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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. MCCOLLUM of Minnesota).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 28, 2007.

I hereby appoint the Honorable BETTY MCCOLLUM to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House or Representatives.

PRAYER

The Reverend Erin Conaway, South Main Baptist Church, Houston, Texas, offered the following prayer:

Holy and merciful God, we come before You this morning, taking time to breathe in the grace and the bountiful love You lavish upon us through so many avenues we take for granted: the lilting of a bird's song, the array of colors from every budding bloom, the unadulterated joy of a child dancing, and, in this place, the trust of a Nation, constituents across the country who find hope in the representation they have in this Chamber, and the empowerment their hope gives to our Representatives to fulfill the call You, O God, have placed upon their lives.

Give us ears to hear, eyes to see, and hearts to feel Your loving presence and guidance as we courageously work to serve others.

Lord, you are the giver of dreams, and the author of real hope. In this quiet moment, we pray for a raucous peace to comfort us enough to listen and move us enough to dream, that dream that seems impossible and out of reach so that when we open our eyes and realize the dream is here, it will be to Your glory.

Help us to be agents of peace and empowerment, justice and mercy, freedom and dreams, for we pray in Your name. Amen.

THE JOURNAL

The SPEAKER pro tempore. 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.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. CONAWAY) come forward and lead the House in the Pledge of Allegiance.

Mr. CONAWAY 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.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 1612) entitled ''An Act to amend the penalty provisions in the International Emergency Economic Powers Act, and for other purposes.'', and that upon the compliance of the request, the Secretary of the Senate be authorized to make corrections in the engrossment of the aforesaid bill.

WELCOMING REVEREND ERIN CONAWAY

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

Mr. CONAWAY. Madam Speaker, as a parent, there is no greater pride than the pride felt watching your children grow from being infants to being responsible adults. Suzanne and I are blessed to have four grown children who have grown into wonderful, responsible adults, and, in the case of three of them, seeing them become terrific parents themselves.

While I would like to brag about all four of our children, today's event dictates that I am limited to bragging on the young man who just delivered the morning's opening prayer. That young man is our son, Erin, who is associate pastor at South Main Baptist Church in Houston, Texas. He is a graduate of Baylor University with a fine arts degree and a graduate of Truitt Seminary at Baylor University with a master of divinity degree.

More importantly, he is a man of deep faith in Jesus Christ as his personal savior. He is also the husband of Carmen Brassfield Conaway and father to daughter Alexandra and son Samuel.

In addition to being a wonderful son, husband and father, Erin is also a gifted writer and pastor. Our family was recently blessed when Erin performed the memorial services for my dad, his grandfather.

Suzanne and I are always proud of your accomplishments, but today we are particularly proud of seeing you opening this session of Congress and look forward to your bright future.

We love you.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 10 requests for 1-minute speeches on each side of the aisle.

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PREPARE ALL KIDS ACT OF 2007

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

Mrs. MALONEY of New York. Madam Speaker, this week I introduce the House companion to Senator CASEY's Prepare All Kids Act of 2007. This bill is designed to help States expand their pre-K programs and child care services.

As this chart shows, we get the biggest bang for our education dollars by investing in our children before they even go to school. Estimates show that the return on investing in early care in education is between 17 to 18 percent annually. If this were a stock, all of Wall Street would be buying it.

The legislation is very helpful to the children we represent in our States. For example, more than one-quarter of a million 4-year-olds in New York State would be eligible for the programs created in this bill, including 100,000 children who would qualify for free pre-K. The future prosperity of our Nation rests on setting our children on a path for success early in life.

HONORING OUR TROOPS THIS FOURTH OF JULY

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

Mr. WILSON of South Carolina. Madam Speaker, as we approach the Fourth of July, I want to thank our troops in Iraq, Afghanistan and across the world. It is because of their service that we are able to celebrate our freedom.

In my seven visits to Iraq and three to Afghanistan, I have seen firsthand the new greatest generation. Our coalition forces are stopping the terrorists overseas to protect American families at home. Osama bin Laden's right-hand man and al Qaeda spokesman Zawahiri has proclaimed that Iraq and Afghanistan are the central fronts in the global war on terrorism.

I look forward to honoring the sacrifices of our troops this Fourth of July weekend at the Celebration of Liberty service with Pastor Wendell Estep of First Baptist Church in Columbia.

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

GENERAL PETRAEUS ADMITS THAT CONDITIONS WILL NOT IMPROVE IN IRAQ BY SEPTEMBER

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

Mr. COHEN. Madam Speaker, conditions on the ground in Iraq are not getting any better. In fact, things are getting worse.

During a 48-hour period last week, 14 of our soldiers were killed, and then over the weekend another eight were killed in one day. April and May were two of the most violent months for our troops since the beginning of the war. It is clear the President's troop surge or escalation plan is not working. In fact, last week General David Petraeus acknowledged there would not be any significant improvements in Iraq by September.

Why is that significant? Because that's when President Bush said we would be able to see if the plan was working. The fact is we won't know in September because it's not working, according to the President's own general.

Then this week, two respected Republican Senators, Senator LUGAR and Senator VOINOVICH, said the current policy is not working and a significant change is needed. The comments of these Senators, coupled with those of General Petraeus, should serve as a wake-up call to congressional Republicans. Join us in ending this war, bringing our troops home, and saving America's face.

DEMOCRATS PROMISED NOT TO HOLD RECORDED VOTES OPEN

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

Mr. WICKER. Madam Speaker, less than 6 months ago, House Democrats promised not to hold recorded votes open to change the results. They went even further. They changed the House rules to prohibit this practice. But last night the Chair held a 2-minute vote open so that five Democrat Members could have their arms twisted, change their votes and pass the Udall amendment.

And what was this amendment? Democrats broke their promise for a provision that prohibits America from producing energy from our plentiful supply of shale, further demonstrating what a fraud the Democrats' energy policy is, a policy repeatedly preventing us from developing our own petroleum reserves.

Shame on the Democratic leadership for going back on their promise with such breathtaking speed. More importantly, shame on the Democrats for a policy that stops Americans from producing our own energy, for causing gasoline prices to continue to rise, and for making sure we are increasingly dependent on foreign oil.

VICE PRESIDENT CAN'T HAVE IT BOTH WAYS WHEN IT COMES TO HIM BEING A MEMBER OF THE EXECUTIVE BRANCH

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

Mr. SIRES. Madam Speaker, for the last 7 years, Vice President CHENEY has perfected the art of meaningful oversight and avoiding any accountability to the American people. But who would have ever thought that such a defiance would lead the Vice President to the absurd, claiming that he is not a member of the executive branch. That's right, Cheney does not want to play by the established rules of safeguarding classified national information. He is now saying that he is not actually a member of the executive branch.

If the Vice President is not a member of the executive branch, shouldn't he be forced to turn over information to the congressional Democrats requested regarding his secret energy task force? After all, CHENEY used executive privilege as an excuse for his secrecy.

Also, why should the office of the Vice President receive funding through the bill that funds the executive branch? That bill is actually on the floor today, and the House Democrats will offer an amendment to remove funding for the Vice President's office from this bill. House Democrats are not going to support the Vice President's latest attempt to avoid any accountability to the American people.

HONORING JIM NUSSLE

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

Mr. MCCRERY. Madam Speaker, today, a good man and former chairman of the House Budget Committee will be honored by his colleagues. A portrait of Jim Nussle will be unveiled and displayed in the committee room where he held the gavel for 6 years.

Jim Nussle is a passionate man. He strongly believes that we are sent to Washington to be good stewards for taxpayers, and he was one of their best advocates. Under Jim's leadership of the Budget Committee, and for the first time in nearly a decade, we took a first step in reforming our mandatory, or entitlement, spending, the largest and least sustainable part of our budget, saving taxpayers nearly $40 billion over the next years.

Jim also worked to reform the budget process itself and reached across the aisle to develop a bipartisan solution. He coauthored the Comprehensive Budget Process Reform Act in 1988 with Representative BEN CARDIN. He has also supported the legislative line item veto and earmark reform.

Given his experience, knowledge and commitment to public service, it is fitting that the President has selected Jim as his nominee for Director of the Office of Management and Budget.

VICE PRESIDENT HAS A PROBLEM OF FIGURING OUT WHICH BRANCH OF GOVERNMENT HE BELONGS TO

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

Mr. PASCRELL. Madam Speaker, we need a history lesson right here.

Article II, the executive powers shall be vested in the powers of the President of the United States. He shall hold

his office for a term of 4 years, and, together with the Vice President, chosen for the same term.

The Vice President has a problem of figuring out which branch of government he belongs to. But in Federalist Paper No. 68, Alexander Hamilton was very, very clear about this. The appointment of an extraordinary person as Vice President has been objected to as superfluous. Take the Senator of any State from his seat as a Senator to place him in the President of the Senate would be totally ridiculous, would be to exchange a regard to the State from which he came a constant for a contingent vote.

The other consideration is that as the Vice President may occasionally become a substitute for the President, in the supreme executive magistracy, all the reasons which recommend the mode of elections prescribed for the one apply for the great, if not with equal force, to the manner of appointing the other. It is remarkable that this, as in most other instances, with the objection which is made, would be against the Constitution of this State.

Mr. Vice President, go back to the Constitution and learn where you belong.

□ 1015

CONGRATULATING FORMER CONGRESSMAN JIM NUSSLE

(Mr. LATHAM asked and was given permission to revise and extend his remarks.)

Mr. LATHAM. I thank the Speaker for the opportunity to speak this morning.

I want to congratulate my good friend, former colleague from Iowa, Jim Nussle, on the unveiling of his portrait today and I would encourage all of his former colleagues to attend that ceremony at 4 o'clock this afternoon in 210 in the Cannon House Office Building.

Jim Nussle was a tireless advocate for the future of this country, and through the Budget Committee that he chaired for 6 years, did an outstanding job of fighting for the next generation to understand that the entitlement programs that are going to really cause devastation in our budgets in the future should be addressed, and fought tirelessly for the next generation.

As we all know, Jim Nussle has been nominated to be the Director of the Office of Management and Budget. There is no one better qualified than Jim Nussle, that has the skill to do this job, that has the budget knowledge. Jim Nussle is the most knowledgeable person we could possibly have in that position. He'll be a tireless advocate for a balanced budget, someone that can work across the aisle, as he did on the Budget Committee. And the comments from the ranking member last year really indicate how well Jim Nussle will work for our country and to lead our Nation and to manage this enormous government that we have.

So let's commend Jim Nussle, show up for the unveiling and really be advocates for him to continue his service for the country.

BRAVE ACT

(Mr. SARBANES asked and was given permission to revise and extend his remarks.)

Mr. SARBANES. Madam Speaker, I rise today to salute our men and women in uniform. Every year at this time we gather with our friends and family to celebrate Independence Day and the freedoms we hold dear.

But this year, and every year, when families are missing the presence of a spouse, parent or child or worse, morning the loss of a loved one, we must also pause to remember the sacrifice of our veterans. That's why I'm introducing the Benefit Rating Acceleration for Veteran Entitlements Act, or BRAVE Act, which would make it easier for our most disabled veterans to obtain their benefits.

That's why I'm working with others to initiate a national conversation on how veterans can participate in service corps programs and how those programs can serve our veterans.

Madam Speaker, on the Fourth of July, when we celebrate liberty, we must give special recognition and honor to those who are doing so much and have done so much to protect our freedoms.

DEMOCRATS ARE MAKING A BAD SITUATION WORSE

(Mr. AKIN asked and was given permission to revise and extend his remarks.)

Mr. AKIN. Madam Speaker, there once was an incompetent pharmacist who administered too much medicine and thereby made a bad situation worse, and the patient died.

The Democrats are like the incompetent pharmacist. They recognize that gas prices are too high and they recognize it's bad for us to be dependent on foreign oil. So the Democrats have voted to administer a dose of their favorite medicine, tax increases. They plan to increase taxes on American oil and gas. But the oil companies will simply raise the price of gasoline. In addition, by making American oil more expensive, it will further make us dependent on Middle Eastern oil.

The Democrats should look at drilling for American oil and liquefying coal, two things that they have opposed in the past. The Democrats are writing the wrong prescription and they make a bad situation worse. I just hope the patient doesn't die.

WE MUST END THE WAR IN IRAQ NOW

(Mr. LEWIS of Georgia asked and was given permission to revise and extend his remarks.)

Mr. LEWIS of Georgia. Madam Speaker, I rise today to add my voice to others who are calling for an end to the war in Iraq. We must end this war and we must end it now. We cannot wait, and we must not wait.

Every month, every week, every day, every hour, every minute, every second, every moment that another young man OR another young woman is killed, their innocent blood is on all of our hands. We have a moral obligation, a mission and a mandate to bring this madness to an end.

Nothing, but nothing good can come out of this war. It is destroying Iraq and destroying the very soul of our Nation.

As Members of Congress, we must find a way to stop it and stop it now.

FREE SPEECH VS. FAIR SPEECH

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

Mr. POE. Madam Speaker, the unfair ''Broadcast Fairness Doctrine'' has reappeared. It is an attempt by the feds to force radio stations to be fair and balanced by forcing broadcasters to air opposing views of public importance. Sounds good, but who's going to determine what fair is, the Federal fair police?

Are we going to let a bunch of Potomac River bureaucrats determine if a radio station in Tomball, Texas is being fair when it discusses politics? Sounds like government control of speech to me. And fair means different things to different folks. It's too subjective a word for us to even agree on.

The Fairness Doctrine would not even promote public discourse. It would, in fact, force radio broadcasters to do away with controversy and maybe go to airing 24-hour music like Willie Nelson's greatest hits. Oops. Someone here might say Willie's not fair and balanced.

Anyway, the Constitution is clear. Congress, that's us, shall make no law abridging the freedom of speech. You notice, it doesn't guarantee fair speech.

Our forefathers wrote that first amendment to prevent government control of our free speech. So this Fairness Doctrine is neither fair speech, free speech or constitutional speech.

And that's just the way it is.

HOUSE DEMOCRATS MAKING PROGRESS FOR THE AMERICAN PEOPLE

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

Mr. MCNERNEY. Madam Speaker, since I've been here in Washington, in January, this Congress, under strong Democratic leadership, is making progress on the American people's priorities, despite intense opposition on many issues.

In spite of this opposition, Democrats have succeeded by increasing pay for 13

million workers, raising the minimum wage for the first time in a decade, by providing overdue assistance to the gulf region hit hard by Hurricanes Katrina and Rita, by protecting our troops, investing in military readiness, including armed vehicles and equipment, and by increasing the transparency and accountability with strengthened ethics and lobbying rules.

We also continue moving legislation that has already passed here in the House but is making its way through the system, including fully implementing the 9/11 Commission recommendations, putting 50,000 more police officers on our streets, and by providing the largest increase in veterans health care funding in the Veterans Administration's 77-year history.

Madam Speaker, this new Democratic Congress has begun moving our Nation in a new direction to address the needs of all Americans.

IRAN IS RUNNING OUT OF GASOLINE

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

Mr. KIRK. Last night Iranian citizens burned gas stations in Iran, protesting President Ahmadinejad's gasoline rationing plan. Yes, Iran is running out of gasoline. Despite being a leading OPEC oil producer, Iran is heavily dependent on gasoline from abroad. This is the key weakness of Iran.

The Iranian government has promised to attack Israel. It is the chief funder of Hezbollah and Hamas. It threw U.N. inspectors out, and says that it is enriching uranium.

Last night Congressman ROB ANDREWS and I introduced bipartisan legislation, H.R. 2880, calling for more gasoline restrictions on Iran. After last night's gasoline riots, a policy of the U.S., working with our allies, could become the diplomatic key to bring pressure on Iran to stop funding terror and building nuclear weapons.

Running out of gasoline. This is a danger for Iran's rulers and an opportunity for our diplomats.

VICE PRESIDENT CHENEY'S EXECUTIVE PRIVILEGE

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

Mr. DEFAZIO. Vice President CHENEY, in his usual arrogant way, refused to disclose the deliberations of his secret energy task force that gave billions to big oil and increased our dependence on OPEC. He claimed executive privilege.

Then his office illegally disclosed the identity of a secret undercover CIA officer, Valerie Plame. They claimed executive privilege.

Now, we find that the Vice President is mishandling classified information in volumes in violation of Executive Branch regulations. And we have the astonishing assertion that the Vice President is not part of the executive branch. Rip up those civics text books kids. DICK CHENEY is above the law and the Constitution of the United States, according to his attorney. Or perhaps he's just that higher power that George Bush refers to every time he has to make a difficult decision like launching an unneeded war in Iraq.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind Members that they should not engage in personalities toward the Vice President of the United States.

NON-FAIRNESS DOCTRINE

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

Mr. PRICE of Georgia. Madam Speaker, freedom is the foundational principle of our society. Our founders were champions of this God-given right and charged future generations with eternal vigilance to protect it.

Now, a handful of people in Washington want Uncle Sam to start telling radio and TV personalities what to talk about, to limit their freedom and ours.

Rather than fight in the marketplace of ideas, they want to bring back a 1929 radio regulation rule known as the ''Fairness Doctrine.'' Now, don't be fooled. There's nothing fair about it.

In the early age of broadcasting, when the majority of news and information was distributed by one or two outlets, it seemed important to promote a competition of viewpoints. That was then.

A fairness doctrine today tramples upon freedom of speech and freedom of the press. It dictates to Americans that in an open, free and flooded marketplace of ideas, they need Washington politicians to sort it all out.

Madam Speaker, real freedom means a government that listens to the people, not one that dictates to the people who they must listen to.

Let's keep the Fairness Doctrine off our airwaves and in the history books where it belongs.

HOW MANY BRANCHES OF GOVERNMENT ARE THERE

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

Mr. ELLISON. Madam Speaker, there's an easy civics pop quiz for the summer break. How many branches of government are there in the United States?

Well, any high school civics student can tell you that there are three. But it seems like our Vice President is confused about the facts. House investigators have revealed that since 2003, the Vice President's office has failed to provide data on its classification activities as required under an executive order claiming that the Vice President's office is not, ''an entity within the executive branch.''

It seems that the Vice President's office believes that his office is its own branch of government above the law.

Madam Speaker, in light of this confusion, perhaps the President will see fit to give the Vice President some time off to improve his understanding of civics in the United States.

HONORING ARMY SERGEANT CHRIS DAVIS

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

Mr. NEUGEBAUER. Madam Speaker, this morning I come to the floor of this House to honor Army Sergeant Chris Davis. Sergeant Davis died Saturday defending liberty in Iraq. Serving in the United States Army was a life-long dream for Sergeant Davis. His 8 years in the Army included four tours of duty in Iraq. His devotion to America's security earned him numerous medals for his achievement, service and defense of his country.

A native of Lubbock, Texas, Chris was a brave soldier, a devoted husband and a loving father. This morning, my thoughts and prayers go out to his family: His parents, Ray and Hermina, his three sisters, his wife, Debbie, the children, Kasey, Blade, Jacob, Taylor and Dillon.

As we celebrate this Fourth of July week, may we remember the sacrifices of many that have gone before us and particularly this young brave soldier, Sergeant Davis from Lubbock, Texas.

HOUSE DEMOCRATS ARE MAKING PROGRESS FOR THE AMERICAN PEOPLE

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

Mr. PAYNE. Madam Speaker, for 6 months, Democrats have succeeded in changing the direction of this country. We have replaced Republican rubber stamps with meaningful Congressional oversight.

The Democratic House has now passed 50 key measures since January, most with strong bipartisan support. Thanks to this Democratic Congress, millions of Americans will receive their first pay raise in almost a decade on January 24. As a senior member of the House Education and Labor Committee, I was proud to support the long overdue increase in the minimum wage.

Gulf coast hurricane communities will get much needed relief, up-armored Humvees and critical military

support are getting to our troops, and fiscal responsibility has been restored to the Federal budget after the White House and Republican-led Congress reversed President Clinton's budget surplus and replaced it with the biggest budget deficit in American history.

This is only the beginning. This House has also passed legislation that will better protect our Nation by fully implementing the recommendations of the nonpartisan 9/11 Commission. Let's continue to move forward in this positive direction.

□ 1030

KOREAN WAR BILL CHARTER

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

Mr. SAM JOHNSON of Texas. Madam Speaker, this past Monday on the 57th anniversary of the start of the Korean War, Majority Leader STENY HOYER and I introduced legislation to rightfully honor Korean War veterans with a national charter. The charter pays no money but gives veterans leverage when dealing with the VA.

It is about time those who served in the Korean War enjoy the same mark of distinction and national recognition as those who came home from World War II. Some have dubbed the Korean War the ''forgotten war'' or even ''the war that America forgot to remember.''

You know, I was in that war, and so were at least two of our colleagues, CHARLIE RANGEL and JOHN CONYERS, and I think that it is kind of ridiculous that we haven't given them the recognition they deserve. I flew over 62 combat missions in Korea, and I can't think of a better way to honor our patriots who served in Korea.

I urge my colleagues to cosponsor our bill, H.R. 2852, to give the Korean War Veterans Association a national charter.

FIRST HIGHER EDUCATION EXTENSION ACT OF 2007

Mr. BISHOP of New York. Madam Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1704) to temporarily extend the programs under the Higher Education Act of 1965, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1704

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 ''First Higher Education Extension Act of 2007''.

SEC. 2. EXTENSION OF PROGRAMS.

Section 2(a) of the Higher Education Extension Act of 2005 (Public Law 109–81; 20 U.S.C. 1001 note) is amended by striking ''June 30, 2007'' and inserting ''July 31, 2007''.

SEC. 3. RULE OF CONSTRUCTION.

Nothing in this Act, or in the Higher Education Extension Act of 2005 as amended by this Act, shall be construed to limit or otherwise alter the authorizations of appropriations for, or the durations of, programs contained in the amendments made by the Higher Education Reconciliation Act of 2005 (Public Law 109–171) to the provisions of the Higher Education Act of 1965 and the Taxpayer-Teacher Protection Act of 2004.

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

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2008

The SPEAKER pro tempore. Pursuant to House Resolution 517 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2829.

□ 1034

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 further consideration of the bill (H.R. 2829) making appropriations for financial services and general government for the fiscal year ending September 30, 2008, and for other purposes, with Mr. HASTINGS of Florida in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on the legislative day of Wednesday, June 27, 2007, a request for a recorded vote on the amendment by the gentleman from Indiana (Mr. SOUDER) had been postponed and the bill had been read through page 146, line 22.

AMENDMENT OFFERED BY MR. MORAN OF KANSAS

Mr. MORAN of Kansas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MORAN of Kansas:

Page 146, insert the following after line 22:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act may be used to administer, implement, or enforce the amendment made to section 515.533 of title 31, Code of Federal Regulations, that was published in the Federal Register on February 25, 2005.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2007, the gentleman from Kansas (Mr. MORAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kansas.

Mr. MORAN of Kansas. Mr. Chairman, I have an amendment today that I would like the Committee to consider, which is a prohibition against the expenditure of funds.

In the year 2000, this Congress passed legislation that altered our trading relationship with Cuba. That legislation, the Trade Sanctions Reform Act of 2000, was put in place that would allow for the sale of agricultural commodities, food, and medicine to Cuba for cash in advance. That legislation was signed into law and was operational; and from that period of time, we have sold nearly $1.5 billion of agriculture commodities, food, and medicine to Cuba for cash in advance.

In the year 2005, the administration published a final rule clarifying the definition of cash payments in advance; and by that rule, it disrupted the sale of agriculture commodities, food, and medicine to Cuba. The change being that rather than payments in advance at the time the goods were delivered, the commodities were delivered in Cuba, the administration's rule requires that the payment be made before the commodities leave a United States port, a matter of days or weeks by advancing the payment.

This is contrary to our normal trading relationships, the norms within the international community, and has been disruptive and is an indication of our unwillingness to be a reliable provider of agriculture commodities to Cuba.

This amendment that I offer today prohibits the funding of the implementation or the enforcement of that rule promulgated by the administration in the year 2005, and so it would return us to the days following the passage of the original legislation, the Trade Sanctions Reform Act of 2000, that would once again say that cash in advance is payment when the commodity arrives in port in Cuba. And this change in rules has had an effect upon our ability of American farmers and agriculture producers to supply, to sell, for cash the things we produce in this country, a detrimental effect upon the farm economy. It is estimated that exports fell approximately 10 percent in value from 2004 to 2005. Wheat, which is important in my home State of Kansas, was decreased by 18 percent; rice by 38 percent; cotton by 87 percent; lumber by 100 percent; dairy products by 55 percent; seafood by 100 percent; course grains by 74 percent; and poultry decreased by 27 percent. And the goal is to try to restore those markets, once again be a more reliable supplier of food to the Cuban people, and to make certain that American agriculture is not harmed by our policy or is harmed less by our policy.

These are unilateral sanctions, Mr. Chairman, as you know. And unilateral sanctions are probably not effective in and of themselves when it is only the United States that fails to trade with Cuba. So, again, a rather modest modification in our policy, changing it to the days of the policies enacted by Congress before the administration changed the rules.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman and colleagues, this OFAC, Office of Foreign Assets Control, regulation clarifying the Trade Sanctions Reform and Export Enhancement Act of 2000, this regulation that the amendment before us seeks to prohibit enforcement of, stemmed from requests by U.S. financial institutions that were becoming concerned by the increasingly slow rate of payment for agricultural sales by the Cuban regime. The financial institutions requested OFAC to clarify the legislative intent of cash in advance, which is in the law, in order to protect the interests of those financial institutions on their claims.

The Cuban regime's entity in charge of agricultural purchases has an abysmal record of not paying its creditors and has been known to extort or seek to extort agricultural associations in order to increase the regime's lobbying pressure in favor of the unconditional lifting of sanctions, which is sought by the regime. The regime promises more agriculture purchases if agriculture interests lobby Congress for what the regime seeks, an end to sanctions. In effect, the opening of mass U.S. tourism and trade finance.

Currently, Mr. Chairman, the Cuban regime's foreign debt represents close to 800 percent of its GDP, and it is ranked by international credit agencies as the second worst, if not the worst, credit risk in the world. Countries throughout the world are taking extreme measures to obtain restitution for billions of dollars they are owed, which the Cuban regime refuses to pay.

In one example, a 15,000-ton Cuban regime-owned ship was held in the port of Conakry in Guinea, while a Canadian company armed with legal judgments pursued partial payment for the Cuban Government's defaulted debt.

And those are the types of actions, Mr. Chairman, that U.S. companies and ultimately U.S. taxpayers would inevitably have to resort to if Congress were to authorize credit for sales to the Cuban regime. The Congress, Mr. Chairman, must not allow the American taxpayer to become another victim of the Cuban regime's nonpayment to its creditors.

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

Mr. MORAN of Kansas. Mr. Chairman, again I would point out that this amendment today does not change the law and that all sales to Cuba must be for cash in advance. There is no agricultural credit through the United States Government that can be offered to Cuba to assist in the sale of purchases by Cuba nor can any U.S. financial institution be engaged in the activity leading up to the sale of these commodities to Cuba.

So we do not change the law. It is simply a matter of definition. And at least in my estimation, the definition was changed for purposes of making those sales less likely to Cuba, thereby harming farmers, ranchers, and producers across the United States.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I would ask my friend from Kansas if he has any further speakers.

Mr. MORAN of Kansas. I have no further speakers.

Mr. SERRANO. Mr. Chairman, I move to strike the last word.

I rise in strong support of the gentleman's amendment. And under different circumstances, I would simply say I accept it and that would be the end of it, but that is not going to be the end of it.

I rise in support because I think there are a couple of things we have to know and we have to remember. First of all, there is a law in place since 2000, the Trade Sanctions Reform and Export Enhancement Act, which allowed agricultural products to be sold to Cuba.

Now, here is where the irony comes in. In 2005 the Treasury Department issued regulations requiring that the payments for exports to Cuba must be either received by the U.S. exporter or by a third-country bank prior to the goods leaving the port in the United States rather than upon arrival in Cuba. Now, that is the only country we do that with.

Now, what is the irony here? The part of the argument that has always been made is that we should work in this Congress to help or to force Cuba into a political change, a political change which would mirror our democratic system, our electoral process, and also, I am sure, our capitalist system. Well, the irony of this is that it is capitalism at its best to allow credit to take place between two nations. It is anti-capitalism to suggest that the only way that we can sell products to you is if you pay ahead of time prior to looking at the product. I mean, we wouldn't do that. Picture going into a store and their saying you can't look at the product, you can't test the product, you can't do anything: you have to pay ahead of time.

□ 1045

So there is a contradiction here that doesn't make sense. What the gentleman wants to do is simply put Cuba on par with every other country.

Now, if we were here for the first time, as we were in 2000, creating a new way to trade with Cuba, then all these arguments, I think, would be in place, whether we want to do that or not, what kind of government they have. But we already have that in place. We already have that in place. And we should note that the reason we have this in place is not because anti-embargo people like me ruled the day in 2000, it's because farmers in this country and business people in this country, but especially the farming community, felt that it was important for American business to be able to sell some products to Cuba. That has not changed our political stance on Cuba. Cuba still has an embargo imposed by the U.S. We still do not have relations with Cuba. Nothing has really changed since 2000 except the ability to sell products.

Now the gentleman wants to put Cuba on an even keel with the rest of the world. I think it's a proper way to go. I think it's good for our business community. I think it's good for trade with Cuba. And I support the gentleman's amendment.

I will be asking Members on this side and on both sides to vote for his amendment if it comes to a vote.

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

Mr. MORAN of Kansas. I would ask the gentleman from Florida if he has additional speakers or wishes to allow me to close.

Mr. LINCOLN DIAZ-BALART of Florida. I would inquire of the chairman as to how much time I have remaining.

The CHAIRMAN. The gentleman from Florida has 2 minutes remaining. The gentleman from Kansas has 45 seconds.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I would simply reiterate that this clarifying regulation by OFAC stems from concerns and requests of U.S. financial institutions that were concerned because of a pattern they were noticing of delays in payment. So this regulation is precisely to carry out the legislation and implement the legislation of the year 2000 as, again, is a consequence and pursuant to the request of U.S. financial institutions that sought protection, and through clarification.

So with that in mind, I oppose the amendment by the gentleman from Kansas.

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

The CHAIRMAN. The gentleman from Kansas is recognized for 45 seconds.

Mr. MORAN of Kansas. Mr. Chairman, thank you for your courtesies.

Again, I would ask for adoption of this amendment. I offered the amendment on the House floor in July of 2000 that ultimately resulted in the passage of the Trade Sanctions Reform Act.

I admit that I came here in support of farmers in Kansas who thought it was useful to them and beneficial to them economically to be able to sell to Cuba. And over time, I have tried to examine this issue, and it has become something broader. I think there is a greater benefit in the efforts to change the nature of Cuba and to enhance the opportunities that Cubans have for greater personal freedom by an economic relationship between our two countries.

And so, although it was initially an economic issue with me and it remains important to the agriculture community, I think it also benefits the opportunity that we can enhance Cubans for greater freedom and personal liberty within their own country.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas (Mr. MORAN).

The amendment was agreed to.

AMENDMENT NO. 34 OFFERED BY MR. LUCAS

Mr. LUCAS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 34 offered by Mr. LUCAS:

At the end of the bill (before the short title), insert the following:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act may be used by the United States Government to seize or otherwise take possession of, other than for value given in a sale or exchange, any coin, medal or numismatic item made or issued by the United States Government before January 1, 1933, that, as of the date of the enactment of this Act, is not already in the possession of the United States Government.

Mr. SERRANO. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN. The point of order is reserved.

Pursuant to the order of the House of Wednesday, June 27, 2007, the gentleman from Oklahoma (Mr. LUCAS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. LUCAS. Mr. Chairman, I yield myself as much time as I might consume.

Mr. Chairman, I am introducing this amendment in an effort to provide legal certainty for coin collectors who own certain coinage minted before January 1, 1933.

My amendment would prohibit funds in the bill from being used to seize or take possession of any coin, medal or numismatic item made or issued by the United States Mint before January 1, 1933, that is not already in the possession of the United States Government.

Under current law, the Mint has the authority to seize coins created during this period if it believes that they are unauthorized coins. These unauthorized coins were never properly issued, but were created by people at the Mint or working with the Mint more than 75 years ago.

A classic example is the case of the 1913 Liberty Head nickels. And now these items are a part of our numismatic heritage. These coins have likely been publicly bought and sold several times over without the Mint ever attempting to confiscate them.

My amendment seeks, therefore, to provide legal certainty for coin collectors that they may buy, own or sell these coins without the threat of government seizure. Again, this amendment will only apply to any coin, medal or numismatic item made or issued before January 1, 1933.

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

POINT OF ORDER

Mr. SERRANO. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI. And that states, ''An amendment to a general appropriation bill shall not be in order if changing existing law.'' And it does impose additional duties.

I ask for a ruling from the Chair.

The CHAIRMAN. Does any Member wish to be heard on the point of order?

Mr. LUCAS. Mr. Chairman, I would just simply like to note that in the way this amendment is constructed, it would not require the additional expenditure funds, I believe. I believe in the way that it is crafted, it simply would prevent the Federal Government from using existing funds to take an action against numismatic collectors who have these pre-1933 items. And I believe this is crafted well within the rules of the House.

The CHAIRMAN. The Chair finds that this amendment includes language requiring a new determination by all entities funded in the bill, namely, the date of issuance of certain items before taking possession of them. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the amendment is not in order.

AMENDMENT NO. 18 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 18 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act to the Small Business Administration may be used for the Grace Johnstown Area Regional Industries Incubator and Workforce Development program.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2007, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, I appreciate the opportunity we have. For a while it looked like we might not have this opportunity, so I do appreciate being able to challenge these earmarks on the House floor.

As rank-and-file Members, we are able to see certification letters that have been submitted by the requesting Member to the Appropriations Committee. I should point out again, as I did yesterday, we were unable to see the actual request letter, so there is limited information that we have available on these earmarks and what they're for, but there are some that we're able to glean.

Let me just talk about this one a little. This one I actually challenged last year. That's part of the reason I'm coming again is this seems to be an earmark that just keeps coming up again and again for an organization that seems to exist only on earmarks.

This particular amendment would prohibit funding for the Johnstown Area Regional Industries, or JARI, Incubator and Workforce Development Program. Now, I don't know the specifics of the history of JARI, how it was started, I do know, however, that it has received several earmarks over the years.

I also know, among other things, JARI helps companies obtain government funding. Its Web site says, ''JARI's Procurement Technical Assistance Center provides an array of services to assist companies in securing Federal, State and local government contracts and subcontracts.''

So, in essence, what we're doing is sending Federal money to an organization, who then turns around with that money and seeks additional Federal money. I'm just wondering where this stops. How many of these organizations can we fund?

This is not the only organization of its kind, and that's partly what worries me here. We're finding dozens and dozens of organizations like this increasingly over the past couple of years that have been organized and created to secure additional Federal funding. These are earmarks that beget earmarks. These are earmarks incubators. And I don't know how much we can stand of this because the more we have out there, the more it seems to simply spawn other earmarks.

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

Mr. SERRANO. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. SERRANO. Mr. Chairman, the gentleman starts off as we suspected by assuming that Members of Congress have no ability and no understanding and no knowledge, enough certainly to make an appropriation called an earmark. That assumes that only Federal agencies and the folks who work in those agencies know what a good program is.

I think every so often we have to remind ourselves what a so-called earmark is. An earmark is when a Member of Congress determines that in his or her district there is a program worthy of Federal support. But on so many occasions, as certainly has been the occasion in my district in the Bronx, those Federal agencies, for one reason or another, don't pay the attention they should, so a Member gets involved in directing some dollars. And it is some dollars compared to the total budget.

In this particular case, we're talking about an organization in the Youngstown area that was originally set up to deal with the fact that in the southwestern Pennsylvania region, there has been a mass exodus of people between 25 and 30 years of age. Furthermore, with the demise of the steel and coal industry, the region has seen very high levels of unemployment. New and small businesses are necessary to the economic well-being of the citizens of this area.

Now, JARI's efforts have directly led to an increase in small businesses formed in the region and jobs created and retained in the region. There has been an increase in longevity and sustainable efforts for small businesses. Business folks have been given the ability to grow. And yes, while the gentleman seems to think that it is a bad thing to have Federal dollars go in and then assist in reaching other dollars, well, that just shows that they know how to work the system and work it properly. There is nothing wrong with that. But the whole notion that only people and Federal agencies know how to direct dollars, and that only they know what a good program is is really a misconception.

Now, the gentleman from Arizona will be here for quite a while, we see he's setting up his presentation. And it will be a good, strong presentation, but it is only based on the belief that Members of Congress are not intelligent enough to know a good program, to know a good use of Federal dollars.

Interestingly enough, the same folks who will get up today and attack earmarks will not attack the fact that there are large number of earmarks that come directly out of the White House directing Congress to spend money on something; and that most have voted for the largest earmark of them all, the war in Iraq, which has earmarked hundreds of billions of dollars with very little, incidentally, accountability in many, many cases.

So, I stand in opposition to the gentleman's amendment. He knows that he and I have a friendship, a personal friendship and respect. But on this one, as last time, he is totally wrong. I stand in opposition to his amendment and in support of this particular earmark.

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

□ 1100

Mr. FLAKE. Mr. Chairman, I always enjoy debating my good friend from New York. My good friend from New York made a point when I challenged one of his earmarks last year that his district has one of the highest poverty rates, or it is number one in the country.

Here I have a map. The red areas show those counties in the country that have experienced persistent poverty over the past 30 years. I should note that virtually all of the earmarks I will be challenging today are not in areas that are covered in the red, certainly not the one in western Pennsylvania today. This is not an area of persistent poverty. This is not an area where we are going in and helping the truly less fortunate.

The gentleman is correct that Members of Congress are, by and large, intelligent. They know how to work the system. I would submit that that is exactly what this is about. When you get an earmark that begets other earmarks, when you are funding organizations set up with the express purpose of getting other Federal moneys or other earmarks, there is something wrong with that picture. There is something wrong with that. Where does that end? That is simply not right.

I would ask the gentleman, this is not the gentleman's earmark. Is the sponsor of the earmark not here to defend the earmark today?

Mr. SERRANO. I am sorry?

Mr. FLAKE. The sponsor of the earmark is not here to defend the earmark today?

Mr. SERRANO. The sponsor is not on the floor, but his trusted companion is on the floor.

Mr. FLAKE. That sponsor is Mr. MURTHA?

Mr. SERRANO. You have said that.

Mr. FLAKE. According to the certification letter released, it is Mr. MURTHA of Pennsylvania. As I mentioned, this is the second year that I have challenged the same earmark. This is an earmark that begets earmarks. This is going to a business organization whose job it is to receive other Federal moneys. There have been many stories written over the past several weeks about organizations like this that exist to draw other Federal moneys. I don't think that you can put it in terms of this Member knows that district and is trying to alleviate poverty or a situation like that.

This is a situation, it seems to me, where earmarks are begetting more earmarks. We simply can't sustain that. With the deficit that we have, with the situation we are in with the Federal Government, we can't sustain doing this for much longer.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

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

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act (including funds made available in title IV or VIII) may be used for a project for Barracks Row Main Street, Inc.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2007, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Thank you, Mr. Chairman.

This amendment would prevent the Barracks Row Main Street Organization from receiving $.5 million. The certification letter provided by the sponsor of this earmark indicates that these funds will be used to redevelop the Eastern Market Metro Plaza and the triangle park adjacent to it. This is in Washington, D.C., not far from us here on Capitol Hill.

According to its Web site: ''The mission of Barracks Row Main Street is to revitalize 8th Street Southeast as a vibrant commercial corridor reconnecting Capitol Hill to the Anacostia River using historic preservation and the arts and economic development tools.''

In case you weren't aware, Mr. Chairman, Barracks Row was the first commercial center in Washington, D.C. In 1801, Thomas Jefferson selected the site of 8th and I Streets as the first post for the Marine Corps because of its close proximity to the Navy Yard and the U.S. Capitol in case it needed protection. I sometimes wish those marines were around to protect the taxpayer here or funds from flowing from this institution.

Also, according to the Barracks Row Web site, since 1999 there have been more than 50 facades restored, 40 signs replaced, 40 new businesses opened, three new buildings constructed and one streetscape reconstruction completed. All told, the total amount of public and private funds reinvested has been some $19 million. At least a portion of that $19 million has come through Federal earmarks.

The 2006 Transportation appropriation bill included a $750,000 earmark for the redevelopment of Barracks Row Main Street, Inc. That was apparently the same project included in the earmark that I seek to limit today, the redevelopment of the Eastern Market Metro Plaza.

I would submit that the redevelopment of the Metro Plaza would be more appropriately addressed by the authorizers. If the project were authorized, then we should allow the Transportation appropriators to do this bill.

I also note that this Metro Plaza may be about to receive at least its second earmark. How many more will be required? How much longer will we be doing this? I certainly hope that we are not approving a redevelopment earmark today to redevelop last year's redevelopment earmark.

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

Mr. LEWIS of California. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. LEWIS of California. Mr. Chairman, I am the named sponsor of this amendment that Mr. FLAKE refers to. Before I continue with any comments about the amendment per se, I would like to, if I could, have a brief colloquy with the gentleman from Arizona.

Has the gentleman from Arizona spent very much time on Barracks Row, this new commercial center that you refer to?

Mr. FLAKE. No, I have not.

Mr. LEWIS of California. Have you been to Barracks Row, had a meal there perhaps?

Mr. FLAKE. I may have. I don't recall.

Mr. LEWIS of California. Have you been to the Marine barracks which are located on Barracks Row?

Mr. FLAKE. I believe I have.

Mr. LEWIS of California. Have you ever attended the Silent March that takes place on Friday evenings at the Marine barracks?

Mr. FLAKE. I have not.

Mr. LEWIS of California. You have not. I would suggest to the gentleman that probably one of the most important things that a Member of Congress should do is to go to the Marine barracks. On 13 Friday evenings annually, approximately 45,000 people enjoy absolutely the best of our Armed Forces displayed by the marches that take place on the Marine barracks on those Friday evenings, a phenomenal, phenomenal experience for those people who care about our Armed Forces, but also know the historic role that Washington, D.C. has played in terms of supporting and building our military.

8th Street is known as Barracks Row because of the Marine barracks. But over a number of years, indeed generations, Barracks Row, 8th Street, had deteriorated very, very significantly. The commercial values had all but been eliminated. And right in the heart of it was this fabulous headquarters of the National Marine Corps known as the Marine barracks.

It seemed to some of us some time ago that it was very logical to take advantage of that location and the Naval Yard's distance just to the south of it and indeed perhaps even create a Georgetown on Capitol Hill.

Over a number of years, with help on both sides of the aisle, the Congress has re-established Barracks Row as a phenomenal spot on Capitol Hill. Today, its commercial value has skyrocketed. It is having a phenomenal impact on the community. The allocation this year for continuing that process is approximately $500,000. We spend in this bill something like $650 million in our Capital Support funds overall. This is a minor piece of all of that.

Indeed, Georgetown on Capitol Hill is a very, very worthwhile project. It has been immensely successful. The return on the Federal investment that has taken place over the years is difficult to measure. But it is truly immeasurable in my mind's eye. The contribution it has made to the capital is a very significant one.

This amendment essentially would rifle shot at that very project. It is a project we all should, Members of the House, along with our staffs who work and live here, should be very proud as a result of this Federal expenditure.

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

Mr. SERRANO. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to the gentleman's amendment. I would like to direct my comments more on the sponsor than on the project, although I will speak about the project.

□ 1115

The gentleman is one of the most distinguished Members of the House, certainly a Member who knows the appropriations process, knows the pitfalls of this process called earmarks, and would not knowingly put forth a foolish or unworthy member-item before the House. So I take that very seriously. He is not a rookie who is trying to find his way around the House, as many do every day, but he is one who knows what is acceptable and what is proper and what is dignified, and that is what he is doing.

