds to the borrower's income once in repayment. This new schedule requires regular payments; however, it ensures that such payments reflect the borrowers' capacity to repay under their current income status. This feature would be particularly useful for those pursuing lower-income, public-service careers. It also would help relieve some of the stress that borrowers face during periods of unemployment or underemployment following graduation.

Another critical component of this legislation is the direct collection of payments from the borrower through IRS withholdings. By incorporating the IRS directly as the collection entity, the borrower's income is automatically calculated into the repayment system and reduces the odds of fraud or abuse on the part of the borrower or the collection agency. Furthermore, direct IRS collection would simplify the process for borrowers and reduce their paperwork burden as the agency would already have the necessary information on file and in place for processing the payment amounts and schedules. Finally, the IDEA Act stipulates that borrowers that go into default and have exhausted all relief from the loan holder would automatically be consolidated into IDEA loans in order to help them get their payments back on track and avoid costly defaults. Thus the taxpayers' investment will be protected from the damaging effects of borrower default, which currently affects 5.1 percent of federal student loans each year.

Madam Speaker, the IDEA Act is an innovative solution to the growing problem of unmanageable debt loads for students. Students would be able to borrow what they need, up to the current Stafford limits, and later consolidate into IDEA loans knowing that their repayment amounts will be within their income levels and ability to pay. On the other hand, taxpayers can count on those loans being repaid as they are collected through the IRS. This is a responsible approach to a serious and growing problem for student loan borrowers.

HONORING THE LIFE OF REVEREND JOE BAMBERG

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. MILLER of Florida. Madam Speaker, on behalf of the United States Congress, it is with a heavy heart that I rise today to recognize and remember an inspirational leader in our community, Reverend Joe Bamberg. Brother Joe left us Monday morning, May 21, at the age of 91. Brother Joe was a selfless leader who will sorely be missed by his family, congregation and community. Our thoughts and prayers remain with Mary, his wife of 63 years, as well as his three children, one grandchild, two great-grandchildren, and his sister.

In his early years, Brother Joe served as a pastor in his native Alabama hometown and as an Army chaplain during World War II. However, beginning in 1947, Brother Joe became the pastor of First Baptist Church of Milton, where he served for 60 faithful years. Reverend David Spencer, who is the current pastor of First Baptist Church, credits Brother Joe for the constant growth of the congregation, saying "He was such a worker, a tireless person. He got out and found people, won people for the Lord, and built up this church."

Brother Joe not only worked to strengthen his own congregation, but also reached out and led efforts to begin five other churches in the community. The purpose of his ministry was simply to lead others to Christianity, regardless of whom they were and which church they attended.

Brother Joe's humility was one of his greatest qualities. As a pastor, he intentionally put others before himself. To account for his character, his wife, Mary said her husband made sure to stand at the same level as his congregation during the service. No matter the circumstance, "Joe never took a day off and he refused many pay raise offers."

In 1980, Brother Joe graciously stepped down from the pulpit; however, he continued to serve as pastor emeritus. Persistent in his work, he continued to assist his community through visiting and preaching at local hospitals and nursing homes.

Brother Joe was truly a servant to the Milton community. Reverend Spencer most accurately describes the great significance of

Brother Joe's life, saying, ''He was a fixture in this county; I cannot overstate the impact he had on this community and on this church.'' It is certain that the world has lost a great man. May God rest his soul and continue to bless his family.

HONORING DR. RICHARD COE

HON. PATRICK J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I rise today to honor Dr. Richard Coe for his exceptional career in education and his tremendous contributions to the community. Dr. Coe is retiring after nearly four decades as a teacher and administrator, roles in which he served as an inspiration to both students and colleagues alike.

For the past eight years, Dr. Coe has served as the executive director of the Bucks County Intermediate Unit #22. Through his leadership and guidance, this organization has improved the quality of education for students all across Bucks County. His steadfast commitment to students and teachers has motivated educators throughout our community to follow his example of compassionate dedication.

Madam Speaker, Dr. Coe has been devoted to ensuring the education of all children, especially those with special needs. He began his career as special education classroom teacher, later becoming an administrator of special education services. Dr. Coe intimately understands our society's fundamental responsibility to educate our youth. This means helping students overcome obstacles, no matter how great or small. Like all great educators, Dr. Coe can see the potential and ability in every student. Each student is equally special and equally important.

Madam Speaker, Dr. Coe will be missed in his role with the Bucks County Intermediate Unit. But Dr. Coe will leave behind a legacy that will continue to inspire his colleagues. We can all rest assured that retirement will do nothing to hinder Dr. Coe's enthusiasm for education. Dr. Coe has actively served the community with same eagerness and commitment that he has shown in the classroom. A long list of community organizations have benefited from Dr. Coe's service. Madam Speaker, Dr. Coe has been instrumental in the positive development of our youth and our community, and I would like to thank him on behalf of those whose lives he has touched.

PERSONAL EXPLANATION

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mrs. McMORRIS RODGERS. Madam Speaker, while I was absent from the House of Representative last week due to the birth of my son, I would like to state how I would have voted on the following pieces of legislation if I had been able to be present:

H.R. 1773

To limit the authority of the Secretary of Transportation to grant authority to motor carriers domiciled in Mexico to operate beyond United States municipalities and commercial zones on the United States-Mexico border.

Rollcall No. 349—Yea

H.R. 1585, NATIONAL DEFENSE AUTHORIZATION ACT

Rollcall No. 351—Nay
Rollcall No. 352—Nay
Rollcall No. 355—Yea
Rollcall No. 364—Nay
Rollcall No. 365—Nay
Rollcall No. 366—Nay
Rollcall No. 367—Nay
Rollcall No. 368—Yea
Rollcall No. 369—Yea
Rollcall No. 370—Nay
Rollcall No. 371—Nay
Rollcall No. 372—Yea
Rollcall No. 373—Yea

H.R. 1427

To reform the regulation of certain housing-related Government-sponsored enterprises, and for other purposes.

Rollcall No. 378—Yea
Rollcall No. 379—Yea
Rollcall No. 380—Yea
Rollcall No. 381—Nay
Rollcall No. 382—Yea
Rollcall No. 383—Yea.

CONGRATULATING KRISTA BRUNE

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. TANCREDO. Madam Speaker, I rise today to pay tribute to one of my constituents, Ms. Krista Brune of Princeton University. Ms. Brune is a Latin American and Caribbean studies student and is a recipient of the prestigious Fulbright Award. This grant is given to promising individuals to aid them in their academic and cultural pursuits abroad.

The Fulbright Program was established by Congress in 1946 and is sponsored by the U.S. State Department. This program was designed to help build mutual understanding between Americans and the global community. Individuals who are awarded this distinction have demonstrated outstanding academic or professional achievement and have proven themselves as leaders in their field.

Madam Speaker, please join me in paying tribute to Ms. Brune and wishing her the best in her future endeavors.

TRIBUTE TO OXFORD CENTRAL SCHOOL ARCHERY TEAM

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. GARRETT of New Jersey. Madam Speaker, I rise today with great pride to honor the archery team at Oxford Central School in Oxford, New Jersey. This excellent team has already proven themselves by winning the state championship in the National Archery in the Schools Program. They will now go on to compete in Louisville, Kentucky for the National Championship.

The National Archery in the Schools Program has shown that students not only enjoy learning about archery in school but also report higher attendance on days when archery is taught. I am pleased that Oxford Central School has not only embraced this successful program, but also seen such positive results from its implementation.

The Oxford archery team is comprised of 24 outstanding shooters who finished well above their competition in New Jersey. Two of the archers, Kayle Bethune and Sharlette Carey, finished in the top three in the state. They will now go on to compete against archers from 41 other states for the national title. I expect that the Oxford archery team will certainly be a force to be reckoned with during competition.

Their individual performances and overall team accomplishments thus far deserve our most heartfelt congratulations and I wish them the best of luck at the National Championships on June 9th.

PERSONAL EXPLANATION

HON. VITO FOSSELLA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. FOSSELLA. Madam Speaker, on roll call no. 395 I was unavoidably detained. Had I been present, I would have voted ''yes.''

TRIBUTE TO THE EUGENE A. OBREGON AMERICAN LEGION POST 804 ON THE OCCASION OF ITS 60TH ANNUAL MEMORIAL DAY SERVICE

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Ms. ROYBAL-ALLARD. Madam Speaker, I rise today to pay tribute to the Eugene A. Obregon American Legion Post 804 located in East Los Angeles in my congressional district on the occasion of its 60th Annual Memorial Day Service.

Chartered by Congress in 1919, the American Legion was formed as a patriotic wartime veterans' community service organization. Thirty-five years later, the American Legion Post 804 was chartered locally in East Los Angeles.

Post 804 was named after East Los Angeles war hero Private First Class Eugene Arnold Obregon who was killed in Seoul, Korea in 1950 by enemy forces while in the line of duty. Private Obregon served with Company G, Third Battalion, Fifth Marines, First Marine Division (Reinforced) and his death occurred just days before his 20th birthday.

While serving as an ammunition carrier for a machine gun squad, he was pinned down by hostile fire and left his covered position to attend to a fallen Marine, dragging him to safer ground. After seizing the Marine's shoulder rifle, he used his own body as a shield to protect his wounded comrade, firing at the enemy until he was fatally wounded by machine gun fire.

For his courage and selflessness above and beyond the call of duty, Private Obregon was posthumously awarded the United States Congressional Medal of Honor—the highest award

for valor in action against an enemy force bestowed upon an individual serving in the Armed Services.

My father, the late Congressman Edward R. Roybal, himself a World War II veteran, was extremely grateful to Private Obregon and the many other men and women who made the ultimate sacrifice in defense of our nation. My father was among the founding members of Post 804, and it was always important to him that Memorial Day be observed with a heartfelt and patriotic tribute to the fallen. If my father were with us today, he would be the first to commend Post 804 for its 60-year tradition of organizing these poignant Memorial Day services.

This year, the American Legion Post 804 will be holding an inspirational 24-hour Memorial Day Patriotic Vigil. It will begin at 10 a.m. on Sunday, May 27 and conclude on Monday, Memorial Day, May 28 at 10 a.m. The conclusion of the vigil will mark the beginning of the Post's Memorial Day service at Cinco Puntos in East Los Angeles, and the entire community has been invited to participate.

Many of the Post's 150 members who will participate in the service know firsthand the toll that war takes on our brave men and women who serve. The Post's membership includes veterans of World War I, World War II, the Korean War, Vietnam, Lebanon, Grenada, Panama, Afghanistan and the Persian Gulf.

In addition to the Post's Memorial Day service, Post 804 supports and sponsors a number of important community events throughout the year, including Veterans Day services at Atlantic Park in East Los Angeles, a toy drive for the Children of Brooklyn Avenue School, school presentations on the American Flag and Patriotism, and voter registration and blood drives.

The Post is also home to Sons of the American Legion Post 804 and the Veterans of Foreign Wars Post 4696, including its Ladies Auxiliary. The Los Angeles Chapter of the Hispanic Airborne Association, the San Gabriel Valley Chapter of the 82nd Airborne Association, and the Rice Patties Jumpers Chapter of 187th Regiment also call the Post home.

Madam Speaker, I salute Post 804 for its patriotic and meaningful work in the community and for steadfastly holding true to its basic tenants to safeguard "the principles of justice, freedom and democracy" and "to promote peace and goodwill on earth . . ." Through its efforts in organizing Memorial Day services and its other important community undertakings, the Post serves as a living memorial to our men and women in uniform who have made the ultimate sacrifice for our country.

I ask my colleagues to join me in recognizing the outstanding work of the Eugene A. Obregon American Legion Post 804 on the occasion of its 60th Annual Memorial Day Service at Cinco Puntos in East Los Angeles, and in commending the Post for its dedication to preserving the memories of our brave soldiers to ensure that we "never forget."

CONGRATULATING ZACHARY BARTER

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. TANCREDO. Madam Speaker, I rise today to pay tribute to one of my constituents, Mr. Zachary Barter of Brown University. Mr. Barter is a teaching student and is a recipient of the prestigious Fulbright Award. This grant is given to promising individuals to aid them in their academic and cultural pursuits abroad.

The Fulbright Program was established by Congress in 1946 and is sponsored by the U.S. State Department. This program was designed to help build mutual understanding between Americans and the global community. Individuals who are awarded this distinction have demonstrated outstanding academic or professional achievement and have proven themselves as leaders in their field.

Madam Speaker, please join me in paying tribute to Mr. Barter and wishing him the best in his future endeavors.

PERSONAL EXPLANATION

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Ms. BERKLEY. Madam Speaker, I was unable to vote on rollcall Nos. 397 through 402. Had I been present, I would have voted "aye" on rollcall Nos. 397, 398, 399, 400, 401, and 402.

TRIBUTE TO OUTSTANDING VALPARAISO, INDIANA NOON KIWANIS CLUB VOLUNTEERS

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. VISCLOSKY. Madam Speaker, it is my distinct honor to commend nine exceptional individuals from Northwest Indiana who have been recognized as outstanding volunteers by the Valparaiso, Indiana Noon Kiwanis Club. These individuals are: Judy Back, Elizabeth "Bette" Brown, Bob Buhle, Chelsey Dunleavy, Michele Hale, Sandy Jenkins, Beverly Overmyer, Pat Puffer, and Rob Thorgren. These honorees will be recognized at the Sixth Annual Valparaiso Kiwanis Club Foundation Volunteer Recognition Program, which will be held on Wednesday, May 30, 2007, at the Strongbow Inn in Valparaiso. This annual event recognizes the efforts of outstanding community volunteers and celebrates the spirit of volunteerism in Valparaiso.

Judy Back, of the Salvation Army, has been a constant role model and a true inspiration to her community through her many volunteer efforts. Having served on and chaired many boards throughout the years, Judy has been extremely active in her efforts with the Porter County Angel Tree Program, a program that provides children with gifts and families with food for the holidays. Judy has also been active in many other facets of the Salvation Army, as well as the Purdue North Central Women's Association, of which she was the founding president.

Bette Brown, a retired teacher with the Valparaiso Community Schools, has enriched the lives of countless students over the years. Since her retirement, she has continued to volunteer at Valparaiso High School, serving as front desk person. In this capacity, Bette is in charge of greeting visitors and guiding them on their visits. In addition, she plays an important role in the safety of the students by making sure that all visitors are authorized and accounted for. Furthermore, Bette has been active in the Valparaiso Organization for Learning and Teaching Seniors (VOLTS) program, as well as the Lyric Opera Lecture Corps, a program aimed at introducing children to classical music.

Bob Buhle has served in many capacities for the Hilltop Neighborhood House for several years, including Board President and Vice President. In addition, he has been instrumental in the construction of the Hilltop Community Health Center, as well as a dedicated member of the organization's Board Development Committee and Finance and Audit Committee. Not only has Bob dedicated himself to Hilltop, he has also donated much of his time and efforts to Habitat for Humanity.

Chelsey Dunleavy, a peer tutor in the Life Skills Program at Valparaiso High School, has served as President of the HOPE Club for the past two years. As a volunteer in the Life Skills Program, Chelsey devotes her spare time to helping students with special needs. As President of the HOPE Club, she plans and supervises activities and events and does so in a manner that allows everyone to participate. Chelsey is also very active in her church, where she teaches Sunday school, as well as in various other programs at Valparaiso High School. In performing any tasks, Chelsea is known for her ability to excel far beyond any expectations, and more impressively, to do so without expecting anything in return.

An avid runner, Michele Hale, has been a volunteer with Opportunity Enterprises for the past seven years. Pairing her love for long-distance running with her commitment to serve her community, Michele leads the Opportunity Enterprises' Lake County Marathon Training Team and also serves as the organizer for an annual charity bike run. Michele also serves as President of the Calumet Region Striders and contributes much of her efforts to the Cancer Foundation, the Muscular Dystrophy Association, and Saint Jude's Children's Hospital.

Sandy Jenkins, a volunteer for the Porter Auxiliary, has contributed countless hours to the organization and the people it serves. While her primary duty is to provide information for visitors at the front desk, Sandy has always welcomed additional responsibilities with the Auxiliary and has served in a secretarial capacity and in public relations as well. For her efforts and her unwavering dedication to the Porter Auxiliary, Sandy has even been featured in the Stay Healthy magazine.

A volunteer with the Independent Cat Society, Beverly Overmyer has fully dedicated herself to the organization. Among other roles, Beverly has served on the Board of Directors, as Corresponding Secretary, writer for the Mewsletter, room parent, co-chair of the public relations committee, and in many fundraising capacities. Though extremely committed to the Independent Cat Society, Beverly also finds time to volunteer for the Taltree Arboretum, where she serves as an instructor and prepares materials for field trips, and is very active in the Kankakee Valley Historical Society.

Pat Puffer is being honored for her many efforts in the community, most notably, her work with the Porter-Starke Services Foundation.

Pat has served the foundation in various capacities, such as board member and sponsorship and silent auction committee member for the Art of Healing Gala. Passionate about her service to the community, Pat has been involved not only with Porter-Starke, but with numerous other organizations and fundraising efforts, including: the Valparaiso Ethics Committee, Parkinson Style Show, American Heart Association, Valparaiso YMCA, Children's Museum of Valparaiso, United Way of Porter County, Crisis Center, Boys and Girls Club, American Cancer Society, and Special Kids Special Needs, to name a few.

Rob Thorgren has been a volunteer with the Valparaiso YMCA for the past five years. A leader within the organization and his community, Rob has served in many capacities with the YMCA. He has served on the Board of Directors, as a Strong Kids Campaigner, and as a special events volunteer. Additionally, he has served as a member of the Capital Campaign Development Committee and the Building Committee for the new Valparaiso Family YMCA.

Madam Speaker, I ask you and my distinguished colleagues to join me in commending these outstanding individuals on their recognition as honored volunteers by the Valparaiso Kiwanis Club Foundation. Their years of service and dedication have played a major role in shaping the future of Northwest Indiana, and each of the honorees is truly an inspiration to us all.

TRIBUTE TO DEBORAH COHN

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. MORAN of Virginia. Madam Speaker, I rise today to recognize the fine work of Deborah Cohn, Deputy Commissioner for Trademark Operations at the United States Patent and Trademark Office (USPTO), for her leadership in promoting government telework. As a result of her ingenuity and perseverance with this program, Ms. Cohn spearheaded the development of the USPTO's telework program at a time when telework was unconventional, and her efforts have paid off as the program is among the most successful telework programs within the Federal workforce.

This year, the Trademark Work at Home (TWAH) program is celebrating its 10th anniversary. Established in March of 1997, TWAH began as a pilot program with 18 telework volunteers. Today, TWAH is the most successful and progressive program in the Federal Government, involving 85 percent of eligible trademark examining attorneys, who work 4 days per week at home.

The USPTO, located in my congressional district in Alexandria, VA, has received many distinguished awards for opening doors to its telework program. These include the most recent 2007 Work-Life Innovative Excellence Award from the Alliance for Work-Life Progress—the highest honor offered by the organization, which was created to showcase programs and policies that demonstrate excellence in promoting work-life effectiveness while achieving institutional goals. Other notable awards include those from the Metropolitan Washington Council of Governments, the Telework Exchange, the MidAtlantic Telework Advisory Council, and the International Telework Association and Council.

The Trademark telework program is a successful model for other governmental agencies. Combining management by objective with hoteling results in proven space and related cost savings for the agency. The program also demonstrates that flexibility of schedules and location enables employees to maximize their working efficiency, which is reflected in production gains by its participants and the Office. The extremely low attrition rate experienced by the TWAH participants shows that agencies facing recruitment and retention problems would be well-served by offering telecommuting options, similar to those of the USPTO, to attract and retain qualified workers.

I have been a longtime advocate of commuter friendly policies such as telecommuting. Proven benefits include helping to offset the high price of gasoline, continuity of operations in the case of a future threat or disaster, improved air quality, reduction in traffic congestion, increased employee productivity and work quality, improved employee morale, and employee cost savings. As the Nation's largest employer, the Federal Government should be the leader in telework policy. The USPTO serves as the gold standard for the Federal Government thanks to the efforts of Deborah Cohn.

Ms. Deborah Cohn is a graduate of The American University and George Mason University School of Law. She began her career at the USPTO in 1983 as a trademark examining attorney, was promoted to senior attorney and then managing attorney, and then joined the Senior Executive Service as a Trademark Law Office Director in 2001. Ms. Cohn was named Deputy Commissioner for Trademark Operations in 2005 whereby she currently oversees the examination and processing of applications throughout the trademark operation and works with other USPTO business units in achieving agency goals.

Throughout her legal career at the USPTO, Ms. Cohn has been involved in work-life improvement initiatives. She is a former Council of Excellence in Government fellow where she first began developing the TWAH program. Ms. Cohn is a sought after resource, speaker, and expert on the development and management of telework programs.

I ask my colleagues to join me in commemorating Ms. Cohn's efforts in making the USPTO's telework program the most successful program within the Federal Government. I also ask my colleagues to join me in celebrating the 10th anniversary of the Trademark Work at Home program.

CONGRATULATING THE AMBASSADOR OF GREECE TO THE UNITED STATES, MR. ALEXANDROS MALLIAS

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Ms. BERKLEY. Madam Speaker, I rise to congratulate the Ambassador of Greece to the United States, Mr. Alexandros Mallias, who was recently honored by the B'nai B'rith International Center for Jewish Culture for his commitment to advancing Jewish-Greek relations.

As part of its "Odyssey of the Jews of Greece" series of cultural events, B'nai B'rith International recognized the efforts of Ambassador Mallias in working with American Jewish organizations to promote a closer relationship between Greece and Israel. B'nai B'rith Executive Vice President Dan Mariaschin expressed the organization's gratitude to Ambassador Mallias and highlighted the long history of the Jewish people in Greece.

On a personal note, my own family was part of that history. My great grandparents and maternal grandmother emigrated from Greece to the United States, and many of those family members they left behind in the Jewish community of Thessaloniki perished at the hands of the Nazis during the Holocaust.

I would like to congratulate Ambassador Mallias, and insert his remarks into the RECORD.

(A) RELATIONS BETWEEN GREEKS AND JEWS THROUGH THE CENTURIES

Greeks and Jews are connected by history, geography, monotheistic religions, philosophy, trade, social sciences, arts.

The two peoples have been interacting since the beginning of recorded history. There is recorded presence of Jews in the Greek world, what Jews first named Gentiles, centuries before Christ. The presence of Jewish community in Thessaloniki, the capital of Macedonia, goes back to the 2nd century BC.

The most important sites of Christianity in the Holy Land are under the supervision of the Greek Orthodox Patriarchate. It is a unique and the most ancient surviving institution on earth.

Over the years, Greece has forged strong ties with Israel. Bilateral relations are at a very good level. Political, economic and cultural relations have gained their own dynamic.