Secondly, and very important to note, we all have so-called earmarks for our district. This is for the Nation's Capital. This is not something he is bringing back to his district to score points with his constituents, which is proper. There is nothing wrong with that, letting your constituents know you are working in Washington on their behalf. But here he takes time, and, if I may say, dollars that he probably could have asked for his own district, to make sure that something in the Nation's Capital happens and happens properly.

I take that very seriously, because, as I said last night, Mr. REGULA and I are committed in this committee to making life and conditions in D.C. much better than they are.

So I commend the gentleman from California for thinking of a place outside his own district, and I am here in opposition.

I yield to the gentleman from North Carolina.

Mr. WATT. I thank the gentleman for yielding.

I wanted to make the point too that when I am in Washington, I live just across the line between Northeast and Southeast. On a number of occasions on Friday evenings, I have had the occasion to be just on the Southeast side of that line down in the area where these maneuvers are taking place.

I doubt that the gentleman could imagine the number of visitors that come into Washington for these events, for these maneuvers, along with the families of these service people. We regularly, as Members of Congress, get invited, though we are seldom here on Friday evenings to take advantage.

But if you look at the benefit that is probably coming out of these maneuvers and the participation of the public and the support it builds up for our military and for the economy in this area, it is just a dramatic illustration. I just wanted to make that point.

Mr. Chairman, this is not my earmark. I wouldn't even be the stereotypical supporter of this. But it is an illustration of the national value that this earmark would play.

Mr. SERRANO. Mr. Chairman, I yield back my time.

Mr. REGULA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, just as the chairman said, this is consistent with our goal in this committee to enhance this city and make it a capital that we can be proud of, and I congratulate the Member from California for putting in something that, while not affecting his area, will add great value to the city and to the people who live here.

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

Mr. FLAKE. To hear this discussion, one would think we were funding the Marines somehow here. We are not. We are not. We are funding, according to the certification letter, ''Funding is to be used for enhancing the Barracks Row Corridor by redeveloping the Eastern Market Metro Plaza.''

This is a commercial development, a commercial venture. Home and retail properties in this area have skyrocketed in the past couple of years. The American way is to leverage the equity you have, either in your business or your home, and redevelop the area. That is how every other area in the country does it, almost all without Federal help.

Just because it is here, and I would like to get there and watch the Marines march, but let me say again, this has nothing to do with the Marines marching in Barracks Row. This has to do with subsidizing a commercial enterprise, one that could do just fine on its own, and particularly in this area. I couldn't think of buying in that area. It is far too expensive.

I appreciate the notion of helping out and the sentimentality of Marines marching, and all of us want to help the armed services, but that is not what this is about. This is about subsidizing a commercial venture, and it is not something we should be involved in in this instance.

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

Mr. LEWIS of California. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, let me say that the Marine barracks are only a small piece of Barracks Row, as the gentleman has suggested. The plaza at the end of Plaza Row is one of the pieces that

needed to go together to make this truly a very successful venture on Capitol Hill on behalf of our responsibility to make certain that Capitol Hill, beyond just our presence here, is a successful and vibrant community.

There is absolutely no question that what has happened on 8th Street has been a phenomenal change in the region. It goes beyond the Marine barracks, all the way to the Naval base. I think Members know that not very far away, a new baseball stadium is in the process of being developed. It is going to be a phenomenal region, and this is only one small piece of it.

I know the gentleman spends most of his time in commercial ventures in Arizona. I would suggest he might want to go to 8th Street and take a look at the restaurants. I might even buy you a meal there. It would be a wonderful exposure to a fabulous piece of our Nation's capital, and the Congress can be proud of the contribution they have made here.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

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

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

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

POINT OF ORDER

Mr. MCCRERY. Mr. Chairman, I make a point of order against section 106 of this bill.

The CHAIRMAN. The gentleman will state his point of order.

Mr. MCCRERY. Mr. Chairman, Clause 5(a) of rule XXI states that, ''A bill or joint resolution carrying a tax or tariff measure may not be reported by a committee not having jurisdiction to report tax or tariff measures.''

H.R. 2829 is a general appropriation bill, reported by the Appropriations Committee, which, of course, does not have jurisdiction over tax or tariff measures.

Precedent under Clause 5 of rule XXI found in the most recent edition of the House Rules and Manual states, ''A limitation on the use of funds contained in a general appropriation bill was held to violate this paragraph.''

Further, the Manual refers to at least three rulings during consideration of a general appropriation bill where, ''It was shown that the imposition of the restriction on IRS funding for the fiscal year would effectively and inevitably preclude the IRS or the Customs Service from collecting revenues.''

In other words, there is ample and clear precedent, Mr. Chairman, that a limitation on funding on the IRS is a revenue measure when it inevitably leads to a reduction in tax revenues, and is therefore subject to a point of order under Clause 5.

Congress authorized the Qualified Tax Collection Contracts Program found in Section 6306 of the Internal Revenue Code to give the IRS additional tools to collect specified amounts of tax, not debt, and the program is thus distinguishable from other debt collection programs in the Federal Government.

To quote from the Internal Revenue Code, Section 6306(b)(1)(B) defines a qualified tax collection contract as one in which the contractor requests a ''full payment from such taxpayer of an amount of Federal tax specified by the Secretary.''

Legislative history of the American Jobs Creation Act of 2004 further bears this out. Citing the Joint Committee on Taxation's general explanation of tax legislation enacted in the 108th Congress, the provision's intent is to ''locate and contact taxpayers owing outstanding tax liabilities of any type and to arrange payment of those taxes by the taxpayers. There must be an assessment pursuant to Section 6201 in order for there to be an outstanding tax liability. An assessment is the formal recording the taxpayer's tax liability that fixes the amount payable.''

When authorizing the program, the Congress was specifically attempting to address a category of uncollected taxes, taxes that Congress believed could be more efficiently collected through the use of qualified tax collection contracts. To put it simply, the Congress felt that the IRS's existing authority should be augmented in order to increase tax compliance and tax collection.

Current estimates by the Joint Committee on Taxation, direct correspondence in both writing and recent congressional testimony from the IRS, and even the CBO baseline, indicate that the program is succeeding in collecting additional tax revenues, just as Congress had anticipated, and in excess of the tax revenues collected prior to enactment of Section 6306 of the Internal Revenue Code. Empirical evidence is clear: Enactment of section 106 would inevitably lead to a reduction in the collection of taxes.

The Congressional Budget Office estimates that the IRS plans to spend $15 million to administer this program in 2007. This has already led to the collection of $20 million in tax revenue in this fiscal year. For fiscal year 2008, the IRS requested $7.35 million in discretionary appropriations to administer the program. In addition, the Secretary of the Treasury, by the authority granted in Section 6306 of the Internal Revenue Code, is allowed to retain 25 percent of the taxes collected under the qualified tax collection contract. In fiscal year 2008, the IRS expects to retain $15 million with this authority.

Clearly, if section 106 of this bill is enacted, the broad reference to ''any other Act'' will eliminate the Secretary's authority to retain the taxes collected by the program that are necessary to run the program and collect additional taxes. In addition, a more than 95 percent decrease in funding would occur as a result of the limitation in section 106, and that would have the same effect as reducing the funding to zero. The CBO estimates that it expects the program to collect $80 million in fiscal year 2008, and the Joint Committee on Taxation expects section 106 to reduce revenues in 2008 by $69 million.

To substantiate this point and to illustrate that section 106 of H.R. 2829 restricts the ability of the IRS to collect taxes, I refer to a letter I received from the Joint Committee on Taxation: ''Section 6306 of the Internal Revenue Code enacted in the American Jobs Creation Act of 2004, authorizes the IRS to enter into qualified tax collection contracts with private debt collection companies to locate and contact taxpayers owing outstanding tax liabilities and to arrange for the payment of those tax liabilities.''

The letter goes on to say, ''Under section 106 of H.R. 2829, not more than $1 million of the funds made available in this or any other Act may be used to enter into, renew, extend, administer, implement, enforce, provide oversight of or make any payment related to any qualified tax collection contract. We interpreted this language as a broad restriction on the use of any funds available to the IRS for administering the private debt collection program, including not only appropriated funds but also funds the IRS is permitted to retain under Section 6306.

''Because section 106 of H.R. 2829 prohibits the IRS from using any more than $1 million to operate the private debt collection program, which is significantly less than the projected amount of expenditures required by the IRS to operate the program, we expect that operation of the program would cease if the provision were enacted.''

The Joint Committee goes on to provide a revenue estimate that details the annual loss of revenue to the Treasury. They estimate that H.R. 2829 would reduce revenues by $69 million in 2008, $507 million over the fiscal years 2008 through 2012, and by $1.086 billion over the fiscal years 2008 through 2017.

Mr. Chairman, I make a point of order against Section 106 of this bill.

Mr. SERRANO. Mr. Chairman, I concede to the point of order.

The CHAIRMAN. The gentleman concedes the point of order. The point of order is sustained. Section 106 is stricken from the bill.

Mr. SERRANO. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as we already know, I conceded that point of order so that issue is not before us. But I think it is important, nevertheless, to speak somewhat to the issue so that people fully understand what it was that this subcommittee was attempting to do.

The whole notion of having private debt collectors collecting taxes throughout this country does not sit well with a lot of people. It is not one

of the most popular programs. In fact, it is a very unpopular program.

No one traditionally has liked the idea of somebody knocking on your door to collect your taxes in a dispute with the government. But at least historically we have had a situation where we knew that the person knocking at our door or on the phone was a member of the government, an employee of the government, who had been trained in how to deal with the public and who fully understood what was within the law allowed in that conversation and in that approach.

We now, in this wild desire to turn our backs on Federal employees and outsource, go out and get private employees to handle much of government's work, we decided to go and set up a system which is really very sad. We now say to a private debt collector, go and collect those taxes; and for doing that, we will give you 24 cents on the dollar.

The American people need to know that. They need to know that for every dollar that is owed to the government, the government is now saying we will hire an outside agency that will go after you, and we will let them keep 24 cents on the dollar. What a waste of government money. What a waste of the taxpayers' money.

It is interesting that we hear folks here get up and tell us we are wasting taxpayer dollars. In fact, in a few minutes the gentleman from Arizona will go back to that issue, although he was not involved in this other one and I don't want to bring him into it. But you talk about a waste of money. Rather than use government employees to go find these dollars, you are going to give away 24 cents on every dollar.

The point of order was based on a belief that this would lose revenue for the government because we would not hire these folks to go find the money, to go collect the money. The whole purpose of our bill was to go back to the day when the employees of the Federal Government would collect the dollars. Nowhere in this bill did it say that by not allowing outsourcing of these jobs, by not allowing private debt collectors, we are giving up on our hope to collect the dollars. That was not the purpose.

So, technically, the point of order was correct, and that is why we conceded it. But when you really analyze this, it would have been and it was a bad decision, because that was not the intent.

Lastly, the very famous hit show ''The Sopranos'' ended a couple of weeks ago. But had they known that this program was going to continue, they could have had another episode, because I predict that years from now we are going to be back here telling you horror stories about how private debt collectors are collecting those debts. They don't have to answer to the public or to the government, the way we have to, the way Federal employees have to. What they are going to start doing is using all kinds of tactics that we will live to regret. So there might yet be another Sopranos episode.

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

AMENDMENT NO. 21 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 21 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act to the Small Business Administration may be used for the San Francisco Planning and Urban Research Association, SPUR Urban Center.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2007, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

□ 1130

Mr. FLAKE. Mr. Chairman, this amendment would prohibit $231,000 from going to the San Francisco Planning and Urban Research Association, otherwise known as SPUR. This organization claims to be San Francisco's preeminent public-policy think tank and claims that through research analysis, public education and advocacy, SPUR promotes good planning and good government.

The question we are asked today: Is it good government for the Federal taxpayer to be funding think tanks around the country? You can debate all day long, we only have a couple of minutes here, the merits or demerits of government planning, whether it is a good thing that the suburbs expand or that the policies that this organization promotes are better.

But the question is: Should we be sending Federal taxpayer dollars to an organization with policies that run counter to what some people across the country might think?

I think we should let think tanks think and produce ideas that they want, but let's not support them with Federal funds and take sides in this issue.

As for the specifics of this earmark, according to the sponsor's certification letter, the funding would go towards construction costs associated with a new resource center for small business and community groups in San Francisco. The new resource center will be called the SPUR Urban Center.

SPUR's Web site says, ''As we head into the next 50 years of service to San Francisco, SPUR is proposing its most innovative solution yet: Constructing an urban center, the first of its kind in any city west of Chicago. To reach this goal, SPUR is embarking on a $10 million SPUR Campaign for the Urban Center.''

I suppose this funding is meant to help that campaign to raise the $10 million necessary to build that urban center. The list of donors to this campaign is about four pages long. It includes very sizable donations from some very well-known corporations and organizations. It appears to me and to anyone who reads or looks at the Web site that this fundraising campaign is going fairly well.

Why again are we putting taxpayers on the hook to help with this effort? The organization and center look to have a local focus and policy approaches that too many taxpayers from across the country might have reservations about.

Now, I am familiar with the think tank world. Before coming to Congress, I spent 7 years at the Goldwater Institute in Phoenix. I suppose that there are a lot of people here who would be uncomfortable with the positions that the Goldwater Institute took. I would not presume to get Federal funding for the think tank that I used to work for or any other conservative think tank. That wouldn't be right. I don't think it is right here for any Member to seek money for a think tank at home that might or might not produce ideas that run counter or might be supported by Members here. Think tanks should think on their own without support from the Federal Government in this instance.

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

Mr. SERRANO. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. SERRANO. Since 1959, the San Francisco Planning and Urban Research Association, SPUR, has been one of California's preeminent public policy think tanks providing research, analysis and public education related to planning and good government.

It was originally formed to revitalize downtown San Francisco by channeling growth away from suburban sprawl and back into the urban core. SPUR provides a neutral educational forum to promote civic engagement, particularly among disadvantaged citizens, businesses operating in areas of high employment, and firms operated by low-income individuals.

SPUR is a widely sought-out resource for small businesses, concerned individuals, local government agencies and other nonprofits, offering educational programs, publishing a monthly journal with the latest information on urban planning and best practices, and convening 20 active policy committees where small business people and community members can become involved in local and regional public policy.

The funds included in the Financial Services appropriations bill are for construction costs associated with the new urban center. The center will allow SPUR to expand its educational

and research programs related to key issues impacting urban businesses and communities.

You know, as I listen to the gentleman, I always know where he is going with his argument because his argument continues to be that only people in agencies know how to spend Federal dollars and that we, Members of Congress, do not. Obviously a program that has been around since 1959 in the City of San Francisco that has played a role in revitalizing the city and its growth, a city we are all proud of, is one that merits our support.

As I am reading what I have in front of me, I am thinking how in private industry we always hold up private industry and corporate America as the ones that do it on their own, and we don't want to do anything for community groups that may be trying to get some government help. But, you know, we have all kind of tax breaks and tax subsidies that we give corporate America to grow and invest. They have their think tanks, except we are talking about billions of dollars, so their think tanks are composed of people they deal with on a daily business.

Local folks, local small business people every so often need government to step in and give them a helping hand, not to carry them on their shoulders, but to help them grow. I think this is a fine example of a program that merits our support. For that reason, not only do I support it, but I respectfully rise in opposition to the gentleman's amendment.

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

Mr. FLAKE. Mr. Chairman, may I ask the gentleman from New York, is this his earmark?

Mr. SERRANO. Mr. Chairman, will the gentleman yield?

Mr. FLAKE. I yield to the gentleman from New York.

Mr. SERRANO. This is not my earmark. But you know something, as chairman of the committee that carries the earmarks, I respect the fact that every Member has a right to put them forth, and we looked at all of them, as did Mr. REGULA, and the earmarks that are here are earmarks that we feel are proper.

Mr. FLAKE. For the record, I believe this is the Speaker's earmark. It would have been nice to have a colloquy like we were having on this earmark with the sponsor of the earmark. That is what would be nice about this process, if we could actually have the sponsor of the earmark come and explain it.

I would like to know, for example, taking the example that the gentleman gave that I seem to be willing to let the Federal Government, the agencies, go ahead and spend this money, I would be upset if the Federal agencies designated this themselves. They shouldn't give out money like this.

If the Federal agencies responsible for disbursing this kind of money gave money to the Goldwater Institute, I would expect the gentleman and everybody else to say that is not a proper use of money. I would do that if it was put in by a Member as well. It is not who spends the money; it is whether this money should be spent by the Federal Government.

I am not defending the Bush administration's spending of money that is earmarked. I have noted many times that much of the money in the Homeland Security bill that is spent in my district is not a wise use of Federal taxpayer dollars. It shouldn't be spent.

The question is not who spends it. We shouldn't use that as an excuse saying that the Federal agencies will misspend the money, so we have a right to do that as well. We have a right to misspend that money and designate think tanks who should receive it just because they might do the same thing over there.

Our role is to authorize, appropriate, and conduct oversight. My issue is that we have done far too little authorizing, far too much appropriating, and far too little oversight. Oversight needs to be done.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

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

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 19 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 19 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act to the Small Business Administration may be used for the Mitchell County Development Foundation, Inc. for the Home of the Perfect Christmas Tree project.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2007, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, I can assure you that I have been called many things during this effort to shine the light on some Federal earmarks and to try to promote a little accountability. I am prepared after this amendment to answer to the name ''Grinch'' and head back up to my mountain just north of Who-ville.

This amendment would prevent $129,000 from being used by the Mitchell County Development Foundation for the Home for the Perfect Christmas Tree Project.

The Mitchell County Development Foundation is a nonprofit dedicated to creating jobs and strengthening the educational system, as well as promoting tourism in Mitchell County.

It has been reported that the Home of the Perfect Christmas Tree Project is an economic development initiative in economically distressed Mitchell County.

According to the project's Web site, author Gloria Houston gave the rights to her award-winning children's book, ''The Year of the Perfect Christmas Tree,'' to the town of Spruce Pine, North Carolina, in 2003.

To help with the economic challenges facing the region following the loss of manufacturing jobs, the Home of the Perfect Christmas Tree Project was created to assist entrepreneurs selling handmade crafts and products based on the book.

The money included in this earmark would go towards doubling the retail space available for the gift shop selling products like Christmas tree ornaments, lanterns, handmade soaps, et cetera.

I have no doubt that Mitchell County is having tough times economically. I don't belittle that fact. It sounds like they are. And I don't dispute the fact that they may be home to the perfect Christmas tree either, although Arizona has some very nice ones.

What I do doubt is that there is a Federal role here in doling out funds to the Mitchell County Development Foundation.

First, from the sponsor's certification letter, we learn that these funds are requested because the project is expected to double to include 60 licensed product makers in 2007. If this project is successful, does it still need taxpayer assistance?

Additionally, according to the USDA's Economic Research Service, there are nearly 400 persistently poor counties in the U.S. These are counties with 20 percent or more of their populations living in poverty for the last 30 years. These counties comprise 12 percent of U.S. counties and 4 percent of the population.

Are we to assume that the taxpayers should dig into their wallets and find ways of providing hundreds of thousands of dollars for each of these counties as a means of dealing with economic hardship? We simply can't do that. We simply can't cure every ill out there.

I would submit it is often said that this bill has become a Christmas tree. Unfortunately, this bill has a Christmas tree. I would think it is simply not a good use of taxpayer dollars.

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

Mr. MCHENRY. Mr. Chairman, I rise to claim the time in opposition.

The CHAIRMAN. The gentleman from North Carolina is recognized for 5 minutes.

Mr. MCHENRY. Mr. Chairman, I thank my colleague and friend from Arizona for offering this amendment. It gives me an opportunity to explain the importance of this project and this funding to the Members of this body.

I am actually very much in favor of transparency through the appropriations process. I have spoken a number of times here on the House floor about that. I think it is important that Members can judge for themselves the funds that we are spending as the Federal Government. It is a very serious business we are in of spending taxpayer dollars, and I don't take that lightly.

I am thankful for the opportunity to talk about the Mitchell County Development Foundation and the problems and challenges that Mitchell County is going through, but their hope and the solution they are putting forward.

Mitchell County, as the amendment sponsor mentions, is a very hard-hit county. If you look at this graph of manufacturing jobs in North Carolina, we have been hard hit over the last 20 years in the loss of manufacturing jobs due to Federal trade agreements, to a large degree. We are going through a transition period of manufacturing jobs in North Carolina.

Furthermore, in Mitchell County, which was a manufacturing county, you can look at this listing of the job losses they have had over the last 10 years. In the last 5 years, Mitchell County has lost 2,500 jobs. Now, that may not seem like much to big city folks, but to a small, rural Appalachian county with a workforce of 7,500 people, it is devastating. It is absolutely devastating.

When you are in a rural community, you have to figure out ways to innovate, to actually keep your people making a living. What Mitchell County has done through their development foundation is come up with a way to do that, to take these craftsmen who worked in textiles and furniture, to actually help them create a small business. And through this project, 51 small businesses have been created, two-thirds in my district.

But this is a small, rural county, and they are trying to do the best they can through an innovative process. This small amount of Federal money will help them in a number of ways, such as access other grants and bring in more knowledge about this process and about what is happening in this county, to bring more funding and resources to bear for this county.

□ 1145

Mitchell County has the third highest unemployment rate in the State of North Carolina. It has a 38 percent dropout rate in their high schools. And what they're trying to do through this business incubator is create small businesses so that those unemployed can find employment. Beyond that, they are also trying to use the resources that they gain from selling their products to provide scholarships for these high school students, to encourage them to stay in school. This is a good project and is a worthy use of Federal taxpayer dollars and I'm proud to stand in the well of this House and to defend this and tell my colleagues that it's worthwhile for the taxpayers to spend this money.

With that, Mr. Chairman, I retain the balance of my time.

Mr. FLAKE. May I inquire as to the time remaining.

The CHAIRMAN. Both sides have 2 minutes.

Mr. FLAKE. May I yield 1 minute to the gentleman from Texas.

Mr. HENSARLING. I thank my friend from Arizona for yielding. I want to thank him for his amendment.

What we have before us is an earmark that is in a family of earmarks, where somehow we in Congress think it is advisable to take money out of local communities, give it a big haircut, and then send it back as local economic development. I question what does the Federal Government know about economic development to begin with. I am going to support the gentleman from Arizona's amendment, but I did want to say something about the gentleman from North Carolina. But for his leadership in coming to the floor to fight for transparency and accountability, he wouldn't have to be here today defending the earmark, and I wanted to congratulate the gentleman for being willing to submit his earmark to this process. Now, I don't think his earmark meets the taxpayer test of efficiency or accountability, but I did want to applaud his leadership in improving the process and bringing transparency and accountability to the floor.

Mr. MCHENRY. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman has 2 minutes.

Mr. REGULA. Would the gentleman yield for a question?

Mr. MCHENRY. Absolutely.

Mr. REGULA. How much private investment in your judgment will this generate locally, knowing they're getting some assistance?

Mr. MCHENRY. There's already been a real influx of interest in giving grants to this. Right now there's about three or $400,000 that is contingent upon this to a large degree.

Mr. REGULA. Thank you.

Mr. SERRANO. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. SERRANO. I suggest to my colleagues that they pay close attention to their TV sets because I rise in opposition to the gentleman's amendment and in support of the gentleman's program. Now, I'm going to do that and try to remain serious, because I'm supporting an earmark by the gentleman who spent over 3 days beating the heck out of all the earmarks on the House floor and telling us that he had never seen an earmark that he liked. I obviously saw an earmark that I like, his earmark, and he saw an earmark that he liked.

Granted that it's got a pretty bad title because people think it's a Christmas tree and Christmas tree opens up a discussion for loading up and all kinds of other things, but we actually looked at it and it's a worthy project.

My point in diplomatically somewhat embarrassing him is the point that I can see in him an ability and a desire to help his community, and he could not see in us for 3½ torturous days our desire to help our community. And so I am rising as chairman of the committee asking both sides to go against Mr. FLAKE and support the gentleman's earmark because it indeed is one that helps his community and that's what it's all about.

But in the process of doing that, we also have to be careful what we say. The gentleman from Texas said that he supported Mr. FLAKE but opposed your amendment but thanked you for making this process possible. I have a surprise for you. Even if you had said nothing against earmarks, Mr. FLAKE was going to say something about earmarks for as long as he could because he's known for that.

So this is a very convoluted situation that I find myself in. But I support your earmark, I want you to take full credit for it, I want you to put a press release out and if you don't, I will put a press release out naming your program because I think it's a wonderful program and you should be proud of it.

I yield to the gentleman from North Carolina.

Mr. WATT. I thank the gentleman for yielding.

I'm going to make it more convoluted, because I've actually read the book that this earmark is titled after. It is a wonderful, wonderful children's book, and I say that with all sincerity. It's unfortunate that the earmark was named after the Perfect Christmas Tree, but the book itself, written by a local author, has produced a substantial amount of employment and funds for this area of North Carolina.

And for us to demean the notion of a perfect Christmas tree, which is the title to the book, a children's book, further convolutes this. I find myself kind of defending the Perfect Christmas Tree.

Mr. SERRANO. And reclaiming my time, with all due respect to both gentlemen from North Carolina and Arizona, we know that the perfect Christmas tree only grows in upstate New York and that's a fact of life.

Mr. MCHENRY. If the gentleman will yield, I just wanted to correct the chairman on what I said over those torturous 3 days, in your words, on this House floor. I was simply asking for earmarks to be public.

Mr. SERRANO. Reclaiming my time, English is a second language to me, but I assure you that I know what you said and you were not saying that you just wanted information. You were saying

these were bad things. Except that you found a good one and I support you on it. So as they say in the south Bronx, quit while you're ahead. Just take the earmark and publicize it.

I yield back the balance of my time.

Mr. MCHENRY. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman has 2 minutes.

Mr. MCHENRY. I thank the chairman.

To close on this matter, Laura Bush, the First Lady, decides what the theme is for the White House Christmas, and she decided this last Christmas it would be the Year of the Perfect Christmas Tree, the Gloria Houston book that we're discussing here. Gloria Houston, who grew up in the mountains of western North Carolina, my district, who gave her book to this community for their business incubator, and it's unfortunate that there's so much discussion here on the House floor about this business incubator, but it does bring to light what is important for this community.

Laura Bush, the First Lady, said at the time: ''This is a very wonderful American story. They all worked together, the people in the town, to figure out a new industry for themselves.''

I'm trying to assist in that and I think the taxpayers should assist in that. And I'll tell you why. Mitchell County has been broken by trade agreements made here by the Federal Government. And when the Federal Government breaks it, they should help fix it. And that's all we're trying to do. This small amount of taxpayer dollars can help enormously.

I submit for the RECORD the USA Today story about Mitchell County and their recovery.

[From USA Today, Dec. 5, 2006]

TOWN HANGS HOPE ON HOLIDAY TREES

PROJECT SPRUCES UP MORALE AFTER LAYOFFS

(By Kathy Kiely)

WASHINGTON.—In Gloria Houston's 1988 children's classic, The Year of the Perfect Christmas Tree, a combination of pluck, tenacity and never-say-die optimism salvages the holidays for an impoverished little girl.

This year, residents of a small town in the same Appalachian hills that inspired Houston's story are hoping to reproduce its magic for their hard-luck community.

During the past four years, closings and layoffs at local textile and furniture mills have eliminated more than 2,500 jobs in western North Carolina's Mitchell County. ''We have lost one-third of our manufacturing base,'' says Shirley Hise, director of the local Chamber of Commerce. ''It has been devastating for our county.''

Even so, the people of Mitchell County are experiencing what local congressman Patrick McHenry calls ''a glimmer of hope.'' Houston's generosity and Hise's hard work are helping county residents tap a vein of creativity and find new ways to make a living. And this holiday season, Americans can help them out—and, at the same time, decorate their homes in presidential style.

Last week, when she hosted the annual unveiling of holiday decorations at the White House, first lady Laura Bush went out of her way to give a plug to the handmade ornaments provided by Mitchell County artists. ''This is a very wonderful American story,'' she said. ''They all worked together, the people in the town, to figure out a new industry for themselves, and they came up with making these wonderful ornaments.''

The media-savvy first lady even provided some direction for the TV crews on hand: ''When you're in the west reception hall or in the visitors' reception room on the east side, I hope you'll be able to get there to get some B-roll of those trees and see these beautiful, handmade ornaments.''

Mitchell County's contribution to the White House holiday decor is the result of a brainstorm Houston had in 2003 after being invited to be grand marshal of the Christmas parade in Spruce Pine, Mitchell's county seat.

After hearing about the community's problems, Houston donated the rights of her book to Spruce Pine and suggested local officials market the town as ''the home of the perfect Christmas tree.'' Last year, the community cut the ribbon on a retail store featuring handcrafted items inspired by the book. They're all made by local artisans.

These aren't amateur holiday fair items: The curvilinear red, green and walnut Carolina ''snowflakes'' hanging at the White House are the creations of Billie Ruth Sudduth, a basket weaver whose work is displayed at the juried Smithsonian craft show. The White House trees also feature handblown glass ornaments by Virgil Jones, whose work is on display in galleries in Asheville, N.C.

Sudduth taught several local women how to make the snowflakes so they could help her keep up with demand. At a basket-weaving class she taught to raise money for the local homeless shelter, ''I saw some talent,'' she says.

No one is suggesting a few cottage industries will replace the thousands of manufacturing jobs that once powered Mitchell County's economy. McHenry, who called the project a glimmer of hope, also notes it's not a light at the end of the tunnel.

But project participants say it has helped lift the gloom that enveloped Mitchell County after all the layoffs. ''This project has really turned the county upside down with excitement,'' Sudduth says.

Patti Jensen, who manages the retail outlet in Spruce Pine, says her biggest problem initially was persuading local craftspeople to provide her with enough inventory to keep pace with sales.

''They were so skeptical . . . that anyone would want to buy what they make,'' Jensen says.

After one of Marquitta Holdsclaw's art glass plates sold for $600 at a local silent auction, Jensen says she found the artist in the parking lot in tears. ''It just blew her away that anyone valued what she was doing,'' Jensen says. Holdsclaw's plates are available for as little as $39.50 through the Home of the Perfect Christmas Tree store. An online catalog can be found at homeoftheperfectchristmastree.org.

Working on their own poses challenges that employees of big companies never face, the artisans concede, especially ''the very real problem of health insurance,'' says Sudduth, 61. She says it costs $700 a month to maintain her coverage.

Jim Buchanan, a woodworker who built the interior of the Perfect Christmas Tree shop and designs items for the catalog, estimates he's making half of what he did before the Henredon furniture plant where he worked was shuttered in 2004. But there are other compensations. ''I'm making the type of furniture I like to make, so it's more enjoyable,'' Buchanan says.

Mike Queen, a local metal worker who is trying to grow his artisanal blacksmithing business, agrees. ''I'm enthused about it,'' says Queen, who employs several people laid off from local plants. ''It's good for the community. There's so many small towns in the country that seem like they're dying.''

THE IDEA WENT BY THE BOOK

Gloria Houston, whose book inspired the Home of the Perfect Christmas Tree store in Spruce Pine, N.C., says research she did as a graduate student prompted her to suggest the project.

Houston, a former Marjorie Kinnan Rawlings scholar at the University of South Florida, says she was researching the namesake of her fellowship when it struck her that Rawlings had inadvertently thrown a lifeline to her tiny Florida hometown, the setting for her classic novel, The Yearling. ''I realized Cross Creek would have long since disappeared had it not been for The Yearling,'' Houston says. ''Everything there had something to do with it.''

Years later, she decided to see whether her 1988 children's book, The Home of the Perfect Christmas Tree, could do the same for her North Carolina Appalachian home.

Houston's parents operated a country store in western North Carolina for more than 50 years. In writing the book, she was inspired by stories of their circumstances (her father told her about once giving up his Christmas dime so his sister could have a doll).

Not wanting the same crushing poverty to reappear in the region, Houston donated rights to the book to Mitchell County, and the Christmas tree store project was born. ''I'm so proud of the people here and their many skills and talents,'' she says. ''Now they're being put to work in their own county.''

In closing, I want to tell you, Mitchell County is going through struggles, and I appreciate this opportunity to bring attention to this. It is a worthwhile project. It is a worthy project. And I think worthy projects that have a Federal element to it should be funded by the Federal Government, and we should be interested in doing that. Not overspending, but spending wisely and allowing Members to step forward and publicly say what they think is a wise expenditure of taxpayer dollars. I care very much about that. And I care very much about helping Mitchell County rebound, to bring down that dropout rate in their high schools, to get businesses growing and to reduce their unemployment rate.

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

The CHAIRMAN. The gentleman from Arizona is recognized for the remainder of his time.

Mr. FLAKE. I thank the Chairman.

I think the spirit of Christmas seems to have broken out here, with Democrats agreeing with Republicans and dogs and cats living together and everything else. I'll probably get beat soundly on this amendment.

Let me simply say in defense of the gentleman from North Carolina, we would likely not be in this situation where we're debating earmarks on the floor had he not persistently for 3 days helped in the effort to make sure that there is transparency here. And you can be for earmarks or against earmarks. But I think we ought to all be for transparency, and I think that's the message that he helped and very persuasively brought to the floor during

those 3 days. I appreciate his efforts there, all for the opportunity to be flogged in this fashion.

I would simply say, and, like I say, I don't want to belittle the economic problems in Mitchell County, but I should point out again there are 400 counties around the country comprising 12 percent of all U.S. counties, 4 percent of the U.S. population, that are in persistent poverty. When you pick like this, we're picking certain winners and losers who are to get Federal funding instead of recognizing that there is opportunity cost to funding as well.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

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

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 10 OFFERED BY MR. ELLSWORTH

Mr. ELLSWORTH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. ELLSWORTH:

At the end of the bill (before the short title), insert the following:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. ____901. None of the funds appropriated in this Act may be used to enter into a contract in an amount greater than the simplified acquisition threshold unless the prospective contractor certifies in writing to the agency awarding the contract that the contractor owes no Federal tax debt. For purposes of the preceding sentence, the certification requirement of part 52.209-5 of the Federal Acquisition Regulation shall also include a requirement for a certification by a prospective contractor of whether, within the three-year period preceding the offer for the contract, the prospective contractor—

(1) has or has not been convicted of or had a civil judgment rendered against the contractor for violating any tax law or failing to pay any tax;

(2) has or has not been notified of any delinquent taxes for which the liability remains unsatisfied; or

(3) has or has not received a notice of a tax lien filed against the contractor for which the liability remains unsatisfied or for which the lien has not been released.

Mr. SERRANO. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN. The gentleman's point of order is reserved.

Pursuant to the order of the House of Wednesday, June 27, 2007, the gentleman from Indiana (Mr. ELLSWORTH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. ELLSWORTH. Mr. Chairman, I acknowledge the point of order and I will ask for unanimous consent to withdraw this amendment.

But before I do that, I would like to at least spell out what this amendment intends and what I intended with the amendment. We're talking about earmarks. This is an earmark of a little different sort. It's earmarking the collection of Federal taxes owed to this government. This amendment sought to ensure that none of the funds appropriated in this bill could be used to enter into a contract greater than the simplified acquisition threshold unless the prospective contractor certified in writing to the agency awarding the contract that they owed no Federal tax dollars and no Federal tax debt.

The Federal acquisition regulation already requires prospective contractors to certify within a 3-year period preceding the offer that they've never been convicted and had a civil judgment against them for various legal infractions such as tax evasion, forgery, or bribery. This amendment is very simple. It simply adds the following three tax debt-related offenses:

That the prospective contractor must certify that they have not ever been convicted of a civil judgment rendered against the contractor for violating any tax law or failing to pay any tax.

Have or have not been notified of any delinquent taxes for which liability remains unsatisfied.

Or, number three, have or have not received a notice of a tax lien filed against the contractor for which liability remains unsatisfied or for which the lien has not been released.

Very simply put, Mr. Chairman, it has come to my attention and the attention of many of my constituents that Federal contracts are being awarded to companies that have not paid their Federal taxes. This really isn't just a small matter. These are companies that continue to receive Federal contracts, 3,800 in fact, that owe $1.4 billion in Federal taxes.

Now, I pay my taxes every year. I'm sure everybody in this room does and I'm sure everybody up in the gallery does. To award a Federal contract to a company that fails to pay gives them an unfair advantage. The people in the Eighth District of Indiana don't expect us to do this, and I don't think anybody across the country expects us to continue to do this. Yet it continues to go on and on and on. I've offered this amendment in other bills and I'll continue to offer it until this Congress does its work and ensures this.

Not all contractors that receive Federal contracts are bad players, but when 3,800 don't pay $1.4 billion, we need to put a stop to it. At a time when our fiscal house appears to be in somewhat disarray and the deficit continues to grow, we can't continue to allow companies like this to receive Federal tax dollars and Federal contracts.

While I am withdrawing this amendment today, I respectfully ask the chairman to include this language in the eventual conference report.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 14 OFFERED BY MR. WOLF

Mr. WOLF. Mr. Chairman, I have an amendment at the desk.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 14 offered by Mr. WOLF:

At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. (a) There is hereby enacted into law H.R. 473 of the 110th Congress, as introduced in the House of Representatives on January 16, 2007, and appropriated for the Commission thereby established, $1,500,000.

(b) The amount otherwise provided in this Act for "**INDEPEDENT AGENCIES**—ELECTION ASSISTANCE—ELECTION REFORM PROGRAMS" (for the amount specified under such heading for programs under the Help America Vote Act of 2002) is hereby reduced by $1,500,000.

Mr. SERRANO. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN. The gentleman's point of order is reserved.

Pursuant to the order of the House of Wednesday, June 27, 2007, the gentleman from Virginia (Mr. WOLF) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

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Mr. WOLF. Mr. Chairman, in the interest of time, I am going to withdraw the amendment, but I would be remiss if I didn't take this opportunity to call to the attention the financial storm and the tsunami that is off the coast ready to hit our Nation.

Our Nation's Federal fiscal policy remains unsustainable, and in last Thursday's Washington Post, Comptroller General David Walker referred to what called to a "tsunami of spending" that will result in "very rough seas, like we've never seen before in this country."

If Congress is not proactive in addressing the mounting entitlement costs and fiscal outlook 30 years from now, we won't be here deciding how to spend discretionary funds in an appropriations bill, there won't be any money left for anything. In 2006, Medicare, Medicaid, Social Security, consumed 40 percent of the budget. That percentage will jump to 51 percent in 10 years, and there will be a devastating impact on the country.

In less than 20 years, there will be no money for student loans, transportation funding, national parks or cancer research or autism research, just to name a few.

More than $2.6 billion a day is needed to fund the savings shortfall, which has left us with nearly 40 percent of our GDP in foreign hands. The Saudis hold

a lot of our debt, the Saudis hold a lot of our debt. The Chinese hold a lot of our debt.

On Tuesday, the Budget Committee held a hearing on foreign holdings of U.S. debt, and the vulnerability of our economy. The CBO director testified that increases in foreign holdings accounted for about 86 percent of total Federal borrowing last year.

We should care about that. We should care that the Saudis hold this debt, the Chinese that hold this debt. China is the largest single source of financing for the current U.S. account deficit. While the U.S. falls deeper and deeper into debt, other countries are saving. Although China usually gets most of the attention, it's also Saudi Arabia. Fifteen of the hijackers for 9/11 came from Saudi Arabia, Iran and Kuwait.

This amendment incorporate to expedite a national commission, eight members from each side to come together. This place is a partisan, political pit. There is no opportunity in this Congress to resolve these issues.

We can't even decide when we are going to adjourn around here sometimes. So what we take is eight Republicans, eight Democrats come together, put everything on the table. Everything has to be on the table, including tax policy.

This Commission would make recommendations and would hold public hearings around the country where the American people could have input. They will come back.

What makes this different than most others is that this would be like the base closing commission. It would require a vote to be taken by the Congress.

But 10 years from now, 20 years from now, when many of our people are going to be sitting on the rocking chair, having served in this Congress, and editorials and the newspaper headlines say ''Nation in crisis,'' we are going to ask, what did we do?

I have written a number of Dear Colleague letters. We are up to 31 cosponsors, Members cosponsored this. We need eight Members from each side, everything on the table, recommendations would come back, require the Congress to vote. But for our children and for our grandchildren, I would ask that we do this.

Mr. Chairman, I would ask to include a Washington Post article by David Broder and also some other material in support of the idea.

[From washingtonpost.com, Feb. 1, 2007]

DEFICIT DAY OF RECKONING

(By David S. Broder)

Next Monday is the real day of reckoning for President Bush and this new Democratic Congress. That is the day the president sends his budget for next year up to Capitol Hill, and you really will be able to judge by the reaction what will happen in Washington in the next 9 months.

Last year, when the budget came out, Democrats hooted in skepticism and many conservative Republicans expressed dismay at the size of the projected deficits. In the end, the House and Senate could not agree on a budget resolution, and the government went on autopilot in terms of domestic spending, continuing at the same level as the year before.

This year, as I learned from conversations with two senior White House officials last week, the president hopes his budget will become a starting point for serious negotiation—not a partisan football or simple laughingstock.

That hope was encouraged by a letter to the president last week from the Democratic leaders of the House and Senate, Rep. Nancy Pelosi and Sen. Harry M. Reid, and the chairmen of the two budget committees, Rep. John M. Spratt Jr. and Sen. Kent Conrad.

The first sentence said, ''We are writing to express our strong interest in working cooperatively with you to address our Nation's fiscal challenges.'' It acknowledged that as the process unfolds, ''Democrats and Republicans will disagree about particular priorities, and we will need to negotiate our differences in deciding how to allocate scarce resources.''

But it put forward four principles that could lead to a successful budget outcome this year.

''The budget should account realistically for projected federal costs,'' including the billions needed for the wars in Iraq and Afghanistan and the adjustments needed in the alternative minimum tax, which otherwise would punish millions of middle-class families.

''The budget should realistically project short- and long-term deficits,'' as objectively as the calculations of the Congressional Budget Office, which show the prospect of very large deficits if current tax and spending policies are unchanged.

''The budget should provide detail throughout the entire budget period,'' making clear the hard choices that lie ahead.

''The budget should be based on fiscal discipline that is sustained over the long term,'' underlining the fact that it will take years of effort to repair the damage done to our fiscal condition in the past 6 years.

The House took an important first step in repairing our fiscal health last month by reimposing the ''pay-go'' rule, requiring any increase in entitlements or tax relief to be balanced with tax increases or spending cuts.

While not endorsing these specific principles, the White House officials with whom I met certainly pledged to make visible the costs of the war and to be specific about the trade-offs needed to maintain budget discipline, both in the short term and the long term.

They said that the economic assumptions underlying the president's budget are modest—if anything, an underestimate of the revenue likely to be produced by a growing economy. And the officials indicated that the president will recommend that, for a second year in a row, overall growth in discretionary domestic spending—the part separate from Medicare, Medicaid and Social Security—be held close to zero.

If Monday's budget fulfills those promises, the stage could be set for a serious effort to put the federal fiscal house in order.

But the warning voiced in an interview by Rep. David R. Obey of Wisconsin, the chairman of the House Appropriations Committee, must be borne in mind. Obey recalled that when the late Rep. Richard Bolling of Missouri invented the congressional budget process, he said, ''It will work only if all the key players—in Congress and the administration—use honest figures and make a genuine effort to live within its discipline. Otherwise, the budget process will become a barrier to action.''

If the congressional budget process breaks down, two Republicans, Rep. Frank R. Wolf of Virginia and Sen. George V. Voinovich of Ohio, have proposed a commission of legislators and experts to tackle the long-term budget challenges and bring back a plan that Congress would have to vote up or down, or substitute an equally effective blueprint

One way or the other, this problem must be faced. Monday's budget message could be the first step.

[From the South Florida Sun-Sentinel, Mar. 27, 2007]

NATIONAL DEBT

ISSUE: Comptroller warns of fiscal disaster.