(B) HOLOCAUST

During the Second World War, Greek Jews shared the fate of their fellow Jews all over the continent in the hands of the Third Reich.

According to the Central Board of Jewish Communities in Greece: "When, during the German occupation, the hateful campaign against the Jews started, their Christian compatriots showed compassion and solidarity."

Archbishop of Greece Damaskinos declared: "We are all Jews." He filed to the German Authorities 2 petitions asking them to stop the persecution of the Jews. The petitions were undersigned by 29 leading cultural institutions and professional bodies of the country, including the Academy of Athens. Many ordinary Greeks in rural Greece and big cities risked their lives and the lives of their families by sheltering Greek Jews.

Fortunately, the decimated Greek Jewish community with the assistance of the state and energized by its unique spiritual inheritance survived the massacre of the Holocaust. Today the Greek Jews have reclaimed their rightful position among the most dynamic and progressive segments of the Greek society.

The message of the Holocaust: Never Again.

(C) INDICATIVE MEASURES ADOPTED BY THE GREEK STATE.

First post World War II Greek Government was the first among European countries to pass legislation for the restitution of the property confiscated by the German occupation Forces. Unclaimed property did not revert to the state but was given to the Jewish Community.

Designation by Law 3218/2004 of the 27th of January as the day of Remembrance of the

Holocaust. Legislation was praised by many members of the US Congress.

Greece became a full member of the Task Force for International Cooperation on Holocaust Education, Remembrance and Research (Cracow Session 12–18 November 2005).

Memorials have been erected in many cities throughout Greece.

Public TV often shows documentaries and historical series on the Holocaust.

Since school year 2005–2006, the Holocaust is included in the curriculum of the third grade Lyceum (age 17–18 years old) entitled ''War crimes—the Holocaust'' and students are tested at the end of the school year.

An extensive revision of textbooks is being undertaken by the Pedagogical Institute. A new textbook and teachers' guidelines will be issued next year. Textbooks of primary and secondary education are also being revised.

(D) HISTORIC PERSPECTIVE

Greece has firmly condemned pronouncements by the Iranian President calling for Israel to be wiped-off the map and denying the indisputable fact of the Holocaust. How would anyone deny this fact when the Greek-Jewish community almost vanished during the German occupation of Greece?

The unique historic perspective of the Jewish people guarantees that the issue of Macedonia is well understood. After all, one of the most ancient and flourishing Greek-Jewish communities is in Thessaloniki. Jews from Macedonia who after WW II emigrated to Israel or the US are proud for their Greek inheritance.

History transcends national borders. It belongs to all of us. Political differences cannot justify the distortion of history in any form. Greeks and Jews understand that.

IN HONOR AND MEMORY OF ARMY SPECIALIST CASEY W. NASH

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. RUPPERSBERGER. Madam Speaker, I rise before you today to honor Army Specialist Casey W. Nash, who died the eighteenth of May two-thousand seven in support of Operation Iraqi Freedom.

Specialist Nash and two other soldiers were killed by an improvised explosive device in Tahrir, Iraq. He died of serious injuries when the roadside-improvised explosive device detonated near his unit. Specialist Nash enlisted in the Army in February 2003, shortly after graduating from Eastern Technical High School, where he played football. Casey was assigned to the 1st Battalion, 12th Cavalry Regiment, 3rd Brigade Combat Team, 1st Cavalry Division at Fort Hood, Texas. Casey served as a fire support specialist and his duties included mapping coordinates and driving a Humvee. He was serving his second tour of duty in Iraq.

Casey Nash was born in Pasadena, Texas, and moved to Middle River, Maryland with his family when he was a child. He attended Victory Villa Elementary School and Middle River Middle School before attending Eastern Technical High School. Casey moved to Essex, Maryland with his mother, Sandra Nash, and his sister while he was in high school.

The Eastern Technical High School alumnus is succeeded by his father, Lewis Nash, his mother, Ms. Sandra L. Nash, his sister, Sara Nash, and many family members in Middle River and Essex, Maryland.

Madam Speaker, today I ask that you join with me in honoring the life of a man truly dedicated to serving his Country.

PERSONAL EXPLANATION

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. LARSON of Connecticut. Madam Speaker, I regret that I did not vote on rollcall vote No. 400, on May 22, 2007. Had I been present, I would have voted: ''Yea'' on rollcall No. 400 on the motion to suspend the rules and pass H.R. 2399, to amend the Immigration and Nationality Act to combat the crime of alien smuggling and related activities and for other purposes.

IN TRIBUTE TO TERESA KIRKEENG-KINCAID

HON. RAY LaHOOD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. LAHOOD. Madam Speaker, I rise today to pay tribute to Teresa Kirkeeng-Kincaid, a remarkable civil servant who dedicated her entire career to making her community, the Illinois River basin, the Upper Mississippi River Region and her Nation a better place. Teresa passed away last week at the young age of 48, after a courageous battle against cancer. Her legacy, however, will continue long into the future. Teresa dedicated her entire professional life to working for the Federal Government. I have long believed that government service is a high and important calling. The hours are often long, the pressures are great, and the monetary compensation is frequently lower than what is available in the private sector. Teresa was one of those individuals who was more concerned with making a difference than making a fortune. Teresa joined the U.S. Army Corps of Engineers as a civil engineer with the Rock Island District in 1981, and continued with the Corps for 26 years. In that time, she served in many roles, including Assistant Chief of the Planning, Program and Project Management Division.

During her two and a half decades of service, Teresa earned a reputation on the Illinois River basin, the Upper Mississippi Region and across the Nation as a public servant of great dedication and integrity. She played a leadership role in formulating navigation, flood damage, and ecosystem restoration projects throughout the entire Upper Mississippi River basin. She was the ''go to person'' throughout the Corps of Engineers on numerous planning issues. The team she led reestablished the Corps' Planning Associates program to train future planners for the Corps, a legacy that will last for many decades.

I had the occasion to meet Teresa several times, and know the very high regard in which she was held by her co-workers, her countless friends, and her loving family. It is my hope they will take solace in the fact that through more than two decades of doing the day-to-day work of democracy, Teresa Kirkeeng-Kincaid truly earned the title of ''hero.''

''DEAMONTE'S LAW,'' H.R. 2371

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. CUMMINGS. Madam Speaker, I rise today to announce that I have introduced ''Deamonte's Law,'' H.R. 2371, a bill to establish a dental home for every American child by increasing dental services in community health centers and training more individuals in pediatric dentistry.

The legislation is named for Deamonte Driver, a 12-year-old Maryland boy who died on February 25, 2007, when a tooth infection spread to his brain. A routine dental checkup might have saved his life, but Deamonte was poor and homeless and he did not have access to a dentist.

When I learned of this senseless tragedy, I was deeply shaken. I simply cannot comprehend how, in this country where we have sent a man to the moon, we let a little boy's teeth rot so badly that his infection became fatal.

I often say that as adults, we have a responsibility to provide for and protect our children—and we failed to meet that responsibility for little Deamonte.

I think we all should be ashamed by that fact. I know I am.

That is why I have made a commitment to addressing this issue from every angle. I knew that if Deamonte was suffering in my home state of Maryland, other little boys and girls like him were probably also suffering.

To be clear, Deamonte's case was rare and extreme; however, even the most casual investigation reveals that children across the country are living with painful, untreated tooth decay, many of them dangerously close to acquiring life-threatening infections.

The Centers for Disease Control and Prevention reports that tooth decay in baby teeth has increased 15 percent among United States toddlers and preschoolers 2 to 5 years old, between 1988 to 1994 and 1994 to 2004;

Tooth decay is the single most common childhood chronic disease, and it disproportionately affects poor and minority children;

Eighty percent of dental decay occurs in just 25 percent of children; and

Parents are three times more likely to report that their children's dental needs are unmet, when compared with general medical care needs.

A silent epidemic of dental disease is plaguing our children, and our inability to address this issue has had horrifying effects.

That is why I have introduced ''Deamonte's Law,'' H.R. 2371, which would address two critical factors contributing to the inability of children like Deamonte to access a dentist:

''Deamonte's Law'' would ensure that children like Deamonte have access to dental services in the communities where they live. Community health centers provide a health safety net to underserved areas, such as

rural and urban communities; however, an estimated 42 percent have gaps in their capacity to provide dental care. ''Deamonte's Law'' would address this issue by establishing a 5-year, $5 million pilot program to provide funds for dentists, equipment and construction for dental services at community health centers. The program would also provide support for contractual relationships between centers and private practice dentists.

''Deamonte's Law'' would also address the dentist shortage. The U.S. Department of Health and Human Services estimates that there is a shortage of 4,650 dentists—and pediatric dentists are even more scarce. ''Deamonte's Law'' would address this issue by establishing a 5-year, $5 million pilot program to enhance training and academic programs in pediatric dentistry, recruit and train dentists to study pediatrics, and provide continuing education for practicing dentists.

The legislation is endorsed by the American Dental Association.

I was joined in introducing this legislation by my colleagues, Chairman HENRY A. WAXMAN of California and Chairman DENNIS KUCINICH of Ohio.

I want to thank both Congressmen for their leadership and dedication to this issue.

On May 2, 2007, at my request, we conducted an oversight hearing entitled, ''Evaluating Pediatric Dental Care under Medicaid'' to investigate Deamonte Driver's death.

At the hearing, it became apparent that the Centers for Medicare and Medicaid Services has categorically failed to meet its oversight responsibilities with regard to ensuring that state health departments, and the managed care organizations that they contract with, are in compliance with the law.

Section 1905(r)(3) of the Social Security Act ensures that every Medicaid-eligible child will have access to medically necessary dental care under the early and periodic screening, diagnostic and treatment (EPSDT) provision. However, it is evident from our investigation that this has not been the case.

That is why Chairman KUCINICH and I sent letters to CMS Director Dennis Smith and Health and Human Services (HHS) Department Secretary Michael Leavitt to ensure that they are fulfilling their statutory obligation to provide comprehensive dental care to every Medicaid-eligible child.

I remain committed to addressing this problem from every angle, and I would urge all my colleagues to join me by supporting ''Deamonte's Law,'' H.R. 2371.

I want to thank Representatives MILLER, COHEN, GRIJALVA, SERRANO, MCCOLLUM and PAYNE for already cosponsoring the legislation, and I would urge all of my colleagues to join them.

Children's lives are at stake. I can think of no better reason to act with a great sense of urgency.

TRIBUTE TO JESUS ARMAS—HAYWARD CITY MANAGER EXTRAORDINAIRE

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. STARK. Madam Speaker, I rise today to pay tribute to Jesus Armas, City Manager of Hayward, CA. Mr. Armas is ending his long and distinguished career with the City of Hayward at the end of June 2007. Mr. Armas, who has been associated with the City for nearly 20 years, was initially Assistant City Manager and since 1993 has held the position of City Manager.

During his tenure, Mr. Armas has assisted the City Council in addressing a number of issues that were outstanding at the time of his appointment as City Manager. Among his first tasks was to help the City Council address the financial challenges facing the City. The City was experiencing declining revenues and a reduction in its fund balance. Working with department heads and with the cooperation and assistance of employees and their associations or unions, various cost-saving measures were presented and adopted by the Council, resulting in a balanced budget. This spirit of cooperation among all members of the organization was employed once again a decade later when a downturn in the economy required another belt tightening,

Mr. Armas has initiated and implemented a number of significant changes, which have made Hayward a better place in which to live and work. Under the City Council's direction, he initiated projects that dramatically transformed downtown Hayward. Construction of a new award-winning City Hall served as a catalyst for significant public and private sector investments in the downtown area. Housing and retail development continue at a fast pace. While many communities in the Bay Area talked about the concept of transit-oriented development, Hayward went beyond the talking stage and caused the concept to become a reality. Mr. Armas describes the transformation of downtown as something he is especially proud of.