The alarm clock is ringing. Time to wake up!

The ''alarm clock'' is David Walker, comptroller general of the United States and head of the Government Accountability Office. He's on a nationwide ''Fiscal Wake-Up Tour,'' which he plans to continue through the 2008 elections.

His purpose is to warn Americans of the fiscal train wreck the Nation faces if it doesn't get its fiscal house in order. He's urging people to let the Federal government know they want something done about the problem.

That's crucial, because elected officials like to buy voter support with low taxes and big spending programs. That will never change unless the public lets its leaders know they can raise taxes and cut spending without being punished at the polls.

There's little choice. Things will grow exponentially worse as the Baby Boom generation begins collecting on entitlement programs. In the next few decades, the national debt, now at a record $8.8 trillion, could rise to more than $46 trillion.

Interest payments on a debt of that size would consume every cent the Federal government currently collects in taxes. It's conceivable that little or nothing would be left for national defense, roads and other infrastructure, entitlement programs, environmental initiatives, etc. The Nation can't operate that way.

Fortunately, Walker has help. He's accompanied on his tour by bipartisan representatives of leading think tanks, and recently U.S. Rep. Frank Wolf, R–Va., filed legislation to create a bipartisan commission to tackle the problem. Everything would be on the table, from taxes to entitlement spending. The bill would require Congress to vote on the commission's recommendations in their entirety.

If you want your country to remain strong and prosperous, let your members of Congress know you support this legislation. Self-indulgence got us into this mess. Only self-discipline can get us out.

BOTTOM LINE: The United States must attack this problem now, before it bankrupts the Nation.

Mr. Chairman, I withdraw my amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 17 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 17 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act to the Small Business Administration may be used for the Fairplex Trade and Conference Center, Pomona, California.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2007, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this is another rerun amendment, because this bill contains another rerun earmark. I came last year to challenge the same earmark, and it's back.

This is the Fairplex Trade and Conference Center. It's located in Pomona, California, and more than one Member has been involved in the effort to secure earmark funding for this conference center.

According to the Web site, ''Fairplex is home to the annual L.A. County Fair and more than 300 other events each year. Included are consumer and trade shows, meetings, expositions, conventions, inter-track wagering, sporting events and agricultural events.'' Its Web site says that Fairplex is governed by the Los Angeles County Fair Association. The association is self-supporting and does not fall under the auspices of any county or State governmental body.

Now, Fairplex may not fall under the auspices of any county or State governmental body, but it has had its share of Federal funding over the years, which begs the question, is the association really self-supporting or not?

With a steady stream of earmark funding for the organization, I wonder if it is really dependent on this funding. Would Fairplex or the association be able to sustain its operation without annual earmarks? If it would, why do we need to do it in that case? Why would we have an organization that's either dependent on continued earmarks or one that could exist just fine without them?

Again, there are about 300 events at Fairplex every year. This year it hosted an international wine and spirits competition and an international extra virgin olive oil competition. It will have a 4th of July celebration next week. There is a Sheraton Suites hotel on the Fairplex campus.

With all of these sources of income, I really doubt that Fairplex needs a stream of taxpayer dollars that have come their way virtually every year. Why, this again begs the question, why are we doing this? Why is Federal money going here for a commercial venture? What makes Los Angeles County Fairgrounds more deserving than, say, Yazoo County, Mississippi; Cook County, Illinois or Slope County, North Dakota?

We certainly cannot fund every county fairground in the country. By choosing one or a few, we are picking winners and losers among them. I would appreciate an explanation as to how, out of the thousands of earmark requests that come, the committee narrows its list to a few hundred like this one in this bill.

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

Mrs. NAPOLITANO. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentlewoman is recognized for 5 minutes.

Mrs. NAPOLITANO. Mr. Chairman, I yield myself such time as I may consume.

I am glad my colleague has stated the background of the fair, but I don't know if he knows it has been around for many decades. Yes, it is very well attended, hosts many functions, has all of the buildings that he is talking about. Yet it is still so old that a lot of it is in very, very serious stages of decay. By that, it needs some restructuring. But that's beside the point.

What this does is for a center to be made, and I'll read what it really is about. It's Fairplex Trade and Conference Center, will be 85,000 square foot, state-of-the-art conference and exhibition center, complete with broadband connectivity, campus-wide wireless integration, as well as satellite two-way communications gear, attracting and benefiting small business. It will have both small and medium-sized meeting rooms outfitted with high-tech equipment ideally suited to help small business during events.

This is an ideal setting to convene small businesses from my area and from outside of the United States to share their ideas and compatibilities to do business.

The amendment that is proposed by my colleague would strip the funding from the SBA account for construction of this non-profit entity, a building that will create jobs and provide businesses in a disadvantaged community. I am talking about the number one crime city in the State of California, that's Pomona.

Unfortunately, there has not been the foresight from the surrounding community to help combat crime or to try to provide more economic development. Pomona itself had not had a general plan of review in almost 30 years. They hadn't had new investments.

This will help bring all of that, not only to Pomona, but to the surrounding communities which Mr. DREIER, Mr. MILLER and Ms. SOLIS are around, would help foster that economic growth by bringing together small businesses, entrepreneurships and being able to do international trade.

The center itself is projected to provide roughly 1,700 jobs and provide economic stimulus. Already, 90 small businesses have registered to work.

Mr. Chair, the trade conference is scheduled to cost $25 million, minimum. Of that, Fairplex is putting in $5 million; City of Pomona, $7 million; EDA competitive grants, $5 million; SBA, which we are hoping to be able to get, $250,000; and the county and State, $6,750,000 with private sponsorship putting in the rest.

This project could be so beneficial to my whole area, not just my communities, but to the whole general area that is not really part of Los Angeles proper. It is more into the Inland Empire and has been, what I call, a neglected area of Los Angeles County. It enjoys a lot of respect and a lot of support from not only the communities, but the many cities around it.

As my colleague has aptly pointed out, it hosts a whole slew of activities for the whole southern part of California. It is used also for Federal events.

We have had at least two times a year 4,000 naturalization swearing-in ceremonies. Iraqi elections were held there 2 years ago. As representative for the city, I am proud to support this economic development issue and to try to bring more business and jobs to my area.

I urge my colleagues to vote ''no'' on my colleague Mr. FLAKE's amendment.

I also want to thank Mr. DREIER. This is not his bill nor his area, but he has always been very supportive of what we are trying to do. I certainly thank you for the time.

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

Mr. FLAKE. I have great respect for the gentlelady, as she knows. This is just one of many projects like this.

Mr. Chairman, again, I would simply make the point that the gentlelady mentioned, that there are millions and millions and millions of dollars contributed by State and local governments to this effort. There are millions of dollars that come in commercial transactions of conferences that are presented. This is simply $250,000. Why are we doing it at all? It clearly isn't dependent on the $250,000, I believe. Last year, because we didn't do earmarks in many of these bills, it didn't receive the funding. It's still up and going just fine.

The question is why do we do this? Why does the committee feel it proper to actually designate funding for something like this when we have such dire needs elsewhere in the Federal budget?

That's what we are here for today. That's why we are challenging earmarks like this, particularly with this bill.

This bill, with financial services, in my view, it's kind of the soft underbelly of the earmarking world, where you have economic development earmarks, that you can justify economic development anywhere in the country. Spending money, by its very nature, generates economic activity. So you could justify any earmark anywhere if you simply say it generates economic activity, it's important to my district.

But when we do it in this fashion, we simply pick winners and losers out there. I wouldn't think that's our place.

Mrs. NAPOLITANO. Mr. Chairman, I certainly respect Mr. FLAKE's views. I certainly think he has every right to challenge. This has always been a very transparent earmark that we've had since last year, which was not approved last year. It will create jobs. I need those jobs in my area. Yes, there are many areas in the United States that could really be able to use funding from the committee.

However, if we don't help create those jobs, we can't spur the economy, and we can't help put more funding into the Federal budget.

Mr. DREIER. Mr. Chairman, I share Mr. FLAKE's commitment to reducing government spending and making sure taxpayer dollars are spent in the most efficient and effective way possible.

I would also like to say that I am a strong proponent of making earmarks more transparent by attaching Members' names to their sponsored projects. My feeling all along has been that if a member is not willing to defend their earmark on the floor of the House, then it was probably not worth the money. That is why I was so gratified to see the Majority include projects and their supporters in each appropriations bill. Especially, so that no member has to guess whose district each of these projects is in.

So now, I welcome the opportunity to support Fairplex, a non-profit institution that contributes every day to our local community. Fairplex, located in Pomona, CA, represented by my friend and colleague GRACE NAPOLITANO is host to over 300 events each year, and 2 years ago, they had the privilege of hosting out-of-country voting for the historic Iraqi elections. There is $250,000 provided in this bill for the Trade and Conference Center, which is an incredibly important addition to the Fairplex that will provide small businesses with a venue to operate, share ideas, and grow. This project is a model of the Small Business Administration's mission of facilitating the environment necessary for America's small businesses to succeed.

Mr. Chairman, 43 percent of the goods coming to and from the consumers and workers of the United States of America come through the ports of Los Angeles and Long Beach. One of the most important centers for trade, planning and strategic meetings has been held at the Fairplex. As we look at our quest of trying to open up new markets for U.S. goods and services all around the world and as we look at ensuring that American consumers can have access to the best quality product at the lowest possible price, the utilization of this trade and convention center is critically important.

As important as the issue of global trade is, I was really struck when the December before last, I had the opportunity to listen to a friend of mine who happened to be at the Fairplex Trade and Conference Center. I have shared this story before but it is worth reminding my colleagues. Leading up to the December 15, 2005 Iraqi elections, of the eight planned voting sites for the Iraqi people who are here in the United States of America, one of those had unfortunately and unexpectedly closed down.

And what happened? The people at the Fairplex Trade and Conference Center came forward, and literally at the drop of a hat, they were able to provide the chance for Iraqis who were in this country on that Election Day to exercise that right to vote. Their ability to be on the frontline to participate in the Global War on Terror is something that I believe is vitally important.

I was listening on the phone as applause went up every single time that a ballot was placed into that voting box, and it was a great moment. And as we look for continued progress in Iraq, I am reminded of each of those votes that were cast at the Fairplex Trade and Conference Center. This particular earmark is there helping us in the Global War on Terror and helping us remain competitive globally.

We in the House strive for Federal, State and local cooperation on a myriad of issues, from national security, to education to disaster response. Coordination and investment by all levels of government can give programs a much better chance for success. That is exactly what is happening at the Trade and Conference Center with all levels of government involvement and more important, private sector investment. It is worthy of this continued Federal partnership.

Mrs. NAPOLITANO. Mr. Chairman, I urge a ''no'' vote and yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was rejected.

AMENDMENT NO. 28 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 28 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act to the Small Business Administration may be used for the Advantage West Economic Development Group, Certified Entrepreneurial Community Program.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2007, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this would prohibit $231,000 for Advantage West Economic Development Group, that's the Certified Entrepreneurial Community Program.

Many of the earmarks in this bill are for economic development organizations, business incubators, workforce development programs and the like. But just because there are hundreds of similar earmarks in this bill doesn't mean that providing this kind of earmark for economic development is okay.

In doing research on the different earmarks, many of them begin to sound very much alike. But this one, the Advantage West Economic Development Group stood apart. Its list of corporate sponsors reads like the ''who's who'' list of influential and well-heeled entities, Bankers Branch & Trust, BellSouth, Duke Energy, Grant Thornton, Qualcomm, Spring, UBS, Verizon, Wachovia and other well-known corporations.

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The listed funding partners are a very recognizable list as well, at least in Washington: the National Park Service, U.S. Department of Agriculture, National Endowment of the Arts, the U.S. Department of Commerce and, of course, through the virtue of this earmark, the U.S. Congress.

The Advantage West Economic Development Group Web site boasts that publications such as Money, Kiplinger's, Outside, American Style, Modern Maturity and Forbes have ranked western North Carolina as a top destination for living, working, recreation, arts, technology and retirement. That's pretty nice advertisement.

The group highlights the following among other achievements, this group receiving the earmark by the way. During 2005, 2006 the Advantage West Economic Development Group's efforts in the advanced manufacturing sector contributed to economic development announcements of 2,345 new jobs and $902.5 million in capital investments. That's a lot of money. And they do pretty well here.

The group helped increase the economic impact of tourism in western North Carolina 53 percent since 1995.

I would simply make the point, why in the world, with a group with these kinds of backers in the private sector, does the Federal taxpayer need to turn around and spend $231,000 of taxpayer dollars?

As I mentioned, there is opportunity cost when you take this money out of the hands of individual taxpayers, send it to Washington, and then let Washington decide who are the winners and who are the losers, who will receive these kinds of economic development earmarks. That's not a very efficient way to distribute money for capital investment. I am glad the sponsor of the earmark is here.

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

Mr. SHULER. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman from North Carolina is recognized for 5 minutes.

Mr. SHULER. Mr. Chairman, I have great respect for the gentleman from Arizona, and I appreciate what he is doing.

No Member should ask to spend the people's money if he or she is not willing to come to the people's House and explain his or her request. That is why I'm so pleased to have this opportunity to talk about the good work that Advantage West is doing for the people of western North Carolina.

Communities that have been hit hard with plant closings and job losses have two choices: they can give up or they

can look forward. The partnership between Advantage West and the Federal Government will provide local communities with the tools to make themselves ''business ready.''

This checklist includes broadband access, access to capital, streamlined permit systems, and cooperation with schools and universities.

This program is a great example of how the government can partner with distressed communities to offer a helping hand instead of a hand-out.

Mr. Chairman, without these types of funding and this type of work with our community, it would be nothing more than us having to give a hand-out. We're asking for a helping hand.

Advantage West has done an outstanding job of working, not only in the 11th District, but the 8th District and the 10th District of North Carolina, being able to help small businesses.

And I might add to my colleagues that 95 percent of new businesses in America today come in small businesses. Here's a situation where the corporations are helping. The community is helping. Our universities, our schools are helping to create these small businesses in our community so a husband and wife can fulfill a dream come true, that they can have the opportunity to purchase their new home and have a business that they can feel proud of and that they too could maybe pass down for generations to come.

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

Mr. FLAKE. Mr. Chairman, I have great respect for the gentleman whose earmark this is. And I also have great fear. I stood in left field when he was at the plate earlier this week in the congressional baseball game, and I'm glad that I didn't have to experience anything hit out there.

But I would simply make the case again. The gentleman mentioned that small business makes up 95 percent of all business starts out there. And I would submit that 99 percent of those do it without any help from the Federal Government at all.

And when the Federal Government does put money out there, I mean, 95 percent, I don't know what percentage but an overwhelming percentage, certainly, without earmark help. But when we do this kind of earmark, we simply pick winners and losers out there. Certain sets of businesses, certain industries, certain individual businesses are helped when others are at a disadvantage because they don't receive that kind of help.

So I would simply say that we shouldn't be doing this as the Federal Government when we have such demand on our scarce budget here for other purposes. And we shouldn't be earmarking for this kind of purpose.

Mr. SERRANO. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. SERRANO. I'm in opposition to the gentleman's amendment. And the gentleman continues to stay with the theme that these programs can operate without government assistance. Yet, the gentleman, on many occasions, votes, as we all do, for programs where corporate America and other parts of our economic community, of our corporate community, gets help from government in order to put forth their product, in order to put forth their growth.

What my colleague, our freshman colleague is doing, and I compliment him on that, on the fact that as a freshman Member of this House, he already has, obviously, a sense of what his community needs. And this earmark, this modest earmark that he has put in this bill is one to take back to his community and continue to help to build the kind of small business education and information centers that we need.

And so I not only rise in support of it, but I commend the fact that already, at such a short time tenure in this House, he has that full understanding, willing, incidentally, to stand up and defend an earmark, knowing that some people will criticize him for it. But he knows his community better than we do.

And that's my whole point, that there seems to be a prevailing theme that only bureaucrats and Federal agencies, who I support, know how to spend taxpayers' dollars.

Well, no, this is a fine example of a new Member of the House who has a full understanding of his district, who is willing to stand up and defend what is a good earmark. And that's what we should respect, the fact that when we look at the global situation, these Member-driven items are a small amount of dollars, Mr. Chairman, compared to the overall budget.

I mean, I don't want to continue to harp on it, but the kind of money we spend in Iraq, billions, hundreds of billions, of dollars, a lot of that, as we know, unaccounted for, special contracts that went out that we never knew a thing about. Who got rich, who didn't get rich? That's never an issue on the House floor. That's never an issue. A couple hundred thousand dollars to a good community group in North Carolina, that's an issue. Yes, it is an issue. It's a good issue. It's a positive issue. It's the way dollars should be spent.

I oppose the gentleman's amendment, and I support the gentleman's initiative.

I yield back.

The CHAIRMAN. The gentleman from North Carolina is recognized for the balance of his time.

Mr. SHULER. Mr. Chairman, I want to thank the gentleman from New York for his leadership and support through this bill and the hard work and dedication that the entire appropriations have put in this.

Once again, I do oppose this amendment. It is a very important piece of the economic structure for the people of west North Carolina. It gives them an opportunity in small business to create the economic structure that we need.

So many of our jobs, some 78 percent, of the textile industries in the State of North Carolina have been lost. We have to find other ways to create work, and I am so proud of the people of the mountains that they have that never-give-up attitude.

As always, I do appreciate the gentleman's, his hard work and his dedication. And so many times I do agree on so many of the issues, and I commend you for your efforts. Just at this time I would oppose this amendment.

I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was rejected.

AMENDMENT NO. 22 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 22 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act to the Small Business Administration may be used for the West Virginia University Research Corporation for renovations of a small business incubator.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2007, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this amendment would prohibit funds in the bill from being used to pay for renovations to a small business incubator at West Virginia University.

Like so many of the other organizations listed in the earmark section of this bill, the purpose of this small business incubator is to promote economic development activities by supporting early stage businesses with space, facilities and support services.

The West Virginia University Small Business Incubator is over 5,000 square feet of renovated space in the Chestnut Ridge Research Building on the campus of West Virginia University.

The businesses that are tenants of the incubator program have access to the staff of professionals, trained interns and West Virginia University resources. Businesses receive guidance in the areas of accounting, advertising, graphic design, information technology, finance, corporate services, marketing, Web design and Web development.

That's a lot of advantages they have. I simply don't believe the Federal Government needs to be in the business of helping them further or funding private companies in this way. This is a

form of corporate welfare that so many Members in other settings rail against over and over again.

The National Business Incubator Association is an organization that has 905 member organizations, mostly in the United States. There is certainly no reasonable argument that we should be funding all business incubators in this country. So how do we justify funding just a couple of them in this bill? How are they more deserving of the special treatment that we give them in this bill?

How should I explain to the taxpayers in my district, or other districts, that they're subsidizing business development projects in West Virginia, or any other State for that matter?

I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I want to thank the gentleman for the opportunity to highlight a unique economic development opportunity in my district.

This funding would be used to renovate, as he suggested, a historic glass factory in Star City, West Virginia, just outside Morgantown. This location will serve as a business incubator for start-up artist businesses and will house the West Virginia University ceramics program and the West Virginia University Creative Arts Community Center.

To understand the importance of the project, you have to understand West Virginia. For decades, our economy has been focused on coal, timber and basic manufacturing, and those industries have suffered under unreasonable regulation, free trade agreements and unfair foreign competition.

I've worked hard and will continue to do so to keep those industries strong. But along the way, West Virginians have realized that we also need to diversify our economy to ensure a viable economic future.

Mr. Chairman, that diversification can occur in part by focusing on another sector of our rich history, our cultural history. This earmark provides that opportunity by nurturing new artists and businesses in cooperation with distinguished university programs and will develop Star City and the greater Morgantown area into a destination.

Star City has identified the arts project as an economic development model for the community. And this request responds to the importance the community has placed on redevelopment. I should also note that this Federal investment will be used to leverage funds from the State's Commission on the Arts.

Mr. Chairman, I am pleased the committee selected this project. I appreciate their consideration, and I appreciate the opportunity to speak on the floor about it.

□ 1230

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

Mr. FLAKE. Mr. Chairman, again let me just make the point again that there are too many earmarks in this bill that are for business incubators. There are really in many cases earmark incubators. These are earmarks that beget other earmarks. Many are going to organizations that receive additional earmarks or are there for the purpose of receiving additional earmarks. This is one business incubator, and there are hundreds and hundreds of business incubators, 905 in the association. How do we choose to fund just this one? We are picking winners and losers here. We are deciding who is worthy and who is not, and I simply don't think that is fair. It is not a wise use of taxpayer dollars. This business incubator, given the other partners involved, it seems it would be fine without Federal involvement. And I think that we should test that proposition and not fund this earmark.

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

Mr. SERRANO. Mr. Chairman, I move to strike the last word.

Very briefly, Mr. Chairman, part of the argument that the gentleman from Arizona has been making in addition to the ones he has made before is how do we choose this particular program.

Well, that is where the wisdom of the local Member comes in. The Member is asked, is faced with these decisions, and that is how we make them. And, again, it seems to suggest that when grants are handed out at the Federal level, I mean, how many people apply for Federal grants? Hundreds of thousands? Millions? And only a handful get them. We don't question how those grants are handed out. We don't say necessarily that the Federal Government and that agency handed out the wrong grant. It was their decision to hand out that grant. No different, the wisdom used by the Member in his local community, her local community, to understand the needs and ask for a grant, ask for an earmark, and that is what the gentleman from West Virginia has done.

Mr. Chairman, with that in mind, I would like to yield to my colleague and classmate from New York, classmate in the State Assembly (Mr. HINCHEY).

Mr. HINCHEY. Mr. Chairman, I want to thank my friend and colleague, the chairman of this very important subcommittee, for yielding.

I am very interested in the amendments that Mr. FLAKE is presenting and have been all of the time that he has presented them over the course of the last several years. Mr. FLAKE seems to be devoting his attention towards trying to make sure that as much of the spending in these bills as possible is not being done in a wasteful way, that it is being done appropriately. And if that is the motivation, then I think all of us would certainly appreciate that motivation. But the effects of the amendments, I think, are questionable.

First of all, basically, under our Constitution and the provision of law, it is quite clear that every Member of this House has a fundamental responsibility, first of all, to represent the people in their congressional district. And most of these earmarks, probably all of them now under the Democratic leadership, which is much more open, are designed to do precisely that, make sure that these budgets address at least to some small degree the needs in each of those congressional districts.

But if Mr. FLAKE and others on the other side of the aisle are truly interested in trying to regulate spending and make sure that it is done properly, I would ask them to focus their attention on other things that really need to be looked at.

For example, this administration is still spending something in the neighborhood of $8 billion a month in Iraq. We have spent now almost half a trillion dollars there on that illegal, elicit war and continuing disastrous occupation. None of these amendments are focused on that.

Let me just mention a new report by the House Committee on Oversight and Government Reform, which concludes, among other things, that the Bush administration has put forth a shadow government of private companies working under Federal contracts that have exploded in size. Between the year 2000 and 2005, while the Republicans controlled both Houses of the Congress here, procurement spending increased by more than $175 billion, making Federal contracts the fastest-growing part of the Federal discretionary spending. These huge government contracts are done at the expense of the taxpayers. And in this report, it is made clear that Federal spending by one particular corporation, Halliburton, which, of course, we know is directly connected to Vice President CHENEY, Federal spending to Halliburton increased more than 600 percent between 2000 and 2005.

Now, why aren't our friend on the other side of the aisle focusing their attention on this? We are. We are paying attention to it. We are trying to change the course of this government.

The Government Accountability Office recently found that the government has wasted at least $2.7 billion on Halliburton contracts which were overpriced contracts or had within them undocumented costs. $2.7 billion.

So while we are wasting all of this time on these little so-called earmarks where Members of the Congress are trying to do their job for the people they represent, people like Mr. FLAKE are ignoring things like $2.7 billion in overpayments and undocumented costs to companies like Halliburton. A record level of nearly 40 cents of every discretionary Federal dollar now goes to these private contractors.

Mr. Chairman, it is obvious we need a new concentration of attention.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

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

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 9 OFFERED BY MR. DEFAZIO

Mr. DEFAZIO. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. DEFAZIO:

At the end of the bill (before the short title), add the following new title:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds appropriated or otherwise made available by this Act may be used by the Selective Service System to prepare for, plan, or execute the Area Office Mobilization Prototype Exercise.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2007, the gentleman from Oregon (Mr. DEFAZIO) and a Member opposed each will control 5 minutes.

Mr. SERRANO. Mr. Chairman, just to kind of give the gentleman good news and make him feel good, we are ready to accept his amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chairman, I thank the gentleman, and I will be brief, given the generosity of the chairman.

This amendment would prohibit the Selective Service from conducting a full-blown nationwide exercise of a mock draft. This House just voted less than 2 years ago, 404–2, against reinstitution of the draft. There is no scenario under which the Pentagon, the White House, or this Congress believes we are going to return to a draft. These funds would be wasted with this exercise.

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

Mr. REGULA. Mr. Chairman, we are also prepared to accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. CAMPBELL OF CALIFORNIA

Mr. CAMPBELL of California. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CAMPBELL of California:

At the end of the bill (before the short title), insert the following:

None of the funds in this Act to the Small Business Administration may be used for the Abraham Lincoln National Airport Commission.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2007, the gentleman from California (Mr. CAMPBELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. CAMPBELL of California. Mr. Chairman, this amendment would prohibit funds from being used for the Abraham Lincoln National Airport Commission in Illinois.

The committee report says that this earmark is providing $231,000 for this local project. According to the committee report in the letter requesting the earmark, the earmark has been requested by Congressman JACKSON of Illinois for the purpose of ''minority and small business development and procurement opportunities.''

According to the Web site for this organization, the organization was established by Congressman JACKSON, and the executive director currently is a gentleman by the name of Richard Bryant. Richard Bryant is apparently on the staff of Congressman JACKSON and is his deputy district administrator, according to records. Mr. Bryant has stated this week that he is not paid in his position as executive director of the airport commission and that he is there because of efforts to build a third airport in the Chicago area that is strongly supported by Congressman JACKSON. He also said that the money from the earmark would be used to study ways to make sure that local workers and minorities are hired when and if a new airport is actually built.

Also, Mr. Chairman, according to Mr. JACKSON's Web site, this organization exists to try to promote a third airport in the Chicago area and that last year many of its activities were related to advertising on behalf of that airport. To quote directly from the Web site, and this is from an article published in April of 2006: ''Last month the commission called on the south suburbs to donate a total of $250,000 towards the advertising campaign scheduled to begin June 1.'' It goes on to say that about $40,000 is budgeted for billboards. The remaining funds would pay for direct mailings to voters in the region and radio commercials and for yard signs closer to election day.

So it would appear that the activities at least last year of this commission were related to trying to drum up support or actually lobbying on behalf of, or certainly advocating on behalf of, getting public support and, I presume, elected representative support for this airport.

I would also like to point out that there is a press release from Congressman JACKSON dated November 16, 2006, in which he says: ''So even with the change of leadership in Congress, I won't pursue Federal funds for the Abraham Lincoln National Airport. Chicago's share of Federal dollars are already committed to O'Hare modernization.''

Mr. Chairman, I would like to suggest that this earmark does not appear appropriate; that a Member of Congress directs money to an organization they set up, run by someone who is an employee of the office of that Congressman, and whose purpose appears to be to advocate on behalf of an airport that does not currently exist. If the airport does currently exist or whatever, also, it appears to be in contradiction to the Congressman's own statement as of November of 2006 that he would not pursue Federal funds for this airport in the future.

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

Mr. JACKSON of Illinois. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The CHAIRMAN. The gentleman from Illinois is recognized for 5 minutes.

Mr. JACKSON of Illinois. Mr. Chairman, I understand I have the right to close, and I am the only speaker. So I reserve the balance of my time.

Mr. CAMPBELL of California. Mr. Chairman, I fully understand the gentleman's desire to close, and I am happy to do that. But I believe that he should at least state some of the reasons that he believes this earmark is justified so I can at least have the opportunity to rebut those before he closes. But I am perfectly willing to allow him to have the last word.

I suppose I will anticipate, perhaps, what the gentleman is going to say. I understand that the gentleman from Illinois may suggest that the Ethics Committee has approved that his district employee be the executive director of this commission, and I would take him at his word and assume that is the case.

I don't think that is the issue here. We are talking about over $200,000 of taxpayers' funds here, and I think the question at issue is whether or not that is an appropriate use of Federal funds and what these Federal funds are going to be used for. If he is suggesting, as some of these reports indicated, that these are going to be spent on minority and business development procurement opportunities for an airport that doesn't yet exist, my question would be how can you have hiring or whatever opportunities for an airport that doesn't exist yet and won't exist even if it were approved today for some number of years?

□ 1245

Is the gentleman willing to say that there will be no further advertising, no further lobbying, no further expenditures of that sort?

The CHAIRMAN. The gentleman's time has expired.

At this time the gentleman from Illinois is recognized for 5 minutes.

(Mr. JACKSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. JACKSON of Illinois. Mr. Chairman, let me thank the gentleman from California for offering his amendment and thus for the opportunity to defend

an important project to the people of the State of Illinois and the Nation.

While the gentleman has served two terms in Congress, he has inadvertently entered in a three-decade-old conversation about expanding aviation capacity in Illinois. And his amendment profoundly impacts 12 years of my work in this body.

In fact, the development of a new airport to service the Chicago metropolitan area was first advanced by a well-respected Republican governor, Governor Jim Edgar.

Nationally, aviation is growing at roughly 4 percent, but in the Chicago region it's growing at only 2 percent. Because of capacity constraints at our existing facilities, Midway's runways are too short and O'Hare Airport reached operational capacity 10 years ago and is subject to annual review of capping the number of operations at this facility.

ALNAC is a local airport commission constituted under Illinois State law and comprised of 21 home-rule municipalities in Cook, Will and Kankakee Counties.

ALNAC has created an innovative public-private partnership to design, finance, build and operate a new commercial airport for the Chicago region located near University Park, Illinois.

ALNAC is a legitimate airport commission. In fact, the Governor of the State of Illinois in his State of the State address said specifically, ''Congressman Jackson's plan to build the Abraham Lincoln National Airport at Peotone will not compete with O'Hare for needed Federal dollars, meaning the Airport Improvement Program, not small business or financial services problems, but the Airport Improvement Program construction funds.

His plan to use private investment is both a welcomed and innovative way to build an airport. I strongly support it, and I hope you do too.''

The Illinois Department of Transportation said that ''ALNAC is a local airport authority that was formed through an intergovernmental agreement between its constituent members comprised of 32 Illinois municipalities located in the Chicago region.''

The Illinois Department of Transportation says that ''ALNAC and its provide partners submitted a comprehensive layout plan to the FAA and to IDOT in July of 2004.''

To give you some of the specific examples of the airport layout plan that we submitted to the Federal Aviation Administration that are presently before the FAA for review are under consideration as we await soon a record of decision.

And lastly, the Illinois Attorney General, in her most recent opinion, said that ''ALNAC is a legitimate airport commission that only waits for the governor to lease its land to the State of Illinois or to the commission for the purposes of constructing an airport.''

This grant allows ALNAC to partner with local universities and/or small business development centers to conduct a study on how the region can maximize job creation and retention and ensure minority participation for local residents during all phases of the airport project. Specifically, the study will produce recommendations and guidelines and benchmarks to do the following: assure maximum participation for local female, disadvantaged and minority businesses in airport construction and financing operations; identify regional job training needs and relevant job training programs; develop, grow and improve local small business opportunities. Support all aspects of entrepreneurial activities and monitor progress.

The gentleman might ask the question, why now? Many communities in the region have 60 people for every one job. Ford Heights, Illinois, according to Money magazine, is ''one of the poorest communities in America'' and it abuts the airport, and they deserve to participate in the economic boom that this project will bring.

The Illinois Department of Transportation is in the process of submitting ALNAC's layout plan to the FAA for final approval. IDOT has said that a record of decision could come as quickly as 6 months. If that's true, now is the time to begin planning for local participation in the financing and the construction of this airport.

ALNAC's airport plan, Mr. Chairman, also known as the ''Jackson Plan,'' has been repeatedly endorsed by every major newspaper in Chicago, including the Chicago Tribune, the Chicago Sun Times, the Chicago Daily Defender, the Chicago Daily Southtown. Every major newspaper in the Chicago region, through our very transparent process at the local level, fully appreciates the extent to which for the last 12 years we have invested our time in helping solve the Nation's aviation capacity crisis problem by building a third regional airport.

A 30-year conversation and a 12-year conversation for which I have almost been solely responsible for leading here in the Congress of the United States. In fact, I've been called a one-issue guy in the 12 years that I've been in Congress, and it's focused around this issue.

I strongly oppose the gentleman's amendment. I thank the chairman for his consideration of this earmark. I would strongly encourage Members to vote ''yes'' on this amendment.

[From the Chicago Sun-Times]

NO NEED FOR GREED

Since Rep. Jerry Weller (R–Ill.) is mum about his reasons for tacking to a defense appropriations bill an amendment that would give Will County officials a majority stake in running an airport at Peotone and controlling airport contracts, we can only go along with Rep. Jesse Jackson Jr.'s view that the move is designed to scare off private investors.

If that's indeed the case, then shame on Weller.

It's bad enough to be a Johnny-come-lately, but to act as saboteur on a project that could benefit the entire region is simply out of line. When few politicians gave Jackson much of a chance to succeed, he staked his career on building a third airport, even forging partnerships across party lines and finding entrepreneurs willing to do the project.

According to Jackson, Will County officials have already been offered five of the nine seats on the commission that would oversee every phase of the airport's development and operation. So what's the problem?

Rather than reach a compromise, Weller appears to be turning to political games to give Will County officials something—exactly what hasn't yet been disclosed. But any proposal that would undermine the work done thus far toward building a third airport should be viewed with a great deal of suspicion.

[From the Chicago Defender, Apr. 15, 2004]

CONGRESSMAN JACKSON'S AIRPORT PLAN IS FAR SUPERIOR TO WILL COUNTY'S

On April 12 the Will County airport authority floated its plan for building a South Suburban airport.

Eyeing the vast economic benefits and potential profits for businesses near a new facility in its area, Will County leaders made it clear why they want to get into the airport business.

Yet a facility to be located at Peotone is a far better idea. It's based on a superior plan, and it would bring 1,000 construction jobs to south Chicagoland by 2006. As envisioned by Congressman Jesse Jackson, Jr. (D 2nd), thousands of permanent new jobs would be created after construction if his airport plan were adopted.

It foresees the first scheduled takeoff for a day early in 2009. Based on a Federal Aviation Administration formula that factors in an airport's size and the number of its airport gates, 15,000 permanent jobs would result from Jackson's proposal.

And they would be good, high-paying jobs in industries such as hotels, restaurants, business supply centers an fuel companies.

Tuesday Jackson published an analysis of the differences between proposals for a Will County airport and his South Suburban airport concept. The comparisons are persuasive in favor of his South Suburban Airport Commission plan.

The Will County authority published no financial plan for investment in an airport. Instead, it would rely on financing from federal and state sources, both of which are experiencing severe budget problems. Beyond those unlikely sources of case, Will County officials are hopeful the airlines themselves, most of which are cash strapped, in bankruptcy, or both, would pay part of the costs.

Most objective observers believe that such wishful thinking will end in a simple result: the Will County plan nearly assures its airport will not get built. For one reason, it would compete with O'Hare and Midway airports for federal dollars, a precarious and probably quixotic endeavor, given Mayor Richard Daley's long reach toward Washington money.

Jackson's plan is realistic and sound. It calls for financing by private developers. The Congressman, a plain-talking man, made it plain: ''Our plan is wholly financed by private developers, at no cost and at no risk to local taxpayers, federal or state governments, or the airlines.''

Two development companies are signed on. They are companies that have built, financed and operated airports in places like New York, Paris and Vancouver. Jackson says they will use the same models they used in those successful airports at the Abraham Lincoln National Airport that his plan calls for at Peotone.

Abraham Lincoln National Airport?

The congressman has formally petitioned the F.A.A. for permission to use that as its

name. His plan calls for dedication of the facility in 2009, the bicentennial of Lincoln's birth.

Jackson says the issue of shared governance with Will County leaders remains negotiable.

But, he says, ''Our plan is far better than Will County's. The concept of a self-financing, public-private partnership that shares revenues with surrounding communities in South Cook, Will and Kankakee counties, and that opens by 2009, is a great one. That is not negotiable.''

We concur with his approach and ask that a house now divided embrace it, for the good of the entire south Chicagoland area.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. CAMPBELL).

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

Mr. CAMPBELL of California. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. EMANUEL

Mr. EMANUEL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. EMANUEL:

At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act may be used for any of the following:

(1) The care, operation, refurnishing, or improvement of the official residence of the Vice President.

(2) Any expenses of the Vice President, including the hire of passenger motor vehicles, official entertainment expenses, and services described in section 3109 of title 5, United States Code, and section 106 of title 3, United States Code.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2007, the gentleman from Illinois (Mr. EMANUEL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. EMANUEL. Mr. Chairman, I yield myself as much time as I may consume.

I offer a simple amendment that bars the executive branch from being used to fund the office that does not exist in the executive branch, the Office of the Vice President.

Last week, we all received a tutorial in U.S. Government history from the Vice President's office. Apparently his office is not an entity within the executive branch.

There have been 46 Vice Presidents in U.S. history, and not one of them knew this or ever claimed this position. Perhaps the Vice President thought he occupied an undisclosed fourth branch of government.

His claim flies in the face of the Constitution and was offered in an attempt to avoid following the rules governing the treatment of classified information and documents. This claim was particularly ironic this week, given the four-part series the Washington Post ran about the Vice President's role in this administration. And rather than claim that he wasn't part of the executive branch, it sounds like, from reading those stories, he is the executive branch.

Yesterday, the Vice President was forced to admit what even an eighth grade student knew, there is no ''Cheney branch'' of government.

While the Vice President's excuses may change, his desire to ignore the rule remains just as strong as ever. The Vice President is unwilling to risk that the documents detailing the flawed intelligence and faulty assumptions that led us into the war in Iraq. He has been held unaccountable for 6 years, and now he wants to be unaccountable in the historical record.

Whatever his reasons, this penchant for secrecy is not new. Shortly taking office, the Vice President, in meeting with oil and gas executives and not wanting to turn over that information, claimed he was part of the executive branch.

After the Vice President excluded himself from the executive branch, my amendment follows up on the Vice President's assertion and restricts the executive branch funding for the Vice President's office. It leaves intact his Senate presidency office. It delivers two messages. If the Vice President is not in the executive branch, then there is no executive branch office to fund. And perhaps more importantly, it underscores that the Vice President is not above the law and cannot ignore the rules. The law should follow him, whatever branch of government he chooses to hang his hat in.

Mr. Chairman, we have a duty to ensure that no individual in our government, no matter how powerful, is allowed to ignore the rules. And when the Vice President is avoiding accountability, it is the Congress' responsibility to demand that accountability.

The Vice President must know that no matter what branch of government he may consider himself part of on any given day or week, he is not above the law.

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

Mr. REGULA. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. REGULA. Mr. Chairman and Members of this body, I am sure that the sponsor thinks he is going to improve the operations of the government, but I think this is probably offered for political purposes.

We cannot deal with the constitutional responsibilities in this bill, and the Vice President does have constitutional responsibilities as President of the Senate. The Senate Legislative Branch appropriations bill provides funding for his salary and legislative operating expenses. In fiscal year 2008, his requests equal $2.3 million.

I think it's important that I take time to oppose this amendment because it is setting a bad precedent. I think the sponsor must be making an assumption that they will never have a Vice President, because you are setting a precedent here that might come back to haunt you at some time in the future.

The Vice President's office also receives $4.8 million to fund the executive branch duties of the Vice President and pay for his residence. We decided that, for security reasons, the Vice President needs to have a residence. There was a time that that was not the case. And I don't think that because some Members may not like the current Vice President, or any future Vice President, doesn't mean Congress should use its power of the purse to eliminate funding for the office. That is not how the Founding Fathers envisioned the separation of powers operating.

Eliminating funding to maintain the Vice President's residence and the 25 Federal employees funded by this object is irresponsible. I think it is disrespectful of the Constitution and the Office of the Vice President. Whether we agree or not, the Vice President's office serves an important executive and legislative function.

And let me just say again to my colleagues, this sets a very bad precedent. Where do we stop if we determine that we're going to, by using the power of the purse, pass judgment on the policies of people that serve in government?

It's a political activity. It's a political attempt to embarrass the Vice President. I would hope my colleagues reject this.

Just remember, you may have a Vice President, too. And once you set a precedent, I'm not sure that you would want that to be part of your legacy.

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

The CHAIRMAN. Does the gentleman yield back his time? The gentleman had moved to strike the last word.

Mr. REGULA. I do claim the time in opposition to this amendment.

The CHAIRMAN. The gentleman is permitted to strike the last word and to claim time in opposition.

The gentleman is recognized for 5 minutes.

Mr. REGULA. And I reserve my time. Just let me say again, this is a bad, bad precedent. And it's an example, you better be careful what you wish for, because you may decide that it's not something you want to happen.

Mr. EMANUEL. I would like to say that it's true, there is an important constitutional precedent here, and that's why the Vice President should never have claimed that he wasn't part

of the executive branch, something any eighth grader knows.

Mr. Chairman, I yield 30 seconds to my colleague from New York (Mr. ISRAEL).

Mr. ISRAEL. I thank the gentleman.

Responding to the gentleman's suggestion that we not do this because we may have a vice president one day, we may have a vice president one day, but that vice president will admit to being vice president. The current Vice President refuses to admit that he is Vice President.

□ 1300

Now, we have heard in Washington flimflam and rope-a-dopes and evasions and half truths. This one takes the cake. This turns the theory of plausible deniability into undeniable irrationality. The Vice President is part of the executive branch. If he is going to state that he is not part of the executive branch, he should act accordingly.

Mr. EMANUEL. Mr. Chairman, I yield 45 seconds to my colleague, the gentleman from Massachusetts (Mr. FRANK), the chairman of the Financial Services Committee.

Mr. FRANK of Massachusetts. The Vice President has violated a number of rules, maxims, constitutional provisions; but he has clearly violated one that I would have thought him wise enough and old enough to understand. No matter how difficult the situation in which your own misactions have put you, and no matter what kind of a corner you have gotten yourself into, try to avoid saying something that no one will believe.

When the Vice President offered his justification for his refusal to follow the fundamental principle of openness, he made a statement that no one would believe. Apparently, in this case, even he didn't believe him, which was a new reach for him. He is now trying to take it back.

The gentleman from Ohio said to be careful what you wish for. Well, here is what I wish for, I would say to my friend from Ohio: a Vice President of the United States who will follow the law, who will not show contempt for the norms of a democracy.

Mr. EMANUEL. Mr. Chairman, I yield my remaining time to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chairman, I rise in support of Representative EMANUEL's amendment to allocate only the budget of the Senate president to Mr. CHENEY. We have known for the Vice President to go to undisclosed locations, but never to an undisclosed branch of government. I turned to my Constitution for some help. It looks to me like article II does include the Vice President in the executive.

The Senate itself seems confused, having subpoenaed Vice President CHENEY yesterday for records on the administration's spying program. The other body doesn't seem to appear to embrace Vice President CHENEY as one of its own. The Vice President can't have it both ways. This amendment helps him sort it out. We will defund his executive office, leaving him with a vastly reduced budget but giving him what he wants, at least on some undisclosed days.

Mr. SERRANO. Mr. Chairman, I move to strike the last word.

Mr. Chairman, very briefly, this is a very interesting and important issue that the gentleman has brought up. I am just thinking, as I had prepared this bill, and sent it over to the executive for a signature, maybe I should declare myself as part of the executive for that period of time and get all the Secret Service protection and all that goes with it. If we start doing that, we could get to a big problem. He brings up an interesting point. It has to be dealt with. The Vice President has to decide if he is part of the Senate or is he a part of the executive branch. We can deal with it later once he tells us what he wants to do.