Jesus Armas has been the force and vision behind many projects that have enhanced the social, financial and environmental well-being of the City of Hayward. In reflecting on his tenure, Mr. Armas said that beyond the bricks and mortar, what is noteworthy has been the opportunity to work in a diverse community, where differences involving race, ethnicity and languages, are embraced and seen as positive rather than negatives aspects of the community.

Mr. Armas states ''I will be eternally grateful to Hayward residents for allowing me to experience a rewarding and enriching professional career,'' I join the City of Hayward, CA in expressing our profound appreciation to Mr. Armas for his exemplary commitment and dedicated public service.

HONORING THE STATE OF TEXAS FOR ITS CONTRIBUTIONS TO THE NATION'S CIVIL SPACE PROGRAM

HON. NICK LAMPSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. LAMPSON. Madam Speaker, a resolution honoring the State of Texas for its contributions to the Nation's civil space program.

Whereas the Johnson Space Center (JSC), originally established as the Manned Spacecraft Center in Houston, Texas in 1961 and later renamed in honor of President Lyndon B. Johnson in 1973, continues to lead the National Aeronautics and Space Administration's (NASA) efforts in human space exploration;

Whereas JSC Houston is the home of NASA's Mission Control, the Astronaut Corps, and is the premier center for our nation's human space flight and related scientific and medical research efforts;

Whereas JSC's team of dedicated professionals has made advances in science, technology, engineering and medicine that enable us to explore our world and universe as never before, and to derive unparalleled benefits from that exploration;

Whereas JSC currently employs over 3,200 civil servants that include the NASA astronaut corps and over 12,000 contractor employees, which makes a significant positive economic impact on both the state of Texas and the city of Houston;

Whereas NASA's Explorer School program in Texas brings together educators, administrators, students and families in sustained involvement with NASA's education programs and provides grants to schools to support the purchase of technology tools, online services and in-service support for the integration of technology applications to engage students in advanced science and mathematics investigations;

Whereas NASA's next mission—Space Shuttle Mission STS–117—is scheduled to launch this summer and honors the state of Texas by having 3 hometown astronauts aboard Mission Specialist James F. Reilly of Mesquite and Mission Specialists Patrick G. Forrester and John D. Olivas, both of El Paso; and

Whereas native Texans and Astronauts Robert S. Kimbrough and Shannon Walker have qualified for future space flights as mission specialists, Astronaut Timothy L. Kopra is currently in training at JSC for future flight assignments, Astronaut Michael E. Fossum has flown 1 space flight, and Astronaut Kenneth D. Cockrell has flown on 5 space flights: Now, therefore, be it

Resolved, That the House of Representatives—

(1) Recognize these remarkable achievements to the nation's Civil Space Program by the State of Texas and its residents; and

(2) Congratulate NASA employees, astronauts, students, and teachers, for their ongoing contributions to the advancement of United States engineering, scientific, and aeronautic capacity, ensuring a brighter and stronger future for this Nation.

RECOGNIZING JAMES HATLER FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize James Hatler, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 214, and in earning the most prestigious award of Eagle Scout.

James has been very active with his troop, participating in many scout activities. Over the many years James has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending James Hatler for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

10TH ANNUAL WOMEN IN MILITARY WREATH LAYING CEREMONY

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Ms. SCHAKOWSKY. Madam Speaker, I rise on behalf of the entire Women's Caucus, Co-Chairs LOIS CAPPS and CATHY MCMORRIS RODGERS and my co-Vice Chair, MARY FALLIN, to honor four women who have served our Nation with honor and distinction. Today, the 10th Annual Women in Military Wreath Laying Ceremony hosted by the Caucus, was held at Arlington Cemetery. The purpose is to honor our Nation's servicewomen and women veterans for their courage and achievements, and to remember the women who have died in service to the United States of America.

SFC Barbara Clavijo, United States Army, distinguished herself by exceptionally meritorious conduct in the performance of outstanding service to the United States as the Multi-National Division Baghdad Force Protection Vulnerability Assessment Team NCOIC, 4th Infantry Division, Camp Liberty, Iraq from December 2, 2005–November 15, 2006 in support of Operation Iraqi Freedom.

While assigned as the Multi-National Division Baghdad Vulnerability Assessment Team NCOIC, SFC Clavijo was directly responsible for the development and execution of the Division's force protection program. Without hesitation and with great enthusiasm, and despite the inherent threats and dangers, she continuously navigated the MND–B's battle space to conduct vulnerability assessments. These assessments required SFC Clavijo to plan, coordinate, and participate in over 125 ground and air movements in support of these missions. During the course of these assessments she was forced to travel many routes known to be covered with Improvised Explosive Devices, IEDs. During one of these assessments she had the unlucky fortune to have her vehicle targeted by an IED. For this reason she was awarded the Combat Action Badge. Her awards also include the Bronze Service Medal, Meritorious Service Medal, Army Commendation Medal, Army Achievement Medal, Army Good Conduct Medal, National Defense Service Medal, Drill Sergeant Badge, and Combat Action Badge. I am truly pleased to honor SFC Barbara Clavijo for her service and dedication.

Master Chief Ann L. Tubbs began her career with the U.S. Coast Guard in July 1980 when she graduated from the Coast Guard Training Center in Cape May, New Jersey and was assigned to Coast Guard Station Jonesport in West Jonesport, ME. Later, she was assigned aboard the Coast Guard icebreaker *Glacier* where she made 2 trips to Antarctica as part of Operation Deep Freeze. After leaving *Glacier*, Master Chief Tubbs spent 2 years in Mobile, AL., as a small boat engineer running search and rescue boats in the Gulf of Mexico.

In August 2001, she accepted an active duty position in the Office of Reserve Affairs at Coast Guard Headquarters in Washington, DC. In 2002, she advanced to Senior Chief Petty Officer and was assigned as the Enlisted Gender Policy Advisor to the Commandant. She advanced to Master Chief Petty Officer on January 1, 2005. She assumed her current job as Special Assistant to the Master Chief Petty Officer of the Coast Guard in October of 2006. Master Chief Tubbs' military awards include the Coast Guard Commendation Medal, the Coast Guard Achievement Medal with Operational Distinguishing Device, the Commandant's Letter of Commendation, the Coast Guard Good Conduct Medal and the Reserve Good Conduct Medal, and the Antarctic Service Medal. I am so pleased to recognize Master Chief Tubb's today.

SSGT Cassie L. Lucero began her career with the Marines in 1998. During her career in the Marines, she has been decorated with numerous medals, including the Joint Service Commendation Medal, Navy and Marine Corps Commendation Medal, three Navy Marine Corps Achievement Medals, two Joint Meritorious Unit Awards, Navy Unit Commendation, Navy Meritorious Unit Commendation, two Good Conduct Medals, National Defense Service Medal, Iraqi Campaign Medal, Global War on Terrorism Expeditionary Medal, Global War on Terrorism Service Medal, Korean Defense Medal, Military Outstanding Volunteer Service Medal, and three Sea Service Deployment Awards. It is my pleasure to honor SSGT. Cassie L. Lucero for her service.

CMSGT and Barbara S. Taylor is the Chief of Supply for the United States Air Force Band, Bolling Air Force Base, Washington, D.C. Originally from Kingsport, TN, her military career began in 1982. CMSGT Barbara S. Taylor was assigned to the United States Air Force Heritage of America Band at Langley Air Force Base, Virginia. There, she was both a euphonium and vocal soloist. She was the band's Director of Operations from October 1995 until her reassignment to the United States Air Force Band in January 1997. In 1993 and 1996, Chief Taylor was named the Air Combat Command Band's Noncommissioned Officer of the Year, and in February 1997 she was named the Air Combat Command Noncommissioned Officer of the Year for the band career field. Chief Taylor was also awarded the Commandant's Award at both the Airman Leadership School and the Noncommissioned Officers Academy. I am so honored to recognize Chief Taylor for her dedication to the United States.

Madam Speaker, it is with great admiration and pride that the Congressional Caucus for Women's Issues honors these four servicewomen and their extraordinary accomplishments. In a time when our military faces especially difficult challenges both at home and abroad, these four women have shown exceptional courage, ability and loyalty to the Armed Services of the United States of America. They are true shining examples of the numerous women serving in our military today.

IN TRIBUTE TO THE LATE CAPTAIN PETER CHARLES SIGUENZA, USMC (RET)

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Ms. BORDALLO. Madam Speaker, I rise today to honor the life and service of Captain Peter Charles Siguenza, United States Marine Corps (Retired), who passed away on May 17, 2007, just two days after his 87th birthday. He was the first Chamorro to be commissioned as an officer in the Marine Corps. Peter was also a well known public figure on Guam, and a genuinely fine and honest man who consistently gave of himself in service to his community and his fellow Marines. The outpouring of public condolences and accolades in my home district following the news of Peter's passing is indicative of the respect, admiration, and affection the people of Guam had for Peter and his service to his country.

A person's record of military and community service can be extensive and very impressive, but records do not convey the admiration or depth of emotion of the recipients of the service. Peter C. Siguenza was born on May 15, 1920, the second of nine children born to the late Jose and Consolacion Mendiola Siguenza. He attended Seaton Schroeder Junior High School in Hagåtña and graduated from Coronado High School in Coronado, California. He attended San Diego State College for 2 years, from 1940–1942. After the attack on Pearl Harbor plunged the United States into war, Peter, like thousands of young men, enlisted in the Armed Forces. Peter volunteered for the Marine Corps. After completing boot camp, he was assigned to the Third Marine Division. He saw action in New Zealand, Guadacanal, and Bougainville. The division was then ordered to the Marianas to recapture Guam.

Peter was on board the USS *Dupage*, where he and his fellow Marines watched the intense pre-invasion bombardment of the island. He often spoke about how difficult it was to witness the bombing knowing his family was somewhere on the island, but not knowing whether they were safe.

Peter was among those destined to hit the beach at Asan, Guam, and begin the retaking of the island from the Imperial Army of Japan. But he was ordered away from the battle to attend Officer Candidate School before the landing occurred. Peter returned to Guam as a second lieutenant and participated in post-invasion operations to secure the island. He remained on Guam at the end of the war and was assigned to Island Command in 1946.

Peter joined the Marine Corps Reserves and was assigned to the 12th Reserve District in San Francisco after his discharge from active duty. Upon returning to civilian life, Peter returned and completed college, earning a bachelor's degree from St. Mary's College in Moraga, California, in 1949. He then earned a Master of Science degree in Public Administration from the University of Southern California at Los Angeles in 1955. In 2005, he was awarded an honorary doctorate from the University of Guam.

On September 2, 1950, Peter married his sweetheart, Barbara Bordallo. They had three children: Peter, Monica, and Donna.

After retiring as a captain from the Marine Corps Reserves, Peter went to work for the Government of Guam, serving as director of Labor and Personnel under Governors Carlton S. Skinner, Ford Q. Elvidge and Richard B. Lowe. He then entered into federal service and worked at posts throughout the United States. He also served as a personnel management specialist and appeals and grievance examiner with the Department of Defense Dependents Schools in Europe and the Pacific, and as a personnel management and labor relations specialist on the director's staff. After retiring from federal service, Peter went to work as personnel director for Jones and Guerrero Company, Inc., from 1980–1986.