I yield to the gentleman from New Jersey.

Mr. ANDREWS. I thank the chairman for yielding.

Mr. Chairman, I support my friend from Illinois' amendment. Everybody, everybody, in our system is accountable. It doesn't matter what you call yourself. It doesn't matter how you define yourself. When it was convenient for him to avoid scrutiny over the energy bill, the Vice President in 2002 said he was a part of the executive branch and preserved by that privilege. When it was inconvenient for the Vice President to comply with everybody else's requirements regarding classified information in 2005 and 2006, he said he was not part of the executive branch, he was part of the legislative branch.

Under our Constitution, what you call yourself does not define your responsibility. What the Constitution says is your responsibility is your responsibility, even if you are Vice President of the United States.

Mr. SERRANO. Reclaiming my time, I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the distinguished chairman very much for yielding. I thank the Chair of the Democratic Caucus, Mr. EMANUEL, for his amendment, upon which I decided not to offer my amendment on this issue.

Let me explain why I believe that the American people understand that no one is above the law: secret energy task force; secret wiretapping of Americans in violation of the FISA Act; a clandestine campaign to gut critical environmental protections; and new rules developed in secret governing the treatment of foreign terror suspects held by the United States.

The Vice President said he is part of the legislative branch. That means we can expel him. But in this instance, I believe we must say to the American people, he is not above the law.

This is a nonfunding of the Vice President's residence on the basis of his declaration that he is not part of the executive. I think this is an appropriate vehicle. I think we must say to the American people that not one of us, not one legislator, not one executive person, none of us is above the law. I wholeheartedly support this amendment.

I am proud to join as a cosponsor with my good friend, the gentleman from Illinois, Mr. EMANUEL, in sponsoring this amendment to H.R. 2829, the Financial Services and General Government Appropriations Act of 2008. I also rise to commend Chairman SERRANO and Ranking Member REGULA for their leadership in shepherding this bill through the legislative process. I declined to offer the amendment that I filed so unity could be exhibited under one premise—no one is above the law—including the Vice President.

Among other things, this legislation provides funding for the Supreme Court and the Federal judiciary, the District of Columbia Government; and several independent agencies such as the Federal Trade Commission. The bill also funds the Executive Office of the President and other executive branch agencies, including the Treasury Department and the Internal Revenue Service.

While most Americans do not know that this legislation also provides funding to operate the official residence of the Vice President, they do know that the Vice President is a member of the Executive Branch of the Federal Government. This fact apparently is news to the current occupant of the office, Vice President CHENEY, who it has been reported resisted compliance with an executive order issued by President Bush in 2003 regarding the handling of classified information on the ground that the Vice President and his office is not a unit of the executive branch.

Mr. Chairman, if it were not so serious and not part of a long pattern of disturbing conduct, the Vice President's claim would be merely laughable and his weak grasp of the facts might even be charming.

But this Vice President has a long, disturbing, and disastrous record of asserting as fact things that he plainly knows to be untrue.

This is the same Vice President who said this about the war in Iraq: "I think it will go relatively quickly . . . [in] weeks rather than months." In the run-up to the war, this same Vice President went on national television and confidently assured the nation that there was a connection between 911 and Saddam Hussein's Iraq.

Vice President CHENEY proclaimed in March 2002 that Saddam Hussein's Iraq possessed "biological and chemical weapons," and confidently assured the nation less than a week before the launch of the Iraq War that, yes indeed, "we believe [Iraq] has, in fact, reconstituted nuclear weapons." In each instance, the Vice President was proven wrong by the facts.

With his preposterous claim not to be a member of the executive branch, history is repeating. But as the saying goes: "history repeats; the first time as tragedy, the second time as farce."

Indeed, perhaps the only person in the whole history of the United States who has been more wrong more often about more things of great consequence than the Vice President is the current President, who after all, is the nation's Chief Executive and Commander in Chief of the Armed Forces.

Let us set the record straight and get our facts right.

The Vice President is a creature of the Executive Branch of the Federal Government as Article II, section 1 of the Constitution makes clear. The Vice President is not a ''member'' of the Legislative Branch because membership in that branch is governed by the first clause in sections 2 and 3 of Article I. No member of Congress is elected to serve a four-year term as is the Vice President. And no member of Congress is provided an official residence as is the Vice President and the President.

A member of the Federal legislature can be involuntarily removed from office if his or her colleagues, by a ⅔ margin, vote to expel. The Vice President can be involuntarily removed from office after impeachment by the House and conviction in the Senate.

Mr. Chairman, the Vice President is extremely intelligent and no doubt knew his claim to be a member of the legislative branch was and is specious. The claim was simply a dodge to evade accountability and compliance with the requirements of the law. We have been down this road before: Secret Energy Task Force, secret wiretapping of Americans in violation of the FISA Act, clandestine campaign to gut critical environmental protections, new rules developed in secret governing the treatment of foreign terrorism suspects held by the United States.

Mr. Chairman, I am proud to have spent the majority of my time in Congress protecting and defending the separation of powers that is the hallmark of our democracy. I have consistently opposed this Administration's abuse of executive powers and prerogatives. That is why I introduced H.R. 264, the Congressional Lawmaking Authority Protection Act, challenging the president's misuse of bill signing statements.

Similarly, I introduced the Military Success in Iraq Act (MSIA or ''Messiah'') to deliver American troops from Iraq by terminating the authorization to use military force and requiring a new vote to continue offensive military operations in Iraq. A third example of my resistance to this Administration misuse and abuse of authority is H.R. 267, the Military Commissions Habeas Corpus Restoration Act of 2007, which I introduced to repeal the restriction on the jurisdiction of courts, justices, and judges to hear or consider applications for writs of habeas corpus filed by or on behalf of certain aliens detained by the United States.

Mr. Chairman, no person is above the law and certainly not Vice President CHENEY. That is why I joined with Congressman EMANUEL to resist his latest attempt to avoid accountability and evade responsibility.

The intent of the amendment is straightforward: to limit the availability of funds for the Office of the Vice President only to Vice Presidents who are members of the executive branch of the Federal Government and subject to the executive authority of the President of the United States. The appropriated funds are not available to members of the legislative branch. A person is a member of the legislative branch only if they are so qualified by virtue of compliance with Article I, section 2, clause 1 or Article I, section 3, clause 1. Acting as President over the Senate is not sufficient to make one a ''member'' of the Senate, and thus a member of the legislative branch.

Although our amendment will save the taxpayers $4.752 million from being used by the Vice President, it does not restrict funding for the Vice President's secret service protection and does not affect the funds CHENEY would receive as President of the Senate. The Senate version of the FY08 Legislative Branch Appropriations Bill provides the President of the Senate with $2.3 million.

Mr. Chairman, if the Vice President does not think he is a member of the executive branch there is no reason he should impose upon the taxpayers to fund the perquisites of his office. Democrats were entrusted by the voters with the majority to restore fiscal responsibility, oversight, and accountability to government. The new majority is committed to ensuring that government operates in an open, transparent, accountable and fair manner.

For all these reasons, Mr. Chairman, I urge adoption of the amendment. Let me again thank Chairman SERRANO and Ranking Member REGULA for their courtesies, consideration, and very fine work in putting together this excellent legislation.

Mr. SERRANO. Mr. Chairman, now that the gentleman from New Jersey has shot down any chance of me being part of the executive branch, reminding me that the Constitution doesn't allow it, I will just keep quiet on that and yield to the gentleman from Illinois (Mr. EMANUEL), our caucus chairman.

Mr. EMANUEL. Mr. Chairman, I want to make two closing points really quickly to my colleague from Ohio, if I can: one is I don't come to this amendment lightly. The Vice President's unprecedented act of declaring that he was not in the executive branch is the reason I submitted this.

To the second point, you had said, we may have a Vice President. Having worked in the executive branch, Vice President CHENEY is the Vice President of all of us. He is not yours. He is all of ours. That is why all of us were outraged by the position that he took that he was not part of the executive branch so he can avoid accountability. He is the Vice President of all of us. We ask him to abide by the law, to understand that when there is a rule in place that he is accountable and responsible to that, both for the historical purposes and when it relates to national security matters. That is why all of us were outraged when he made the decision to keep his meetings with oil executives secret.

At every step of the way, he has chosen secrecy over sunshine; obstruction over accountability. We would ask seriously that the Vice President operate with that seriousness.

We didn't come to this lightly. He took an unprecedented step. It is not one we would have done gingerly, messing with his office. But I want to remind everyone here, the reason we are speaking up is because he is our Vice President. We would like him to act accordingly, in the office that he has and the responsibilities that come with the office.

Mr. SERRANO. Mr. Chairman, in closing, the gentleman is correct. This is a very serious matter. This administration, this Vice President, whether on torture, whether on prisons, whether on their behavior in spying on Americans, has told us over and over that they are above the Constitution. What this says is that they are not above the Constitution. No one is. The Vice President certainly is not.

Mr. REGULA. Mr. Chairman, I yield myself such time as I may consume.

Number one, of course, you are going to abolish the residence. I assume you are going to get a Katrina trailer to provide for the Vice President, since we historically have provided housing and you don't offer any substitute for the existing residence. So I would think you would want to give that some thought.

Secondly, we have elections. This is not the place to establish an amendment to the Constitution or to define what you may or may not like about the operation of the Vice President's office.

Mr. Chairman, I yield 2 minutes to the gentleman from Missouri (Mr. BLUNT), the distinguished whip.

Mr. BLUNT. I thank the gentleman for yielding.

Mr. Chairman, the Vice President is a talented man. He is a former Member of this body, a former whip of this body. I would like to think that any former whip of the body or current whip could confuse people as much as the Vice President appears to be able to do.

Certainly my good friend from Illinois is a smart man. He knows what branch of government the Vice President is a part of. There are only three, after all. We know he is not part of the judiciary. We know he is not part of the legislative. So he must be part of the branch that is funded in the bill.

This amendment may be lots of things, but it is not a serious amendment about really defunding the Vice President's office. It is an amendment about something other than that, and we know it. It has nothing really to do with moving this issue forward. There will be some discussion as the day goes on today about whether or not an amendment on our side was really an important part of the debate on the bill.

This amendment is an amendment in search of a press release. In fact, let me take that back. This amendment is an amendment that is following a press release. We have already had the press release. We have already had the comments to the press about how we take advantage of a moment about who has access to what records. We all know that defunding the Vice President's office is not the way to do that.

□ 1315

I was glad to hear my friend from Illinois say in his concluding remarks, or what I believe would have been his concluding remarks, I may find that was not right, is we understand the Vice President of the United States is our Vice President, we understand that his office is funded under this bill, and we

understand that is the work that needs to be done by the Congress. We know what branch of government he belongs to. No matter how confusing that may seem, there are only three. We know which one he is part of.

Mr. EMANUEL. Mr. Chairman will the gentleman yield for a short question for the whip?

Mr. REGULA. I yield to the gentleman from Illinois to ask a short question of the whip.

Mr. EMANUEL. Mr. Chairman, question number one to the minority whip, I would say to you that, of course, there are three branches of government. I don't think anybody in room or in the Chamber needs that explanation. It is the Vice President's lawyer that needs that explanation.

Second, you do believe if he is in the Vice President's office, he should observe all the laws and regulations that come with that as it relates to the responsibility of that office.

Mr. BLUNT. Mr. Chairman, if the gentleman from Ohio will yield, based on the gentleman's time on the topic we are discussing, my personal view is that the Vice President and the President are bound by the same standards. But that is only my personal view. And, after all, we are not the judicial branch of government. Which branch of government would we be? The legislative branch. We know where the Vice President's office is. We know what branch he belongs to.

Mr. REGULA. Mr. Chairman, reclaiming my time, I yield 1 minute to the gentleman from California (Mr. ISSA).

Mr. ISSA. Mr. Chairman, I thank the gentleman.

Mr. Chairman, this is not a debate, not a legitimate debate, about whether or not the Vice President is in one branch or the other. After all, he presides over the U.S. Senate. So if we did not decide to put the funding into this particular appropriations bill, we would have to put it in the other.

This is a raw grab for power to defund an essential constitutional office, and it is wrong. And if it even comes close to passing, if it is not on a bipartisan basis defeated, the gentleman from Illinois will, in fact, have undercut the very underpinnings of the Constitution.

This is an important vote. It is an important vote because how dare we, how dare we use a maneuver like this, to try to stifle any constitutional officer, including our own.

I am ashamed to belong to a branch that would even consider this, and I am ashamed that the gentleman would do such a thing.

Mr. CLAY. Mr. Chairman, as chairman of the Oversight Subcommittee on Information Policy, Census, and National Archives, I rise in strong support of the amendment offered by my colleague from Illinois, Mr. EMANUEL.

In light of recent events, in which various Executive Branch officials, including the Vice President's former Chief of Staff, I. Lewis ''Scooter'' Libby, have acted with reckless disregard for the protection of classified information, I applaud Mr. EMANUEL's leadership in introducing this amendment.

This amendment would eliminate funding for the Office of the Vice President in light of the Vice President's refusal to comply with Executive Order 12958.

Executive Order 12958, as amended by President Bush in March 2003, requires the Information Security Oversight Office, ISOO, within the National Archives and Records Administration to establish a uniform system to protect classified national security information throughout the Executive Branch.

In 2004, the Office of the Vice President refused to submit to an on-site inspection. In doing so, it made the astonishing claim that it was not an Executive Branch entity and therefore not covered by the Executive Order.

The director of the ISOO wrote the Vice President's office to contest the claim and also asked the Department of Justice to evaluate the Vice President's argument. The Vice President and the Justice Department repeatedly ignored these communications. Moreover, we learned this week that the Vice President's staff has proposed amending the Executive Order to eliminate the ISOO.

Congress should not tolerate this effort by the Vice President to exempt his office from oversight and retaliate against the agency charged with maintaining our Nation's most sensitive secrets.

The Vice President is making a mockery of the law and our system of checks and balances.

If the Office of the Vice President insists upon defining itself as not being an Executive Branch entity, then clearly it should not be funded like one.

I urge my colleagues to support this amendment.

Mr. RUPPERSBERGER. Mr. Chairman, I'd like to address this important issue—accountability.

All of us in government service have an obligation to be accountable for our actions and we all take an oath to follow the laws of this country.

Unfortunately, it appears the Vice President believes he should be held to some different standard that applies only to him.

The news that the Vice President as advanced a legal argument that he is not a part of the executive branch and not a part of the legislative branch but has some special status which means he does not have to comply with Executive Orders or the law in safeguarding classified material is nothing less than shocking.

As a member of the House Intelligence Committee I can report to my colleagues that if we stand by and allow the Office of the Vice President to exempt itself from the same rules that apply to any employee in our intelligence services, we will deal a serious blow to the morale of these patriotic Americans defending our country.

I will therefore support every measure in this Financial Services Subcommittee bill, at every step in the process as it becomes law to compel the Vice President to follow the law of the land.

The Vice President should be leading by example. He should be setting the highest standards of conduct and accountability.

Ms. KILPATRICK. Mr. Chairman, I rise today in strong support of the FY08 House Appropriations Financial Services Subcommittee bill. As you know, this will be the first of the 11 bills that the House Appropriations Committee have considered that will have all of its earmarks in it as it first comes to the floor; and one in which all of its earmarks are publicly disclosed. We have ushered in a new era in Congress, and it is an era of which I am proud.

I have attended all of the hearings the subcommittee has had this Congress, and have enjoyed my work not only with Chairman JOSÉ SERRANO, but with his staff of Dale Oak, Bob Bonner, Frank Carrillo, Karyn Kendall, and Deborah Bilek. We have had to make many difficult decisions. But I am proud to say that we have been able to make some major accomplishments. Among them include: CDFI/Bank Enterprise Fund—$54,000,000.

Along with Chairman SERRANO, we were able to get an increase for funding for both the Community Development Financial Institutions Fund, CDFI, and the Bank Enterprise Fund. Both of these programs are of vital importance to our Nation's urban areas, and help improve access to a wider array of financial services in distressed communities. Fourteen million dollars of this fund is to go to the Bank Enterprise Fund.

II. SBA MICROLOAN PROGRAM AND MICROLOAN TECHNICAL SUPPORT—$17,000,000

Small businesses are the engine that drives the American economy. This supports funding of the Small Business Administration's Microloan program and technical support for the microloan program of the SBA. The microloan program will receive a total of $17 million ($2.5 million for loan subsidies and $14.5 million for technical assistance). The President's budget proposed to terminate technical assistance and to provide no subsidy for microloans.

I am also pleased that we were able to get report language that emphasizes and enhances the role of the Federal Communications Commission toward ensuring that all ethnic minorities, senior citizens and the disabled will not have blank television sets when the whole country goes from an analog signal to totally digital signals on February 17, 2009. Also, we were able to ensure that the Department of the Treasury step up their enforcement of companies that use predatory mortgages and loans on senior citizens, ethnic minorities, and the disabled. Not only do we have language in the report that emphasizes this need, we provide these agencies with the funding they need to do what America needs done.

Finally, I want to discuss one area of particular interest to me. The bill, under its section regulating the District of Columbia, has a cap on what attorneys can bill for families of disabled children who need assistance under the Individuals with Disabilities Education Act or IDEA. No where else in our country is this the case. This is a shame. During subcommittee and full committee consideration of the bill, I wanted to offer an amendment to remove this section. However, my staff and I have been working with Mayor Adrian Fenty, and will not advocate the removal of the provision this fiscal year. Mayor Fenty agrees with me that this provision should be removed; by the next fiscal year, language that does the least amount of harm to the citizens of the District of Columbia and which enhances the quality of life for all disabled children and their

families should be completed. I ask unanimous consent to insert as part of the CONGRESSIONAL RECORD a letter dated June 26, 2007 that I received from Mayor Fenty addressing this problem, which will follow my remarks.

I would like to say one word about earmarks. What has been missed in this debate is the fact that in this bill, like most of the bills that have come to the floor with earmarks, a good number of these earmarks are earmarks requested by the President. This bill contains $1.3 billion worth of earmarks specifically requested by the President for a wide variety of projects throughout the nation, mainly for projects by the General Services Administration. It seems to me to be hypocritical for the minority to have so much energy to criticize the earmarks of other Members of Congress, especially those of us in the Majority, while offering not even a hint of outrage at the earmarks offered by the President.

This subcommittee covers over 700 individual agencies. We have so much authority, the Chairman has to give us cards with what it is over which we have jurisdiction. It is my desire that we can keep all amendments to this, and the rest of the bills that my colleagues and I have been working so hard on the House Appropriations Committee, to a minimum; that these bills move as quickly as possible through the House and Senate; and that President Bush signs these bills into law so that we can continue to work for the American people.

EXECUTIVE OFFICE OF THE MAYOR,
Washington, DC, June 26, 2007.

Hon. CAROLYN C. KILPATRICK,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVE KILPATRICK: I write today on an issue of great importance to my city, and about which I understand you have a particular interest—that is, inclusion by Congress of a cap on the amount of attorneys' fees that can be paid by the District of Columbia government in special education cases in our annual appropriations bill.

As you know, I opposed the cap when I was a member of the City Council, and, in principle, I continue to oppose the cap as a matter of policy. However, as Mayor, I am obligated to protect the fiscal health of the city, which was in such dire condition for a number of years in the 1990s that Congress intervened by creating the Financial Control Board, and I take that responsibility to my constituents very seriously. As part of that intervention, Congress also created an independent Chief Financial Officer for the District, who is required to certify that the District's local funds budget is balanced each year before it is sent to Capitol Hill. My FY08 budget has been by certified by the CFO.

In order to meet the deadlines of the House and Senate Appropriations Committees, as well as the Federal Office of Management and Budget, the District's local budget is normally developed a full year before Congress takes final action on it in the fall (or, as was the case last year, after the new fiscal year has begun). When a new mayor is elected, modifications to that budget are made during the transition and in January to reflect his or her priorities. Nevertheless, the District's local budget for FY08 was completed months before the potential for the attorneys' fee cap to be eliminated was raised in Congress. As a result, the budget that I submitted to the Council, and that was approved by that body in early June, does not include the multi-million dollar increase in attorney payments that the District would be required to pay if the cap is lifted this year.

I am deeply committed to improving the entire public education system in the District, so that every child in this city has the opportunity to reach his or her potential, in terms of personal fulfillment and financial independence. That desire extends one hundred . . . June 14, and I appointed a new chancellor, Michelle Rhee, on that same day. A key area that I identified when I hired her as one where significant progress must be made in her first year on the job was special education.

However, the improvements to the special education system that must be made to reduce the number of students and parents who are unsatisfied with the system and seek legal recourse as a result cannot be made overnight. In addition, because our local budget for FY08 is completed, if the cap is lifted now, we would have to reprogram much needed funds from other areas of the schools budget to cover the expected increase in attorneys' fees. For these reasons, I am asking that you allow the fee cap to remain in place for the coming fiscal year—so that, with the Council's help, I have the opportunity to develop a budget for FY09 that assumes removal of the fee cap, prospectively, and accounts for the cost of that policy change. At that point, I can assure you that I would support removal of the fee cap for special education cases brought after the beginning of that fiscal year.

I greatly appreciate your consideration of this request and would be happy to discuss the matter with you further at your convenience. Thank you for allowing me the opportunity to share my views on the policy, as well as its fiscal impact, with you.

Sincerely,

ADRIAN M. FENTY,
Mayor.

Mr. WAXMAN. Mr. Chairman, over the past week, the country did a collective double-take, as one commentator said, when they heard that Vice President CHENEY does not believe he is part of the executive branch. That's why Representative EMANUEL has proposed his amendment today.

This issue first came to the public's attention last week when I wrote to the Vice President asking why he blocked efforts by the National Archives to conduct security inspections of his office, as required by the President's own executive order. The response was that the Vice President's office was not an entity within the executive branch.

Legal experts ridiculed this argument, and late-night comics got some good new material. But the Vice President's extreme aversion to any oversight whatsoever, by Congress or even by his own Administration, is not a laughing matter.

The Vice President has claimed special privileges that even the President doesn't have. The Vice President has unilaterally claimed an absolute exemption from inspections, while other White House offices comply with the executive order. Take the National Security Council, which is an entity within the White House. It had the wisdom to allow an inspection.

The fact is, until the Vice President took this unprecedented stance, nobody at the White House had ever blocked any security inspections by the Archives.

And this is not the only time the Vice President has acted to prevent oversight. He went to court to stop GAO from examining the actions of his energy task force. He blocked the Secret Service from disclosing visitors to his residence. In fact, he even refused to provide information to Congress about his employees for the annual Plum Book.

His argument is—and I quote—"The Vice Presidency is a unique office that is neither a part of the executive branch nor a part of the legislative branch, but is attached by the Constitution to the latter." Even school children know this is preposterous.

The reality is that since 2002, there's been no oversight, no monitoring, and no reporting in the Vice President's office. That's an invitation to exactly the kind of leaks and criminal violations that have occurred in Mr. CHENEY's office. We are a government of laws and rules, not arbitrary decrees.

The Vice President can't unilaterally decide he is his own branch of government and exempt himself from important, commonsense safeguards for protecting classified information. And he can't insist he has the powers of both the executive and the legislature branches, but the responsibilities of neither. The Vice President is not above the law.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. EMANUEL).

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

Mr. EMANUEL. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. CAMPBELL OF CALIFORNIA

Mr. CAMPBELL of California. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CAMPBELL of California:

At the end of the bill (before the short title), insert the following:

None of the funds in this Act to the Small Business Administration may be used for the Wittenberg University East Asian Study Center.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2007, the gentleman from California (Mr. CAMPBELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. CAMPBELL of California. Mr. Chairman, this amendment would prohibit funds in the bill from being used for the Wittenberg University East Asian Study Center. The committee report provides there will be $500,000 spent on this local project.

Now, Wittenberg University is a private college. On all these earmark things that I am bringing up and that the gentleman from Arizona (Mr. FLAKE) has brought up, it is not an issue of whether this is a good university, I am sure it is a great university; or whether this is a worthy, charitable endeavor, I am sure it is a worthy, charitable endeavor. It is a question of whether or not it is appropriate for taxpayers' funds.

On the last amendment that I had talked about, the gentleman from Illinois (Mr. JACKSON) made a very eloquent report of why he believes there should be a third airport in Illinois. But that really wasn't the point, as to whether there should be a third. I am not qualified. I don't know whether there should be a third airport in Chicago or not.

The point was, is it appropriate to use Federal taxpayer funds to fund an organization that you set up that is for the purpose of basically applying political pressure to create this airport when it doesn't exist. I think that is clearly not appropriate.

In this case here, this is to be used ''for the development of an undergraduate interdisciplinary program in international business, with a focus on the field of experience in Asia.''

According to the Web site, this East Asian Studies Journal has existed for 27 years. This is the 27th consecutive annual edition of this particular publication. So this center, it would appear, has existed for 27 years in this university.

Again, Mr. Chairman, this is actually a Lutheran university. I am on the board of advisors of a Lutheran university in my district. I think they do very fine things. I just don't think it is appropriate to use taxpayer money.

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

Mr. HOBSON. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Ohio is recognized for 5 minutes.

Mr. HOBSON. First of all, let me thank the chairman and the ranking member for putting together a good bill. I appreciate the hard work they have done on this bill and on approving this earmark.

Mr. Chairman, this amendment would strike $500,000 in funding to support the expansion of the East Asian Studies and International Business Program at Wittenberg University in my hometown of Springfield, Ohio.

This program will give Wittenberg business students the cultural background and hands-on experience they need to compete in the increasingly competitive global marketplace. It achieves this by providing college students a curriculum in which they can learn about Asian language, religion and cultures. This understanding is vital to establishing business relationships, especially abroad. This is an expansion of the program. In the past, this has been truly just a learning experience in an intellectual way, not focused on business.

They will immerse themselves in these programs while working for overseas companies through internships and study-abroad programs. In fact, in 1999, James Scott of Yale University and Timothy Cheek of Colorado College wrote that Wittenberg is unique among liberal arts schools in the accomplishments and intellectual breadth of its East Asian Studies program. No other peer school can offer such a distinguished curriculum, covering language, religion, classical civilizations, philosophy, history and the culture of all the major East Asian civilizations.

These business outreach programs are of enormous importance, as the global marketplace dramatically increases competition while rendering borders irrelevant. According to the United States Census Bureau foreign trade statistics, U.S. trade with China and Japan, the United States' second and fourth largest trading partners respectively, amounted to over $550 billion in 2006, representing approximately one-fifth of our total foreign trade.

I am confused, Mr. Chairman, on this amendment, because there is no reason really to oppose this program at this time, because we owe it to our students to equip them with every advantage as they prepare to face the challenges and opportunities of the global job market of the 21st century.

One of these tools we can offer our students is the opportunity to study abroad. The Institute For International Education of Students conducted the first large-scale survey exploring the lasting impact of study abroad programs on students' personal, professional and academic lives. The survey of IES alums found that experiences abroad positively affected their outlook and career choices and remained essential in their lives, even after graduation.

One of the most compelling reasons to fund business study abroad programs is to train future global commercial leaders to be more effective in operating in an increasingly interconnected world, taking into account foreign and international political and economic systems.

The IES survey found that 97 percent of the respondents said studying abroad increased their maturity; 96 percent reported improved self-confidence; 89 percent played a better role in their ability to handle uncertainty; and 95 percent stated their experience had lasting impacts on their worldwide view.

Mr. Chairman, before I entered public service, I was a small businessman. I can tell you there have been numerous occasions where my understanding, or lack thereof, of the background and experience of the person sitting across the table would have helped me much better in negotiating some of the things that I negotiated. A number of those people were from around the world. A better understanding of that, a better intellectual capability.

Expanding this program will help this small university in my district present a better challenge to the students that are there.

Therefore, Mr. Chairman, I urge everyone to be opposed to this amendment.

I reserve the balance of my time.

Mr. CAMPBELL of California. Mr. Chairman, I will just say that the certification actually says the funding will be used for the establishment of a center. Perhaps that is in error.

Mr. HOBSON. Mr. Chairman, if the gentleman will yield, I didn't select that language used in that.

Mr. CAMPBELL of California. It says for the establishment of a center. Whether it is the establishment or the expansion, I just respectfully suggest that this is more in the nature of support for a university rather, than support for a project which has a Federal nexus and requires Federal tax dollars.

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

Mr. HOBSON. In closing, I would just say that I think this is an effective use of dollars to enhance these young people's education, give them the ability to improve the economy in this country, and I would urge everyone to oppose the amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. CAMPBELL).

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

Mr. HOBSON. Mr. Chairman, I demand a recorded vote.

Mr. WICKER. Mr. Chairman, it was the understanding of all parties that there would not be a recorded vote on this motion.

Mr. Chairman, I ask unanimous consent to vacate the vote on this amendment and revote it de novo.

Mr. SERRANO. Mr. Chairman, can the gentleman clarify what it is he is asking for?

Mr. WICKER. Mr. Chairman, I will be glad to clarify it for my friend the chairman.

I am simply asking that the voice vote which was taken be vacated and that we retake the vote de novo. It is my hope that after so doing, we will be able to avoid a roll call.

Mr. SERRANO. Mr. Chairman, we have no objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi that the voice vote be vacated to the end that the question be put de novo?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. CAMPBELL).

The amendment was rejected.

AMENDMENT OFFERED BY MR. CAMPBELL OF CALIFORNIA

Mr. CAMPBELL of California. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CAMPBELL of California:

At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the following:

Abraham Lincoln National Airport Commission
Adelante Development Center
Advantage West Economic Development Group
Alleghany Highlands Economic Development Corporation
ARISE Foundation
Career Center for the Northeast Central Ohio Bioscience Consortium
Barracks Row
Barry University for the Institute for Community and Economic Development
Ben Franklin Technology Partners
Boston Chinatown Neighborhood Center Workforce Development Initiative
Bridgeport Regional Business Council
Bright Beginnings, Inc.
Bronx Council on the Arts
Booklyn College's Entrepreneurial Center
Buffalo Niagara International Trade Foundation
California State University, Pasadena Biotech Training Facility
Caribbean American Chamber of Commerce and Industry
Catalyst, Washington, DC
Center for Economic Growth, Greene County, NY
Center for lnspired Teaching
Center for Women and Enterprise
Belvedere Business Park Project, City of Charlotte, NC
Angela Rudolph, Assistant to the Mayor, Chicago, IL
Grow Inglewood, City of Inglewood, CA
Adams-LaBrea Retail Project, City of Los Angeles, CA.
Colorado State University, Sustainable Biofuels Development Center
Columbus College of Art and Design
Community College of Philadelphia
Connected Technologies Corridor
Cuyahoga Community College
Dartmouth Regional Technology Center
Detroit Economic Growth Corporation
Detroit Renaissance
DuPage Technology Park
Earth Conservation Corps
Eastern Market, Washington, DC
Economic Development Coalition of Southeast Michigan
Entrepreneurial Development Center, Inc., Cedar Rapids, IA
Everybody Wins!
Excel Institute
Purdue Technology Center of Northwest Indiana
Experience Works, Inc., Richmond VA
Experience Works, Arlington, VA
Fairplex Trade and Conference Center
Federal HUBZone Incubator, Elizabeth City, NC
Friends of the Big South Fork
Greater Harlem Chamber of Commerce
Greater North Louisiana Community Development Corporation
Greystone Foundation
Hispanic Information and Telecommunications Network
Historic Congressional Cemetery
Valley Economic Development Center
Howard University College of Dentistry
Hudson Alpha Institute
Illinois Institute of Technology
Indiana State University, Center for New Business Development
Inquilinos Boricuas en Accion
Institute for Advanced Learning and Research
International Youth Service and Development Corps
John C. Calhoun Community College
Johnson and Wales University
Johnstown Area Regional Industries Incubator and Workforce Development
Kulanu Vocational Education Program
LaGuardia Community College
Lewis and Clark State College
Lorain County Community College
Louisiana Small Busilless Development Center
Louisville Medical Center Development Corporation
Macomb County Department of Planning and Economic Development
Marshalltown Community College
Office of Workforce Development, Medina County, OH
MenzFit, Washington DC
Mifflin Country Industrial Development Corporation
Mississippi State University
Mitchell County Development Foundation, Inc.
Montana State Univrsity
Montana World Trade Center
Montgomery College
National Association of Development Organizations
National Federation of the Blind
New College Institute
North Carolina Rural Economic Development Center
North Dakota State College of Science, Nanotechnology Applied Science Laboratory
North Iowa Area Community College
North Side Industrial Development Company
Northeast Entrepreneur Fund
Northwest Agriculture Business Center
Northwestern Univerity
Ohio University
Oil Region Alliance of Business
Operation New Hope, Florida
Peoria NEXT Innovation Center
Phoenix House
Portland State University
Ready to Work, Ohio
Rio Hondo College
Rochester Tooling and Machining Association
Rock Valley College
Rockford Area Ventures Small Business Incubator and Technology Commercialization Center
Rockland Small Business Development Center
Rowan University
San Francisco Planning and Urban Research Association
Sandoval County New Mexico
Seedco Financial Services Alabama Minority and Women-owned Business Enterprises
Southern and Eastern Kentucky Tourism Development Association
Sephardic Angel Fund, Brooklyn, NY
SER—Jobs for Progress National
Shawnee State University
Sierra College
Sitar Arts Center
Soundview Community in Action
South Dakota School of Mines
South Side Innovation Center
Southeastern University
Spanish American Merchants Association
St. Jerome's Church Community Center
STEEED Youth Program
University of Northern Iowa
TechRanch Technology Venture Center
Enterprise Center, Tennessee
Illinois Institute of Technology
University of Texas, San Antonio
Thomas More College
Thurgood Marshall College Fund
University of Connecticut, Avery Point
University of Maryland
University of Missouri, Kansas City
University of Notre Dame, Robinson Enterprises Community Learning Center
University of Pittsburgh
University of South Florida
University of Southern Maine
Lewiston-Auburn College
University of Texas, Brownsville International Trade Center
Urban League of Rochester
USS Saratoga Museum Foundation
Valley Economic Development Center
Vermont Small Business Development Center
Wallace State Community College
Department of Public Services, Wayne County, MI
Wayne County, New York
West Virginia University Research Corporation
Western Massachusetts Enterprise Fund
Williamsburg County, SC
Wittenberg University
Workforce Initiative Asociation, Canton, OH
Youngstown Edison Incubator Corporation
Youngstown Central Area Community Improvement Corps
Youngstown Warren Relational Chamber

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2007, the gentleman from California (Mr. CAMPBELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. CAMPBELL of California. Mr. Chairman, I am very pleased to see the distinguished chairman of the Appropriations Committee, Mr. OBEY, here, because this is an amendment that he suggested right here on the floor of the House on June 13, earlier this month.

During debate that evening, which was the evening in which it was decided that we would make earmarks public and that they would be included in the bill, Mr. OBEY said, ''I want to make clear, I hate the earmarking process. I absolutely detest it.''

Further on in his comments, the gentleman from Wisconsin said, ''And I am going to be very interested in seeing which Members vote for the amendment that I intend to attach to every appropriations bill which would call for a total elimination on earmarks. I want to see how many of you actually vote for it.'' Well, I want the chairman of the Appropriations Committee to know that I agree with his comments.

In the previous bill that we had before this House yesterday, the Interior bill, this amendment did not show up. So I took it upon myself to offer this amendment, which the chairman of the Appropriations Committee had suggested that he was going to offer on every appropriations bill. So that is, in fact, the amendment that I have offered.

What this amendment would do, Mr. Chairman, is it would strike all 148 earmarks that are currently in this bill from the bill, and thereby would save $33.71 million of taxpayer money.

I hope that the chairman will support me in this effort. Obviously I am offering this amendment. I intend to vote for this amendment, and I hope the good chairman of the Appropriations Committee would join me in this offering and in voting for it as well.

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

Mr. SERRANO. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. SERRANO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the gentleman is using a very interesting approach. He was part of a group that spent time questioning how we presented earmarks. At that time, we had already, under the leadership of Mr. OBEY, come forth with a proper plan where transparency was the order of the day, where vetting each program, each request, was the order of the day. But that was not enough for the gentleman. It was not enough for the group that stood here day after day badgering us about earmarks.

Now the approach is to say that notwithstanding the fact that the earmarks are part of a very open process, that not withstanding the fact that there is a new day in how we handle earmarks, that notwithstanding the fact that we have cut earmarks by 50 percent, notwithstanding any of that, no earmark is good and all earmarks should disappear.

What is sad about that is that is not what we were originally presented with. We were not presented with that. We were presented with a belief that we had to do things differently. Notwithstanding the fact that the chairman, Mr. OBEY, already had proposed a plan that was totally different from the past. They felt that it should be better or different or colored different, or whatever.

Now they want no earmarks. Well, people should be reminded that Member projects have been vetted through each Member's office. I have said over and over again that Members know the needs of their districts and Members know how to present an earmark through the committee staff to committee leadership.

Second, every item has been reviewed by the Appropriations Committee. The staff has taken long hours on both sides working in a bipartisan fashion to look at all requests and come up with the final list. We looked at your requests and you looked at our requests. We both looked at all of them. That is how we came to this. So we are pretty sure that everybody's concerns are taken into account here.

Members who sponsor these projects believe that they are worthy and that the taxpayers' money is being well spent. Again, whenever an agency spends money on giving out a grant to a community group, we don't have a discussion on the House floor, we don't have discussions on talk shows on TV or radio discussing those grants.

Billions of dollars are given out every year by the Federal Government to local groups and local projects, everything from building highways to supporting local initiatives. There is no discussion of that.

□ 1330

There is no oversight of that as such. But here, when a Member decides that he or she knows what is good for their district, we have to attack it. But again, the important point to note here as far as making an argument is that the argument was made that the process was not right, notwithstanding Mr. OBEY having changed the system. Now we are being told that no matter what we do, the earmark is just not good.

I wonder if the gentleman is going to be supported by all other Members of his party who asked this chairman in writing for earmarks and were granted those earmarks. I wonder how they feel about this, and if they agree with you that all earmarks are bad.

Overall we have a diversity of projects in this bill. They touch urban and rural America, all regions of the country, women and minorities, as well as both sides of the aisle. We have technical assistance for start-up businesses, technology training, business attraction programs, small business incubators and job skills development. Members of this House have been able to identify many commendable projects.

The projects that the amendment's proponent is targeting are important projects to those Members and those communities.

I would say to the gentleman to really rethink this approach. If this approach is, with all due respect to him, a message for the 6:00 news, fine, I can't argue with that. You have done well, you have won on that issue.

This is really about saying that each individual colleague that surrounds you on your side and on this side does not know what is best for their district and that the process that we used to come to this point is a process that does not take into account everything that we could be worried about. Also, that it is not a process that has allowed Members to put forth their vision and at the same time have committee staff and other Members check to make sure. This may come as a shock to some Members, but there were projects where we felt either the vision or in some cases even the title had to be dealt with because we didn't want to do the wrong thing and we certainly didn't want to embarrass anyone. We did not accept every single project.

Mr. REGULA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to this amendment. Points I want to make; First of all, we have reduced the level of earmarks.

Number two, our title is Representative to the Congress. As such, we have a responsibility to represent the needs of our districts. Earmarks provide a vehicle to do that.

Third, earmarks if you follow them through, are great generators of private investment. It certainly happened in my district. A lot of good things get done because we have the stimulus of an earmark.

Fourth, we have a right to decide the priorities of our district. We are better equipped to do that than somebody in the bureaucracy and in the executive branch. Constitutionally, we have the responsibility to make policy. Their job is to execute policy downtown.

Fifth, Congress has a transparent and open process. This is the result of the efforts of the chairman of the Appropriations Committee. That was the discussion we had. We have accomplished that. This is why the gentleman from California can question this earmark, earmarks generally, because we have a transparent process. People know what the earmark is, what it does, and who sponsored it. We have had Member after Member come in and defend their earmarks today, and that is the way it should be. If you eliminate the earmarking process, you move it solely to the administration, and where is the transparency in the administration; or, we revert to the old days where a few people in conference were adding projects with very little opportunity for the Members of the body to look at them or challenge them.

I would think that the gentleman from California would be pleased that we have the transparency that is part of this and allows him or others to question earmarks. I think those who put in the earmarks have to be prepared to defend the validity of what they have offered. So this is a good process, and this is a result of our discussion.

Mr. CAMPBELL of California. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman has 3 minutes remaining.

Mr. CAMPBELL of California. Mr. Chairman, we did fight hard for this transparency, and I am glad we have this transparency. But the reason we have it is not simply to rubber-stamp every earmark that the Chairs of committees decide in their judgment to put in.

Let me quote again the chairman of the Appropriations Committee, Mr. OBEY, on June 13, 2007. He said, ''The reason I hate earmarks is because they suck everybody in. They suck them into the idea that we have to be ATM machines for our districts.''

Mr. Chairman, I don't think we want to be ATM machines for our districts. This amendment which has been suggested by Mr. OBEY, I don't believe he or certainly I necessarily think that all 148 of these are bad. However, if the chairman of the Appropriations Committee believes as he said, ''I hate the earmarking process, I absolutely detest it,'' then maybe we should start to reform it. This is a way to reform it. This is a way to change it. Let's just take them all out for now, and let's talk about a way that perhaps something can be done in a way in which we are not ATM machines for our districts.

By the way, by doing that, we will save the taxpayers $33.7 million, which I would imagine they will be able to use in their pockets in their districts as they want to and I would argue in a better, more effective way than we will, even though we represent them.

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

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to lay out the context for this debate. Here is the record of our Republican friends when they controlled the House on the question of earmarks. In the last year that our party controlled the House before the Republicans took over, if you take the largest four domestic appropriations bills, there was a total of less than 800 earmarks in those bills. In the last year of the Republican regime in those same bills, there were more than 8,000. That's a thousand percent increase.

In the Labor-Health appropriation bill, the last year I was chairman there were zero earmarks in that bill. The last year that earmarks were considered in the Labor-Health bill under the Republican leadership, there were over 3,000 earmarks.

In addition, earmarks were used for internal blackmail. On one occasion, every Democrat who voted against the Labor-Health-Education bill because it insufficiently funded education and health and job training saw their earmark projects eliminated in retaliation, and I called that at the time internal blackmail.

It was then that I had my staff prepare the first analysis of the growth of earmarks during Republican control of this House.

In addition, we saw earmarks used in order to change votes on Medicare part D, that famous night where the roll call was held open for 3 hours while promises were made in order to turn enough votes around to turn a defeat into a victory for that program.

After the Cunningham affair, our Republican friends announced they were going to attach the names of requesters to the earmarks. But they conveniently declined to make that effective on their watch. So when we came in, the first thing we did was to implement that proposal and require that names be attached to earmarks.

The second thing we did was to impose a moratorium on earmarks until we could straighten out the process.

The third thing we did was announce that we were going to cut them by 50 percent for the appropriate accounts, the nonproject accounts.

The fourth thing we did was to require a certification to make clear that no one had a financial interest in the earmarks that they were seeking.

Then we also provided that, unlike 2 years ago, no provision would be able to be put into a conference report without having a vote on the final product of that conference report by the conferees. That's what we did.

Now the gentleman is making a Federal case out of the fact that I had wanted more time to screen these earmarks which have grown exponentially in order to protect the House from bad choices. Folks on his side of the aisle objected to that, and so we relented and so we now have earmarks in the bill. And now the gentleman is squawking because we have earmarks in the bill just as loudly as he was squawking when we didn't. He's a very hard fellow to please.

Now, what I said a week ago was that I detest the earmark process, and I do. Why? For a number of reasons. Because it requires me as a conscientious chairman of this committee to spend a huge amount of my time simply reading through those things to try to make certain that the House is not embarrassed.