In addition to his military, government, and private sector careers, Peter always found time to serve his community. He served as chairman of the University of Guam's Board of Regents; was on the Board of Trustees of the Guam Community College; was a member and past president of the Guam Chapter of the Third Marine Division Association, the National Association of Federal Employees, the Guam Territorial Society of Washington, D.C., a member and past vice president of the Young Men's League of Guam, and member of the St. Jude Assembly of the Knights of Columbus.

Peter C. Siguenza passed away just 5 days after the passing of former Senator Paul J. Bordallo on May 12, 2007. Both men were my brothers-in-law. The entire Bordallo family mourns the passing of two of its finest members. Peter was a proud and life long Marine, a war hero, a diligent public servant at both the federal and local government levels, a valued professional in the private sector, a devoted Catholic, and an upstanding citizen.

My prayers and condolences are with his wife, Bobbie; his son, Peter C. Siguenza, Jr., the retired chief justice of the Supreme Court of Guam; his daughters and sons-in-law, Monica and Michael Sphar and Donna and Joel Rigler; his grandchildren, Dawn, David, Isaac, and Nathaniel; his siblings, Olivia S. Guerrero, Eduardo C. Siguenza, and Antonio C. Siguenza, and with his other Bordallo brothers- and sisters-in-law.

MENTAL HEALTH MONTH

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. DAVIS of Illinois. Madam Speaker, I rise today to remind my colleagues that May is Mental Health Month. I would also like to thank those who have dedicated their lives to mental healthcare.

Now more than ever, we must commit ourselves to full mental health parity. An estimated 26 percent of Americans between the ages 18 and older suffer from a diagnosable mental disorder in a given year. This means that 57.7 million people currently suffer from a mental disorder. Millions who suffer from serious, debilitating, and life altering mental disorders. Mental disorders such as Alzheimer's, Schizophrenia and Bi-Polar Disorder. Nearly two thirds of all people with diagnosable mental disorders do not seek treatment.

The burden of mental illness on health and productivity amongst society in the United States has been underestimated. A massive study conducted by the World Health Organization, The World Bank, and Harvard University, discovered that mental illness, accounts for over 15 percent of the burden of disease in market economies, such as the United States. This is more than the burden caused by cancers.

I am grateful to the Committee on Education and the Workforce for reauthorizing the Older Americans Act. The Older Americans Act supports the mental health needs of the elderly. Nearly 236 elderly people per 100,000 suffer from a mental illness. The highest suicide rate in America is among those aged 65 and older. Elderly men are the demographic area that is most likely to commit suicide. Specifically, I want to ensure that senior citizens have access to mental health services in their respective communities or wherever they receive primary health care services. I would like to commend the Honorable PATRICK KENNEDY for his efforts in providing mental health parity in Medicare. I am pleased that we are beginning to make some headway on this important issue.

PERSONAL EXPLANATION

HON. ADAM H. PUTNAM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 23, 2007

Mr. PUTNAM. Madam Speaker, on Tuesday, May 22, 2007, I missed recorded votes due to familial obligations. Please let the record show that had I been here, I would have voted the following way: Roll No. 386—"yea;" roll No. 387—"yea;" roll No. 388—"yea;" roll No. 389—"yea;" roll No. 390—"yea;" roll No. 391—"yea;" roll No. 392—"yea;" roll No. 393—"yea;" roll No. 394—"yea;" roll No. 395—"yea;" roll No. 396—"nay;" roll No. 397—"yea;" roll No. 398—"yea;" roll No. 399—"yea;" roll No. 400—"yea;" roll No. 401—"yea;" roll No. 402—"nay."

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, May 24, 2007 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 5

2 p.m.

Judiciary

To continue hearings to examine the Department of Justice politicizing the hiring and firing of United States Attorneys, focusing on preserving prosecutorial independence.

SD–226

JUNE 6

10 a.m.

Judiciary

To hold hearings to examine patent reform, focusing on the future of American innovation.

SD–226

JUNE 7

2 p.m.

Judiciary

To hold hearings to examine S. 453, to prohibit deceptive practices in Federal elections.

SD–226

Commerce, Science, and Transportation

Space, Aeronautics, and Related Agencies Subcommittee

To hold joint hearings with the House Science and Technology Committee's Subcommittee on Investigations and Oversight to examine the investigation of the National Aeronautics and Space Administration Inspector General.

SR–253

JUNE 12

2:30 p.m.

Commerce, Science, and Transportation

Interstate Commerce, Trade, and Tourism Subcommittee

To hold hearings to examine United States trade relations with China.

SR–253

JUNE 13

9:30 a.m.

Veterans' Affairs

Business meeting to markup pending legislation.

SD–562

10 a.m.

Rules and Administration

To hold hearings to examine nominations to the Federal Election Commission.

SR–301

JUNE 27

9:30 a.m.

Veterans' Affairs

To hold an oversight hearing to examine the Department of Veterans Affairs and the Department of Defense, focusing on cooperation on employment issues.

SD–562

Daily Digest

HIGHLIGHTS

House Committees ordered reported seventeen sundry measures.

Senate

Chamber Action

Routine Proceedings, pages S6495–S6575

Measures Introduced: Twenty-one bills were introduced, as follows: S. 36, 37, 38, 1453–1470.

Page S6549

Measures Reported:

Special Report entitled "Economic Developments in Aging". (S. Rept. No. 110–71)

S. 495, to prevent and mitigate identity theft, to ensure privacy, to provide notice of security breaches, and to enhance criminal penalties, law enforcement assistance, and other protections against security breaches, fraudulent access, and misuse of personally identifiable information, with amendments. (S. Rept. No. 110–70)

S. 231, to authorize the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through 2012. **Page S6548**

Measures Passed:

President Ford Commemorative Document: Senate agreed to H. Con. Res. 128, authorizing the printing of a commemorative document in memory of the late President of the United States, Gerald Rudolph Ford. **Page S6572**

Dr. Francis Townsend Post Office Building: Senate passed S. 1352, to designate the facility of the United States Postal Service located at 127 East Locust Street in Fairbury, Illinois, as the "Dr. Francis Townsend Post Office Building". **Page S6573**

Miguel Angel Garcia Mendez Post Office Building: Senate passed H.R. 414, to designate the facility of the United States Postal Service located at 60 Calle McKinley, West in Mayaguez, Puerto Rico, as the "Miguel Angel Garcia Mendez Post Office Building", clearing the measure for the President.

Page S6573

Lino Perez, Jr. Post Office: Senate passed H.R. 437, to designate the facility of the United States Postal Service located at 500 West Eisenhower Street in Rio Grande City, Texas, as the "Lino Perez, Jr. Post Office", clearing the measure for the President.

Page S6573

Atanacio Haro-Marin Post Office: Senate passed H.R. 625, to designate the facility of the United States Postal Service located at 4230 Maine Avenue in Baldwin Park, California, as the "Atanacio Haro-Marin Post Office", clearing the measure for the President. **Page S6573**

Lieutenant Todd Jason Bryant Post Office: Senate passed H.R. 988, to designate the facility of the United States Postal Service located at 5757 Tilton Avenue in Riverside, California, as the "Lieutenant Todd Jason Bryant Post Office", clearing the measure for the President. **Page S6573**

Sergeant Dennis J. Flanagan Lecanto Post Office Building: Senate passed H.R. 1402, to designate the facility of the United States Postal Service located at 320 South Lecanto Highway in Lecanto, Florida, as the "Sergeant Dennis J. Flanagan Lecanto Post Office Building", clearing the measure for the President. **Page S6573**

Measures Considered:

Comprehensive Immigration Reform: Senate continued consideration of S. 1348, to provide for comprehensive immigration reform, and taking action on the following amendments proposed thereto:

Pages S6499–S6539

Adopted:

By 74 yeas to 24 nays (Vote No. 175), Bingaman Amendment No. 1169 (to Amendment No. 1150), to reduce to 200,000 the number of certain non-immigrants permitted to be admitted during a fiscal year. **Pages S6506–14**

Graham Amendment No. 1173 (to Amendment No. 1150), to provide for minimum sentences for aliens who reenter the United States after removal. **Pages S6514–18, S6522**

Feinstein/Martinez Amendment No. 1146 (to Amendment No. 1150), to provide for the protection of unaccompanied alien children. **Pages S6521–22, S6524**

Gregg Amendment No. 1172 (to Amendment No. 1150), to ensure control of our Nation's borders and strengthen enforcement of our immigration laws. **Pages S6522–24, S6524–28**

Prior to its adoption, a unanimous-consent agreement was reached providing that the motion to table the amendment be withdrawn. **Page S6527**

Leahy Modified Amendment No. 1165 (to Amendment No. 1150), to clarify rules applicable to aliens employed as dairy workers. **Page S6530**

Graham (for Hutchison) No. 1168 (to Amendment No. 1150), to provide local officials and the Secretary of Homeland Security greater involvement in decisions regarding the location of border fencing. **Pages S6530–31**

Pending:

Reid (for Kennedy/Specter) Amendment No. 1150, in the nature of a substitute. **Page S6499**

Grassley/DeMint Amendment No. 1166 (to Amendment No. 1150), to clarify that the revocation of an alien's visa or other documentation is not subject to judicial review. **Pages S6499–S6506**

Cornyn Amendment No. 1184 (to Amendment No. 1150), to establish a permanent bar for gang members, terrorists, and other criminals. **Pages S6529–30, S6531–35**

Coleman/Bond Amendment No. 1158 (to Amendment No. 1150), to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to facilitate information sharing between federal and local law enforcement officials related to an individual's immigration status. **Pages S6536–37**

Akaka Amendment No. 1186 (to Amendment No. 1150), to exempt children of certain Filipino World War II veterans from the numerical limitations on immigrant visas. **Pages S6537–39**

A unanimous-consent agreement was reached providing for further consideration of the bill at 10:30 a.m., on Thursday, May 24, 2007. **Page S6573**

Stevens Tributes—Agreement: A unanimous-consent agreement was reached providing that the deadline for Senators to submit tributes on Senator Stevens for the Congressional Record be extended until close of business on Monday, June 4, 2007. **Page S6572**

Message from the President: Senate received the following message from the President of the United States on Friday, May 18, 2007:

Transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to Iraq as declared in Executive Order 13303 of May 22, 2003, as received during the recess of the Senate on May 18, 2007; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM 15)

Nominations Received: Senate received the following nominations:

Ondray T. Harris, of Virginia, to be Director, Community Relations Service, for a term of four years.

43 Army nominations in the rank of general. **Page S6575**

Nominations Withdrawn: Senate received notification of withdrawal of the following nominations:

Michael E. Baroody, of Virginia, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2006, which was sent to the Senate on March 5, 2007.

Michael E. Baroody, of Virginia, to be Chairman of the Consumer Product Safety Commission, which was sent to the Senate on March 5, 2007. **Page S6575**

Messages from the House: **Page S6547**

Measures Referred: **Page S6547**

Measures Placed on the Calendar: **Page S6548**

Executive Reports of Committees: **Pages S6548–49**

Additional Cosponsors: **Pages S6549–51**

Statements on Introduced Bills/Resolutions: **Pages S6551–62**

Additional Statements: **Pages S6546–47**

Amendments Submitted: **Pages S6562–71**

Authorities for Committees to Meet: **Pages S6571–72**

Privileges of the Floor: **Page S6572**

Record Votes: One record vote was taken today. (Total—175) **Page S6514**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:26 p.m., until 9:30 a.m. on Thursday, May 24, 2007. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6573.)

Committee Meetings

(Committees not listed did not meet)

AUTHORIZATION—DEFENSE

Committee on Armed Services: Subcommittee on Strategic Forces met in a closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of the proposed National Defense Authorization Act for fiscal year 2008.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Committee met in closed session to make up proposed legislation authorizing appropriations for fiscal year 2008 for military activities of the Department of Defense, but did not complete action thereon, and will meet again on tomorrow.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported 142 nominations in the Army, Navy, Air Force, and Marine Corps.

U.S. ECONOMIC RELATIONS WITH CHINA

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Security and International Trade and Finance concluded a hearing to examine United States economic relations with China, focusing on strategies and options on exchange rates and market access, after receiving testimony from Morris Goldstein, Peterson Institute for International Economics, Fairfax, Virginia; Robert S. Nichols, Financial Services Forum, and David A. Hartquist, China Currency Coalition, both of Washington, D.C.; Patrick A. Mulloy, George Mason University School of Law, Alexandria, Virginia, former Member, U.S China Economic and Security Review Commission; and John W. Nolan, Steel Dynamics, Inc., Fort Wayne, Indiana.

COMMUNICATIONS, TAXATION AND FEDERALISM

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine communications, taxation and federalism, focusing on the internet access tax moratorium and its impact on state and local government revenues, after receiving testimony from Senators Wyden and Enzi; Representative Eshoo; James R. White, Director, Tax Issues, Strategic Issues, Government Accountability Office; David C. Quam, National Governors Association, and Harley T. Duncan, Federation of Tax Administrators, both of Washington, D.C.; Annabelle Canning, Verizon Communications, Philadelphia, Pennsylvania; and Jeff Dircksen, National Taxpayers Union, Alexandria, Virginia.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following items:

S. Con. Res. 6, expressing the sense of Congress that the National Museum of Wildlife Art, located in Jackson, Wyoming, should be designated as the "National Museum of Wildlife Art of the United States";

S. 126, to modify the boundary of Mesa Verde National Park, with an amendment;

S. 175, to provide for a feasibility study of alternatives to augment the water supplies of the Central Oklahoma Master Conservancy District and cities served by the District, with an amendment in the nature of a substitute;

S. 324, to direct the Secretary of the Interior to conduct a study of water resources in the State of New Mexico;

S. 542, to authorize the Secretary of the Interior to conduct feasibility studies to address certain water shortages within the Snake, Boise, and Payette River systems in the State of Idaho;

S. 553, to amend the Wild and Scenic Rivers Act to designate certain segments of the Eightmile River in the State of Connecticut as components of the National Wild and Scenic Rivers System;

S. 580, to amend the National Trails System Act to require the Secretary of the Interior to update the feasibility and suitability studies of four national historic trails;

S. 686, to amend the National Trails System Act to designate the Washington-Rochambeau Revolutionary Route National Historical Trail;

S. 797, to amend the National Trails System Act to designate the Star-Spangled Banner Trail in the States of Maryland and Virginia and the District of Columbia as a National Historic Trail, with amendments;

S. 890, to provide for certain administrative and support services for the Dwight D. Eisenhower Memorial Commission, with amendments;

S. 1037, to authorize the Secretary of the Interior to assist in the planning, design, and construction of the Tumalo Irrigation District Water Conservation Project in Deschutes County, Oregon;

S. 1110, to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to provide for the conjunctive use of surface and ground water in Juab County, Utah;

S. 1139, to establish the National Landscape Conservation System, with an amendment in the nature of a substitute;

S. 1152, to promote wildland firefighter safety, with an amendment;

H.R. 161, to adjust the boundary of the Minidoka Internment National Monument to include the Nidoto Nai Yoni Memorial in Bainbridge Island, Washington, with an amendment in the nature of a substitute;

H.R. 235, to allow for the renegotiation of the payment schedule of contracts between the Secretary of the Interior and the Redwood Valley County Water District;

H.R. 247, to designate a Forest Service trail at Waldo Lake in the Willamette National Forest in the State of Oregon as a national recreation trail in honor of Jim Weaver, a former Member of the House of Representatives;

H.R. 276, to designate the Piedras Blancas Light Station and the surrounding public land as an Outstanding Natural Area to be administered as a part of the National Landscape Conservation System;

H.R. 376, to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including the battlefields and related sites of the First and Second Battles of Newtonia, Missouri, during the Civil War as part of Wilson's Creek National Battlefield or designating the battlefields and related sites as a separate unit of the National Park System;

H.R. 482, to direct the Secretary of the Interior to transfer ownership of the American River Pump Station Project;

H.R. 497, to authorize the Marion Park Project, a committee of the Palmetto Conservation Foundation, to establish a commemorative work on Federal land in the District of Columbia, and its environs to honor Brigadier General Francis Marion;

H.R. 512, to establish the Commission to Study the Potential Creation of the National Museum of the American Latino to develop a plan of action for the establishment and maintenance of a National Museum of the American Latino in Washington, DC;

H.R. 658, to authorize the Secretary of the Interior to enter into cooperative agreements to protect natural resources of units of the National Park System through collaborative efforts on land inside and outside of units of the National Park System;

H.R. 839, to authorize the Secretary of the Interior to study the feasibility of enlarging the Arthur V. Watkins Dam Weber Basin Project, Utah, to provide additional water for the Weber Basin Project to fulfill the purposes for which that project was authorized;

H.R. 866, to enhance ecosystem protection and the range of outdoor opportunities protected by statute in the Skykomish River valley of the State of Washington by designating certain lower-elevation Federal lands as wilderness;

H.R. 902, to facilitate the use for irrigation and other purposes of water produced in connection with development of energy resources, with an amendment in the nature of a substitute;

H.R. 1047, to authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of designating the Soldiers' Memorial Military Museum located in St. Louis, Missouri, as a unit of the National Park System; and

The nominations of Joseph Timothy Kelliher, of the District of Columbia, to be a Member of the Federal Energy Regulatory Commission, and R. Lyle Laverty, of Colorado, to be Assistant Secretary of the Interior for Fish and Wildlife.

FUNDING SOCIAL SECURITY'S ADMINISTRATIVE COSTS

Committee on Finance: Committee concluded hearings to examine funding Social Security's administrative costs, focusing on disability benefits and the claims process, after receiving testimony from Michael J. Astrue, Commissioner, Social Security Administration; Nancy G. Shor, National Organization of Social Security Claimants' Representatives (NOSSCR), Englewood Cliffs, New Jersey; Richard E. Warsinskey, National Council of Social Security Management Associations, Inc., Washington, DC; and Chuck Schimmels, National Association of Disability Examiners, Oklahoma City, Oklahoma.

VIOLENT CRIME

Committee on the Judiciary: Subcommittee on Crime and Drugs concluded a hearing to examine rising crime in the United States, focusing on the federal role in helping communities prevent and respond to violent crime, including S. 368, to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the COPS ON THE BEAT grant program, after receiving testimony from Mark Epley, Senior Counsel to the Deputy Attorney General, Department of Justice; Mayor Douglas H. Palmer, Trenton, New Jersey, on behalf of the United States Conference of Mayors; Ted Kamatchus, Marshall County, Marshalltown, Iowa, on behalf of the National Sheriffs' Association; Thomas J. Nee, National Association of Police Organizations, and James Alan Fox, Northeastern University, both of Boston, Massachusetts; Rick S. Gregory, New Castle County Police Department, New Castle, Delaware; and Russell B. Laine, Algonquin Police Department, Algonquin, Illinois, on behalf of the International Association of Chiefs of Police.

WASHINGTON, DC: VOTER REPRESENTATION

Committee on the Judiciary: Committee concluded a hearing to examine S. 1257, to provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives, and H.R. 1905, to provide for the treatment of the District of Columbia as a Congressional district for purposes of representation in the House of Representatives, focusing on ending taxation without representation, after receiving testimony from Representatives Cannon and Norton; John P. Elwood, Deputy Assistant Attorney General, Office of Legal Counsel, Department of Justice; Patricia Wald, former Chief Judge, United States Court of Appeals for the District of Columbia Circuit; Kenneth R. Thomas, Legislative Attorney, American Law Division, Congressional Research Service, Library of Congress; Utah Attorney General Mark L. Shurtleff, Salt Lake City; Jonathan Turley, George Washington University Law School, and Richard B. Bress, Latham and Watkins LLP, both of Washington, DC9y008; and Charles J. Ogletree, Jr., Harvard Law School, Cambridge, Massachusetts.

HEALTH CARE LEGISLATION

Committee on Veterans' Affairs: Committee concluded a hearing to examine health care legislation, after receiving testimony from Gerald M. Cross, Acting Principal Deputy, Under Secretary of Veterans Affairs for Health; Carl Blake, Paralyzed Veterans of America, Jerry Reed, Suicide Prevention Action Network USA, and Dennis M. Cullinan, Veterans of Foreign Wars of the United States, all of Washington, D.C.; Joy J. Ilem, Disabled American Veterans, Cold Spring, Kentucky; Shannon Middleton, American Legion, Indianapolis, Indiana; Bernard Edelman, Vietnam Veterans of America, Silver Spring, Maryland; Meredith Beck, Wounded Warrior Project, New York, New York; and John Booss, American Academy of Neurology, Saint Paul, Minnesota.

BUSINESS MEETING

Select Committee on Intelligence: Committee ordered favorably reported an original bill authorizing funds for fiscal year 2008 for the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: Will be in the next issue of the Record. **(See next issue.)**

Additional Cosponsors: **(See Next issue.)**

Reports Filed: A report was filed today as follows:

H.R. 2199, to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide certain improvements in the treatment of individuals with traumatic brain injuries, with amendments (H. Rept. 110–166). **(See Next issue.)**

Chaplain: The prayer was offered by the guest Chaplain, Chaplain Marc Unger, 1–184th Infantry, California Army National Guard, Exeter, California. **Page H5625**

Board of Visitors to the United States Military Academy—Appointment: The Speaker announced her appointment of the following Members of the House of Representatives to the Board of Visitors to the United States Military Academy: Representatives Hinchey, Hall (NY), McHugh, and Tiahrt. **Page H5625**

Point of Personal Privilege: Representative Kucinich rose to a point of personal privilege and was recognized. **Pages H5638–44**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Federal Price Gouging Prevention Act: H.R. 1252, amended, to protect consumers from price-gouging of gasoline and other fuels, by a ⅔ yea-and-nay vote of 284 yeas to 141 nays, Roll No. 404; **Pages H5628–36, H5647**

Amending title XVIII of the Social Security Act to provide an exception to the 60-day limit on Medicare reciprocal billing arrangements between two physicians during the period in which one of the physicians is ordered to active duty as a member of a reserve component of the Armed Forces: H.R. 2429, to amend title XVIII of the Social Security Act to provide an exception to the 60-day limit on Medicare reciprocal billing arrangements between two physicians during the period in which one of the physicians is ordered to active duty as a member of a reserve component of the Armed Forces, by a

⅔ yea-and-nay vote of 422 yeas with none voting "nay" and 1 voting "present", Roll No. 405;

Pages H5636–38, H5647–48

Urging Americans and people of all nationalities to visit the American Cemeteries, Memorials and Markers: H. Res. 392, to urge Americans and people of all nationalities to visit the American Cemeteries, Memorials and Markers; **Pages H5654–56**

Veterans Outreach Improvement Act of 2007: H.R. 67, amended, to amend title 38, United States Code, to improve the outreach activities of the Department of Veterans Affairs, by a ⅔ yea-and-nay vote of 421 yeas with none voting "nay", Roll No. 410; **Pages H5656–60, H5680–81**