But the more fundamental reason I am frustrated by the process is because it makes so many Members focus so exclusively on the issue of earmarks that we never get a debate on policy, and I thought we came here to debate policy. And that's my problem. I don't think earmarks are evil. I think Members of Congress have a perfect constitutional right to request specific funding for a specific project, just as the executive branch does. And I would remind you that the executive branch directs eight times—

The CHAIRMAN. The time of the gentleman has expired.

Mr. SERRANO. Mr. Chairman, I move to strike the last word, and I yield to the gentleman from Wisconsin.

Mr. OBEY. I have forgotten where I was, Mr. Chairman. It must be a sign of old age.

What bothers me is I thought we all came here to talk about policy. And so what I said on the floor is that I would like to see once and for all the House put up or shut up on this issue. I would personally prefer there be no earmarks. But as chairman of the committee, I have an obligation to try to find that balance point in the House that reflects the will of the House. I don't have the luxury of pursuing exclusively my own will on a subject. So I have been willing to support bills carrying earmarks even though I don't like what they do to my time and my disposition, to be frank.

So what I said, I want to see an up-or-down on all earmarks. I drafted an amendment to do so and was informed by the Parliamentarian that would be subject to a point of order, and so I chose not to offer an amendment that was an obvious waste of the House's time.

I will say that I am pleased that the gentleman has offered his amendment. Because while it does go as far as mine did, it will give the House an opportunity to decide once and for all, I would hope, whether it favors earmarks or whether it doesn't.

Rather than spending an inordinate amount of the House's time talking about individual earmarks and seeing vote after vote after vote to eliminate them go down to defeat, I think it is about time we find out what the will of the House is. I want to know whether the House wants to proceed with earmarks in these bills or not. I see no problem with their doing so.

But what I will say is if the House does vote for this amendment, then I will see to it that any bill that comes out from now on has no earmarks. So let's be clear about this. If Members don't want their earmarks, then they should vote for the gentleman's amendment. If they do want their earmarks, if they do think that they have as much right as the President of the United States to determine what happens in their district, then I would suggest that they vote against the amendment. But it is time to put up or shut up. It is time to see where the House stands on this issue.

□ 1345

The committee is trying to reflect the will of the House but we cannot go in both directions at the same time. It's time we find out which direction the House wants to go.

I thank the gentleman for the time.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. CAMPBELL).

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

Mr. CAMPBELL of California. Mr. Chairman, I demand a recorded vote.

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

Mr. SERRANO. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. SERRANO. I yield to the gentlelady from Ohio.

Ms. SUTTON. Mr. Chairman, I would like to commend you for your work and leadership on this bill and especially for recognizing the important work of the Consumer Product Safety Commission and for providing the Commission with funds above the President's request.

Past fiscal irresponsibility on the part of the Republicans means that we've all been working with a tough budget situation this year. But even though we've had to make difficult decisions to get our economy back on the right path, we need also to make room for our most important priorities. I commend you on doing that.

Recent articles in The New York Times and USA Today called our attention to some disturbing trends. The number of recalls made by the CPSC reached a record of 467 last year, and 60 percent of those products were produced in China. This year, every single one of the 24 toys that were recalled for safety reasons by the Consumer Product Safety Commission was manufactured in China. Our children have been playing with toys whose hazards range from laceration, to choking, to severe burns. Several toys we've seen were made with lead paint whose hazards are particularly harmful to children. We also have seen them have the direst of consequences with deaths.

Imports from foreign countries have been growing at a staggering rate, Mr. Chairman, and many manufacturers from these countries fail to adhere to even basic safety standards. It is in this environment, and I know you know this, Mr. Chairman, that the work of the Consumer Product Safety Commission is absolutely critical. Consumer product safety is not an area we can afford to ignore, and the CPSC is not an agency we can afford to underfund.

We can't make up for the shortfalls, unfortunately, in funding that the agency has had overnight, but the funding in this year's Financial Services appropriations bill is a positive step in the right direction. I just want to thank you for your leadership on these issues and I look forward to working with you in the future to ensure that oversight agencies like the CPSC have the funds to do the important work that they are called to do.

Mr. SERRANO. I thank the gentlelady from Ohio for her comments and for raising these important consumer protection issues. I totally agree with her that this Congress must place a new emphasis on consumers and ensuring that defective and dangerous products, particularly from overseas, are kept from the marketplace. I commend the gentlelady for raising these issues. I look forward to working with you.

I may say that if you were to look at our bill and read through the language in the bill, the one thing you will see is a desire by this chairman and the subcommittee to begin anew to look at a whole new way of how consumers should be protected. I think that for too long in this country, we kind of pushed away consumerism as a true issue. We're coming back to that. This bill speaks strongly to that. I commend you for bringing up these issues.

Ms. SUTTON. I thank the chairman, and I look forward to working with you to take it in that direction.

AMENDMENT OFFERED BY MR. WICKER

Mr. WICKER. Mr. Chairman, I have an amendment at the desk.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. WICKER:

At the end of the bill (before the short title), insert the following:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act may be used to implement section 5112(n)(2)(C) of title 31, United States Code.

Mr. SERRANO. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN. The gentleman's point of order is reserved.

Pursuant to the order of the House of Wednesday, June 27, 2007, the gentleman from Mississippi (Mr. WICKER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Mississippi.

Mr. WICKER. I thank the chairman.

Mr. Chairman, this is a rather straightforward and simple amendment. It would simply restore to the face, or the obverse, of the dollar coin, the new dollar coin that is being minted now, the words ''In God We Trust'' and ''E Pluribus Unum.''

''In God We Trust'' is the current national motto and has been our motto since 1956. ''E Pluribus Unum'' was actually suggested by the Congress to be on the seal of the United States of America as early as 1776. These two phrases have been a part of who we are and what we are about for as long as almost anyone within the sound of my voice can remember.

Now, I have in my hand here a United States quarter. On one side, it has ''In God We Trust.'' You turn it over, and this happens to be one of the new quarters featuring a State, it happens to be Rhode Island, but still there's room on the other side of that coin for the term ''E Pluribus Unum''—out of many, one people, as I say, a very significant phrase about who we are as a people.

You take the dollar coin, Mr. Speaker, and there's a picture of George Washington on the front, there is a likeness of the Statue of Liberty on the back, but if you're looking for the words ''E Pluribus Unum'' or ''In God We Trust,'' it's not on either side. In order to find that, you have to look at the very edge of the coin and you have to get the light just right and there it is on the edge of the coin.

I think most people would agree with me, Mr. Chairman, in saying they would like to have these significant phrases returned to a position of prominence on the coin. Whether by design or by accident, whether purposely or unintentionally, the fact that these two important mottos are on the edge of the coin, I think it puts them in a less prominent place, and I think most Americans would appreciate it if we put them back where they should be.

With that, I would urge an ''aye'' vote on the amendment.

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

Mr. SERRANO. Mr. Chairman, I rise in opposition.

The CHAIRMAN. Does the gentleman continue his reservation on the point of order?

Mr. SERRANO. No, I withdraw my point of order.

The CHAIRMAN. The gentleman's reservation is withdrawn.

The gentleman is now recognized for 5 minutes.

Mr. SERRANO. It's somewhat a hesitant approach to being against it for the simple reason that we're not sure on this side if his amendment accomplishes anything. The way the amendment is written, some would argue that what the gentleman does is remove In God We Trust from the coin. But it doesn't say that it places it anywhere else. And I know that's not his intent, that surely would not be my intent, and that would be a terrible talk show topic.

Mr. WICKER. Would the gentleman yield on that point so that can be cleared up?

Mr. SERRANO. I yield to the gentleman from Mississippi.

Mr. WICKER. By designating that the part of the dollar coin statute that says it should be edged onto the edge of the coin, by removing that, we revert back to the original statute under which we've been governed all along, which has all of the coins from the half dollar down to the penny with ''E Pluribus Unum'' and ''In God We Trust.''

Mr. SERRANO. Reclaiming my time, the way the statute is written, it would not allow that to happen. And in this case, we're actually trying to help you. We're suggesting that what you are doing will in some if not all cases remove In God We Trust and does not make provisions to place it anywhere else. That's our interpretation. That's why I said reluctant opposition because otherwise I would not oppose it.

Secondly, your bill speaks to an item put forth by the mint. Nowhere in this bill does the Mint come up. We don't deal with that. And so that also is an issue. But it's a kind of thing where opposing it will be misunderstood as badly as what you're proposing is totally misunderstood on this side. Your effect may be that you will go down in history as the gentleman who took In God We Trust off the coins and didn't put it on anywhere else.

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

Mr. WICKER. Mr. Chairman, at this point, I'm delighted to yield to my friend from Virginia (Mr. GOODE) a minute and a half.

Mr. GOODE. I want to thank and salute the gentleman from Mississippi for focusing on this issue.

Since the 1800s, In God We Trust has appeared on much of our money. It was even on the two-cent piece that was popular only for a few years in the 1860s.

I've had citizens come up to me and show me the penny, the nickel, the dime, the half dollar and they pull out the new dollar coin and say, ''In God We Trust is not in a prominent place.'' It is on the edge of a coin. And I fully support the effort to take it off the edge and put it on the front.

I would point out having it on the edge or side of the coin has led to numerous mint errors. I have read some accounts that as many as 30,000 dollars do not have the etching on the side of In God We Trust or E Pluribus Unum. And then there have been instances where only the side was punched and that, of course, makes for a highly collectible item. But we need to focus on keeping In God We Trust in a prominent place. I hope it would be the pleasure of this body to support the amendment of the gentleman from Mississippi and put In God We Trust back where it belongs.

Mr. WICKER. I would inquire of the Chair as to whether he has any other speakers on this amendment.

Mr. SERRANO. No, but I would like to speak myself. I have no other speakers.

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

Mr. SERRANO. I am informed that the original law was sort of set aside when the law was passed for these particular sets of coins. In other words, these coins speak to In God We Trust on their own in that law, as I understand it. If you now remove that language here, then nothing kicks in from the previous law and you end up with the possibility of no In God We Trust on the coin. Please understand, we're not arguing against putting In God We Trust on the coin. We support it. We're suggesting that your amendment as written may accomplish just the opposite of what you want to accomplish.

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

The CHAIRMAN. The gentleman from Mississippi is recognized for the balance of his time.

Mr. WICKER. My friend the gentleman from New York says there's the possibility that we might do something unintentional here. Really this is quite clear. And Members voting on this in a few moments should understand that it's quite clear. If you feel that ''In God We Trust'' ought to be put in a place of prominence on the dollar coin, you'll vote ''yes'' for the amendment. If you feel that the all inclusive phrase ''E Pluribus Unum'' should be put back on the dollar coin in a place where it can actually be read by people using it in commerce, then you should vote for the Wicker amendment.

If there is a question on interpretation, if there is this possibility that the chairman mentions, certainly that can be cleared up. This amendment has a little farther to go. The Senate may take up the appropriation bills. At some point we will have to come to some sort of agreement between the House and Senate on how to fund the Treasury and the departments dealt with in this appropriation bill.

I say the issue is clear. If you want ''In God We Trust'' on the dollar coin, it's a very simple question. Vote ''aye'' on the Wicker amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi (Mr. WICKER).

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

Mr. WICKER. Mr. Chairman, I demand a recorded vote.

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

□ 1400

AMENDMENT OFFERED BY MR. PENCE

Mr. PENCE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. PENCE:

At the end of the bill (before the short title) add the following:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available by this Act may be used by the Federal Communications Commission to implement the Fairness Doctrine, as repealed in *General Fairness Doctrine Obligations of Broadcast Licensees* (50 Fed. Reg. 35418 (1985)), or any other regulations having the same substance.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2007, the gentleman from Indiana (Mr. PENCE) and a Member opposed each will control 20 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. PENCE. Mr. Chairman, I yield myself such time as I may consume.

(Mr. PENCE asked and was given permission to revise and extend his remarks.)

Mr. PENCE. Mr. Chairman, I come to the floor today, along with my partners in this amendment, Congressman JEB HENSARLING of Texas, Congressman JEFF FLAKE of Arizona, very much in a spirit of bipartisanship. We come to the floor in this moment, on this amendment, to be about that, which I think we are all about.

The freedom of speech and the freedom of the press is not a partisan issue in this Congress. We all live under and cherish that first amendment that says Congress shall make no law abridging the freedom of speech or of the press.

I, myself, Mr. Chairman, have worked in a bipartisan way in this Congress to fashion legislation that ensures a free and independent press. The amendment before this body today is simply an extension of that mission.

Our legislation would simply say that none of the funds made available in this act may be used by the Federal Communications Commission to implement the Fairness Doctrine, as repealed in 1985.

Now, the Fairness Doctrine actually came to pass in 1949, part of a regulation of a much older law. It required broadcasters to prevent controversial issues in a fair and balanced manner. That sounds reasonable enough. But because of the lack of clarity in the regulation, in the commission's rulings, broadcasters, during almost four decades, often opted not to offer any controversial programming whatsoever.

The FCC concluded that, in fact, by 1985, this regulation was having a chilling effect on the public debate and repealed it effective 1987. Since the demise of the Fairness Doctrine, talk radio particularly has emerged as a dynamic forum for public debate and, I offer, an asset to the Nation.

Our amendment, simply put, is an effort to maintain the status quo, to prevent this administration and this Federal Communications Commission, in this fiscal year about which we are debating, to use no funds to return the Fairness Doctrine.

Now, I want to acknowledge the fact that there are some who are skeptical about the need for this amendment. I have heard distinguished and respected Members of this body come to this floor and say that this is, quote, an issue which does not exist, and have seen writing, and I expect we will hear rhetoric to that effect, and I will respect the words of each person that utters that view, but I will differ.

Just for example, in the last 2 days, the Senate majority whip, the distinguished Senator from Illinois, RICHARD DURBIN, said, ''It's time to reinstitute the Fairness Doctrine.'' That was yesterday. In the last several days, the chairman of the Senate Rules Committee, Senator DIANNE FEINSTEIN, said she was looking at reviving the Fairness Doctrine. The Democrat nominee for the President of the United States in 2004, the distinguished Senator JOHN KERRY, said, ''I think the Fairness Doctrine ought to be there,'' and he went on to say, ''I also think the equal time doctrine ought to come back.'' Most recently, the Center for American Progress, a liberal think tank, published an entire report on what it called the ''structural imbalance of political talk radio.''

So you will forgive me if many of us sense there is afoot in the Nation's Capital a bit of a cool breeze on the freedom of the press and the freedom of expression on the airwaves. So we seize this opportunity in the appropriations process, with my partners, JEFF FLAKE and JEB HENSARLING, and hopefully a bipartisan majority in this Congress, to say yes to freedom and to reject, in this fiscal year, the power that we have in the spending bill, any funds to be spent to bring back this unfairness doctrine to American broadcasting law.

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

Mr. SERRANO. Mr. Chairman, I would just like to inform the gentleman that we will accept his amendment.

The CHAIRMAN. Who claims time in opposition?

Mr. OBEY. For purposes of debate, I would like to claim the time in opposition.

The CHAIRMAN. The gentleman from Wisconsin is recognized for 20 minutes.

Mr. OBEY. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, this issue is much ado about nothing. We have been subjected to filibuster by amendment all week, and now we are going to be subjected to 40 minutes of so-called debate on a nonexistent issue. Now, why is this issue here?

There isn't anybody in the Congress that I know of who is trying to legislatively resurrect the Fairness Doctrine, and, certainly, the totally Republican-dominated commission is not going to resurrect that doctrine.

What's at stake here is that a certain Senator, who evidently was afflicted by a bad case of being hit by sun spots so he no longer believes that there is anything like global warming, claims that he was in an elevator and overheard a couple of Senators talk about resurrecting the fairness clause. The two Senators involved say that's nonsense.

But what you have got going on here is an effort on the part of right-wing radio to gin up the folks by inventing a fight that doesn't exist. As far as I'm concerned, it's immaterial to me how people vote on this. If Members want the debate to go until 8:00 tonight instead of 7:00, fine, spend 40 minutes debating an issue that doesn't exist.

But what I do find interesting is that folks who scream every day of the week about that so-called ''liberal press,'' all of a sudden they are now saying, ''Oh, my God, can you imagine, somebody might force a fairness doctrine on us.'' Well, one would think that if they really do believe the press is liberal, that they would then want the protection that would come from the Fairness Doctrine.

I think the very fact that they don't want to see the Fairness Doctrine resurrected is, in fact, an open admission that they recognize the radio waves are largely and almost totally dominated by the right and the far right and the off-the-wall right.

I don't see any purpose in taking any more time.

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

Mr. PENCE. Mr. Chairman, first let me acknowledge my gratitude that the chairman of this subcommittee will accept this amendment and has endorsed it on the floor.

Mr. Chairman, I yield 1 minute to my partner in this amendment, the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding.

The gentleman from Wisconsin mentioned that he heard one Senator with sun spots overheard two other Senators talking.

Mr. OBEY. Would the gentleman yield?

Mr. FLAKE. Yes, I would.

Mr. OBEY. I didn't say he was from Arizona.

Mr. FLAKE. No, he wasn't from Arizona. The gentleman can be excused. He has been very busy, and I am glad he has been reading earmark request letters. There have been a lot of them, so he has been tied up.

But what he missed, as the good gentleman from Indiana mentioned, Senate Majority Whip DICK DURBIN from Illinois, not afflicted with sun spots, by the way, just yesterday said, ''It is time to reinstitute the Fairness Doctrine.'' So I don't think that we are seeing things here. There is a move afoot.

Make no mistake, this is targeted at talk radios, where conservatives seem to have done a little better in the marketplace than the other side of the argument.

So forgive us for being skeptical that nothing is afoot. But when the majority leader in the Senate says it's time to reinstitute the Fairness Doctrine, I think we're right to be concerned.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio.

Mr. KUCINICH. I agree with my colleague from Wisconsin that this debate is a red herring, that it is an effort to perpetuate the abuse of the public trust by holing up the usual straw man to divert attention from the fact that our airwaves are being abused and our democracy is being eroded. It's an effort to fire up a base.

An informed electorate is essential to a strong democracy. One of the things that I would like to say to my colleagues, there is a conflation here where they are talking about freedom of the press. In the Constitution, freedom of the press relates to freedom that newspapers have.

The electronic media is governed by the FCC, and the 1934 act says that electronic media has to serve in the public interest, convenience and necessity. Just for the sake of keeping the record straight, you can talk about the freedom of the press and you may mean newspapers, radio and TV.

But it is a fact that the electronic media is governed by the FCC. Under the laws of the FCC, 1934, we are supposed to be operating a public interest, convenience and necessity.

Now, the proponents of this amendment and of right-wing corporate radio and TV are saying that they are threatened by this fairness doctrine because they think, incorrectly, it will require corporate radio and TV to be actually fair and balanced. I think they are probably threatened by such a prospect because they know that this particular type of radio and TV communication is not.

Now, any proposal to address the real issue here, restoring genuinely productive public debate, would need to restore accountability to those who use the publicly owned airwaves. The first step would be to reverse the extreme concentration of media ownership. Let's have this debate out in the open, not when some are trying to use a red herring to try to prevent reinstatement of a rule that this administration would never reinstate, never, not a way.

As Mr. OBEY said, what's this debate about? It's a debate about something that's not going to happen under this administration, but it may happen under a future administration.

Mr. PENCE. I think the gentleman from Ohio knows how much I respect his liberal passion and often feel it mirrors my conservative passion, but let me emphasize and agree with his final point.

It is precisely about the next administration that many here in this Chamber and many here in America are concerned with leaving in the Federal Communications Commission the resources or the authority to reregulate the public airwaves.

Mr. Chairman, I yield 1 minute to my partner in this amendment, the distinguished chairman of the Republican Study Committee, JEB HENSARLING.

Mr. HENSARLING. I thank the gentleman for yielding. I thank him for his leadership.

Mr. Chairman, there is no greater guarantor of our democracy and our freedoms than the first amendment. There is no greater threat to our first amendment, freedom of speech, than the resurrection of the so-called Fairness Doctrine. The use of the term ''fairness doctrine'' would make George Orwell blush. The use of the program would make Hugo Chavez jealous.

Fairness, fairness particularly, as defined and policed by government, is the absolute antithesis of freedom.

It is patently unfair, and there was a time in our Nation's history when liberals proudly spoke out and jealously guarded our first amendment rights, and now, as we have heard from others, they seek to shut it down.

If, in doubt, colleagues err on the side of freedom.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from California (Ms. WATSON).

Ms. WATSON. Mr. Chairman, I find this very odd, this situation we are in.

We heard a number of our Republican colleagues come to the floor today to object to particular spending items in the bill, but this might be a first. Mr. PENCE has an amendment here to prevent spending on something that doesn't exist.

Mr. Chairman, I think it's worth us having a real debate on the need for a fairness doctrine. But before we get into the merits of the Fairness Doctrine, we should point out that the Fairness Doctrine has not existed since 1987, so that the argument that the Fairness Doctrine has somehow caused bias in America media is a complete red herring.

But I think we need to take a hard look at what happens to our public dialogue in this country when only six companies have dominion over public debate.

□ 1415

Mr. PENCE says he doesn't want the Federal Government deciding what is fair and what is not fair, but at least the Federal Government is accountable to voters. And so I think we need to get back to what is really fair in an open society. And I urge my colleagues to vote against the Pence amendment.

And I would urge Mr. PENCE to join us in working to open up a free, true market in American media. And I stand ready to work with you, Mr. PENCE, or any other Member of this House who wants to shift our public debate away from the centrally planned media environment we have today to a truly, functional, free market where new entrepreneurs have a chance to compete with established media companies and where new ideas have a chance to compete with the old and failed policies of the past.

Mr. PENCE. Mr. Chairman, I yield 3 minutes to the distinguished Republican whip of the House of Representatives.

Mr. BLUNT. I thank the gentleman for yielding, and I'm on the side that this debate does matter. And, in fact, I think I just heard debate begin, as our good friend just suggested that this doctrine does need to be looked at and does need to be changed.

I certainly think that this debate is more meaningful than whether the Vice President is part of the executive branch of government or not, and I'm grateful to Mr. PENCE and Mr. HENSARLING and Mr. FLAKE for bringing this issue to the floor today.

I'm also grateful, and appreciate the majority's willingness to accept this. And while this may not be an item that was on the House agenda last week, I think it's clearly an item on the agenda of debate in the country.

The fairness doctrine, or the so-called fairness doctrine is a clear and bald-faced attack on free speech. It's been declared such by the Supreme Court and the FCC, and just about every reasonable American who ever heard about it.

Proponents of the doctrine don't like what they hear on the radio, but instead of empowering the process by engaging the points with regular Americans, they prefer to empower a government agency to silence those voices.

This is a diverse country with rich and robust views on politics, on culture, on society, on the role of government. The right to vocalize disagreements on all those topics in whatever medium or whatever way is available, is fundamentally what differentiates us from the countries, the totalitarian views of regimes that our country has stood against for now 230 years.

But the fairness doctrine would limit those rights and submit private broadcasters to arbitrary rules of so-called fairness, rules, I suppose, that would change from year to year, depending on who controlled the Congress or who controlled the White House.

The content of radio and television shows should be directed by station managers, not by government bureaucrats. The success or failure of that programming should be determined by the marketplace of options and the marketplace of ideas, not by some arbitrary rule of a government agency.

Again, I want to thank Mr. PENCE, Mr. FLAKE and Mr. HENSARLING for offering this important amendment. I urge its support, both in the House today and in the debates that I believe are starting now.

It may have been in an elevator yesterday and a hearing room tomorrow and the FCC in the future, if we don't engage in this important debate again.

I'm grateful to the majority for accepting this amendment, but I urge all Members of the House to speak out loudly against this so-called doctrine as this debate continues.

Mr. SERRANO. I move to strike the last word.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. SERRANO. First of all, if this is not a political stunt for the public and for those talk shows to carry in support, then why are we debating for 40 minutes an amendment that I accepted at the beginning and almost interrupted the gentleman in accepting it?

Another thing that's very interesting, if you don't believe that you have great support in the electronic media right now, if you don't believe that those stations have gone out of their way to give the conservative point of view and leave out those of us who may be considered liberals and who consider themselves liberals, then why are you so afraid of something called the fairness doctrine? If there's nothing to get fixed because there's nothing broken, what's the concern?

Well, obviously, you must know that there's something that you may stand to lose, otherwise you wouldn't make a big fuss about it.

Now, let me tell you something. Probably any so-called liberal you would get on radio, if one was hired by any of those stations, would probably be a moderate. You have nothing to worry about. Mr. KUCINICH and I are not leaving Congress. We will not have a radio or TV show any time soon, and therefore, it won't be what you think it is. It'll be pretty moderate.

But, again, what is the problem with going against an issue where you claim that there's a problem and, in fact, we know no issue exists. Now, that seems to be a prevailing behavior here today. You have seen amendments and you will see more coming later that speak to something that's not an issue. It's not a problem. And this one, I'm actually accepting it. I'm saying let Rush and the other guys, you know, continue to be fair and balanced in their approach. That's fine with me. And here you want more and more and more of the same.

But, again, not to be flippant in any way, I assure you that neither in Spanish or in English have I been offered a radio show that would make your skin crawl moving it to the left where the debate should be at times. Have no fear, I'm staying in Congress for as long as I can be in Congress, and you have nothing to fear but your fears itself.

I yield back.

Mr. PENCE. Mr. Chairman, might I inquire how much time I have remaining?

The CHAIRMAN. The gentleman has 10 minutes remaining.

Mr. PENCE. Mr. Chairman, and to the distinguished chairman of the subcommittee, I appreciate both the tone and the good natured aspects of his remarks. But I say very seriously when he asked the question rhetorically, he says you act as though there's something you would stand to lose.

Our view is, despite the gentleman's assurances that I completely accept as sincere, what we stand to lose is freedom. We have some of the most prominent and powerful Members of this Congress stepping forward and calling for the regulation of free speech on the air waves of America using this archaic doctrine dubbed as the fairness doctrine.

And today, with the support of the majority, we will send a deafening message that not on our watch will that occur.

Mr. Chairman, I yield 2 minutes to a former broadcaster, distinguished member of the Commerce Committee, Mr. WALDEN of Oregon.

Mr. WALDEN of Oregon. I am still a broadcaster, actually. My family has been in radio broadcasting for more than 20 years.

The CHAIRMAN. Will the gentleman suspend? The microphone is not on.

Mr. WALDEN of Oregon. Mr. Chairman, it seems rather cruel that a radio broadcaster would not have his microphone turned on. And so I stand here today in support of this amendment because it really is about the first amendment. And it is about the freedom of speech on the air waves. And if you don't think so, go back to what the U.S. Supreme Court said in Red Lion Broadcasting vs. FCC 38 years ago when they cautioned that while the doctrine may be constitutional, if it's ever used to restrain speech its constitutionality should be reconsidered.

1974, in Miami Herald Publishing Company vs. Torino, the Court concluded that the doctrine inescapably dampens the vigor and limits the variety of public debate.

Twenty-three years ago, in FCC vs. League of Women Voters, the court concluded the scarcity rationale underlying the doctrine was flawed, and the doctrine was limiting the breadth of public debate. The U.S. Supreme Court made that series of rulings and, as a result, the FCC overturned it. And as a result of overturning that, all of a sudden, the air waves blossomed with both conservative speech and liberal speech.

It's not my fault that Air America didn't find a huge audience out there and went bankrupt. There are others out there who have done very successfully. It has encouraged speech.

If the fairness doctrine is put back in place, as it was pre-1987, you will silence, not expand, public debate. I've been a broadcaster. I know what it was like when it was in place, and I know what it will be like again. And while I don't always agree with those who are on the air waves, I will always defend their right to speak their piece because it actually energizes people to get involved.

So yes, I have a talk radio station and yes, it does have Rush Limbaugh on it, and it does have Sean Hannity on it and Michael Reagan and others. And this is what American broadcasting is about, in part.

But what we're really about here is protecting the fundamental constitutional rights of first amendment speech that we stood on this floor and raised

our hand to protect and uphold, and the courts have made it clear that reinstituting the fairness doctrine, if used to restrict speech, would be unconstitutional.

Mr. PENCE. Mr. Chairman, I am pleased to yield 1 minute to the distinguished Republican leader of the United States House of Representatives, the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Let me thank my colleague from Indiana for yielding, and thank he and his colleagues who have introduced this amendment for their work.

All of this talk about bringing back the fairness doctrine caused me to think about the whole idea of the Federal Communications Commission, set up in the 1930s to regulate the air waves and the spectrum that's out there so that we didn't have two radio stations on the same wave. This was set up in the 1930s.

And then in the 1940s we got into the idea that, well, there aren't that many options in TV and radio, and so maybe we ought to make sure that all of them, in terms of what they say, is fair.

Well, that might have been helpful in the 1940s and 1950s and 1960s, but my goodness, we're in the 21st century, where people get their news from thousands of different sources. It could be radio, from hundreds and hundreds of radio stations. It could be from TV, where we now have hundreds and hundreds of stations. It could be from the Internet. It could be from the newspapers. There's lots of places for people to get their news.

And at the end of the day, as I think about the fairness doctrine, I think about those of us in Congress. We get elected based on our constituents and what we're for and what we're against, whether they like us or they don't like us. And if they like us, they might vote for us again. And if they don't like us, guess what, they get to go punch the ballot for somebody else.

Well, when it comes to the issue of the fairness doctrine, when we're dealing with radio, they can go a lot of different places. And I think that the best way is to let the judgment of the American people decide. And they can decide with their finger. They can turn it off or they can turn it on. They can change channels or they can decide to go to their computer and read it on the Internet.

And the idea that people are calling for the fairness doctrine to be called back reminds me, once again, of why I came here. I came here because I thought government was too big, it spent too much, and no one was holding the government accountable.

Let's trust the American people to do what they think is best. Their finger can make all the decisions, all that they need to make on their own behalf. Let's trust them to do the right thing.

Mr. PENCE. With gratitude to the Republican leader for his eloquent remarks, I yield 1 minute to the distinguished gentleman from Florida (Mr. FEENEY).

Mr. FEENEY. I too want to thank Congressman FLAKE and the cosponsors of this amendment. Our friends on the Democratic side have two arguments. Number 1, they say this is a superfluous, it's a red herring because nobody's talking about it. But we've already had two of our colleagues on the Democratic side say that they like talking about and maybe rehabilitating the fairness doctrine, which is a bad misnomer. In fact, this is the leftist censorship doctrine, and we ought to refer to it as such.

The second argument that they give us is that Republicans ought to like the fairness doctrine because we're always complaining about liberal bias in the media. And to that I would say this: The difference is that Rush Limbaugh knows and admits he's a conservative.

□ 1430

Dan Rather and Katie Couric don't know and they don't admit that they are liberal. That is the difference. Rush will get regulated; the others will not. And I would tell you that the first amendment, freedom of speech, means nothing if it means the government can tell you what you must say or what you must publish. The freedom of speech inherently means the freedom not to say certain thoughts or certain words.

Supreme Court Justice Potter Stewart, no conservative, once said: ''Censorship reflects society's lack of confidence in itself. It is a hallmark of an authoritarian regime.''

In China, North Korea, and elsewhere, they have their ''fairness doctrines.'' We don't need one.

Mr. PENCE. Mr. Chairman, I am pleased to yield 1 minute to a member of the Appropriations Committee, the distinguished gentleman from Illinois (Mr. KIRK).

Mr. KIRK. Mr. Chairman, I thank Mr. PENCE for bringing this amendment and I support it. I do not think that we should spend taxpayer dollars to resurrect the 1929 doctrine, which was imposed by the old Federal Radio Commission.

Several Senators now say they don't like free speech on radio and TV, and they are looking to exhume the body of a 1920s-era radio regulation because they do not want Americans to hear. This 1920s radio regulation, appropriately called a ''doctrine,'' was put into law by President Herbert Hoover. Remember, during that time, Western powers also signed a Kellogg pact that outlawed war, Alaska and Hawaii were not States, Mickey Mouse got his first cartoon, and Joseph Stalin became the unquestioned ruler of the Soviet Union.

This 1929 radio regulation that these Senators want to dig up was written when there was no TV, no cable, no Internet, not to mention no satellite or MySpace or YouTube. As kids today would say, this doctrine is so 20th century, and it should not be part of our 21st century.

Mr. PENCE. Mr. Chairman, I am pleased to yield 1 minute to the distinguished and eloquent gentleman from Missouri (Mr. AKIN).

Mr. AKIN. Mr. Chairman, in just several days, America will be celebrating her birthday. As we enjoy the 4th of July, we recall the brave patriots who stood up to the biggest military power in the world and defended basic principles that they were willing to lay their lives down for. Their wives and their children suffered as well.

As they had a chance to develop a systematic form of government and to lay out the very most important things that they had suffered so hard for. The very first amendment to the Constitution was about free speech. The Founders believed that it was critical to protect property, and of all forms of property. The thing that issues from a man's heart is the most precious. For a person to be able to have a belief and to be able to speak that freely is a precious thing not only to our Founders but to all who have been defenders of the first amendment.

I thank our colleagues who have issued this fantastic amendment. I think we should support it with the last drop of our blood and the last farthing of our treasure.

Mr. PENCE. Mr. Chairman, I am pleased to yield 1 minute to a force of nature on the House floor, the gentleman from Georgia, Dr. TOM PRICE.

Mr. PRICE of Georgia. Mr. Chairman, I thank the gentleman for yielding time and I appreciate his leadership on this.

Mr. Chairman, freedom is the foundational principle of our society. Our Founders were champions of this God-given right and charged future generations with eternal vigilance to protect it.

We are here today because some very prominent Democrat leaders, including the Senate whip, want Uncle Sam to start telling radio and TV personalities what to talk about, to limit their freedom and ours. Rather than fight in the marketplace of ideas, they want to bring back a 1929 radio regulation known as the Fairness Doctrine, which has nothing to do with fairness.

A so-called ''fairness doctrine'' today tramples upon freedom of speech and freedom of the press. It dictates to Americans that in an open and free and flooded marketplace of ideas, they need Washington politicians to sort it all out.

Mr. Chairman, real freedom means a government that listens to the people, not one that dictates to the people whom they must listen to.

Let's keep the Fairness Doctrine off our airwaves and in the history books where it belongs.

Mr. PENCE. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT of New Jersey. Mr. Chairman, I rise to strongly support this amendment by the gentlemen from Indiana and from Texas.

Fair and balanced media, truly a laudable goal. But, quite frankly, Mr. Chairman, we achieve that result when we do, in fact, let the public decide. They report; you do decide. That is more than just a catch phrase. That is what this American public is about.

You see, it is the market, and when I say the ''market,'' I mean the American people, for they are the best arbiters of what a free press is and to obtain it and they are the best mechanism to achieve it in this Nation. It is not the unelected bureaucrats of a central government that we must look to. We must look to the American public.

So I rise to strongly support this amendment, this amendment that will guarantee us a free press.

Mr. REGULA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. Mr. Chairman, I want to thank my friend from Ohio for yielding and my friend from Indiana for offering this amendment.

Let me say this: there seems to be some doubt over there or something from the subcommittee Chair and the full committee Chair about why we don't believe them. Well, in November they kind of snookered the public. They had told them that they were going to give more affordable health care to all Americans, which hasn't been done. They were bring gas prices down, which, hello, if you are out there at the pump, you know that's not true. And then we were going to get away from dependence on foreign oil, which last night we saw that we voted not to do that, but to be dependent on them.

So you fooled the public in November; so we don't want you to fool us this time. And I think it is evident that you are trying to trick us when you had two Members go down and talk about the only reason why you are not going back against the Fairness Doctrine is because you don't have the FCC.

And let me say you have said that the Republicans are calling this a red herring. Well, I want to say the majority party is looking at the Fairness Doctrine as the one that got away. The one that got away. You all want to recapture that one that got away.

So I hope that all of my colleagues will vote in support of this. I thank the gentleman from Indiana for offering it with Mr. HENSARLING and Mr. FLAKE.

And I thank the gentleman from Ohio for yielding.

Mr. REGULA. Mr. Chairman, I yield to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Chairman, I thank the ranking member for yielding.

And I want to take this time to say how much I support the Pence-Flake-Hensarling amendment in regard to this so-called ''fairness'' issue. It would be patently unfair, this so-called doctrine.

Wouldn't it be nice if we could say the same thing to the editorial boards of the Los Angeles Times and the Atlanta Journal Constitution? Wouldn't it be nice if we could say the same thing to Hollywood in regard to all these movies that our young people are being exposed to? Wouldn't it be nice if we could say the same thing to our public universities and colleges in regard to the teachers of political science and the guest lecturers and those who give the baccalaureate addresses? But freedom of speech doesn't allow that.

I clearly endorse this amendment. The FCC should not spend one dime promoting this so-called ''fairness doctrine,'' which is anything but fair.

Mr. REGULA. Mr. Chairman, I yield to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Chairman, I thank the ranking member for yielding. I appreciate that very much.

The Fairness Doctrine is such a misnomer. It may be an oxymoron, if you would. But one of the great things about this country throughout our history since we became a country has been that rather than have another revolution, people can express their views. They can say what they want. The Fairness Doctrine suppressed that a great deal and it fomented a lot of agitation.

As long as people can get out there and express their views, we're going to be okay. We can disagree. We can fix things. We can complain about things. But when you run in and start saying you're talking too much about this issue, you're saying too much on this side, then we are looking for another revolution. I do not want to see that.

We don't need the Fairness Doctrine, this misnomer. It is time to set it aside for good and move forward with free speech.

Mr. REGULA. Mr. Chairman, I yield to the gentleman from Indiana (Mr. PENCE).

Mr. PENCE. Mr. Chairman, I thank the distinguished gentleman for yielding and for his support of this amendment. And I also wish to thank the gentleman from New York for accepting this amendment.

I believe what we will do in this legislation will demonstrate a bipartisan commitment to freedom on the airwaves at a time that intemperate remarks are being made by others in Washington, D.C., both within the Capitol Building and within the punditocracy that surrounds this Capitol Building.

This Congress in bipartisan numbers, and I trust the numbers will be large, will say ''yes'' to freedom on the airwaves, ''yes'' to the freedom of expression, and ''yes'' to the freedom of the press.

I urge my colleagues on both sides of the aisle to reject the ''unfairness doctrine'' and vote ''aye'' on the Pence amendment on behalf of my colleagues JEFF FLAKE and JEB HENSARLING.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as someone of note said a long time ago, it will be little noted nor long remembered what we say here today. Certainly this has not been one of the most scintillating debates in the history of the Republic.

But I do want to thank my friends on the right because if our folks on talk radio and yap yap TV, if they actually believed that there was a fiercely liberal press that dominated the country, then they would be running kicking and screaming, demanding a Fairness Doctrine. And the fact that the folks on talk radio and yap yap TV are doing just the opposite indicates to me that they are publicly admitting that they are not ''fair and balanced.''

A lot of fun has been made of the FCC. It started in 1929, Herbert Hoover. Herbert Hoover was a very unlucky President who happened to be a very fine man and who had, I think, for his long illustrious life, a pretty good understanding of what it takes to be basically fair in this country. You ought to go back and read some of Herbert Hoover's speeches. He takes a lot of guff, but he was a very impressive man, with a misguided economic policy, but he was a very impressive human being.

When the FCC was created, it was based on the idea that the airwaves, which were being licensed to private holders, were, in fact, property of the public and that it is sort of like our stewardship of the Earth. My religious beliefs tell me that we never really own property even if we have title to it. We lease it from God for a while and we have stewardship responsibility.

□ 1445

Now that, in my view, is the same view that the government had when they started licensing radio stations. What they said to people who stood to make a lot of money with those licenses is, ''Look, if you're going to use the public airwaves, make sure that all sides get a fair shake of the argument. That's what it was all about. It has long since gone by the boards because of court decisions and other administrative actions by various administrations.

Right wing radio today looks at those airwaves as being their open private preserve, and they're not going to give them up at all. But don't worry, I would not, for a second, want to see Rush Limbaugh or good old Sean moderated. I want to see the real, raw Rush. I want him and folks like him to be thoroughly and fully exposed to the American listening audience in all of their bloviating glory. I want to let Rush be Rush. And that isn't going to bother me if he goes on for hours and hours with his one-sided diatribes. Everybody knows he's plugged directly into Republican national headquarters. And so in my view, he is virtually discredited, and I would like to keep it that way.

So all I guess I would say, Mr. Chairman, is that I think we ought to let right wing radio go on just as they do now. Rush and Sean are just about as important in the scheme of things as Paris Hilton. And I would hate to see them gain an ounce of credibility by being forced by a government agency or anybody else to moderate their views enough so that they just might become modestly influential or respectable.

With that, Mr. Chairman, could I inquire of how much time is remaining on the other side?

The Acting CHAIRMAN (Mr. MCDERMOTT). The gentleman from Indiana has 1 minute.

Mr. OBEY. Mr. Chairman, I reserve the balance of my time and let the gentleman use his minute, and then I will close.

Mr. PENCE. There is no question that the chairman of the Appropriations Committee is a tough act to follow, but I appreciate his decorum, his demeanor and always his candor on this floor.

But let me reassure him and all of my colleagues on both sides of the aisle that the bipartisan vote that I expect will be recorded today will be an encouragement to people on the right, to people on the left, and people in the center, people in front of microphones and people listening to those people on microphones because this House will say what some in the other body are not saying, and that is, we believe in freedom on the airwaves. We reject the archaic doctrines of the past that would have this Federal Government manage political speech on the public airwaves.

It is time that we come together as a Nation, we move past the archaic rules of broadcasting fashioned for a Depression-era America, and we embrace the dynamic national conversation that is the American media today.

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

Mr. OBEY. May I inquire of the Chair how much time I have remaining?

The Acting CHAIRMAN. The gentleman has 8 minutes.

Mr. OBEY. I won't take the time, let me just simply sum up very briefly.

As the Chair knows, we've gone through the last 30 minutes debating a nonissue. The amendment has already been accepted by the committee. And I would expect that there will be an overwhelmingly vote for it because there is no prospect of any serious effort to revive the Fairness Doctrine, either legislatively or legally. And so, this has really been another political exercise.

I've almost given up expecting that substance will dominate legislative debate. We had a State senator by the name of Lynn Stalbaum, who served in Wisconsin many years ago. And the legislature was covered by a man by the name Aldric Revell. Aldric was an acerbic reporter who had the temperament of H.L. Menkin and a pen to match. And he wrote this about Stalbaum one day, he said, ''Stalbaum is a superb legislator, but he has the maddening tendency to expect reason to dominate legislative debate.''

I don't really expect, on issues like this, to have much common sense in the House. You get six like-minded people in this institution, they talk to each other in the cloakroom and they think they've conducted a public opinion poll.

So all I would say is, I fundamentally disagree with the gentleman who indicated that this is a highly important vote. I think, as another famous author once said, this is a lot of sound and fury signifying nothing.

Mr. DINGELL. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Indiana concerning the fairness doctrine.

I am opposed to this amendment. The amendment concerns an important communications policy issue that is properly addressed in the authorizing committee. This is a classic example, of which I have seen many, of an attempt to legislate on a spending bill.

The fairness doctrine is an important, complex issue. It concerns many of the core policy values that Congress assigns to local broadcasters. It concerns the First Amendment, and localism in the media. It is, in short, an issue that should first be considered by the authorizing committee. For that reason alone, I oppose the amendment.

Even if the amendment were not procedurally defective, the amendment is entirely unnecessary. I understand from the Federal Communications Commission (FCC) chairman's office that the FCC has no plans to even debate the issue, much less take action. In other words, there will be no action at the FCC on the fairness doctrine.

It is therefore unclear why the gentleman—who must know this fact—is even offering the amendment. I hope my colleagues consider that question as they vote on the amendment. I will vote against it.

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

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

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

Mr. PENCE. 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 Indiana will be postponed.

AMENDMENT NO. 31 OFFERED BY MR. JORDAN OF OHIO

Mr. JORDAN of Ohio. 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. 31 offered by Mr. JORDAN of Ohio:

At the end of bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. Each amount appropriated or otherwise made available by this Act (including titles IV and VIII) that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 8.9 percent.

The Acting CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2007, the gentleman from Ohio (Mr. JORDAN) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. JORDAN of Ohio. I thank the Chair.

And let me, as I did yesterday when I offered a similar amendment to the appropriations bill we dealt with then, let me start by thanking the chairman and the ranking member and the committee for their work. I have the utmost respect particularly for the ranking member. I have respect for the chairman as well, but particularly the ranking member, who comes from the great Buckeye State. I appreciate his service over the years to Ohio, not just in northern Ohio, but to our entire State.

I bring before the body again an amendment. This is the fifth time. And as I said yesterday, I don't do this to be a pain in the neck, I do it because I think government spends too much money.

In this particular bill, the increase over fiscal year 2007 spending levels to what's in front of us today and dominating our debate is a $2 billion increase. And so my amendment would simply say, let's not increase the budget by $2 billion in this appropriations bill. Let's simply do what all kinds of families are doing across this country, let's spend last year's level. Let's live within last year's budget as all kinds of taxpayers, all kinds of families, all kinds of business owners are having to do across this country. It's not too much to ask government to do the same.

Here is why it's important. It's important because there is a growing financial crisis coming for this country, which is the entitlement programs, which we're not even talking about today. Whether it's entitlement programs or discretionary spending, which we are focused on today, we've got to get a handle on spending. There is no better place to start than today and say, you know what, let's live with what we lived on last year.

The other reason it's critical that we do this, and this is just as sure as the sun is going to come up tomorrow, whenever you spend and spend and spend, it inevitably leads to tax and tax and tax. I've said every single time I've presented this amendment, and it's every bit as true today, that it's not tax and spend, it's spend and tax. Spending drives the equation. If we can hold the line on spending, we can keep taxes low on American families, on American taxpayers and on American

business owners. That's why this amendment is so important.

Let me just point to a couple of specific things. The bill in front of us today increases spending 9 percent over last year's budget. Now again, there are some great things in this bill. And as I said earlier, I commend the chairman and the ranking member for the work they've done and the committee's work as well, but I want to point out some of the things that taxpayer dollars are going to be spent on.

First, the text of the bill weakens an existing provision in current law that prohibits funds from being used for any needle exchange program in the District of Columbia. Taxpayers might want to know that their dollars are going to be spent for something like that. The text of the bill weakens the existing provision in current law that prohibits Federal funds from being used for the District of Columbia Domestic Partner law, something taxpayers I know in the Fourth District in Ohio, but probably all across this country, would like to know.

And then the third one, and I will just point out, the IRS, that wonderful agency that so many Americans and so many taxpayers love, is going to get a $550 million increase over last year's budget, 5 percent over last year's budget. I said yesterday on the floor, in the course of our debate, that when you get all this additional government, all this new government, all this new spending, it reminds me of a statement from one of our great presidents, our third President, Mr. Jefferson. Mr. Jefferson said, ''When government fears the people, there is a liberty. When people fear the government, there is tyranny.''

Now, with that statement in mind, just ask yourself the simple question: American taxpayers can ask themselves a simple question; if next week when we're home someone knocks at our door and we answer the door and they identify themselves as, hello, I'm Mr. Smith and I'm from the IRS, is your first response, oh, joy, one of my government servants is here to help me today? I mean, that's what American taxpayers are in store for. That very agency that they have not the fondest respect for is going to get a 5 percent increase in this bill.

Again, Mr. Chairman, I don't think it's too much to ask for government to live on last year's budget. That's what this amendment does.

I appreciate, again, the work that the committee has done, but I think it's certainly within reason to say we can keep spending where it was last year again, like all kinds of families are having to do across this country.

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

Mr. SERRANO. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman is recognized for 15 minutes.

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

I was beginning to feel left out. We were moving along with this bill, and I had not seen the usual cast of very intelligent and proper folks come to the floor to attack the bill and to try to cut it. And I have to tell you, I'm a very sensitive guy, I was beginning to feel left out. But now I realize you care. Except that you care to an extreme. You want to cut this bill by 8.9 percent. And I noticed that you didn't say what you usually say, which is, that this is a small cut because you know that this is a devastating cut.

It is part of a mantra that's been taking place every day, where a group of you come and say that these bills are way over budget and they have to be cut. Now, I've been on the Appropriations Committee many years now. And during the 12, 14 years that the Republican Party was in control, just about every single year that I can remember every appropriations bill went up by a certain amount. And it was easy to see Republicans would have President Bush come in with a certain amount, and they would add more to it. And that's before it got to the Republican Senate. I'm not allowed to talk about the Senate, but you know what happens over there. But now, all of a sudden, these bills are way over budget, and you folks are so concerned.

Still, not a single one of you will vote for the real budget breaker, or against it, which is the war in Iraq. Yes, we have a deficit. But you know the truth, whether you like to admit it or not, when President Clinton left office, we had a surplus. That's not my comment, that's a fact. We had a surplus. We squandered that surplus. How? By going into a war built on lies and bad information, and now we're caught up to here in that war in many ways. The tragedy of lost life. But we're paying half a trillion dollars for it. No one on that side gets up to say that budget has to be cut. The budget that has to be cut is for the employees at the Treasury Department. It's for the FCC. It's for the Small Business Administration. It's for the agencies that help people in this country.

Now, interestingly enough, I thought that you were going to spare me, and I don't want to contradict myself that I felt left out, but that you were going to spare me because we came in below the President's request. Let's make that clear. Your President, my President, but your party's President, came in at $243 million above what we have in this bill. In other words, had I done exactly what President Bush wanted, this bill would be $243 million more. I came in at $243 million below, and you still want to cut it.

But you're not cutting it half a percent as some will do, or 1 percent, which is bad enough, but 8.9 percent. So what is this? Most of the funding in this bill, more than 80 percent, is for the administrative operations of about 25 Federal agencies. A cut of this magnitude called for in this amendment would devastate the Treasury Department, the judicial branch, and the Small Business Administration. Yes, the judicial branch. Our courts would be hurt.

□ 1500

We are in a war against terror. Part of what the Treasury Department does is to follow the money to see where terrorists could be moving money around in this country and overseas, money that could hurt us.

You are trying to cut this by 8.9 percent. Then what you will do is you will say, well, this is one cut. But then if you add all the amendments on cuts today, it will be close to 15 percent if we were to approve all of them. Just like if you add all the cuts on all the bills, we would just have to close up the government and go home. That may be a good idea for some of you. But right now, the Yankees are not winning as much as I want them to, so I may not want to go home for a while.

But understand something. I may at times make light of some of this. It is not a desire to say that this is not important. It is a full understanding that what you are doing is just to score political points. Because you can't, on one hand, vote to continue to approve half a trillion for the war in Iraq and at the same time say that you want to cut money from the Treasury Department, the Small Business Administration, the Federal Trade Commission, and the Consumer Product Safety Commission.

On the other hand, you can't continue to support tax cuts that went to the richest people in the country and at the same time say that you want to cut this. It doesn't make any sense. Just the same way that you support tax cuts for the rich, but resisted until we had to drag you, kicking and screaming, to approve a minimum wage increase of a couple of bucks for people who haven't had one in 40 years.

So let's be honest. Let's be honest. You want to be serious? Let's be serious. Come to the floor and present some things that are serious in nature. You are devastating this bill. We are not going to stand for it. That is why we urge everyone to reject this amendment.

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

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. The Chair would remind Members that remarks in debate should be addressed to the Chair.

Mr. JORDAN of Ohio. Mr. Chairman, before yielding to the distinguished ranking member, just let me say a couple of things in response to the chairman. We certainly care about the Chair, but, Mr. Chairman, we care about the American taxpayers as well.

Tax cuts go to taxpayers, not the rich. Tax cuts go to taxpayers. But we have had to debate this every single time we have brought these series of amendments forward when you talk about cutting the bills, drastic cuts, the-sky-is-going-to-fall cuts. All we are saying is, let's spend what we spent last year.

Now, only in Washington when you spend the same amount of money that you spent last year is that called a cut. Only in Washington. Back in Ohio, back in Urbana, back in Lima, back in Findlay, no one would call that a cut. They would say, you know what? The government is getting by on what they did last year. That is probably something they should do, when they're talking about a $3 trillion budget that they spend each year.

Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin (Mr. RYAN), the distinguished ranking member of the Budget Committee.

Mr. RYAN of Wisconsin. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in support of this amendment and the next couple of amendments. Just as the gentleman said, I would like to ask the gentleman from Ohio a quick question: Does this amendment propose that this bill spend less money this year than it spent last year?

Mr. JORDAN of Ohio. No, not at all, Mr. RYAN. The amendment would spend exactly what we spent last year.

Mr. RYAN of Wisconsin. Mr. Chairman, we hear this word ''cut'' all the time. Cut. Cut. Cut. Only here in Congress, only here in Washington is spending the same amount of money this year as we spent last year a deep horrible, awful, disastrous cut. We are proposing to spend almost 10 percent more next year.

How many family budgets went up by this much money, an 8.9 percent increase? How much did wages go up this year? How much did pay raises go up? Did they go up 8.9 percent for most families this year from last year? No. So why should we be giving government such a huge pay raise?

What we are doing by doing this is we are taking more money away from the paychecks of working men and women to give government a bigger paycheck, to give government a bigger pay raise.

Mr. Chairman, what this is about is about trying to bring discipline to the way we spend taxpayer dollars. The budget we are operating under today contains within it the largest tax increase in American history. The budget we are operating on today says that all those tax cuts that expire at the end of the decade, we want them to expire. And do you know what? We are going to start spending that money now.

So the reason this amendment is important, and other amendments like this are important, is we are trying to reduce the spending appetite of government, of Washington, so we can make sure that we don't raise those taxes. Because if the incumbent budget resolution actually fulfills its promise, this money will get spent and those taxes will get raised. That is what this is about.

It is different approaches, different philosophies. We don't believe in all these huge increases: triple the rate of inflation, triple the rate of our constituents' ability to pay their taxes. We believe government should live within its means.

Let me be the first to say that both parties have done a lousy job of keeping track of this over the years. Both parties have some of the blame to share. But in the last couple of years, this party, which is now in the minority, did do a better job of holding the line on domestic spending. This party did take on entitlements. This party did stand against tax increases.

So, Mr. Chairman, you see here an emerging difference between whether or not we ought to have the largest tax increase in history and whether or not we ought to be increasing spending, and not at the rate of inflation, not at twice the rate of inflation, but at three times the rate of inflation.

I am pleased that this committee allocation is under the President's request. I wish all the subcommittee allocations were underneath the President's request, including the Defense.

Mr. SERRANO. Mr. Chairman, I reserve the balance of my time. There will be more speakers on this side, but the gentleman has a wonderful cast over there. I am sure they could go for a while before we go over here.

Mr. JORDAN of Ohio. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX. Mr. Chairman, I want to thank the gentleman from Ohio.

Mr. Chairman, I don't think of ourselves as a ''cast.'' I think of ourselves as the people that we were sent here to be, representatives of the hardworking people of the United States and of our districts.

I think that particularly those of us in the Republican Party, most of us have led lives that keep us in touch with our constituents. We haven't spent a lifetime in Washington. We haven't advocated for being in Washington 5 days a week, out of touch with the American public.

There are a couple of things that have been said that I think have to be responded to today. They haven't been responded to properly in the last few weeks, I don't think.

One is the Clinton-squandered surplus. Let me remind the majority party that the reason we had a surplus during the third and fourth years of the Clinton administration was because there was a fiscally responsible Republican majority in the Congress. You cannot attribute the surplus to a President who has no control except to veto.

I want to say something about the waste of money on the war in Iraq. Were we not supporting those brave men and women who are currently serving not just in Iraq, but all over the world keeping us free, we wouldn't have the right to come to this floor and say the things that we say. The Federal Government was formed for the defense of this Nation. That is where money should be spent so we can maintain our freedom.

Nobody wants to be at war. I don't want to be at war. The President, I don't believe, wants to be at war. But we are at war because we were attacked. Those people have said repeatedly they want to destroy us; they want to destroy our way of life. We need to spend what we have to spend to keep our freedom. We don't have to raise these budgets by 10 percent to keep doing what we need to do for the American people.

Mr. SERRANO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I truly do apologize if the gentlewoman thought that the word ''cast'' was improper. I will speak to our Hollywood friends and ask them if it's improper to have a cast of individuals. It could be a cast of bad characters, or a cast of good characters. I am sure it is a cast of very dedicated folks who have a point to make and are trying to make it.

□ 1510

As far as whether or not we live away from our districts, any time that anyone on that side wants to compare backgrounds to how I grew up and how I got here and why I thank the good Lord that I am here every day, we can debate which public housing any member of the Republican Party grew up in, as I did, where they were born and how they grew up. So I take great pride in the fact that I managed to keep in touch, because it is very hard to lose your roots once you get to a certain place.

Now, the other thing we hear all the time is that whenever we say that we are wasting money in Iraq, that somehow is an insult on the troops. The greatest support we can give our troops is to bring them home tomorrow morning. That is the true support.

I want to see folks, 2, 3, 4, 5 years from now, when we have to pick up the tab and, rightfully so, deal with the wounded who come back from Iraq, if we are going to be standing here also trying to cut budgets the way we are now. But I suspect that it will be the same way that it happened after the Gulf War, where the folks who were all hot and bothered about sending folks off to war then didn't want to put any money into the Veterans' Administration or for services for our troops.

So using a phrase that my chairman would use, Mr. OBEY, don't lecture me, don't lecture any of us, on who cares for the troops. We all care for the troops. I would never question whether you care for the troops. It is just that we differ. You think that you care for the troops by keeping them there for as long as they have to be there, which may be 10 more years. I care for the troops by bringing them home tomorrow morning.

Lastly, it was my city that saw the largest part of the terrorist attack on September 11. The gentlewoman said we are in Iraq because we were attacked.

No. We are in Afghanistan, which I voted for us going there, because we

were attacked. We are in Iraq because we were lied to and half the Congress believed it. And now no one, not even the administration, admits in any way, shape or form that Saddam Hussein or anything that happened in Iraq had anything to do with September 11th.

The American people know that. They may think that we have to stay there a little longer. They may have whatever opinion they have. But the American people know that there is no relationship between Iraq and September 11th, and that is a fact. So we can continue to talk about how we have to keep spending this money. Not true.

This cut is a devastating cut to this bill. This bill is a responsible bill. This bill did what you claim you wanted to do. It came in below the President's request. I haven't heard one person get up and say, ''My God, the President wanted more than SERRANO. SERRANO gave less than the President wanted, so he did pretty good, because boy, that President is a big spender.''

No. He continues to be the fiscal conservative, and somehow we are the big spenders.

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

Mr. JORDAN of Ohio. Mr. Chairman, it is my pleasure to yield 3 minutes to the distinguished gentleman from Florida (Mr. PUTNAM), the Republican Conference Chair.

Mr. PUTNAM. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, the landscape of Washington is littered with the broken promises of the Democratic majority. We have heard an awful lot about fiscal discipline, but we just haven't found it yet.

This bill increases funding for the Federal Government by almost 9 percent over last year. Very few other household budgets or business budgets or private sector budgets grow at that rate.

We heard a lot over the last year, a lot of bold talk that turned into empty rhetoric, about the concept of fiscal discipline. Apparently our definitions of that term differ greatly, because the Democratic budget that these appropriations bills are implementing includes the largest tax increase in American history.

But they didn't stop there. They went on to say, despite what we may have said during the campaign, we want a new policy on earmarks. We want a policy on earmarks that prevents the American people from seeing them and that prevents the Members of Congress from having to vote on them until they mysteriously appear in the middle of the night in the conference report.

Fortunately, 2 weeks ago this body walked them back from that ill-conceived policy. And today, you can now hold your Member of Congress accountable for each and every one of the votes that they take on earmarks.

But they didn't stop there. They also, to make their budget move forward, despite having the largest tax increase in American history, used these reserve funds that are empty. They have a Sticky Note in the bottom of them with an IOU.

They use these reserve funds to promise rural America, we will put $20 billion more into the farm bill. Here is our IOU. It hasn't materialized. They told Americans in need, here is an additional pot of billions of dollars to fund SCHIP. It hasn't materialized. They did that on over 20 occasions, these mysterious reserve funds.

This bill is just one example of the reckless fiscal policy that the Democratic majority has charted for this country, a 9 percent year over year increase for Treasury, Postal, executive branch, the IRS, all very popular agencies in the American psyche right now.

They have promised America the largest tax increase in American history. They have promised the different constituent groups reserve funds, secret slush funds and IOUs, but they have delivered no accomplishment, no substantive policy change, nothing in the first 6 months of their rule. America deserves better.

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

Mr. JORDAN of Ohio. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Texas (Mr. HENSARLING), a leader on fiscal discipline.

Mr. HENSARLING. Mr. Chairman, I thank the gentleman for yielding. Again, I want to thank him for his leadership on this House floor in attempting to bring fiscal sanity in a place that desperately needs it.

Mr. Chairman, I listened very carefully to the gentleman from New York and his comments, and I certainly appreciate the wit that he brings to this debate. Perhaps with the exception of him, I am somewhat curious from time to time why so many Members on this side of the aisle appear to be so grumpy, since they did win the last election.

The gentleman said that early on that he wasn't sure if we cared. We certainly care about the gentleman from New York. We just care even more about hard-working taxpayers in our districts.

He talks about the devastating cut that an amendment to level-fund this bill would be to the government. A devastating cut, when you are giving them exactly the same amount of money this year that you gave them last year. Webster must be spinning in his grave. I have actually looked up the definition of ''cut'' and it means ''to reduce.'' So for level-funding this bill, I fail to see this thing called a cut.

What I do know is being cut is the family budget, because, as the gentleman from Ohio has aptly pointed out, there is all of this spending, a 9.9 percent increase, and somehow it is devastating, devastating, anything less than a 9.9 percent increase in this agency.

Well, how about the $3,000 a year largest tax increase in history that this is part of? This spending, this 9.9 percent increase is being funded with this largest tax increase in history.

That is where the devastating cut is coming, Mr. Chairman, in the family budgets of American families all across the Nation. And that is what we are trying to prevent, and that is what we care about, and it is indeed a very serious subject.

Mr. SERRANO. Mr. Chairman, I believe I have the right to close, so I reserve the balance of my time.

Mr. JORDAN of Ohio. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, let me just reiterate what the previous speaker said. Look, we heard the term ''devastating cut.'' As the gentleman from Texas indicated, we want to level-fund. We don't want to give a $550 million increase to the IRS. We want to level-fund the IRS and other agencies contained in this bill. It is not too much to ask government to do the same thing that taxpayers and families do all the time.

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

Mr. SERRANO. Mr. Chairman, I yield myself such time as I may consume in closing.

Mr. Chairman, much was said by the gentleman who spoke before about the earmarks once again. Well, he will have an opportunity, and so will all of us. There is an amendment by Mr. CAMPBELL pending striking all the earmarks from the bill. I certainly will be voting against that amendment, but I will be watching with much anticipation how folks on that side vote on that amendment, because that will get rid of every single earmark from the bill.

Secondly, it is a devastating cut. All of these are devastating cuts. Whether we like it or not, we will continue to remind you that the great amount of money that has been squandered here was the major tax cut that went to the wealthiest, the richest people in this country, and that you continue to support, and, secondly, the fact that you will not join us in getting out of Iraq so we can save that money that we are spending over there. That is a fact.

To bring that fight home on this bill, which came in below the President's request, is really a totally improper way to attack it.

Mr. Chairman, I hope every Member votes against this amendment.

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

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

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

Mr. JORDAN of Ohio. 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 Ohio will be postponed.

AMENDMENT OFFERED BY MR. PRICE OF GEORGIA

Mr. PRICE of Georgia. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. PRICE of Georgia:

At the end of the bill (before the short title), insert the following:

TITLE IX

REDUCTION IN APPROPRIATIONS

SEC. 901. Appropriations made in this Act are hereby reduced in the amount of $214,340,000.

The Acting CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2007, the gentleman from Georgia (Mr. PRICE) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. PRICE of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank my colleagues, at least on this side of the aisle, for working as diligently as possible to introduce amendments that will result in fiscal responsibility, or at least the start of fiscal responsibility, here in Washington.

This amendment is affectionately known as the Hefley amendment. A former Member here from Colorado, Mr. Hefley often introduced an amendment that would reduce the increase in appropriations bills by 1 percent. I suspect we will hear another cry of ''devastating cuts'' from the majority party, but in fact, Mr. Chairman, this is a minimal reduction for the Federal budget, but a huge win for the American people.

When we talk about amendments that are reducing appropriately the spending that goes on by the Federal Government, it is always important to remember whose money we are spending. This isn't the government's money. This is the people's money, and they work extremely hard to make certain that they can make their ends meet. And in so doing, they generously, they generously, provide the Federal Government with the resources with which to run our government and our country. It is incumbent upon us to be as responsible as possible with that spending. I would suggest, Mr. Chairman, that we can be more responsible than we are being.

We have heard a lot of pronouns bantied about on the floor today, mostly ''I'' and ''you.'' I wish, Mr. Chairman, we would have a few more ''we's,'' because when we work together on behalf of the American people to decrease spending, to responsibly spend, what we do is come together in a way that I think the American people desire us to, and certainly I believe that is one of the messages they sent last November.

We have heard also discussions or comments saying this is a big waste of time. Well, Mr. Chairman, I would suggest to you that any time we are fighting on behalf of the American taxpayer, that is not time wasted. I would also suggest that they don't believe that fighting on their behalf to make sure that the Federal Government spends less than is planned by this majority, that that is a waste of time.

Now, what is the big picture in this bill? The big picture is that last year the programs under this bill spent $19.5 billion. The committee has come forward with a proposal to spend $21.4 billion, an increase of $1.9 billion, nearly 10 percent.

This amendment, this amendment that is before us right now, is to decrease that increase, that nearly 10 percent increase, decrease that increase by 1 percent. So it is not, it is not, something that could be described as a devastating cut.

The numbers again: Last year we spent $19.5 billion. The committee proposes $21.4 billion. When this amendment is enacted, we will spend $21.2 billion on behalf of financial services and general government operations.

Mr. Chairman, I would suggest that the American people have lost a great deal of trust, a great deal of trust, in our Federal Government, and part of that is the irresponsible way in which we spend the people's money. This is a small step, a small step forward in order to begin to regain that trust.

So I urge my colleagues to support the amendment.

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

Mr. SERRANO. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from New York is recognized for 15 minutes.

Mr. SERRANO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I will take a couple of minutes, and then what I want to do is reserve the balance of my time with the right to close, so there probably won't be a need to ask me if I have any more speakers for a while, or at all.

But this is, again, the same thing. It is yet another cut, another desire to say we should have gone deeper in our cuts. When I think of this, I wonder, if we should have come to where the President wanted. The President wanted $243 million more. We decided in a proper way to come below the request of President Bush. Maybe we should have come at President Bush's level, and then you would be cutting his request more and more, rather than what I bring you today.

But, again, this is a devastating cut. There is no other word for it. You are going after a bill that is a bare-bones bill. There is no fat in here. Mr. REGULA, who worked on this with us, knows there is no fat in here. The cuts just pile up, and I understand what you are doing.

With that, I just hope that everybody will vote against this amendment.

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

□ 1530

Mr. PRICE of Georgia. Mr. Chairman, before I yield 3 minutes to my colleague from Georgia, I would like to ask unanimous consent that the gentleman from Texas (Mr. HENSARLING) be allowed to control the time for the remaining portion of the time for the amendment.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PRICE of Georgia. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. Mr. Chairman, I thank the gentleman from Georgia (Mr. PRICE) for offering this amendment.

You know, this is what I call fuzzy math. I think, Mr. Chairman, we need to explain this to people because the chairman of the subcommittee just asked the question, maybe you wanted us to go deeper in the cuts. Well, let me explain to the people, Mr. Chairman, that this is a 9.9 percent increase in fiscal year 2007. This is not a cut. And what the gentleman from Georgia is saying, let's just take 1 percent. Let's give a haircut of 1 percent to this budget. If you do the 1 percent, you will have an 8.9 percent increase. So it is not a cut. That is fuzzy math. That is smoke and mirrors. That is more sleight of hand when you are presenting this that we are asking for more of a cut. All we are saying is let's not increase by 9.9, let's only increase by 8.9.

Mr. Chairman, the American people need to be aware that sometimes in Washington when people talk about a cut, they are actually saying they are not getting as much of an increase as they want to have. Now, in a year's time for somebody to get a 10 percent raise or for a family to say, you know what, we can spend another 9.9 percent because we need it, so we will just go borrow the money, the majority says we are not borrowing the money. Okay. Well, I will go out and get an extra job to get more revenue. But the majority says, no, we are not doing it that way either. We are not raising taxes.

Well, if you spend more, you've either got to make more money or you have to go in debt. Or you've got to get more taxes in. So I think that is where we have a little bit of a dilemma here. We see the final answer, but we don't see the solution in how to get there, the math problem in how to get there. I can tell you the math problem that is going to get there. It is going to be a problem for the American family and the small businessman, because where this result comes from is the largest tax increase in American history.

So don't go for the smoke and mirrors, don't go for the sleight of hand, don't go for the wonderful sales job of we're not going to increase your taxes or increase the deficit, we're just making it happen.

Well, that sounds like a fairy tale. Sometimes up here I feel like I am in

Alice in Wonderland. I just want the American people to know that there is a group, that there are some of us that are trying to bring us back from Alice in Wonderland, trying to bring us back to a reality that we need to stop the big spending and the expansion of government.

Mr. HENSARLING. Mr. Chairman, how much time do we have remaining?

The Acting CHAIRMAN. The gentleman from Texas (Mr. HENSARLING) has 8½ minutes.

Mr. HENSARLING. Mr. Chairman, I yield 2 minutes to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX. Mr. Chairman, I thank my colleague from Texas for asking me to speak on this bill again.

A few minutes ago Mr. RYAN was here and he had his children. When I spoke, I wanted to say something about the fact that they were here and how good it is that we have children on the floor and that we have young people watching what we are doing. They are here to remind us that the actions we take now are so important in the future because we are setting the stage for their future.

The majority party made a lot of promises last year on a lot of little issues, in my opinion, but they have done nothing to really fulfill those promises. They particularly have done nothing to deal with the long-term liabilities that we have facing us. We know that pretty soon 70 cents out of every dollar coming into the Federal Treasury is going to be dedicated to Medicaid, Medicare and Social Security or we won't be fulfilling the obligations we have made. So those children are going to be faced with tremendous responsibilities in dealing with those issues, and I think it is important that we acknowledge that.

The other thing I want to say is that one of my colleagues talked about wanting to compare notes on having lived in public housing projects. Without realizing it, I think he made one of my points for me. One of the problems that we have in this country is that the Federal Government is funding things it has no business funding. If the States and the localities want to subsidize housing for people, that is one thing. But having the Federal Government absorb that kind of responsibility, in my opinion, is not right.

My family didn't grow up in public housing. We never asked for public assistance. We did it on our own. We did without a lot of things, but we did it on our own. And I think we have to look for ways to help the American people learn to live without subsidies from the Federal Government.

Mr. SERRANO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, you know, I have been in this House 17 years. During those years, I have done what comes natural to me, which is to be a gentleman. In addition, I have tried very hard whenever I know that you may lose your temper a little bit to be a diplomat. But I think when people try to twist people's words it is pretty sad.

The gentlewoman spoke about being out of touch. I said that when you grow up in a public housing project you stay in touch. She quickly did that right-wing thing about growing up on welfare. My parents worked hard. My father had 2 years of schooling. My mother was the highly educated one. She had 6. Both of them died before their 65th birthday.

They raised two kids. One has been with the Commerce Department, way before I got into Congress by the way, for many years; and this one is not doing too bad being a Member of Congress.

That wasn't welfare. It was a form of housing. To insult people who live in subsidized housing for the poor as some sort of welfare cheats is to demean the nature of the debate in this House.

I will always be proud of the years I spent in the Millbrook Projects in the South Bronx. I will be proud of my years in public school. I will be proud of the fact that I came to the United States not speaking English and that I learned to speak whatever it is that I speak now, whether it is good or bad English. I am proud of that.

But to suggest somehow that what we are doing here today in promoting expenditures in Iraq that are a waste of money, not in how we use them for the troops but how we got into that war, or suggesting that because in 2010 people making millions of dollars in this country may have a sunset provision which was set up by the Republican Party on their major tax break when it comes to an end so that they, the ones who make 20, 50, 100, 200 million a year, a billion, may have to pay a little more so that someone else can get a little health care, if that is what this debate is about, then we have reached a very, very low point.

Now, I probably will sit down after I speak and regret having said what I said because I don't like to engage on a personal basis, but if you ever want to know what public housing is like, it is not a vacation. It is not a cabin in the Catskill Mountains or on the Outer Banks of anywhere. It is a very difficult life, but a wonderful life because it teaches you a lot. I am the man I am today because I grew up in public housing. It was not welfare. It was not a gift. It was just the way it was. I resent personally anyone who tries to cheapshot this situation by hiding behind any comments that I might have made.

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

Mr. HENSARLING. Mr. Chairman, I yield myself 30 seconds.

First, clearly the gentleman from New York is listening to a different debate than I am listening to. I very much did enjoy hearing his story, a story I was unacquainted with. I certainly honor all of those who come from common circumstances and can better themselves.

But there are many of us on this side of the aisle who think that the best housing project, the best educational project, the best health care project is a job, and that is what the Republican budget helps create.

Mr. Chairman, I yield 3 minutes to the gentleman from Michigan, the Republican Conference Policy chairman, Mr. MCCOTTER.

Mr. MCCOTTER. Mr. Chairman, I wish to begin by echoing the sentiments of the gentleman from Texas. The distinguished gentleman from New York has much to be proud about, coming from humble circumstances and a difficult area, to come here to the people's House and serve his constituents. It not only shows the strength of character he has; it shows what the American Dream is all about. I give you your due, sir.

Talk about another man who came from humble circumstances, Dennis Vincent Patrick Mullen McCotter, my father. A man whose father was an Irish immigrant to this country, whose mother died when he was young and he and his brother and sister were sent to other families to stay, eventually winding up in the St. Francis Home for Boys. He got a football scholarship, worked his whole life to put his brother and sister through college, in addition to himself. He grew up and became a teacher, became a proud union Democrat.

He taught me something about government that I have never forgotten. He said government spends nothing. It is the American taxpayers who pay for everything. I recall a lot of talk last year about Federal spending being out of control. I could hear my father in my head reminding me that you are spending other people's money. The money does not belong to the government. And many people who have forgotten his simple wisdom paid a high price for that.

And yet today we find ourselves under the misconception that somehow this is money that belongs to the government as opposed to the people who pay the taxes. This is the only way I believe that we can come to logically reconcile the concept of a 9.9 percent increase in new domestic spending juxtaposed to the rhetoric that we heard so much last fall about trying to get Federal spending under control.

It would strike me that my father's advice on this would be: Remember, this is not your money. You are spending other people's money. And if you tell them that you are going to be fiscally responsible with the sweat of their brow, with their hard-earned money, you had better keep that promise. Because if you do not, another thing that my father, who continues to get much wiser as I get much older, taught me, fair is fair. And if the American people believe that the pines that were offered to fiscal sanity last year are not matched by the deeds in these appropriation bills, there will be many Members on the other side of the aisle who will find that they will forfeit a great deal for their lack of loyalty to their commitments.

Mr. HENSARLING. Mr. Chairman, how much time remains on our side?

The Acting CHAIRMAN. The gentleman from Texas (Mr. HENSARLING) has 3 minutes remaining.

Mr. HENSARLING. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. KINGSTON).

□ 1545

Mr. KINGSTON. I thank the gentleman for yielding.

I wanted to say, I believe that the chairman of this committee has worked hard on this bill and done a good job, but I also know as a member of Appropriations that often things are thrust upon you as a committee member which may not have originated in the Appropriations Committee. I don't know if that's the case, but I would say here's four areas where we could go to come up easily with over 1 percent of this money. Four specific areas.

Number one is in the regulatory agencies. There have been increases above the request for the FTC, the FEC, the SEC and the CPSC, all agencies in which there is more money than requested. That's number one.

Number two, there's $300 million in election assistance for States, unauthorized. There's already $1 billion in unobligated funds from past appropriations bills. I did not like it when the Republican Appropriations Committee put this money out there for local election assistance because I don't think the Federal Government needs to stick its nose in that tent, because once the Federal Government gets involved in local State elections, it's a one-way street and we will have the federalization of elections.

The third spot. There's $80 million in unrequested SBA subsidy. Now, the particular program has been run unsubsidized. The folks borrow the money. They pay it back. We are now creating a new subsidy for the SBA, $80 million.

But the one that really bothers me the most is actually a presidential request. Now, my friend from New York has said no one has accused the President of being a big spender, but I will say to you, I agree with you. I believe the President has spent more money than the American people want him to and I believe we as Republicans spent more money than the American people wanted us to. And because I'm such a good friend of yours, I want to prevent you from making the same mistake.

The President has requested $300 million in the new campus at St. Elizabeth's for the Department of Homeland Security. I want my friends in the RSC to know this is a $3 billion, 10-year request to build a huge campus for the Department of Homeland Security. We did not fund this last year. We should all join together and say ''no'' to the Department of Homeland Security on this $3 billion campus which is sure to become worse than the CVC in cost overruns over time.

Mr. HENSARLING. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I think it's very important that we focus on exactly what the question is before us. The question before us, with the amendment from the gentleman from Georgia, is will we grow the Financial Services appropriations by 9.9 percent or will we grow it by 8.9 percent? So when you hear the discussion of the devastating cuts and what this will do to all these fundamental government programs, how many families in America would love to have a cut that resulted in an 8.9 percent increase in their family income?

Even more fundamental, Mr. Chairman, this amendment will set us on two paths. One path, if we reject this amendment, leads to the largest tax increase in American history, $3,000 per American family. The other path will lead us to a balanced budget, the Republican budget, without raising taxes on hardworking American people.

Let's support and approve the amendment from the gentleman from Georgia.

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

Mr. OBEY. Mr. Chairman, I move to strike the last word.

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

Mr. OBEY. Mr. Chairman, these agencies, these regulatory agencies in this bill, are not very well known by the American people, but I think this amendment is consistent with the efforts made by Republican Congresses in the past 25 years to slowly but surely weaken and cripple the ability of regulatory agencies to keep the big boys honest and to protect the little people in this society from abuse and to protect legitimate capitalists from chiseling competitors.

If you take a look at what happened to the Federal Trade Commission and the Consumer Product Safety Commission, for instance, from 1980 on, the protective capacity of the antitrust division at the Department of Justice and the Federal Trade Commission was being shrunk at the same time that America experienced the greatest wave of corporate mergers and corporate acquisitions in the Nation's history. The staff of the Consumer Product Safety Commission during that time was cut in half, since 1980.

And as I said last night, the ability of the SEC to keep up with its workload was crunched because over that same period of time corporate filings reviewed by the Agency declined from 21 percent to about 8 percent in 2000. That means the rest of the filings never even got a look-see.

Now, the Federal Trade Commission: its job is simply to protect the consumers, to protect them against antitrust and a variety of noncompetitive practices. The SEC is charged with the responsibility of protecting investors, so we don't have more Enrons. And the Consumer Product Safety Commission does all these ''terrible'' things like protecting kids from flammable pajamas.

I would simply suggest that you can cut this bill by 1 percent and it won't be noticed much in any immediate year. But you do that for 4 or 5 years in a row and you allow inflation meanwhile to eat away at those regulatory agencies' budgets, and what you have is runaway, ragged individualism and you have the big boys and the big corporations in this society able to get away with murder. These are the agencies that keep those big boys honest.

Now, they say, ''Well, this is just a small cut.'' I would submit we have already cut this bill 3 percent. We cut the President's budget by 3 percent.

And I would further make the point that I think it is a ludicrous joke for the people in this Congress who brought us $1.2 trillion in tax cuts, paid for with borrowed money, for the people who are willing to give $57 billion in tax cuts this year to people who make over a million bucks, with borrowed money, and for people who are willing to borrow $600 billion to finance the dumbest war in modern American history, and then they want to divert public attention by saying, ''Oh, guess what, we didn't cause the $2 trillion increase in Federal debt. What caused it was these terrible Democrats who are in the coming year going to add $5 billion over the CBO baseline.'' That's all the budget does for this year, add $5 billion over the CBO baseline.

So I plead fully guilty of thinking that added investments in veterans, added investments in school kids, added investments in health care, added investments in science, added investments in budgets that help regulatory agencies keep the big boys honest, I plead fully guilty in supporting all of that. It's a whole lot better than their track record on fiscal responsibility.

It is a colossal all-time joke. Never again in my life will I take any lectures from any members of that party on fiscal responsibility after what they've done the last 6 years. You can rewrite history if you want, but ain't nobody gonna read it!

Mr. SERRANO. How much time do I have left?

The Acting CHAIRMAN. The gentleman from New York has 10½ minutes.

Mr. SERRANO. I won't take that, but I want to close. The gentleman has no more time on the other side, I understand?

The Acting CHAIRMAN. All time has expired on the other side.

Mr. SERRANO. I just want to follow up on what Chairman OBEY has said because that's the first thing that came to mind when I heard my friend, Mr. KINGSTON, make the comments that he made. One of the in-house publications said, and I'm trying to remember the headline, after reading our bill, said ''Democrats move towards more consumerism,'' or ''to protect consumers.''

You know, Mr. Chairman, if we do nothing else in this subcommittee for the next 20 years and all we have,

Chairman OBEY, as that headline says, that this subcommittee moved to protect the consumer, we did the right thing.

Under Chairman OBEY's leadership, we were asked to hold a series of thematic hearings. Those hearings were to see how government can come closer to the people and the people closer to the government. Those hearings were set out to find out the best way over a 5, 10-year span of time to see how we can begin to gear government to service the people.

So what did we do? Yes, we increased dollars for the agencies to protect the consumer. Agencies that have been devastated for the last few years. Devastated. And now we simply are saying that those agencies will now begin to pay more attention to the consumer. That is a good thing.

You've heard people on this House floor talk about issues having to do with products that come in from other countries that are not safe, everything from food items to toys to clothing. This is a good thing. And I tell you one thing. If you pay attention to what we do this year, if you pay attention to what we will try to do in conference, if you pay attention to next year's bill and the year after that, there will be a prevailing theme in language and in dollars, but mostly in language, directing the agencies to pay attention to the protection of the consumer.

We also did something else that goes hand in hand with that. We looked at the agencies and said, you know, there are things you can do to help the average American understand government and be serviced by government. So some people may take it lightly that we've asked all agencies to see how much time they can spend in the classroom, in schools, visiting schools, participating with the men and women of the future. They may say, ''Well, that's not a function of government.'' It is. These agencies can go and participate in the schools.

We asked the Election Assistance Commission, for instance, to encourage schools at every level to use the same voting equipment that is used in local elections. Why do we do that? Because it's not improper to have a child in the eighth grade or in high school using the same equipment that he or she will be asked to use when they turn 18 and they're eligible to vote. These are not bad suggestions. These are pro-consumer suggestions. And so we stand proud behind them and we think it's a proper thing to do.

These cuts attack all of that. These cuts attack our vision for bringing government closer to the people. That's why I oppose this amendment, and I would hope all other Members do the same thing.

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

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

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

Mrs. MUSGRAVE. 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 Georgia will be postponed.

AMENDMENT OFFERED BY MR. KINGSTON

Mr. KINGSTON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KINGSTON:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to enter into a contract with an entity that does not participate in the basic pilot program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

Mr. SERRANO. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIRMAN. The gentleman has reserved a point of order against the amendment.

Pursuant to the order of the House of Wednesday, June 27, 2007, the gentleman from Georgia (Mr. KINGSTON) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. KINGSTON. What this amendment does, Mr. SERRANO and my fellow Members, it seeks to say that if you are doing business with the Federal Government, if you are a contractor building something or selling something to the Federal Government, then you should have a Social Security verification for your employees. This was inspired by two things: Number one, the fact that the American people have spoken. They do not want comprehensive immigration reform. They spoke so loudly and so well that even the United States Senate eventually heard their voices.

Now, we've heard their voices in the House and we have passed lots of immigration reform measures, such as fences, such as the REAL ID Act, some other things that we have put on all the bills on a bipartisan basis. What this says, though, is that if you're the contractor building the fence on the border, as we have had a real case, then you have to make sure that you have legal immigrants, legal people, working for you.

□ 1600

That's all it is. There are a lot of people who sell to the Federal Government in the school lunch program. There are a lot of people who work for the defense, a lot of people who work for these agencies, a lot of just different contractors who may have illegal aliens working for them on a Federal Government job, and the only thing that this does is says that those contractors have to be involved in the basic pilot program, which is a program in which technology enables these employers to check Social Security numbers for authenticity within about 90 seconds.

It's very simple, it's very clear. I hope that the gentleman will accept it.

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

POINT OF ORDER

Mr. SERRANO. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI because it requires a new determination.

And I ask for a ruling from the Chair.

The Acting CHAIRMAN. Does any Member wish to be heard on this point of order?

The Chair finds that this amendment includes language requiring a new determination with regard to an entity's participation in a certain pilot program.

The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the amendment is not in order.

AMENDMENT NO. 13 OFFERED BY MRS. MUSGRAVE

Mrs. MUSGRAVE. 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. 13 offered by Mrs. MUSGRAVE:

At the end of the bill (before the short title), insert the following:

TITLE IX—ADDITIONAL GENERAL PROVISION

SEC. 901. Each amount appropriated or otherwise made available by this Act (including Federal funds contained in titles IV and VIII) that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 0.5 percent.

The Acting CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2007, the gentlewoman from Colorado (Mrs. MUSGRAVE) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentlewoman from Colorado.

Mrs. MUSGRAVE. Mr. Chairman, my amendment to the Financial Services appropriations bill today would make a cut of just one-half of 1 percent in the overall funding of the bill.

Again, when I walk around the Halls of Congress, and I see signs on easels by Blue Dog Democrat doors and other individuals, it is pointed out to anyone that walks by that our national debt now is at $8.8 trillion.

I offer this amendment in the tradition of our former colleague, Joel Hefley from Colorado, who faithfully came to the floor on these appropriations bills and offered a 1 percent cut, just a 1 percent cut in our spending.

Government does not have a revenue problem. What we have is a spending problem.

You know, when I listen to my colleagues, my friends on the other side of the aisle, and heard the esteemed chairman of the Appropriations Committee talk, he said something, if we cut our spending, we would have, I believe his term was, exactly this, runaway rugged individualism.

You know, as we approach the 4th of July and this holiday that's coming up, the celebration of the Declaration of Independence, I think about what has made this country great. I think one of the main things that has made this country great is rugged individualism.

What you have here is two opinions, two views of what makes this country great, and what the role of government should be.

I don't think there are many Americans, when they really think about it, wanting the government to advise them on how to buy a car and how to make decisions for themselves. I think Americans can take care of these things themselves. But will we have a bill like this when we have a 9.8 percent increase in spending over last year's amount? That's $1.9 billion.

I wonder if the taxpayers think that they need to spend money in these kinds of ways. One of the things that caught my eye was a $550 million increase in funding for the IRS. That's a 5 percent increase over last year's budget figure. There's not too many of us that would want to go home and brag about that.

So I think that we need to tighten our belt. I think we need to think about the proper role of government, what government should really do, strong national defense, our roads and our infrastructure, and wonder how government got involved in all of this and why, in this year's appropriations bill, we have to increase spending by $1.9 billion.

My amendment would humbly take it from a 9.8 percent increase in spending to 9.3 percent.

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

Mr. SERRANO. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from New York is recognized for 15 minutes.