Directing the Secretary of Veterans Affairs to establish a national cemetery for veterans in the southern Colorado region: H.R. 1660, amended, to direct the Secretary of Veterans Affairs to establish a national cemetery for veterans in the southern Colorado region; **Pages H5660–62**

Returning Servicemember VA Healthcare Insurance Act of 2007: H.R. 612, amended, to amend title 38, United States Code, to extend the period of eligibility for health care for combat service in the Persian Gulf War or future hostilities from two years to five years after discharge or release, by a ⅔ yea-and-nay vote of 419 yeas with none voting "nay", Roll No. 411; **Pages H5662–64, H5681**

Chiropractic Care Available to All Veterans Act: H.R. 1470, to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers, by a ⅔ yea-and-nay vote of 421 yeas to 1 nay, Roll No. 412;

Pages H5668–71, H5681–82

Traumatic Brain Injury Health Enhancement and Long-Term Support Act of 2007: H.R. 2199, amended, to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide certain improvements in the treatment of individuals with traumatic brain injuries, by a ⅔ yea-and-nay vote of 421 yeas with none voting "nay", Roll No. 413; and **Pages H5671–78, H5682–83**

Early Access to Vocational Rehabilitation and Employment Benefits Act: H.R. 2239, amended, to amend title 38, United States Code, to expand eligibility for vocational rehabilitation benefits administered by the Secretary of Veterans Affairs, by a ⅔ yea-and-nay vote of 414 yeas with none voting "nay", Roll No. 414. **Pages H5678–80, H5683**

Carl Sandburg Home National Historic Site Boundary Revision Act of 2007: The House passed H.R. 1100, to revise the boundary of the Carl Sandburg Home National Historic Site in the State of North Carolina, by a recorded vote of 268 ayes to 150 noes, Roll No. 409. **Pages H5648–54, H5664–68**

Rejected the Pearce motion to recommit the bill to the Committee on Natural Resources with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 192 ayes to 228 noes, Roll No. 408. **Pages H5666–67**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill shall be considered as the original bill for the purpose of amendment. **Page H5666**

Rejected:

Bishop (UT) amendment (No. 2 printed in H. Rept. 110–165) that sought to reduce the total amount of acreage which can be acquired for the Carl Sandburg Home National Historic Site from 115 acres to 5 (for use as a visitor center and parking lot); **Pages H5652–53**

Bishop (UT) amendment (No. 1 printed in H. Rept. 110–165) that sought to delay the acquisition of any new land for the Carl Sandburg Home National Historic Site until after deferred maintenance has been completed at the site (by a recorded vote of 185 yeas to 243 nays, Roll No. 406); and

Pages H5651–52, H5664–65

Heller (NV) amendment (No. 3 printed in H. Rept. 110–165) that sought to eliminate the use of appropriated funds to acquire 110 acres of land for the Carl Sandburg Home National Historic Site, but still allows the land to be acquired by donation, purchase with donated funds, or by exchange with other lands (by a recorded vote of 183 yeas to 243 nays, Roll No. 407). **Pages H5653–54, H5665–66**

H. Res. 429, the rule providing for consideration of the bill, was agreed to by a yea-and-nay vote of 228 yeas to 198 nays, Roll No. 403, after agreeing to order the previous question. **Pages H5644–47**

Board of Visitors to the United States Merchant Marine Academy—Appointment: The Chair announced the Speakers appointment of the following Members of the House of Representatives to the Board of Visitors to the United States Merchant Marine Academy: Representatives McCarthy (NV), and King (NV). **Page H5693**

Senate Message: Message received from the Senate today appears on page H5625.

Senate Referrals: S. 375 was referred to the Committee on Natural Resources and S. 33 was referred to the Committee on Education and Labor.

Quorum Calls—Votes: Eight yea-and-nay votes and four recorded votes developed during the proceedings of today and appear on pages H5646–47, H5647,

H5648, H5665, H5665–66, H5667, H5667–68, H5680–81, H5681, H5682, H5682–83, and H5683. There were no quorum calls.

Adjournment: The House met at 10 a.m. and at 11:50 p.m. stands in recess subject to the call of the Chair.

Committee Meetings

ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies approved for full Committee the Energy and Water Development and Related Agencies appropriations for fiscal year 2008.

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies approved for full Committee action the Interior, Environment, and Related Agencies appropriations for fiscal year 2008.

MISCELLANEOUS MEASURES

Committee on Financial Services: Ordered reported the following bills: H.R. 2347, amended, Iran Sanctions Enabling Act of 2007; H.R. 1980, Housing Assistance Council Authorization Act of 2007; H.R. 1982, amended, Rural Housing and Economic Development Act of 2007; H.R. 2139, amended, FHA Manufactured Housing Loan Modernization Act of 2007.

The Committee began mark up of H.R. 1851, Section 8 Voucher Reform Act of 2007. Will continue tomorrow.

MISCELLANEOUS MEASURES

Committee on Foreign Affairs: Ordered reported the following bills: H.R. 885, amended, International Nuclear Fuel for Peace and Nonproliferation Act 2007; H.R. 2446, Afghanistan Freedom Support Act of 2007; H.R. 2420, amended, International Climate Cooperation Re-Engagement Act of 2007.

The Committee also favorably considered the following resolutions and adopted a motion urging the Chairman to request that they be considered on the Suspension Calendar: S. 676, To provide that the Executive Director of the Inter-American Development Bank or the Alternate Executive Director of the Inter-American Development Bank may serve on the Board of Directors of the Inter-American Foundation; H. Con. Res. 21, amended, Calling on the United Nations Security Council to charge Iranian President Mahmoud Ahmadinejad with violating the 1948 Convention on the Prevention and Punishment of the Crime of Genocide and the United Nations Charter because of his calls for the destruction of the State of Israel; H. Con. Res. 80, amended, Calling on the Government of Uganda and the Lord's Resistance Army (LRA) to recommit to a political solution to the conflict in northern Uganda and to recommence vital peace talks, and urging immediate and substantial support for the ongoing peace process from the United States and the international community; H. Con. Res. 151, amended, Noting the disturbing pattern of killings of dozens of independent journalists in Russia over the last decade, and calling on Russian President Vladimir Putin to authorize cooperation with outside investigators in solving these murders; H. Con. Res. 152, Relating to the 40th anniversary of the reunification of the City of Jerusalem; H. Res. 137, amended, Honoring the life and six decades of public service of Jacob Birnbaum and especially his commitment freeing Soviet Jews from religious, cultural and communal extinction; H. Res. 226, amended, To recognize John Pehle for his contributions to the Nation in helping rescue Jews and other minorities from the Holocaust during World War II; H. Res. 233, amended, Recognizing over 200 years of sovereignty of the Principality of Liechtenstein, and expressing support for efforts by the United States to continue to strengthen its relationship with that country; H. Res. 295, amended, Recognizing the strong alliance between the Republic of Korea and the United States and expressing appreciation to the Republic of Korea for its efforts in the global war against terrorism; H. Res. 395, Supporting the ideals and values of the Olympic movement; H. Res. 397, amended, Condemning violence in Estonia and attacks on Estonia's embassies in 2007, and expressing solidarity with the Government and the people of Estonia; H. Res. 412, amended, Expressing gratitude to her Majesty Queen Elizabeth II and His Royal Highness, Prince Philip, Duke of Edinburgh, for their State Visit to the United States and reaffirming the friendship that exists between the United States and the United Kingdom; H. Res. 418, Recognizing and welcoming the delegation of Presidents, Prime Ministers and Foreign Ministers from the Caribbean to Washington, D.C., and commending the Caribbean Community (CARICOM) for holding the Conference on the Caribbean; H. Res. 222, Calling on the Government of the People's Republic of China to use its unique influence and economic leverage to stop genocide and violence in Darfur, Sudan; and H. Res. 430, amended, Calling on the Government of the Islamic Republic of Iran to immediately release Dr. Haleh Esfandiari.

U.S. AID TO PALESTINIANS

Committee on Foreign Affairs: Subcommittee on Middle East and South Asia held a hearing on U.S. Assistance to the Palestinians. Testimony was heard from the following officials of the Department of State: C. David Welch, Assistant Secretary, Bureau of Near Eastern Affairs; LTG Keith W. Dayton, U.S. Security Coordinator; and Mark Ward, Senior Deputy Assistant Administrator, Bureau for Asia and the Near East, U.S. Agency for International Development.

U.S. AGRICULTURE SECURITY

Committee on Homeland Security: Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology held a hearing entitled ''Reducing Threats to Our Nation's Agriculture: Authorizing a Bio and Agro-Defense Facility.'' Testimony was heard from John Vitko, M.D., Head, Chemical and Biological Division, Science and Technology Directorate, Department of Homeland Security; and the following officials of the USDA: Edward Knipling, M.D., Administrator, Agricultural Research Service; and Kevin Shea, Assistant Administrator, Animal and Plant Health Inspection Service

U.S. ATTORNEYS INVESTIGATION

Committee on the Judiciary: Held a hearing to continue investigation into the U.S. Attorneys Controversy and Related Matters. Testimony was heard from Monica Goodling, former Senior Counsel to the Attorney General and White House Liaison, Department of Justice.

IMMIGRATION REFORM

Committee on the Judiciary: Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law continued hearings on Comprehensive Immigration Reform: Becoming Americans—U.S. Immigrant Integration. Testimony was heard from public witnesses.

ENERGY POLICY REFORM

Committee on Natural Resources: Held a hearing on the Energy Policy Reform and Revitalization Act of 2007. Testimony was heard from the following officials of the Department of the Interior: Walter Cruickshank, Deputy Director, Mineral Management Service; and Henri Bisson, Deputy Director, Bureau of Land Management; Michael M. Simpson, Deputy Under Secretary, Natural Resources and Environment, U.S. Forest Service, USDA; Vickie VanZandt, Senior Vice President, Transmission Business Line, Bonneville Power Administration, Department of Energy; Timothy R. E. Keeney, Deputy Assistant Secretary, Oceans and Atmosphere, NOAA, Department of Commerce; and public witnesses.

CLIMATE PROTECTION OPPORTUNITIES

Committee on Oversight and Government Reform: Held a hearing on Achievements and Opportunities for Climate Protection under the Montreal Protocol. Testimony was heard from public witnesses.

WEAPONIZING SPACE

Committee on Oversight and Government Reform: Subcommittee on National Security and Foreign Affairs held a hearing on Weaponizing Space: Is Current U.S. Policy Protecting Our National Security? Testimony was heard from MG James B. Armor, Jr., USAF, Director, National Security Space Office, Department of Defense; Donald Mahley, Deputy Assistant Secretary, Threat Reduction, Department of State; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Science and Technology: Ordered reported the following bills: H.R. 364, amended, To provide for the establishment of the Advanced Research Projects Agency-Energy; H.R. 1467, 10,000 Trained by 2010 Act; H.R. 1716, amended, Green Energy Education Act of 2007; and H.R. 632, amended, H-Prize Act of 2007.

MISCELLANEOUS MEASURES

Committee on Small Business: Ordered reported the following bills: H.R. 2359, SBA Entrepreneurial Development Programs Act of 2007; H.R. 2366, SBA Veterans' Programs Act of 2007; H.R. 2284, To amend the Small Business Act to expand and improve the assistance provided by Small Business Development Centers to Indian tribe members, Alaska Natives, and Native Hawaiians; H.R. 2397, SBA Women's Business Programs Act of 2007; and H.R. 2389, Small Energy Efficient Businesses Act.