Mr. SERRANO. I will be brief, but I think part of what you hear from the other side is an innovative way of using the English language. So they speak about cuts and increases and tax increases and in a way which doesn't necessarily speak to reality. So let me try the same thing then. I might as well.

The President wanted $243 million more than this bill that comes to you today.

Therefore, I would say, I cut the President. But I haven't seen one of you get up to say that was a good thing.

The President wanted $243 million more in our bill than what we are presenting to you. Therefore, the President took a cut. Mr. Chairman, I know I am not supposed to speak to them, I want to see them do the same thing when the President proposes more money for Iraq and for that war that was based on lies and bad information, and see if you are willing to cut that.

Secondly, you keep saying that this bill is 8, 9, 10 percent above last year. Again, a play on the English language, because this bill did not exist last year.

This is a new subcommittee. This committee is composed of different agencies that were put together for this committee.

Therefore, technically speaking, this is the first budget we give you. Next year, you can either say that I cut it or I increased it, but not this year, because this bill did not involve anything from last year.

Now, you could say, now he is getting picky. But if you listen to their proposals for the last couple of weeks, that's what they have been doing. They have been discussing these issues that have nothing to do with anything.

Again, you are going after a bill that came in very tight, a bill that came in below the President's request, a bill that funds basic services, a bill that has 80 percent of its funding for administrative operations in 25 different agencies. There is no fat here; there is no waste of money here.

Do you want to discuss waste of money? Later on we can discuss the war in Iraq, and we can discuss the tax cuts for millionaires that we have in place. That is the real waste of money, but we won't touch that. We will continue to bash this poor little bill that came in under the President's request.

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

Mrs. MUSGRAVE. Mr. Chairman, I recognize the gentlelady for Minnesota (Mrs. BACHMANN) for as much time as she may consume.

Mrs. BACHMANN. I want to thank the gentlelady from Colorado for yielding to me and for bringing this important measure forward.

I want to thank Ranking Member REGULA for the hard work that he has done on this bill, and also to the chairman for the work that he has done as well.

I have to say that I hope that my ears deceive me in the remarks that I just heard from the chairman. It almost sounded as though the chairman was calling the President of the United States a liar in his remarks. I certainly hope that that wasn't true. If so, I would call on him to take down his remarks, and I trust that that is not the intention of the chairman in his previous remarks.

Mr. Chairman, what I would like to say in the course of my moments before this body is that I believe that all of us are trying to do the best that we can for regular Americans. What the gentlelady from Colorado is trying to do is exceptional.

We had an amendment that was offered previously by Mr. JORDAN of Ohio, an excellent amendment that called to have spending at 2007 levels. That makes perfect sense for most of the people in this country, because many people, many businesses, don't have that opportunity to be able to increase their budget at all, let alone to this level of 9.9 percent.

In fact, I will tell you, just in my home State of Minnesota, we have Northwest Airlines, a wonderful, marvelous employer that's had to deal with unbelievable problems since 9/11.

With all of the events that have occurred, that have happened to airlines, their employees have had to endure incredible cuts in their salary. The pilots union, the mechanics union, the stewardesses union, all of them have had to endure cuts. They haven't even been able to stay the same at previous years' levels on their wages, much less increase by 9.9 percent their wages, or, as our colleague, Dr. PRICE, wanted to cut that increase by 1 percent, 9.9, back to 8.9. Now the gentlelady from Colorado wants to back it off just one-half a percent.

Surely this body should see the wisdom in the gentlelady's amendment. All she wants to do is just have a modicum of economy in her amendment. Surely we should be able to see the wisdom in that.

I have a businessman who has a legacy industry that feeds into the auto industry. He has a business in Minnesota, and he has had to cut costs so dramatically that their business will literally almost go by the wayside if they can't turn things around.

Again, what we are seeing, with businesses, with family, especially in my home State of Minnesota, businesses not only can't increase their expenses by 9.9 percent. They can't increase it by 9.5, 8.9 percent, they can't increase at all. They have to cut back. That's called productivity. That's what America is about. That's one thing Americans do so well. They find more economical ways to produce more with less.

Usually in the course of that, when businessmen are involved in that sort of an adventure, they are somehow able to pay their employees a little bit more by being more productive. They can't always do that, but sometimes that can occur.

Here in this situation, the gentlelady from Colorado just has a very simple goal, and that is just to decrease by 0.5 percent the amount that's being proposed.

The budget is all about people. At the end of the day, it's the people in my district and your district that are paying this big spending spree, almost 10 percent increase in spending over the last year. It's almost as though the people in Congress believe that if at the end of your name you have a comma, and the letters I-n-c period, that this body believes that there is an unending checkbook that this body can dive into and pull a wallet out of a business and say, you've got more.

So we year after year after year go back to the same well. We go back to the American taxpayer. We go back to American business, and we continue to put burdens on them such that we dig into their wallet and think there is more where that came from.

There is not more where that came from. We looked at the budget battle earlier in this year. In the budget that the majority proposed, there wasn't one attempt to address the problem that we have with unfunded net liabilities that are coming across this Congress in future years, unfunded net liabilities with Social Security, unfunded net liabilities with Medicare. These are very real costs that we are going to have to deal with. This majority in Congress didn't look at that in its bill.

So it's almost as though this Congress is saying we are going to see no evil, hear no evil, speak no evil. We are making a conscious decision, it seems, to just ignore the very real threat of economic, unfunded net liabilities that are facing this Congress.

I submit again to this body that what the gentlelady is trying to do in her very forward-looking amendment is wise. She is saying let's just pull back a little bit on this grand spending spree and be kind to Americans. Let's be kind to American industry, kind to the American taxpayer and say we understand your plight. We understand that you do more with less, and we are going to do the same.

I would say let's not have the largest tax increase in American history that our friends across the aisle are proposing. Let's not have the largest spending increase in American history. Let's do what Americans do so beautifully, and that's let's be productive. Let's increase productivity, not by government spending more, but by making sure that we return more money to the American taxpayer and say, you know what? We can do what New Zealand did just very recently.

□ 1615

We can take reform. We can actually do something completely revolutionary, and it would be that we would look at every government program and say, justify what you're doing is right. Justify that what you're doing is helping the American consumer; you're achieving objectives. Instead of the other way around, which is continuing to add more money, in this case, 10 percent, almost 10 percent more increase in a program, without first causing those programs to justify that they're helping the American people.

And that's why I'm so proud of the gentlelady from Colorado (Mrs. MUSGRAVE). She's just trying to bring a very commonsense rationalization to the spending that's being proposed by this body.

If we can't do what Mr. JORDAN suggested which, in itself, was very wise, go with 2007 level of spending, which for a lot of American companies, they'd love to be able to have 2007 level of spending. They can't do that. They've got to cut back even more just to stay afloat.

Or do what was proposed by Dr. PRICE, which is cut back 1 percent of spending. We can't even cut back, as the gentlelady from Colorado proposes, by one-half a percent?

We can do better than that. In my short time here in Congress, one thing I've seen is that, no matter if it's on the Republican side of the aisle or the Democrat side of the aisle, there's a lot of really smart people in this chamber. And I believe that we can do better, Mr. Chairman. And I believe that the gentlelady has a very wise, very commonsense approach, and I would think that the majority body could certainly accede to the fact that we can cut back by one-half a percent, so that we're now going to be spending, then, about 9.4 percent increase.

Mr. SERRANO. Mr. Chairman, I still reserve.

Mrs. MUSGRAVE. Could I ask the chairman how much time remains for either side?

The CHAIRMAN. The gentlewoman from Colorado has 3½ minutes and the gentleman from New York has 12 minutes.

Mrs. MUSGRAVE. Mr. Chairman, I would like to yield 1½ minutes to our distinguished deputy whip from Virginia.

Mr. CANTOR. I rise in support of the gentlelady's amendment because, as has been so eloquently said prior, the fact that this amendment simply attempts to cut .5 percent from the extraordinary levels of expenditure in this bill. It amounts to a $107 million reduction in the rate of growth of spending. Again, a $107 million reduction in the rate of growth. So instead of the bill growing, since last year, by 9.9 percent, the bill will then grow by 9.4 percent. That's all we're talking.

Points have been made that if the average American family is faced with a requirement that they reduce their budget by .5 percent, I think everyone, everyone who has a job and can do that would do that. And that is the situation we're in.

I want to respond to some of the remarks that were made by the chairman when he said that this is just another effort by the GOP to somehow cripple agencies that help poor people, that help people who can't help themselves. You know, that is just not the case. We are in support and have continued to be, our side of the aisle continues to be supportive of American families to allow them to take control of their own future, and for us here in Congress to recognize that the government doesn't spend government money, it spends taxpayer money. That's the bottom line.

We cannot just sit here and think that we can solve everybody's problem just by having government step in and do it. So this is taking a very reasonable approach to say, okay, let's go ahead and cut by .5 percent.

Mrs. MUSGRAVE. Mr. Chairman, I would ask the chairman of the committee if he has any more speakers.

Mr. SERRANO. Just to close.

Mrs. MUSGRAVE. I would yield 30 seconds to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. I just want to tell Mr. Chairman that I hope Mr. PRICE is listening because it is going to take a lot of truth squad to straighten this out.

The chairman over here mentioned the Iraq spending and wanted to see how much we would cut it. Well, when the President sent down the emergency Iraq spending bill the Democrats went ''Yee-Haw,'' let's add $23 billion to it.

So I want to quote what the chairman and the subcommittee chairman has said. ''Don't lecture me on spending on the war.''

Mrs. MUSGRAVE. I would like to yield to the gentleman from Michigan (Mr. WALBERG) for the remainder of the time.

Mr. WALBERG. Mr. Chairman, I stand here today to say that it's amazing, as I listened on my TV in my room and then came over here and heard complaints about cutting just .5 percent. I heard talks about runaway rugged individualism. And I had to think that what we're talking here is concern runaway rugged individualism versus a nanny state regulatory state, a nanny state that says we can't do for ourselves what we could and should do for ourselves.

And to talk about cutting this miniscule cut that would at least start to establish for our taxpayers that we have heard to some degree, and .5 percent is what we could take away and indicate that if we want to move in that direction, not only will we say to the taxpayer, you will do well if we keep moving that direction, but I think we can prove to the regulatory mentality here that we can live without some of that.

We're talking about myself in a State of Michigan, where we are hurting for certain, and it's not because we don't have too little government. It's not because we don't have too little regulation. We've got too much. We've got too much taxation. We've got too much spending. We've got too much regulation that continues to break down what we should and could do for ourselves.

So I thank the gentlelady from Colorado for sponsoring this very reasonable amendment that just simply says, come on. We're still going to have a significant increase. Let's move forward. And I thank you for offering it.

The CHAIRMAN. The gentlewoman from Colorado's time has expired.

Mr. SERRANO. Mr. Chairman, in closing, I just want to, first of all, comment that I must have hit a nerve in telling the truth, because the gentleman from Georgia got so excited that he made some noise that I'm trying to figure out later what it means. Something, hee-haw or haw-hee or

something. I'll try to figure it out later.

But anyway, the point is that no one is lecturing anyone. The ones who've been doing lecturing, Mr. Chairman, have been people saying that these bills have to be cut. These bills are bare-bone bills. This one in particular came in under the President's request, cut the President's request by $245 million.

We set out to help agencies to help people. We demand, we encourage them, actually, to come closer to the people. We do a lot to allow the District of Columbia to deal with some of its issues, something that Mr. REGULA and I believe in strongly. That's what this bill does.

But we still can't get away from the fact that when we deal with cuts, you could present it any way you want. There's only one cut where the American people will actually feel something happening, and that is if you cut this continued ability to allow only the richest people in the country, the millionaires and the zillionaires to get incredible tax cuts where they take home 160,000 more dollars than they took last year, or 220,000 more dollars than they took home last year; or if you ever get the courage to say to President Bush, this is your war, you started this war, we have to end the pain of the war, but in the process, we have to end the continuing waste. And I say waste, because it shouldn't have been there in the first place, of half a trillion dollars. That's a lot of money.

Cutting the Consumer Product Safety Commission, cutting the FCC, cutting the SEC, cutting the Small Business Administration, that's not going to make a difference, and you know it.

Let's have the courage to tell the President to get out of Iraq and save half a trillion dollars that he will now spend if we stay there, and then we're talking real dollars.

I hope that everybody will oppose this amendment.

I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Colorado (Mrs. MUSGRAVE).

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

Mrs. MUSGRAVE. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 32 OFFERED BY MR. GOODE

Mr. GOODE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 32 offered by Mr. GOODE:

At the end of the bill (before the short title), insert the following:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the Federal funds made available in title IV or VIII may be used to implement or enforce the Health Care Benefits Expansion Act of 1992 (D.C. Law 9–114; D.C. Official Code, section 32–701 et seq.).

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2007, the gentleman from Virginia (Mr. GOODE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODE. Mr. Chairman, under Federal law, and the law of most States, legal marriage is the union between a man and a woman. The U.S. House of Representatives should be on record supporting traditional marriage between a man and a woman and opposing alternative definitions of marriage.

Federal tax dollars are not used to extend employment benefits to domestic partners of Federal employees, and D.C. should not enjoy an exception to the rule.

Since 1992, Congress has prohibited the use of Federal funds from being used to implement the D.C. Domestic Partners Law. And I hope it will be the privilege of this body to adopt this amendment and keep a 15-year tradition in place.

I yield 2 minutes of my time to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Chairman, the vast majority of the American people believe that marriage is a sacred union between a man and a woman. This most basic social institution has been recognized by every culture and every serious religion in the history of mankind.

The Goode amendment protects and strengthens this important union between a man and a woman, and I rise in strong support of it.

The underlying bill before us today strips a 15-year Federal policy ensuring that American taxpayer dollars are not used to fund domestic partnership benefits. In defense of this longstanding policy, the President's senior advisors have made clear that they will recommend a veto if the bill reaches the President's desk in its current form, with this item in it.

Mr. Chairman, Federal funds have never been used for domestic partnership benefits in the District of Columbia. If this bill is not amended, the Federal Government will be forced, for the first time ever, to offer many of the same benefits for domestic partnership as it offers for marriage.

I oppose using government funds to promote nonmarital partnerships because I have tremendous respect for the traditional family. I believe that traditional marriage is the foundation of the family, and families are the foundation of healthy society. The Goode amendment protects these vital foundations which we, as the representatives of the people, should support. I strongly urge my colleagues to support it. It clearly defines the difference in the two parties here in the Congress. Please vote ''yes'' on the Goode amendment.

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

Mr. SERRANO. Mr. Chairman, I was going to rise in opposition.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. SERRANO. And I guess for all intents and purposes, I have to do that, except that when I read the amendment, I realized that, with all due respect to the gentleman, it doesn't change anything because it speaks to something that doesn't exist. There's nothing in this bill that says that anything can be done that he doesn't want done.

I know that's confusing. I showed it to Chairman OBEY because I wanted to make sure. He agrees with me. I showed it to staff and, to my amazement, I was right with everybody. This amendment speaks to an issue that is not an issue; therefore, he's asking to undo something that is not done. Nothing's broken that needs to be fixed.

□ 1630

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

Mr. GOODE. Mr. Chairman, based on what the gentleman from New York said, I hope it would be the privilege of this body to vote ''yes'' for this amendment to uphold traditional marriage.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mr. GOODE).

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

Mr. GOODE. Mr. Chairman, I demand a recorded vote.

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

Mr. SERRANO. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. MCCOLLUM of Minnesota) having assumed the chair, Mr. HASTINGS of Florida, 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. 2829) making appropriations for financial services and general government for the fiscal year ending September 30, 2008, and for other purposes, had come to no resolution thereon.

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

Mr. SERRANO. Madam Speaker, I send to the desk a privileged concurrent resolution (H. Con. Res. 179) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 179

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Thursday, June 28, 2007, or Friday, June 29, 2007, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, July 10, 2007, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on Friday, June 29, 2007, Saturday, June 30, 2007, Sunday, July 1, 2007, or Monday, July 2, 2007, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, July 9, 2007, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2008

The SPEAKER pro tempore. Pursuant to House Resolution 517 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2829.

□ 1635

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 further consideration of the bill (H.R. 2829) making appropriations for financial services and general government for the fiscal year ending September 30, 2008, and for other purposes, with Mr. HASTINGS of Florida in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 32 by the gentleman from Virginia (Mr. GOODE) had been postponed.

AMENDMENT OFFERED BY MR. STEARNS

Mr. STEARNS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. STEARNS:

At the end of the bill (before the short title), insert the following:

TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act may be used by the Internal Revenue Service to implement a Spanish-language version of the ''Where's my Refund?'' service.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, June 27, 2007, the gentleman from Florida (Mr. STEARNS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

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

This is a simple amendment that none of the funds made available in this act may be used by the Internal Revenue Service to implement a Spanish language version of the Where's my Refund? service.

Mr. Chairman, the English language has been one of the strongest, most durable ties that unites us all as Americans. Yet today our unity in the English language is undermined by policies that require government agencies to communicate in an increasing number of foreign languages. It is not just one, two, or three. In some of the cases, it is five, and six languages.

So I rise today to offer an amendment to strike language in the underlying bill that would mandate even more government multilingualism. My amendment would prohibit the IRS from developing a Spanish language version of the agency's Where's my Refund? Web site, which is currently only offered in English.

So think about that. As it turns out now, if you want to get a refund, you go to the IRS Web site, and sure enough, you can find out how to do it. English is right there. You go through the procedure and understand it. But now in the bill, they want to put it into Spanish. So I am just saying let's continue with the status quo and keep it in English.

Taxpayers should not be required to pay the cost of translating information so that people can demand a tax refund in another language. This is our country and we want to promote English, and I am sure most people that want to get a refund, of all things, would like to learn English so they can get their refund. Generations of immigrants have made great sacrifices to learn English and assimilate into this great American ''melting pot.'' This is what has allowed us to become the most successful multiracial and multiethnic Nation in the world.

Making exceptions now for another language I don't think is the right thing to do. It just assumes they are incapable of learning English like the previous generations. And many, many immigrants that came here learned English, and for all these years they have been able to determine what their refund was by going forward. So I think it is not a good idea to change this tradition. I realize that there are lots of people who don't agree with me, but I think we should have a vote on this to understand it and have the will of the House.

Now, California Governor Arnold Schwarzenegger knows something about the importance of learning English. He emigrated to the United States from Austria knowing very little English. He has said he immersed himself in American culture and made an effort to only speak English once he came to the United States. So he is a good example.

We should be encouraging immigrants to learn English, not enabling them by providing more and more government services in various foreign languages. It could be one language here, another language here, and pretty soon taxpayers are forced to deal with many, many languages just to get their refund.

Additionally, what makes Spanish speakers in this country more deserving than perhaps people from South Korea or people from Japan or people from China? I mean, is there one particular reason we are singling out this one language? If it is true we need to have this and I don't think we do, then I certainly think we should solve the problem of looking at all the languages.

The policy of our government should be to conduct official business in English and uphold the longstanding credo of ''E Pluribus Unum'': out of many, one. My amendment, I believe, simply would further this goal, and I urge my colleagues to support this amendment and help preserve our national linguistic unity and strengthen our democracy.

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

Mr. SERRANO. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. SERRANO. Mr. Chairman, this is the kind of amendment that shows up every so often. It plays to our patriotic feelings and to our feelings of wanting to be good Americans. So what you tell Americans is that if a language other than English is used anywhere in the country for any purpose, somehow, as the gentleman says, it attacks our democracy and threatens our democracy.

We are not saying that we want people to stay away from learning to speak English, and I think it is important to note that when people come into this country and what some folks go through to come into this country, that is a statement about how much they want to be in this country. Is it true that Mom and Dad may take a little longer to speak English? Absolutely. But the young man that comes in or the young woman that comes in at the age of 8, 9, 10, 12, whatever, I assure you that 10 months after they are here, they are acting very American and a year or two later they are speaking English. That's a fact of life.

In fact, I know this for a fact as one who spoke Spanish before he spoke English. When Hispanics sit around the dinner table and the issue of language comes up, it has never been a plot against the English language. It is usually the lament by the grandmother that the grandchildren no longer speak Spanish. That is the reality of America. That is how it has been from day one. That is how it is always going to be.

Now, what is it that we provide here? We are saying that if you still have not reached that point where you feel comfortable enough in English to deal with government services, you can go to a Web site, listen to this, and say, Where is my tax refund? That in itself makes a statement. It says you are working in this country, that you are paying taxes in the country, that you have a refund coming, and you want to know where your refund is. So to make it easier for you to communicate and get that service, the IRS has seen fit to put together that kind of a service.

Now, folks who deal with the IRS on a regular basis like the IRS National Taxpayers Advocate, in the annual report earlier this year, commended the IRS for the efforts to establish a Spanish-language version of Where's My Refund?

So if you don't like the fact that this service is provided, say that. That's fine. But don't make it sound like this is a threat to our democracy. This country is strong for what it is and who we are, not because we have a website that allows people, who speak Spanish and feel a little more comfortable as they transition into English, get this kind of information.

What is ironic is that we come to the House floor and make all these comments about government agencies offering Spanish as a language, but, Mr. Chairman, none of our colleagues from the other side ever get up and criticize their friends in corporate America who on a daily basis advertise in Spanish.

Do you know that there is an ESPN in Spanish, there is an ESPN Deportes in Spanish? There's a Fox, yes, a Fox News in Spanish. There's a Fox Sports, I said Fox, in Spanish. There's a People magazine in Spanish.

Now, is that government doing that or is that corporate America, who at times hangs out more with that side than this side, doing what they know is correct to sell their products? All these folks are saying is to give a service to the people, we will do it in Spanish too. Trust me, this does not threaten the democracy at all.

I am, on a personal level, kind of a little shocked at my friend, the only man who ever passed a ball to me in a congressional basketball game because he knows of my lack of talent, and he knows he's my friend, but you would think he comes from another State. He comes from Florida.

I don't know how you are going to explain this back home. I am trying to help you here. Maybe you want to withdraw this amendment so you can save a lot of headaches back home.

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

□ 1645

Mr. STEARNS. Mr. Chairman, may I inquire as to how much time I have remaining?

The CHAIRMAN. The gentleman has 1½ minutes remaining.

Mr. STEARNS. Let me just move to use the 1½ minutes I have remaining and say to my sage colleague from New York that I certainly respect him. He's one of my favorite Members. We have lots of fun together. And I remember when he made those three pointers in the congressional basketball team how surprised, and pleasantly surprised, I was that he made them. So I'm respectful of that.

But I ask him, shouldn't government treat everybody equally? I mean, here you're talking about setting aside a special program, Where is My Refund program, under the IRS for the Spanish language. But I call the gentleman's attention to New York City. There are Chinese, almost 400,000 Chinese; 300,000 Italians; there are almost 250,000 Russians, there's 152,000 Frenchmen, Polish is a language there. The French Creole is about 100,000. Korean is about 86,000, German is about 86,000. In fact, the total number of people speaking foreign languages in his area, New York City, other than Spanish is 1.7 million people. So why shouldn't the government treat everybody equal is the question for you?

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

Mr. SERRANO. May I inquire as to how much time I have left?

The CHAIRMAN. The gentleman from New York has 30 seconds.

Mr. SERRANO. Mr. Chairman, I move to strike the last word and yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, we've just heard one of the least persuasive arguments that we have ever heard in this body. We hear them repeatedly. People who are opposed to doing something use the argument that we shouldn't do it, even though they're objecting to it on its own basic grounds because it doesn't go far enough. If, of course, it went far enough, they would be even more upset, Mr. Chairman.

The argument that if you cannot solve every problem for everybody, you should not try to improve the situation for large numbers of people is never what people really think. It is always advanced by people who don't want fully to defend the position they take. The objection is to accommodating the many millions of Americans for whom Spanish is the primary language.

I have to say, I do not understand the impulse to make life harder for others when making it easier for them has no cost to us. I represent a large number of people who speak English. Nobody has ever said to me, you know what? My life is now more difficult because people who speak primarily Spanish can get a refund.

What is the impulse that drives us to object to making life easier for many of our hardworking fellow citizens in some principle when it comes at no cost to us?

And by the way, I have a large number of people for whom Portuguese is a primary language. I do not think they will tell me, when I go back to march in parades in that area, we're very upset because you supported allowing tens of millions of our Spanish-speaking friends this advantage and you didn't do everything for us. It is, of course, reasonable for a community to take into account large numbers.

And so again, I am really troubled by this lashing out at our fellow citizens when it comes at no cost to the rest of us. You talk about benefit cost analysis. What is the cost, it's minimal, of letting people who work hard who have trouble with the English language?

And as the gentleman from New York has pointed out, overwhelmingly the younger people learn English. No one who has had any association with an immigrant community has any doubt about the accuracy of what he said. The young people learn English, they become the translators and interpreters for their parents and their grandparents.

There are people who came to America out of love for this country and they work hard, and they are much more comfortable, particularly reading sort of technical information, in the language they grew up with than the new language. Their children and those who come after will speak English. Why do we want to make their lives harder? Why this objection to trying to ease the transition for these people?

I very much hope this amendment is defeated. I would hope we would say we are a better country than to begrudge people who have taken the difficult decision to immigrate to make their lives better, this very small accommodation.

I thank the gentleman for yielding to me.

Mr. SERRANO. Reclaiming my time, the gentleman from Massachusetts, my friend, makes the best point of all. If you can just imagine, and I think you do because Lou Dobbs and other people show you all the time, what some people go through to get to this country, not to mention others who enter here with documents. You don't go through all of that to decide later that you don't want to be part of this society and not speak English. That is a fallacy. That is not true. And I can tell you firsthand it doesn't happen.

I can tell you that I go to community meetings now in my district where there is no need any longer to say a word in Spanish other than to sound cute at the beginning by saying, Hola. Como esta, Ustedes?

This is not a problem. And I am trying to save you, once again, from all this wrath you're going to get back in

Florida for proposing this. So I still give you a chance to withdraw this. I hope everybody will vote against this amendment.

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

Mr. REGULA. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Ohio is recognized for 5 minutes.

Mr. REGULA. I yield to the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. I thank my distinguished colleague from Ohio for his kindness.

We can wrap up this debate and I will just try to answer the gentleman from Massachusetts and the gentleman from New York here.

What can be more of an incentive to learn English? But the IRS program Where is My Refund? You would think if you are getting money back from the government, isn't that enough of an incentive to learn English? Maybe we should not have Spanish on the IRS Web site so we can get people to learn English. I mean, I would think giving them money back would be a great incentive. I would think you would be for this amendment because people who have to speak Spanish would have an incentive to learn English. That's my first point.

Second of all, the gentleman from Massachusetts says it's a minor cost. We don't know if this is a minor cost. But as we take his argument a little further, he says that I have no right to say there's another 1.7 million people in New York who speak other languages, and because the perfect is the enemy of good, we've got to give it to all these people, which is an argument that makes it confusing to people and say well, you have to vote against Stearn's amendment because we're not doing it for all these people. There certainly would be a cost if we went ahead and did if for 1.7 million various languages in Italian, Russian, French, Polish, French Creole, Korean and German.

And I ask the gentleman from New York (Mr. SERRANO), why is one language selected to do this at the expense of another 1.7 million? Which goes to my point. We shouldn't do it for only one, we need not do it for any of them.

And so there is no reason to do the other languages here. They're getting money back. It would be very expensive if we did if for all the languages. And the cost here, we don't know what it's going to be. So I think the country is better off if we treat everybody equally.

The question you mention, Mr. SERRANO, about CNN and other news organizations, these are private companies, they are not taxpayers funded. This is taxpayers funded. And I would think if a person is speaking French Creole in New York, he would like to have it in his language for the tax refund program, also.

So, I mean, you really make a difficult argument if you're saying it's just for people who are Spanish and you're not recognizing all of them, which goes to the heart of my argument, which is, basically the United States Government should treat everybody equal. The language should be the English language, and particularly when you're talking about the Where is My Refund program with the IRS. Vote for the Stearns amendment.

And with that, Mr. Chairman, may I inquire as to how much time I have left of my own and how much time I left of Mr. REGULA? If that's possible to do that.

The CHAIRMAN. Mr. REGULA has 2 minutes left, and the gentleman from Florida has 30 seconds.

Mr. SERRANO. Will the gentleman yield?

Mr. STEARNS. I would be glad to yield Mr. REGULA's time if Mr. REGULA will yield.

Mr. REGULA. Yes, I would be glad to yield to the gentleman.

Mr. SERRANO. If you're willing to join me in a further amendment that says we should do 125 languages, I would be glad to join you because I believe in that. That's fine. That's because I don't know what you're really saying there.

Mr. STEARNS. Are you saying 25 languages?

Mr. SERRANO. 125, that's what you said; we should do it for everybody. So that's 125 languages.

My other point, because I don't want to take up your time, is, it's interesting to note how the language changes. Now you're saying they're getting money back from the government, they should be happy to do that in English. Just a few minutes ago, for 3 days, for 3 weeks we heard how the government only holds the money from the taxpayer. So only this group is getting money back from the government, the rest of the Nation is just having the government hold their money.

The CHAIRMAN. The gentleman from Florida is recognized for his final 30 seconds.

Mr. STEARNS. I would just say, if you're speaking French Creole in your congressional district and you got a refund, you would certainly want that to be in our language, too.

I think I've made the argument clear that with all these different languages, the government should not pick out any one and should just do it in the official language, which is English.

So with that, Mr. Chairman, thank you for your indulgence.

I yield back the balance of my time.

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

The CHAIRMAN. The gentleman from New York has 30 seconds.

Mr. SERRANO. Mr. Chairman, I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. I was struck when the gentleman of Florida said, why should we do this at the expense of other people? That's the crux of the disagreement between us. It doesn't come at the expense of other people. The fact that the largest single linguistic minority gets an ability to do this in their own language, which will, by the way, also probably increase tax collection, so it probably is an offset and it probably makes money for the Federal Government. But the gentleman's phrasing ''at the expense of,'' that's what troubles me. It does not come at my expense if we reach out to hardworking people who have trouble with English.

The CHAIRMAN. The gentleman's time has expired.

The question is on the amendment offered by the gentleman from Florida (Mr. STEARNS).

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

Mr. STEARNS. Mr. Chairman, I demand a recorded vote.

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

Mr. SERRANO. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. SERRANO. I yield to our majority leader, Mr. HOYER.

Mr. HOYER. I thank the gentleman for yielding.

First, I would like to congratulate Mr. SERRANO. This is his first bill that he has brought to the floor and handled, and he has done it very well. I want to thank him.

I also want to congratulate my good friend, RALPH REGULA. I had the great honor of serving for 6 years under his chairmanship of the Labor Health Committee of which I had the honor of serving. He did an outstanding job, he's done a good job with this bell as well. I thank him for facilitating consideration of this bill.

Mr. LEWIS of California. Will the gentleman yield?

Mr. HOYER. I will yield to the gentleman.

Mr. LEWIS of California. I simply want to say to the leader, I very much appreciate your taking the time to make those expressions. They've done a fabulous job on this bill, and it's an illustration of what can happen when we work so well together.

Mr. HOYER. Reclaiming my time, Mr. Chairman, at this time, however, I would like to mention a matter. I would have liked to ask for a unanimous consent. I will not ask for that unanimous consent because it has not been agreed to. And under our rules, I therefore am constrained to ask for the unanimous consent.

The Senate passed yesterday, by unanimous consent, without objection, obviously, by definition, the Transition Medical Assistance and Abstinence Education Program. That program is a program which provides for transitional medical assistance for those who transit from welfare to work. It's a very important program. It, unfortunately, expires on June 30. We will not

be here on June 30. This could have been passed, and I would hope would have been passed by unanimous consent. Unfortunately, that has not occurred, and therefore I will not be offering, as I said, such request.

I would say, however, that it will be our intention to offer this as soon as we return the first week that we're back. We believe this is very important to pass. And as a result, we will move it as quickly as we can.

I thank the gentleman for yielding the time.

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

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

An amendment by Mr. CARDOZA of California.

Amendment No. 8 by Mr. DEFAZIO of Oregon.

Amendment No. 15 by Mr. PRICE of Georgia.

An amendment by Mr. TOM DAVIS of Virginia.

Amendment No. 1 by Mr. GARRETT of New Jersey.

An amendment by Mr. SOUDER of Indiana.

Amendment No. 18 by Mr. FLAKE of Arizona.

An amendment by Mr. FLAKE on Barracks Row.

Amendment No. 21 by Mr. FLAKE of Arizona.

Amendment No. 19 by Mr. FLAKE of Arizona.

Amendment No. 22 by Mr. FLAKE of Arizona.

An amendment by Mr. CAMPBELL of California regarding Lincoln Commission.

An amendment by Mr. EMANUEL of Illinois.

An amendment by Mr. CAMPBELL of California regarding earmarks.

An amendment by Mr. WICKER of Mississippi.

An amendment by Mr. PENCE of Indiana.

Amendment No. 31 by Mr. JORDAN of Ohio.

An amendment by Mr. PRICE of Georgia.

Amendment No. 13 by Mrs. MUSGRAVE of Colorado.

Amendment No. 32 by Mr. GOODE of Virginia.

An amendment by Mr. STEARNS of Florida.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

The Chair would also remind all Members that 2 minutes is going to be strictly adhered to. The Chair would ask Members to remain in the Chamber.

□ 1700

AMENDMENT OFFERED BY MR. CARDOZA

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. CARDOZA) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CARDOZA:

Page 65, line 17, insert after the first dollar amount ''(reduced by $8,000,000)''.

Page 65, line 25, insert after the first dollar amount ''(increased by $6,000,000)''.

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 281, noes 144, not voting 12, as follows:

[Roll No. 584]

AYES—281

Ackerman
Aderholt
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baker
Baldwin
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Buchanan
Butterfield
Buyer
Calvert
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
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
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Donnelly
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
Eshoo
Etheridge
Everett
Faleomavaega
Farr
Fattah
Ferguson
Filner
Flake
Frank (MA)
Gerlach
Giffords
Gillibrand
Gillmor
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Heller
Hensarling
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kingston
Kirk
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McIntyre
McNerney
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Norton
Nunes
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Petri
Platts
Pomeroy
Porter
Price (NC)
Radanovich
Rahall
Ramstad
Rangel
Renzi
Reyes
Rodriguez
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stearns
Stupak
Sutton
Tancredo
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOES—144

Akin
Alexander
Barrett (SC)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis, David
Davis, Tom
Deal (GA)
Dent
Dicks
Doolittle
Doyle
Drake
Dreier
English (PA)
Fallin
Feeney
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Herger
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McHenry
McHugh
McKeon
Mica
Miller (FL)
Miller (NC)
Miller, Gary
Murphy, Tim
Myrick
Neugebauer
Paul
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Poe
Price (GA)
Pryce (OH)
Putnam
Regula
Rehberg
Reichert
Reynolds
Rogers (AL)
Rogers (KY)
Rohrabacher
Roskam
Ryan (WI)
Sali
Schmidt
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Sullivan
Terry
Thornberry
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf

NOT VOTING—12

Abercrombie
Bachmann
Davis (KY)
Davis, Jo Ann
Forbes
Fortuño
Jones (OH)
LaHood
McMorris Rodgers
McNulty
Ortiz
Sessions

□ 1723

Mr. HALL of Texas changed his vote from ''aye'' to ''no.''

Mrs. MILLER of Michigan and Messrs. McCOTTER, KUCINICH, MITCHELL, BERRY, TIAHRT, DOGGETT, TAYLOR, KINGSTON, RADANOVICH, REYES and ROYCE changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair wishes to remind Members that the remainder of the votes, which are substantial in number, are going to be 2-minute votes. The Chair entreats Members to please stay in the Chamber. We intend to be strict with regard to the 2 minutes.

AMENDMENT NO. 8 OFFERED BY MR. DEFAZIO

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. DEFAZIO:

Page 80, line 23, after the dollar amount, insert ''(reduced by $10,000,000)''.

Page 81, line 10, after the dollar amount, insert ''(increased by $10,000,000)''.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 95, noes 320, not voting 22, as follows:

[Roll No. 585]

AYES—95

Arcuri
Baldwin
Berkley
Berry
Blumenauer
Bordallo
Braley (IA)
Camp (MI)
Carney
Carson
Christensen
Cohen
Conyers
Costello
Crowley
Davis (IL)
DeFazio
Duncan
Ellison
Engel
Faleomavaega
Farr
Filner
Frank (MA)
Garrett (NJ)
Green, Al
Gutierrez
Hall (NY)
Hall (TX)
Heller
Hinchey
Hodes
Holt
Honda
Hooley
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Kildee
Kingston
Kucinich
Lee
Loebsack
Lofgren, Zoe
McCotter
McNerney
Meehan
Melancon
Michaud
Miller, George
Moore (WI)
Moran (KS)
Nadler
Pallone
Paul
Payne
Perlmutter
Petri
Porter
Rangel
Rohrabacher
Royce
Rush
Sánchez, Linda T.
Schakowsky
Scott (GA)
Scott (VA)
Sensenbrenner
Shays
Sires
Skelton
Slaughter
Space
Stark
Stupak
Sutton
Tancredo
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Towns
Upton
Velázquez
Walden (OR)
Walz (MN)
Waters
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Young (FL)

NOES—320

Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Baca
Bachus
Baird
Baker
Barrett (SC)
Barrow
Barton (TX)
Bean
Becerra
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Campbell (CA)
Cannon
Cantor
Capps
Carnahan
Carter
Castle
Castor
Chabot
Chandler
Clarke
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Courtney
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Ellsworth
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Everett
Fallin
Fattah
Feeney
Ferguson
Flake
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Gene
Grijalva
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinojosa
Hirono
Hobson
Hoekstra
Holden
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jindal
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kilpatrick
Kind
King (IA)
King (NY)
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCrery
McDermott
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
Meek (FL)
Meeks (NY)
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mitchell
Mollohan
Moore (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Napolitano
Neugebauer
Norton
Nunes
Oberstar
Obey
Olver
Pascrell
Pastor
Pearce
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Poe
Pomeroy
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sanchez, Loretta
Sarbanes
Saxton
Schiff
Schmidt
Schwartz
Serrano
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stearns
Sullivan
Tanner
Tauscher
Taylor
Thornberry
Tiahrt
Turner
Udall (CO)
Udall (NM)
Van Hollen
Visclosky
Walberg
Walsh (NY)
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Yarmuth
Young (AK)

NOT VOTING—22

Abercrombie
Bachmann
Bartlett (MD)
Capito
Capuano
Cardoza
Clay
Davis (KY)
Davis, Jo Ann
Delahunt
Forbes
Fortuño
Hastert
LaHood
Markey
McGovern
McNulty
Neal (MA)
Ortiz
Pryce (OH)
Sessions
Tierney

ANNOUNCEMENT BY THE CHAIRMAN

The Chairman (during the vote). Members are advised 1 minute remains in this vote.

□ 1727

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 15 OFFERED BY MR. PRICE OF GEORGIA

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. PRICE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 15 offered by Mr. PRICE of Georgia:

Strike section 738 (page 117, line 9, through page 124, line 13) and redesignate the succeeding provisions accordingly.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 158, noes 268, not voting 11, as follows:

[Roll No. 586]

AYES—158

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Carter
Coble
Conaway
Crenshaw
Cubin
Culberson
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Everett
Fallin
Feeney
Flake
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hoekstra
Hulshof
Inglis (SC)
Jindal
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
Lewis (CA)
Linder
Lungren, Daniel E.
Mack
Manzullo
McCarthy (CA)
McCaul (TX)
McCrery
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
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 (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)

Souder
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Young (FL)

NOES—268

Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Cannon
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chabot
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Ferguson
Filner
Frank (MA)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
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)
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McNerney
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Platts
Pomeroy
Porter
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Rogers (AL)
Roskam
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
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stearns
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)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)

NOT VOTING—11

Abercrombie
Bachmann
Davis (KY)
Davis, Jo Ann
Forbes
Fortuño
Hastert
LaHood
McNulty
Ortiz
Sessions

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). One minute remains in the vote.

□ 1732

Mr. STEARNS changed his vote from ''aye'' to ''no.''

Mr. MORAN of Kansas, Mr. SALI and Ms. FALLIN changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. TOM DAVIS OF VIRGINIA

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. TOM DAVIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. TOM DAVIS of Virginia:

At the end of the bill add the following new section:

TITLE ____

SEC. ____. the amount otherwise provided for under title IV for the Federal Payment for Resident Tuition Support is increased by $1,000,000 and the amount otherwise provided for Salaries and Expenses of the Office of Special Counsel is reduced by $1,000,000.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 146, noes 279, not voting 12, as follows:

[Roll No. 587]

AYES—146

Aderholt
Akin
Alexander
Bachmann
Bachus
Bartlett (MD)
Barton (TX)
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boren
Boustany
Brady (TX)
Buchanan
Burgess
Burton (IN)
Calvert
Cannon
Capito
Carney
Castle
Chabot
Clay
Coble
Cole (OK)
Culberson
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Dreier
Ehlers
Emerson
Eshoo
Fallin
Feeney
Fortenberry
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Graves
Hall (TX)
Hayes
Heller
Herger
Hobson
Hooley
Hunter
Issa
Jindal
Johnson, Sam
Jordan
King (IA)
King (NY)
Kingston
Knollenberg
Kuhl (NY)
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McHenry
McHugh
McKeon
Mica
Michaud
Miller (FL)
Miller, Gary
Mitchell
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Perlmutter
Peterson (PA)
Pickering
Pitts
Porter
Price (GA)
Pryce (OH)
Radanovich
Regula
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (MI)
Ros-Lehtinen
Roskam
Ryan (WI)
Saxton
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Turner
Walberg
Walsh (NY)
Wamp
Weldon (FL)
Weller
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—279

Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boozman
Bordallo
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Buyer
Camp (MI)
Campbell (CA)
Cantor
Capps
Capuano
Cardoza
Carnahan
Carson
Carter
Castor
Chandler
Christensen
Clarke
Cleaver
Clyburn
Cohen
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Drake
Duncan
Edwards
Ellison
Ellsworth
Emanuel
Engel
English (PA)
Etheridge
Everett
Faleomavaega
Farr
Fattah
Ferguson
Filner
Flake
Foxx
Frank (MA)
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hensarling
Herseth Sandlin
Higgins
Hill
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kline (MN)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Linder
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McIntyre
McMorris Rodgers
McNerney
Meehan
Meek (FL)
Meeks (NY)
Melancon
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Peterson (MN)
Petri
Platts
Poe
Pomeroy
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Rehberg
Reyes
Rodriguez
Rogers (KY)
Rohrabacher
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schmidt
Schwartz

Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Westmoreland
Wexler
Whitfield
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—12

Abercrombie
Davis (KY)
Davis, Jo Ann
Forbes
Fortuño
Hastert
Hinchey
LaHood
McNulty
Norton
Ortiz
Sessions

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). One minute remains in the vote.

□ 1738

Mr. ETHERIDGE changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair would remind Members these are 2-minute votes. There are 17 votes that remain. The Chair would encourage and entreat all Members to stay in the Chamber.