MISCELLANEOUS MATTERS

Committee on Transportation and Infrastructure: Ordered reported H.R. 2011, To designate the Federal building and United States courthouse located at 100 East 8th Avenue in Pine Bluff, Arkansas, as the ''George Howard, Jr., Federal Building and United States Courthouse.''

The Committee also approved the following: General Services Administration Capital Investment Resolutions, as amended; and U.S. Army Corps of Engineers Survey Resolutions.

IRS USE OF PRIVATE COLLECTION FIRMS

Committee on Ways and Means: Held a hearing on IRS's Private Debt Collection. Testimony was heard from the following officials of the IRS, Department of the Treasury: Nina E. Olson, National Taxpayer

Advocate; and Kevin M. Brown, Acting Commissioner; Gregory D. Kutz, Managing Director, Forensic Audits and Special Investigations, GAO; and public witnesses.

BRIEFING—HOT SPOTS

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Hot Spots. The Committee was briefed by departmental witnesses.

Joint Meetings

U.S. PETROLEUM INDUSTRY

Joint Economic Committee: Committee concluded hearings to examine the United States petroleum industry, focusing on corporate mergers and other factors that influence gasoline prices, after receiving testimony from Thomas McCool, Director, Applied Research and Methods, Government Accountability Office; Michael A. Salinger, Director, Bureau of Economics, Federal Trade Commission; Diana L. Moss, American Antitrust Institute, Samantha Slater, Renewable Fuels Association, and Red Cavaney, American Petroleum Institute, all of Washington, D.C.; Dennis C. DeCota, California Service Station and Automotive Repair Association (CSSARA), Novato, California; and James L. Smith, Southern Methodist University, Department of Finance, Dallas, Texas.

COMMITTEE MEETINGS FOR THURSDAY, MAY 24, 2007

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: closed business meeting to mark up the proposed National Defense Authorization Act for Fiscal Year 2008, 10 a.m., SR–222.

Committee on Commerce, Science, and Transportation: to hold hearings to examine the nomination of Charles Darwin Snelling, of Pennsylvania, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority, 10 a.m., SR–253.

Committee on Energy and Natural Resources: to hold an oversight hearing to examine opportunities and challenges associated with coal gasification, including coal-to-liquids and industrial gasification, 9:30 a.m., SD–366.

Committee on Environment and Public Works: to hold hearings to examine potential impacts of global warming on recreation and the recreation industry, 10:30 a.m., SD–406.

Committee on Finance: Subcommittee on Energy, Natural Resources, and Infrastructure, to hold hearings to examine energy efficiency, focusing on tax incentives for reducing consumption, 2 p.m., SD–215.

Committee on Foreign Relations: business meeting to consider S.392, to ensure payment of United States assessments for United Nations peacekeeping operations for the 2005 through 2008 time period, S. Res. 211, expressing the profound concerns of the Senate regarding the transgression against freedom of thought and expression that is being carried out in Venezuela, S. Con. Res. 25, condemning the recent violent actions of the Government of Zimbabwe against peaceful opposition party activists and members of civil society, S. Res. 110, expressing the sense of the Senate regarding the 30th anniversary of ASEAN-United States dialogue and relationship, and the nominations of Phillip Carter, III, of Virginia, to be Ambassador to the Republic of Guinea, R. Niels Marquardt, of California, to be Ambassador to the Republic of Madagascar, and to serve concurrently and without additional compensation as Ambassador to the Union of Comoros, Janet E. Garvey, of Massachusetts, to be Ambassador to the Republic of Cameroon, Dell L. Dailey, of South Dakota, to be Coordinator for Counterterrorism, with the rank and status of Ambassador at Large, Mark P. Lagon, of Virginia, to be Director of the Office to Monitor and Combat Trafficking, with the rank of Ambassador at Large, James K. Glassman, of Connecticut, to be a Member of the Broadcasting Board of Governors, Cameron R. Hume, of New York, to be Ambassador of Indonesia, James R. Keith, of Virginia, to be Ambassador to Malaysia, Miriam K. Hughes, of Florida, to be Ambassador to the Federated States of Micronesia, Ravic Rolf Huso, of Hawaii, to be Ambassador to the Lao People's Democratic Republic, and Hans G. Klemm, of Michigan, to be Ambassador to the Democratic Republic of Timor-Leste, and promotion lists in the Foreign Service, 11:30 a.m., S–116, Capitol.

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security, to hold hearings to examine federal real property, focusing on the property management problems highlighted in a recent Government Accountability Office report, 10 a.m., SD–342.

Ad Hoc Subcommittee on Disaster Recovery, to hold hearings to examine issues relative to residents of Louisiana affected by Hurricane Katrina or Rita, focusing on the goals, costs, management and impediments facing Louisiana's Road Home Program, 3 p.m., SD–342.

Committee on the Judiciary: business meeting to consider S. 185, to restore habeas corpus for those detained by the United States, S. 1327, to create and extend certain temporary district court judgeships, H. Con. Res. 76, honoring the 50th anniversary of the International Geophysical Year and its past contributions to space research, and looking forward to future accomplishments, and the nominations of Leslie Southwick, of Mississippi, to be United States Circuit Judge for the Fifth Circuit, Janet T. Neff, to be United States District Judge for the Western District of Michigan, Paul Lewis Maloney, to be United States District Judge for the Western District of Michigan, and Liam O'Grady, to be United States District Judge for the Eastern District of Virginia, and possible authorization of subpoenas in the connection with investigation into the replacement of U.S. attorneys, 10 a.m., SD–226.

Select Committee on Intelligence: to hold hearings to examine terrorist ideology, 3:30 p.m., SD–106.

House

Committee on Agriculture, Subcommittee on Livestock, Dairy, and Poultry, to consider H.R. 2419, Farm Bill Extension Act of 2007, 10 a.m., 1300 Longworth.

Committee on Armed Services, Subcommittee on Oversight and Investigations, hearing on training of development of the Iraqi police service, 9 a.m., 2212 Rayburn.

Committee on Education and Labor, Subcommittee on Workforce Protections, hearing on Workplace Safety: Why do Millions of Workers Remain Without OSHA Coverage? 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Energy and Air Quality, hearing entitled ''Legislative Hearing on Discussion Drafts concerning Energy Efficiency, Smart Electricity Grid, Energy Policy Act of 2005 Title XVII Loan Guarantees, and Standby Loans for Coal-to-Liquids Projects,'' 10 a.m., 2123 Rayburn.

Committee on Financial Services, to continue mark up of H.R. 1851, Section 8 Voucher Reform Act of 2007, 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on Africa and Global Health, hearing on International Food Aid Programs: Options to Enhance Effectiveness; followed by a briefing on this subject, 2:30 p.m., 2172 Rayburn.

Subcommittee on Europe, hearing on expanding the Visa Waiver Program, Enhancing Transatlantic Relations, 1 p.m., 2200 Rayburn.

Subcommittee on Terrorism, Nonproliferation, and Trade, hearing on the Reauthorization of OPIC, 10 a.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Management, Investigations, and Oversight, hearing entitled ''Examining the Impact of Equipment Shortages on the National Guard's Readiness for Homeland Security Missions,'' 10 a.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law, hearing on Comprehensive Immigration Reform: Labor Movement Perspectives, 9 a.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Fisheries, Wildlife and Oceans and the Subcommittee on National Parks, Forests and Public Lands, joint oversight hearing on No Child Left Inside: Reconnecting Kids with the Outdoors, 10 a.m., 1324 Longworth.

Subcommittee on Water and Power, hearing on the following bills: H.R. 31, Elsinore Valley Municipal Water District Wastewater and Recycled Water Facilities Act of 2007; and H.R. 1526, Bay Area Regional Water Recycling Program Authorization Act of 2007, 10 a.m., 1334 Longworth.

Committee on Oversight and Government Reform, hearing on Invisible Casualties: The Incidence and Treatment of Mental Health Problems by the U.S. Military, 9:30 a.m., 2154 Rayburn.

Committee on Science and Technology, Subcommittee on Investigations and Oversight, hearing on the NASA Administrator's Speech to Office of Inspector General Staff, the Subsequent Destruction of Video Records and Associated Matters, 10 a.m., 2318 Rayburn.

Committee on Small Business, hearing entitled ''Expanding Small Business Health Insurance Coverage Using the Private Reinsurance Market,'' 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Highways and Transit, hearing on Public-Private Partnerships: State and User Perspectives, 10 a.m., 2167 Rayburn.

Committee on Ways and Means, Subcommittee on Select Revenue Measures, hearing on Tax Incentives for Affordable Housing, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, Subcommittee on Intelligence Community Management, executive, briefing on DNI, 1 p.m., H–405 Capitol.

Joint Meetings

Commission on Security and Cooperation in Europe: to hold hearings to examine Russia, focusing on the reemergence of Russia as a major political and economic power, 10 a.m., B318RHOB.

Next Meeting of the SENATE

9:30 a.m., Thursday, May 24

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond 60 minutes), Senate will continue consideration of S. 1348, Comprehensive Immigration Reform.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, May 24

House Chamber

Program for Thursday: H.R. 2316—Honest Leadership and Open Government Act (Subject to a Rule) and H.R. 2317—Lobbying Transparency Act of 2007 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

Berkley, Shelley, Nev., E1138, E1139
Blumenauer, Earl, Ore., E1127
Bordallo, Madeleine Z., Guam, E1142
Brown-Waite, Ginny, Fla., E1133
Burton, Dan, Ind., E1124
Capps, Lois, Calif., E1123
Cummings, Elijah E., Md., E1140
Davis, Danny K., Ill., E1143
Diaz-Balart, Lincoln, Fla., E1134
Fossella, Vito, N.Y., E1137
Garrett, Scott, N.J., E1135, E1137
Gonzalez, Charles A., Tex., E1134
Gordon, Bart, Tenn., E1134
Graves, Sam, Mo., E1142
Honda, Michael M., Calif., E1135
Hulshof, Kenny C., Mo., E1127
Jordan, Jim, Ohio, E1123
Knollenberg, Joe, Mich., E1132
LaHood, Ray, Ill., E1140
Lampson, Nick, Tex., E1141
Larson, John B., Conn., E1140
McMorris Rodgers, Cathy, Wash., E1137
Miller, Jeff, Fla., E1136
Moore, Gwen, Wisc., E1134
Moran, James P., Va., E1139
Murphy, Patrick J., Pa., E1137
Petri, Thomas E., Wisc., E1136
Pryce, Deborah, Ohio, E1131
Putnam, Adam H., Fla., E1143
Roybal-Allard, Lucille, Calif., E1137
Ruppersberger, C.A. Dutch, Md., E1140
Sánchez, Linda T., Calif., E1123, E1123
Schakowsky, Janice D., Ill., E1130, E1142
Sessions, Pete, Tex., E1133
Shimkus, John, Ill., E1130
Simpson, Michael K., Idaho, E1128, E1129
Skelton, Ike, Mo., E1135
Stark, Fortney Pete, Calif., E1141
Tancredo, Thomas G., Colo., E1127, E1128, E1129, E1131, E1133, E1134, E1136, E1137, E1138
Tiahrt, Todd, Kans., E1135
Towns, Edolphus, N.Y., E1125, E1127, E1128, E1129, E1130, E1132
Udall, Mark, Colo., E1133
Visclosky, Peter J., Ind., E1138
Walsh, James T., N.Y., E1128, E1129
Wolf, Frank R., Va., E1133

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