AMENDMENT NO. 1 OFFERED BY MR. GARRETT OF NEW JERSEY

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. GARRETT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. GARRETT of New Jersey:

AMENDMENT NO. 1 OFFERED BY MR. GARRETT OF NEW JERSEY

At the end of title VI, insert the following:

SEC. ____. None of the funds made available under this Act may be used by the Securities and Exchange Commission to enforce the requirements of section 404 of the Sarbanes-Oxley Act with respect to non-accelerated filers, who, pursuant to section 210.2–02T of title 17, Code of Federal Regulations, are not required to comply with such section 404 prior to December 15, 2007.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 267, noes 154, not voting 16, as follows:

[Roll No. 588]

AYES—267

Aderholt
Akin
Alexander
Allen
Andrews
Arcuri
Bachmann
Bachus
Baird
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Berkley
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (TX)
Braley (IA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Cardoza
Carney
Carter
Castle
Chabot
Coble
Cohen
Cole (OK)
Cooper
Costa
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Davis (AL)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Hall (TX)
Hare
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Hill
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Lampson
Larsen (WA)
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lucas
Lungren, Daniel E.
Mack
Mahoney (FL)
Manzullo
Marchant
Marshall
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Oberstar
Paul
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Royce
Ruppersberger
Rush
Ryan (WI)
Sali
Sanchez, Loretta
Saxton
Schmidt
Scott (GA)
Sensenbrenner
Sestak
Shadegg
Shays
Shimkus
Shuler
Shuster
Simpson
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Space
Spratt
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Terry
Thornberry
Tiahrt
Tiberi
Turner
Udall (CO)
Upton
Velázquez
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Wu
Yarmuth
Young (AK)
Young (FL)

NOES—154

Ackerman
Altmire
Baca
Baldwin
Becerra
Berman
Berry
Bishop (NY)
Blumenauer
Bordallo
Brady (PA)
Brown, Corrine
Butterfield
Capps
Capuano
Carnahan
Carson
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Conaway
Conyers
Costello
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Frank (MA)
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Harman
Hastings (FL)
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick
Klein (FL)
Kucinich
Langevin
Lantos
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren, Zoe
Lowey
Lynch
Maloney (NY)
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McNerney
Meehan
Meek (FL)
Meeks (NY)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Pomeroy
Price (NC)
Rangel
Rothman
Roybal-Allard
Ryan (OH)
Salazar
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Serrano
Shea-Porter
Sherman
Sires
Snyder
Solis
Stark
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (NM)
Van Hollen
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wynn

NOT VOTING—16

Abercrombie
Burgess
Clyburn
Davis (KY)
Davis, Jo Ann
Emanuel
Forbes
Fortuño
Hastert
Kaptur
LaHood
Markey
McNulty
Norton
Ortiz
Sessions

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). One minute remains in this vote.

□ 1741

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SOUDER

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Indiana (Mr. SOUDER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SOUDER:

At the end of the bill (before the short title), insert the following:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available in this Act (including funds made available in title IV or VIII) may be used by the District of Columbia for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 208, noes 216, not voting 14, as follows:

[Roll No. 589]

AYES—208

Aderholt
Akin
Alexander
Altmire
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carney
Carter
Chabot
Chandler
Coble
Cole (OK)
Conaway
Costello
Crenshaw
Cubin
Culberson
Davis (AL)
Davis, David
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Ellsworth
Emerson
English (PA)
Etheridge
Everett
Fallin
Feeney
Ferguson
Flake
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Hoekstra
Holden
Hulshof
Hunter
Inglis (SC)
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Lampson
Latham
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Mahoney (FL)
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul (TX)
McCotter
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Putnam
Radanovich
Rahall
Ramstad
Rehberg
Reichert
Renzi
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Scott (GA)
Sensenbrenner
Shadegg
Shimkus
Shuler
Shuster
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Tanner
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—216

Ackerman
Allen
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson
Castle
Castor
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Ehlers
Ellison
Emanuel
Engel
Eshoo
Faleomavaega
Farr
Fattah
Filner
Frank (MA)
Frelinghuysen
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McNerney
Meehan
Meek (FL)
Meeks (NY)
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
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Perlmutter
Price (NC)
Pryce (OH)
Rangel
Regula
Reyes
Rohrabacher
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Snyder
Solis
Space
Stark
Stupak
Sutton
Tauscher
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
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—14

Abercrombie
Braley (IA)
Davis (KY)
Davis, Jo Ann
Forbes
Fortuño
Hastert
LaHood
McCrery
McNulty
Nunes
Ortiz
Sessions
Spratt

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). One minute remains in the vote.

□ 1745

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 18 OFFERED BY MR. FLAKE

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) 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 CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 87, noes 335, not voting 15, as follows:

[Roll No. 590]

AYES—87

Akin
Bachmann
Barrett (SC)
Barton (TX)
Biggert
Bilbray
Bishop (UT)
Blackburn
Boehner
Brown (SC)
Buchanan
Burton (IN)
Buyer
Campbell (CA)
Cannon
Cantor
Castle
Chabot
Coble
Conaway
Cooper
Davis, David
Deal (GA)
Duncan
Ehlers
Feeney
Flake
Fossella
Franks (AZ)
Garrett (NJ)
Gingrey
Gohmert
Goodlatte
Graves
Hastings (WA)
Heller
Hensarling
Herger
Inglis (SC)
Jindal
Johnson (IL)
Johnson, Sam
Jordan
King (IA)
Kline (MN)
Lamborn
Linder
Lungren, Daniel E.
Mack
Marchant
McCarthy (CA)
McCaul (TX)
McHenry
Mica
Miller (FL)
Miller, Gary
Musgrave
Myrick
Nunes
Pearce
Pence
Petri
Pitts
Poe
Price (GA)
Putnam
Radanovich
Ramstad
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Shadegg
Shimkus
Smith (NE)
Souder
Sullivan
Tancredo
Terry
Thornberry
Walberg
Westmoreland
Wilson (SC)

NOES—335

Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baker
Baldwin
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Bonner
Bono
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Butterfield
Calvert
Camp (MI)
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Fallin
Farr
Fattah
Ferguson
Filner
Fortenberry
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gonzalez
Goode
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hayes
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kingston
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas

Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
Meehan
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Neugebauer
Norton
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Paul
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
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
Shays
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—15

Abercrombie
Davis (KY)
Davis, Jo Ann
Forbes
Fortuño
Hastert
LaHood
McCrery
McNulty
Meek (FL)
Miller, George
Ortiz
Sessions
Tierney
Waters

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members have 1 minute to record their vote.

□ 1748

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) regarding Barracks Row 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 CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 60, noes 361, not voting 16, as follows:

[Roll No. 591]

AYES—60

Bachmann
Barrett (SC)
Bilbray
Blackburn
Buchanan
Burgess
Burton (IN)
Campbell (CA)
Chabot
Coble
Conaway
Cooper
Davis, David
Deal (GA)
Duncan
Feeney
Flake
Fossella
Franks (AZ)
Garrett (NJ)
Gingrey
Goodlatte
Graves
Heller
Hensarling
Inglis (SC)
Jindal
Jordan
Kline (MN)
Lamborn
Linder
Mica
Miller (FL)
Musgrave
Myrick
Neugebauer
Pearce
Pence
Petri
Pitts
Platts
Poe
Price (GA)
Putnam
Radanovich
Rogers (MI)
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Shadegg
Smith (NE)
Souder
Stearns
Sullivan
Terry
Thornberry
Walberg
Westmoreland
Wilson (SC)

NOES—361

Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baker
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Fallin
Farr
Fattah
Ferguson
Filner
Fortenberry
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gohmert
Gonzalez
Goode
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kingston
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
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
McMorris Rodgers
McNerney
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
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
Nadler
Napolitano
Nunes
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Paul
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tancredo
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—16

Abercrombie
Bachus
Davis (KY)
Davis, Jo Ann
Forbes
Fortuño
Hastert
Hinojosa
King (IA)
LaHood
McNulty
Neal (MA)
Norton
Ortiz
Sessions
Visclosky

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). One minute remains in the vote.

□ 1751

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 21 OFFERED BY MR. FLAKE

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) 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 CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 102, noes 317, not voting 18, as follows:

[Roll No. 592]

AYES—102

Akin
Bachmann
Barrett (SC)
Barton (TX)
Biggert
Bilbray
Bishop (UT)
Blackburn
Boehner
Brady (TX)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Castle
Chabot
Coble
Conaway
Cooper
Davis, David
Davis, Tom
Deal (GA)
Delahunt
Duncan
Ehlers
Feeney
Flake
Fossella
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey
Gohmert
Goodlatte
Graves
Gutierrez
Hall (TX)
Hastings (WA)
Heller
Hensarling
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jordan
King (IA)
Kingston
Kirk
Kline (MN)
Lamborn
Linder
Lungren, Daniel E.
Mack
Marchant
McCarthy (CA)
McCaul (TX)
McHenry
Mica
Miller (FL)
Miller, Gary
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Petri
Pitts
Platts
Poe
Price (GA)
Putnam
Radanovich
Ramstad
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Shadegg
Shimkus
Smith (NE)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Upton
Walberg
Westmoreland
Wilson (SC)
Young (AK)

NOES—317

Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baker
Baldwin
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Bonner
Bono
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Butterfield
Calvert
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Donnelly
Doolittle
Doyle
Drake
Dreier
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Fallin
Farr
Fattah
Ferguson
Filner
Fortenberry
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gonzalez
Goode
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hare
Harman
Hastings (FL)
Hayes
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Paul
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
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)
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—18

Abercrombie
Davis (KY)
Davis, Jo Ann
Doggett
Forbes
Fortuño
Hastert
Herger
Hinojosa
Hoekstra
Jones (OH)
LaHood
Lee
McNulty
Nadler
Ortiz
Rush
Sessions

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there is 1 minute left in this vote.

□ 1754

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 19 OFFERED BY MR. FLAKE

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) 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 CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 249, noes 174, not voting 14, as follows:

[Roll No. 593]

AYES—249

Ackerman
Akin
Allen
Bachmann
Baird
Barrett (SC)
Barrow
Barton (TX)
Bean
Berkley
Berman
Berry
Biggert
Bishop (GA)
Blackburn
Blumenauer
Boehner
Boren
Boswell
Boyd (FL)
Brady (PA)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Camp (MI)
Campbell (CA)
Cannon
Capps
Cardoza
Carnahan
Carney
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Conaway
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Deal (GA)
DeFazio
DeGette
Delahunt
Dent
Dicks
Dingell
Doggett
Doyle
Duncan
Ehlers
Ellison
Emanuel
Engel
English (PA)
Eshoo
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Fortenberry
Fossella
Frank (MA)
Franks (AZ)
Garrett (NJ)
Gerlach
Giffords
Gillibrand
Goodlatte
Gordon
Graves
Green, Al
Gutierrez
Hare
Harman
Hastings (WA)
Hayes
Heller
Hensarling
Herseth Sandlin
Higgins
Hill
Holden
Honda
Hooley
Hoyer
Inglis (SC)
Issa
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Jordan
Kanjorski
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Lamborn
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Lewis (GA)
Linder
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McDermott
McGovern
McHugh
McNerney
Meehan
Meek (FL)
Meeks (NY)
Melancon
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Murphy, Patrick
Musgrave
Myrick
Nadler
Neal (MA)
Neugebauer
Nunes
Oberstar
Pearce
Pence
Perlmutter
Petri
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Rahall
Ramstad
Rodriguez
Rogers (MI)
Rohrabacher
Ross
Rothman
Royce
Rush
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Sestak
Shadegg
Shea-Porter
Shimkus
Sires
Skelton
Slaughter
Smith (NE)
Smith (WA)
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thornberry
Tierney
Turner
Udall (CO)
Upton
Walberg
Walden (OR)
Wamp
Waters
Waxman
Weiner
Westmoreland
Wexler
Wilson (NM)
Wilson (SC)
Woolsey
Wu
Wynn
Yarmuth

NOES—174

Aderholt
Alexander
Altmire
Andrews
Arcuri
Baca
Bachus
Baker
Baldwin
Bartlett (MD)
Becerra
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Blunt
Bonner
Bono
Boozman
Bordallo
Boucher
Boustany
Boyda (KS)
Brady (TX)
Brown (SC)
Butterfield
Calvert

Cantor
Capito
Capuano
Carson
Carter
Cole (OK)
Conyers
Costello
Cramer
Crenshaw
Cubin
Culberson
Davis, Tom
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Edwards
Ellsworth
Emerson
Etheridge
Everett
Faleomavaega
Fallin
Foxx
Frelinghuysen
Gallegly
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Granger
Green, Gene
Grijalva
Hall (NY)
Hall (TX)
Hastings (FL)
Herger
Hinchey
Hirono
Hobson
Hodes
Hoekstra
Holt
Hulshof
Hunter
Inslee
Israel
Jackson (IL)
Johnson, Sam
Jones (NC)
Kagen
Kaptur
Keller
Kennedy
Kildee
Knollenberg
Kucinich
Kuhl (NY)
Lampson
Levin
Lewis (CA)
Lewis (KY)
Lipinski
Lucas
McCollum (MN)
McCotter
McCrery
McHenry
McIntyre
McKeon
McMorris Rodgers
Mica
Michaud
Miller, Gary
Mitchell
Mollohan
Moran (KS)
Murphy (CT)
Murphy, Tim
Murtha
Napolitano
Norton
Obey
Olver
Pallone
Pascrell
Pastor
Paul
Payne
Peterson (MN)
Peterson (PA)
Pickering
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roskam
Roybal-Allard
Ruppersberger
Ryan (OH)
Sarbanes
Serrano
Shays
Sherman
Shuler
Shuster
Simpson
Smith (NJ)
Smith (TX)
Snyder
Thompson (MS)
Tiahrt
Tiberi
Towns
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wasserman Schultz
Watson
Watt
Welch (VT)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (OH)
Wolf
Young (AK)
Young (FL)

NOT VOTING—14

Abercrombie
Christensen
Davis (KY)
Davis, David
Davis, Jo Ann
Forbes
Fortuño
Hastert
Hinojosa
LaHood
McNulty
Ortiz
Reyes
Sessions

□ 1758

Mr. MARKEY, Mr. POMEROY and Mrs. JONES of Ohio changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 22 OFFERED BY MR. FLAKE

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) 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 CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 101, noes 325, not voting 11, as follows:

[Roll No. 594]

AYES—101

Akin
Bachmann
Barrett (SC)
Barton (TX)
Biggert
Bilbray
Bishop (UT)
Blackburn
Blunt
Boehner
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Castle
Chabot
Coble
Conaway
Cooper
Davis, David
Davis, Tom
Deal (GA)
Dent
Duncan
Ehlers
Eshoo
Feeney
Flake
Fossella
Franks (AZ)
Garrett (NJ)
Gerlach
Gingrey
Gohmert
Granger
Graves
Heller
Hensarling
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jordan
King (IA)
Kingston
Kirk
Kline (MN)
Lamborn
Linder
Mack
Marchant
McCarthy (CA)
McCaul (TX)
McHenry
Mica
Miller (FL)
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Petri
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Ramstad
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Shadegg
Shimkus
Smith (NE)
Souder
Stearns
Sullivan
Terry
Thornberry
Upton
Walberg
Walden (OR)
Westmoreland
Wilson (SC)

NOES—325

Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baker
Baldwin
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Bono
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Calvert
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Etheridge
Everett
Faleomavaega
Fallin
Farr
Fattah
Ferguson
Filner
Fortenberry
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Giffords
Gilchrest
Gillibrand
Gillmor
Gonzalez
Goode
Goodlatte
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
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
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Paul
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Pomeroy
Price (NC)
Pryce (OH)
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
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
Shays
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tancredo
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
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)
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—11

Abercrombie
Davis (KY)
Davis, Jo Ann
Forbes
Fortuño
Hastert
Hinojosa
LaHood
McNulty
Ortiz
Sessions

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in the vote.

□ 1801

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. CAMPBELL OF CALIFORNIA

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. CAMPBELL) regarding Lincoln Commission 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 CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 107, noes 318, not voting 12, as follows:

[Roll No. 595]

AYES—107

Akin
Bachmann
Barrett (SC)
Barton (TX)
Biggert
Bilbray
Bishop (UT)
Blackburn
Blunt
Boehner
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Coble
Conaway
Cooper
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, M.
Duncan
Ehlers
Feeney
Flake
Fossella
Franks (AZ)
Garrett (NJ)
Gerlach
Gingrey
Gohmert
Goodlatte
Granger
Graves
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Lamborn
Linder
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McHenry
Miller (FL)
Miller, Gary
Musgrave
Myrick
Neugebauer
Pearce
Pence
Petri
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Ramstad
Reynolds
Rogers (MI)
Rohrabacher
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Shadegg
Shimkus
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Upton
Walberg
Walden (OR)
Weller
Westmoreland
Wilson (SC)

NOES—318

Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baker
Baldwin
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Bono
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Calvert
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Fallin
Farr
Fattah
Ferguson
Filner
Fortenberry
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Giffords
Gilchrest
Gillibrand
Gillmor
Gonzalez
Goode
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hayes
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Nunes
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Paul
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Pomeroy
Price (NC)
Pryce (OH)
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Rodriguez
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roskam
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
Shays
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tancredo
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
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)
Weldon (FL)
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—12

Abercrombie
Conyers
Davis (KY)
Davis, Jo Ann
Forbes
Fortuño
Hastert
Hinojosa
LaHood
McNulty
Ortiz
Sessions

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in the vote.

□ 1804

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. EMANUEL

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. EMANUEL) 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 CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 209, noes 217, not voting 11, as follows:

[Roll No. 596]

AYES—209

Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boswell
Boucher
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Ellison
Emanuel
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Higgins
Hill
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick
Kind
Kucinich
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)
McGovern
McIntyre
McNerney
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Olver
Pallone
Pascrell
Pastor
Paul
Payne
Perlmutter
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Shea-Porter
Sherman
Shuler
Sires
Slaughter
Solis
Spratt
Stark
Stupak
Sutton
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

NOES—217

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bean
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boustany
Boyd (FL)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capuano
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Cuellar
Culberson
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellsworth
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Fortenberry

Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jordan
Kaptur
Keller
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Lampson
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McDermott
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Murtha
Musgrave
Myrick
Neugebauer
Nunes
Obey
Pearce
Pence
Peterson (MN)
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
Ross
Royce
Ryan (WI)
Salazar
Sali
Saxton
Schmidt
Sensenbrenner
Sestak
Shadegg
Shays
Shimkus
Shuster
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Stearns
Sullivan
Tancredo
Tanner
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—11

Abercrombie
Davis (KY)
Davis, Jo Ann
Forbes
Fortuño
Hastert
Hinojosa
LaHood
McNulty
Ortiz
Sessions

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there is 1 minute to record their vote.

□ 1808

Mr. GRAVES changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. CAMPBELL OF CALIFORNIA

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. CAMPBELL) regarding earmarks 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 CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 48, noes 372, not voting 17, as follows:

[Roll No. 597]

AYES—48

Bachmann
Burgess
Burton (IN)
Buyer
Campbell (CA)
Chabot
Coble
Cooper
Davis, David
Deal (GA)
Duncan
Flake
Franks (AZ)
Garrett (NJ)
Goode
Goodlatte
Heller
Hensarling
Issa
Jindal
Jordan
King (IA)
Kline (MN)
Lamborn
Linder
Mack
Marchant
McCarthy (CA)
Miller (FL)
Musgrave
Myrick
Pence
Petri
Pitts
Platts
Price (GA)
Royce
Ryan (WI)
Sali
Sensenbrenner
Shadegg
Sullivan
Terry
Thornberry
Tiberi
Walberg
Westmoreland
Woolsey

NOES—372

Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
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
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Calvert
Camp (MI)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conaway
Conyers
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Edwards
Ellison
Ellsworth
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Fallin
Farr
Fattah
Ferguson
Filner
Fortenberry
Fossella
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kingston
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Neugebauer
Norton
Nunes
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Poe
Pomeroy
Porter
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
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
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
Thompson (CA)
Thompson (MS)
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—17

Abercrombie
Davis (KY)
Davis, Jo Ann
Ehlers
Emerson
Feeney
Forbes
Fortuño
Hastert
Hinojosa
LaHood
McHenry
McNulty
Miller, George
Ortiz
Sessions
Shimkus

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 1 minute remains to record their votes.

□ 1811

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. WICKER

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Mississippi (Mr. WICKER) on which further proceedings were postponed and on which the ayes 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 CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 295, noes 127, not voting 15, as follows:

[Roll No. 598]

AYES—295

Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Baca
Bachmann
Bachus
Baird
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Berkley
Biggert
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Bordallo
Boren
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Chabot
Chandler
Coble
Cohen
Cole (OK)
Conaway
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cummings
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellsworth
Emerson
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Flake
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Hall (NY)
Hall (TX)
Hare
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hobson
Hoekstra
Holden
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Issa
Jackson-Lee (TX)
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Kanjorski
Kaptur
Keller
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Manzullo
Marchant
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moore (KS)
Moran (KS)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Oberstar
Obey
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Sali
Saxton
Schakowsky
Schmidt
Schwartz
Scott (GA)
Sensenbrenner
Sestak
Shadegg
Shays
Shimkus
Shuler
Shuster
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—127

Arcuri
Baldwin
Barrow
Bean
Becerra
Berman
Berry
Bishop (GA)
Blumenauer
Boswell
Capps
Carson
Castor
Christensen
Clarke
Clay
Cleaver
Clyburn
Crowley
Davis (AL)
Davis (CA)
Davis (IL)
DeGette
Delahunt
DeLauro
Dingell
Ellison
Emanuel
Engel
Faleomavaega
Filner
Frank (MA)
Giffords
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Hinchey
Hirono
Hodes
Holt
Honda
Inslee
Israel
Jackson (IL)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kennedy
Kilpatrick
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Maloney (NY)
Markey
Marshall
Matsui
McCollum (MN)
McDermott
McGovern
McNerney
Meehan
Meek (FL)
Meeks (NY)
Miller (NC)
Miller, George
Mollohan
Moore (WI)
Moran (VA)
Murphy (CT)
Murtha
Nadler
Napolitano
Neal (MA)
Olver
Pallone
Pascrell
Pastor
Price (NC)
Rangel
Rodriguez
Rothman
Roybal-Allard
Rush
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schiff
Scott (VA)
Serrano
Shea-Porter
Sherman
Sires
Slaughter
Solis
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Wexler
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—15

Abercrombie
Buyer
Conyers
Davis (KY)
Davis, Jo Ann
Forbes
Fortuño
Hastert
Hinojosa
LaHood
McNulty
Norton
Ortiz
Sessions
Waxman

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised they have 30 seconds to record their vote.

□ 1814

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. DAVIS of Kentucky. Mr. Chairman, for part of Thursday, June 28, 2007, I was absent from the House for a family medical emergency.

Had I been present I would have voted:

On rollcall No. 584—"no"—Cardoza Amendment to H.R. 2643.

On rollcall No. 585—"no"—DeFazio Amendment to H.R. 2643.

On rollcall No. 586—"no"—Price (GA) Amendment to H.R. 2643.

On rollcall No. 587—"no"—Davis (VA) Amendment to H.R. 2643.

On rollcall No. 588—"aye"—Garrett Amendment to H.R. 2643.

On rollcall No. 589—"aye"—Souder Amendment to H.R. 2643.

On rollcall No. 590—"no"—Flake Amendment to H.R. 2643.

On rollcall No. 591—"no"—Flake Amendment to H.R. 2643.

On rollcall No. 592—"no"—Flake Amendment to H.R. 2643.

On rollcall No. 593—"no"—Flake Amendment to H.R. 2643.

On rollcall No. 594—"no"—Flake Amendment to H.R. 2643.

On rollcall No. 595—"no"—Campbell Amendment to H.R. 2643.

On rollcall No. 596—"no"—Emanuel Amendment to H.R. 2643.

On rollcall No. 597—"no"—Campbell Amendment to H.R. 2643.

On rollcall No. 598—"aye"—Wicker Amendment to H.R. 2643.

AMENDMENT OFFERED BY MR. PENCE

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Indiana (Mr. PENCE) on which further proceedings were postponed and on which the ayes 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 CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 309, noes 115, answered "present" 1, not voting 12, as follows:

[Roll No. 599]

AYES—309

Aderholt
Akin
Alexander
Altmire
Andrews
Baca
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Berman
Biggert
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Bordallo
Boren
Boucher
Boustany
Boyd (FL)
Brady (TX)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Cardoza
Carnahan
Carson
Carter
Castle
Castor
Chabot
Chandler
Christensen
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeGette
Delahunt
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Donnelly
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Etheridge
Everett
Faleomavaega
Fallin
Feeney
Ferguson
Flake
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green, Gene
Hall (TX)
Hare
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Hill
Hobson
Hoekstra
Holden
Hooley
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson-Lee (TX)
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Kagen
Keller
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)

Knollenberg
Kuhl (NY)
Lamborn
Lampson
Lantos
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Manzullo
Marchant
Marshall
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Napolitano
Neugebauer
Norton
Nunes
Oberstar
Obey
Paul
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
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
Sarbanes
Saxton
Schmidt
Schwartz
Scott (GA)
Sensenbrenner
Serrano
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Spratt
Stearns
Stupak
Sullivan
Tancredo
Tanner
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Udall (CO)
Udall (NM)
Upton
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Weiner
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Yarmuth
Young (AK)
Young (FL)

NOES—115

Ackerman
Allen
Arcuri
Baird
Baldwin
Becerra
Berkley
Berry
Bishop (GA)
Blumenauer
Boswell
Boyda (KS)
Brady (PA)
Braley (IA)
Butterfield
Capps
Capuano
Carney
Clarke
Clay
Cleaver
Clyburn
Conyers
Davis (CA)
Davis (IL)
DeFazio
DeLauro
Dingell
Doggett
Doyle
Ellison
Eshoo
Farr
Fattah
Filner
Frank (MA)
Gonzalez
Green, Al
Grijalva
Gutierrez
Hall (NY)
Harman
Higgins
Hinchey
Hirono
Hodes
Holt
Honda
Hoyer
Jackson (IL)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kilpatrick
Klein (FL)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Maloney (NY)
Markey
Matsui
McCollum (MN)
McDermott
McGovern
McNerney
Meehan
Miller, George
Moore (WI)
Moran (VA)
Murtha
Nadler
Neal (MA)
Olver
Pallone
Pascrell
Pastor
Payne
Price (NC)
Rangel
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Scott (VA)
Sestak
Slaughter
Solis
Stark
Sutton
Tauscher
Thompson (CA)
Thompson (MS)
Towns
Van Hollen
Velázquez
Wasserman Schultz
Waters
Watson
Watt
Welch (VT)
Wexler
Woolsey
Wu
Wynn

ANSWERED ''PRESENT''—1

Cohen

NOT VOTING—12

Abercrombie
Davis, Jo Ann
Forbes
Fortuño
Hastert
Hinojosa
LaHood
McNulty
Ortiz
Sessions
Tierney
Waxman

□ 1820

Ms. MOORE of Wisconsin, Mr. MEEHAN, Mr. ALLEN, Ms. BERKLEY and Mr. TOWNS changed their vote from ''aye'' to ''no.''

Mr. LAMPSON, Mr. HASTINGS of Florida and Ms. JACKSON-LEE of Texas changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair corrects the previous announcement on the Wicker amendment. It was 295 ayes, 127 noes, and the amendment was agreed to.

AMENDMENT NO. 31 OFFERED BY MR. JORDAN

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. JORDAN) 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 CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 149, noes 276, not voting 12, as follows:

[Roll No. 600]

AYES—149

Aderholt
Akin
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Brady (TX)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Buyer
Camp (MI)
Campbell (CA)
Cannon
Capito
Carter
Chabot
Coble
Cole (OK)
Conaway
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Drake
Dreier
Duncan
Fallin
Feeney
Flake
Fossella
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Knollenberg
Lamborn
Lampson
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Petri
Pickering
Pitts
Poe
Price (GA)
Putnam
Radanovich
Ramstad
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Shadegg
Shimkus
Shuster
Smith (NE)
Smith (TX)
Stearns
Sullivan
Tancredo
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Wamp
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Young (AK)

NOES—276

Ackerman
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baker
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Calvert
Cantor
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Farr
Fattah
Ferguson
Filner
Fortenberry
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Kucinich
Kuhl (NY)
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
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
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Rodriguez
Rogers (AL)
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
Shays
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher

Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Weldon (FL)
Wexler
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—12

Abercrombie
Clarke
Davis, Jo Ann
Forbes
Fortuño
Hastert
Hinojosa
LaHood
McNulty
Ortiz
Sessions
Waxman

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that there is 1 minute remaining in this vote.

□ 1824

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. PRICE OF GEORGIA

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. PRICE) 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 CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 191, noes 233, not voting 13, as follows:

[Roll No. 601]

AYES—191

Aderholt
Akin
Alexander
Altmire
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bean
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
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
Cooper
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Drake
Dreier
Duncan
Ellsworth
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Lamborn
Lampson
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Mahoney (FL)
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Shadegg
Shays
Shimkus
Shuler
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Tanner
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Young (AK)
Young (FL)

NOES—233

Ackerman
Allen
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doolittle
Doyle
Ehlers
Ellison
Emanuel
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Fortenberry
Frank (MA)
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
Kuhl (NY)
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Markey
Marshall
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Pomeroy
Price (NC)
Rahall
Rangel
Regula
Reichert
Renzi
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
Simpson
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Wexler
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—13

Abercrombie
Davis, Jo Ann
Edwards
Forbes
Fortuño
Hastert
Hinojosa
LaHood
Maloney (NY)
McNulty
Ortiz
Sessions
Waxman

□ 1827

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 13 OFFERED BY MRS. MUSGRAVE

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Colorado (Mrs. MUSGRAVE) 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 CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 205, noes 220, not voting 12, as follows:

[Roll No. 602]

AYES—205

Aderholt
Akin
Alexander
Altmire
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bean
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carney
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Cooper
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Drake
Dreier
Duncan
Ellsworth
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gillibrand
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Lamborn
Lampson
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Mahoney (FL)
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
McNerney
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)

Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Shadegg
Shays
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Tanner
Taylor
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—220

Ackerman
Allen
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doolittle
Doyle
Edwards
Ehlers
Ellison
Emanuel
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Frank (MA)
Gilchrest
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Kuhl (NY)
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney (NY)
Markey
Marshall
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
Meehan
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Regula
Reichert
Renzi
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
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—12

Abercrombie
Davis, Jo Ann
Forbes
Fortuño
Hastert
Hinojosa
Kirk
LaHood
McNulty
Ortiz
Sessions
Waxman

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that there is 1 minute remaining in this vote.

□ 1830

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 32 OFFERED BY MR. GOODE

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. GOODE) on which further proceedings were postponed and on which the ayes 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 CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 224, noes 200, not voting 13, as follows:

[Roll No. 603]

AYES—224

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Berry
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boozman
Bordallo
Boren
Boucher
Boustany
Boyda (KS)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carnahan
Carney
Carter
Chabot
Coble
Cole (OK)
Conaway
Costello
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Davis (AL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Ellsworth
Emerson
Etheridge
Everett
Faleomavaega
Fallin
Feeney
Ferguson
Flake
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Kuhl (NY)
Lamborn
Lampson
Latham
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Mahoney (FL)
Manzullo
Marchant
Marshall
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Norton
Nunes
Obey
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Ross
Royce
Ruppersberger
Ryan (WI)
Salazar
Sali
Saxton
Schmidt
Scott (GA)
Sensenbrenner
Shadegg
Shimkus
Shuler
Shuster
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Space
Spratt
Stearns
Sullivan
Tancredo
Tanner
Taylor
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—200

Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bono
Boswell
Boyd (FL)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carson
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Ellison
Emanuel
Engel
English (PA)
Eshoo
Farr
Fattah
Filner
Frank (MA)
Frelinghuysen
Giffords
Gilchrest
Gillibrand
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Higgins
Hill
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Knollenberg
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney (NY)
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McNerney
Meehan
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Olver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Pomeroy
Price (NC)
Pryce (OH)
Rangel
Reyes
Rodriguez
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Snyder
Solis
Stark
Stupak
Sutton
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wynn
Yarmuth

NOT VOTING—13

Abercrombie
Davis, Jo Ann
Edwards
Forbes
Fortuño
Hastert
Hinojosa
LaHood
McNulty
Ortiz
Sessions
Waxman
Wu

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised they have 1 minute to record their vote.

□ 1834

So the amendment was agreed to.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. MARKEY was allowed to speak out of order.)

WISHING FAREWELL TO THE HON. MARTIN MEEHAN

Mr. MARKEY. Mr. Chairman, I rise so that we can note this important moment, and that moment is that, although it is with great sadness for this Chamber and the members of the Massachusetts delegation, but I think great joy for his family, the gentleman from Massachusetts (Mr. MEEHAN) is about to cast his final vote as a Member of this Chamber, and I would like to give the gentleman the proper farewell that he deserves because he has served well and long in this institution.

I yield to the gentleman from Massachusetts.

Mr. MEEHAN. Mr. Chairman, I thank the gentleman and I thank the dean of our delegation and all of my colleagues from Massachusetts and all of my colleagues in this House.

I have a plane to catch, so I will be brief.

I want to thank my wife, Ellen, and my wonderful family for all that they have had to tolerate over the years. I want to thank the people of the Fifth Congressional District of Massachusetts for the confidence that they have demonstrated in me in giving me this great honor to serve in this great institution.

I want to thank former staff members of mine, some of whom are here, for their dedication, their energy, their hard work day in and day out.

I want to thank my colleagues, Democrats and Republicans, that I have worked with. I have tried to work in a bipartisan way most of the time. I leave this House; it was the most difficult decision professionally that I have ever had to make because I love this House, I love the institution, I love the friendships and colleagues that I have been so honored to work with over the years.

But I also believe in the University of Massachusetts at Lowell. That is where I graduated. I walked in the door, one of seven children in a large family in Lowell, Massachusetts, and wouldn't have had the opportunity to go to college or to achieve things I wanted to achieve in my life without that institution. So as difficult as it is, I have a passion for the institution. I am going to leave.

So thank you very much for wonderful friendships. I will be back from time to time. Be careful you don't eliminate too many earmarks while you are at it here.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Without objection, 2-minute voting will continue.

There was no objection.

AMENDMENT OFFERED BY MR. STEARNS

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. STEARNS) 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 CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 165, noes 257, not voting 15, as follows:

[Roll No. 604]

AYES—165

Aderholt
Akin
Alexander
Altmire
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
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
Capito
Carney
Chabot
Coble
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Deal (GA)
Donnelly
Doolittle
Drake
Dreier
Duncan
Emerson
Everett
Fallin
Feeney
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Lampson
Latham
LaTourette
Lewis (KY)
Linder
LoBiondo
Lucas
Mack
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul (TX)
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Ross
Royce
Sali
Saxton
Schmidt
Sensenbrenner
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Taylor
Terry
Tiahrt
Tiberi
Turner
Upton
Walberg
Wamp
Westmoreland
Whitfield
Wicker
Wilson (SC)
Young (AK)
Young (FL)

NOES—257

Ackerman
Allen
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bono
Bordallo
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown, Corrine
Butterfield
Cannon
Capps
Capuano
Cardoza
Carnahan
Carson
Carter
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Ferguson
Filner
Flake
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gonzalez
Granger
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCrery
McDermott
McGovern
McNerney
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Pearce
Perlmutter
Peterson (MN)
Pomeroy
Porter
Price (NC)
Rahall
Rangel
Regula
Reichert
Renzi
Reyes
Rodriguez
Ros-Lehtinen
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shadegg
Shays
Shea-Porter
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thornberry
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—15

Abercrombie
Davis, Jo Ann
Forbes
Fortuño
Gutierrez
Hastert
Hinojosa
LaHood
McIntyre
McNulty
Ortiz
Sarbanes
Sessions
Sherman
Waxman

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

□ 1841

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the ''Financial Services and General Government Appropriations Act, 2008''.

Mr. BRALEY of Iowa. Mr. Chairman, I rise today to voice my concerns about the way taxpayer funds have recently been spent at the General Services Administration (GSA). Today, the House is expected to pass H.R. 2829, a bill which makes appropriations for financial services and general government for Fiscal Year 2008, and which provides funding for the GSA.

If any agency should be trusted to spend American taxpayers' money responsibly, it is the GSA, the federal government's premier acquisition agency. Unfortunately, reports that current GSA Administrator Lurita Doan used federal government property and resources to engage in partisan campaign activities with political appointees of the GSA provide evidence that the head of this agency has placed the interests of the Republican party over the interests of the American public.

On January 26, 2007 Ms. Doan attended a meeting at GSA at which J. Scott Jennings, the Special Assistant to the President and the Deputy Director of Political Affairs at the White House, gave a 28-page PowerPoint presentation which reviewed the 2006 election results and outlined the Republican party's top targets in upcoming elections. According to several witnesses who attended the meeting, after this presentation Ms. Doan asked the more than 30 political appointees in attendance how they could use GSA resources to help Republican candidates win future elections. This presentation and Ms. Doan's comments are not only blatant violations of the Hatch Act, which restricts the political activities of Executive Branch employees, but are also a gross abuse of taxpayers' money and trust.

Ms. Doan has appeared twice before the Committee on Oversight and Government Reform, and claims that she cannot remember Mr. Jennings' presentation, or the comments she made. Despite the fact that the Office of Special Counsel found that Ms. Doan ''violated the Hatch Act's prohibition against using [her] official authority or influence for the purpose of interfering with or affecting the result of an election when [she] solicited over thirty subordinate employees to engage in political activity,'' she also claims that she cannot answer questions about the legality or appropriateness of the briefing. In light of Ms. Doan's lack of contrition and apparent confusion about what constitutes an appropriate use of taxpayer dollars, it is understandable that many of us in the Congress would be concerned about the way the funds we are appropriating today to GSA will be used.

While I support the passage of this bill, I believe that we must continue to work to ensure that appropriated GSA funds are spent on legal and legitimate purposes—like managing federal buildings, buying government equipment and supplies, and working with other agencies to purchase goods and services for the government. I hope and trust that the funds we are appropriating to GSA today will be spent legally and responsibly, and I look forward to continuing our Congressional oversight of the GSA.

Mr. ORTIZ. Mr. Chairman, I rise in support of H.R. 2829, the Financial Services—General Government Appropriations bill. This bill enhances key American priorities, while providing less overall than the President requested for agencies in this bill.

We are committed to making our tax system fairer for millions of Americans—and to enhance enforcement to make sure everyone pays what they owe, not just those who play by the rules, while improving taxpayers' services. This bill will spur job creation and make the economy work for everyone—by restoring the President's cuts in small business loans, rejecting his efforts to slash capital and financial services available to underserved communities (CDFI), and by strengthening consumer protections.

We are also working to make sure that every vote counts in our elections, and to strengthen law enforcement, both against terrorism and in the war on drugs. This bill meets two key commitments of this Congress: it has complete transparency on its earmarks, and it also cuts the amount for earmarks in the bill in half.

Our bill lowers the cost of Small Business 7(a) loans and rejects the President's proposal to stop this program that helps small businesses start-up and grow. The 7(a) loan program accounts for roughly 30 percent of all long-term small business borrowing in America, and is the only source of affordable, long-term financing for many of our Nation's small businesses, including many in South Texas.

I'm pleased that the bill includes greater access to capital for economic development in disadvantaged and rural communities. We reject the President's proposal to cut by 50 percent the availability of credit, capital and financial services to underserved communities through the Community Development Financial Institutions Fund. Instead, our bill provides $46 million more than last year to support economic development and financial services in disadvantaged and rural communities through housing loans, micro-business loans, community development banks and credit unions.

The report lists the recipient and the sponsor for each earmark contained in the bill. Of the 165 earmarks in the bill, 148 were requested by lawmakers and 17 by President Bush. Furthermore, each sponsor has filed a certification that the sponsor and the sponsor's spouse have no financial interest in the earmark, which is publicly available.

I am pleased the committee included funding for the University of Texas at Brownsville's International Trade Center. Brownsville has always been the front door to international trade given its proximity to Mexico and the land and sea ports in the city. This funding will be used to establish an International Trade Center at the UTB International Technology Education and Commerce Campus (ITECC) which will house all of the services required to conduct international trade including: international law, accounting, banking, insurance, logistics services, export-import marketing services, U.S. customs, government trade services and industry showrooms for specific target sectors such as medical, communications, and computer technology.

By concentrating all of the components for trade in one location the ITC will generate significantly higher levels of international trade and associated jobs in Brownsville, making this an excellent investment in South Texas and the Nation.

Mr. SERRANO. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. TAUSCHER) having assumed the chair, Mr. HASTINGS of Florida, 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. 2829) making appropriations for financial services and general government for the fiscal year ending September 30, 2008, and for other purposes, he reported the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Under House Resolution 517, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were 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. LEWIS OF CALIFORNIA

Mr. LEWIS of California. Madam Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. LEWIS of California. In its present form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Lewis of California moves to recommit the bill H.R. 2829 to the Committee on Appropriations with instructions to report the same back promptly to the House with an amendment designating funding for the Internal Revenue Service under such bill as available only for administering, implementing, and enforcing existing Federal taxes and tariffs as enacted on the date of the enactment of such bill.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. LEWIS of California. Madam Speaker, the purpose of this motion to recommit is simple. It recommits the bill back to committee to make clear that the funding provided to the IRS in this bill is only available to administer, implement, and enforce existing tax laws.

The majority party's budget plan includes implementing the biggest tax

increase in history, and this motion would prevent that from taking place.

While the economy is not functioning perfectly, the indicators show that the economy is strong. GDP in 2006 was 3.4 percent above 2005.

□ 1845

Capital investment increased by 6.8 percent in 2006. Unemployment is at 4.6 percent. Tax receipts increased by 11.8 percent in fiscal year 2006, on top of fiscal year 2005's increase of 14.6 percent. So while Congress and the administration have lowered taxes, the economy has grown and the tax revenues have increased. Implementing new tax increases, as the majority party's budget proposes, will have a chilling effect on our economy and the American family as more of their hard-earned money comes to Washington.

While the deficit, which is estimated to be $244 billion in fiscal year 2007, is very troubling, tax collections are at an all-time high. Instead of increasing taxes to address the deficit and possibly reversing economic growth and further burdening the American family, I believe we must put more focus on controlling spending, both mandatory spending, and discretionary programs as well.

This motion will prohibit the IRS from implementing new taxes, protecting the American family and our economy.

I urge a ''yes'' vote on the motion to recommit.

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

Mr. SERRANO. Madam Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. SERRANO. I realize that with a house full of colleagues, I should make a profound and eloquent statement, but here it goes.

Madam Speaker, I would like to point out to the Members of the House that adoption of the motion to recommit offered by the gentleman from California will kill the bill. The motion instructs the committee to report the bill back promptly rather than forthwith.

Madam Speaker, section 1002(b) of the House manual states, ''Unlike the case of the motion to recommit with instructions to report back forthwith, the adoption of which occasions an immediate report on the floor, the adoption of a motion to recommit with instructions to report back promptly sends the bill to committee, whose eventual report, if any, would not be immediately before the House.''

Madam Speaker, a vote for this motion to recommit kills the bill. A vote against the motion will allow the bill to go forward to final passage.

I urge prompt defeat of the motion to recommit.

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

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.

Mr. LEWIS 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 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—yeas 199, nays 222, not voting 11, as follows:

[Roll No. 605]

YEAS—199

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
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
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Lampson
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
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
Shadegg
Shays
Shimkus
Shuler
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)

NAYS—222

Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
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
DeGette
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
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
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
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
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
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
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

NOT VOTING—11

Abercrombie
Davis, Jo Ann
Forbes
Hastert
Hinojosa
LaHood
McNulty
Ortiz
Poe
Sarbanes
Sessions

□ 1905

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

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 240, nays 179, not voting 13, as follows:

[Roll No. 606]

YEAS—240

Ackerman
Allen
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
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hayes
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
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
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Pryce (OH)
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
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
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth

NAYS—179

Aderholt
Akin
Alexander
Altmire
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
Costello
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Drake
Dreier
Duncan
Ehlers
Everett
Fallin
Feeney
Ferguson
Flake
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Lampson
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Porter
Price (GA)
Putnam
Radanovich
Ramstad
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Wicker
Wilson (NM)
Wilson (SC)
Young (AK)
Young (FL)

NOT VOTING—13

Abercrombie
Davis, Jo Ann
Forbes
Hastert
Hinojosa
LaHood
Marchant
McNulty
Ortiz
Poe
Sarbanes
Sessions
Whitfield

□ 1911

So the bill 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. RES. 106

Mr. WICKER. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H. Res. 106.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2740

Mr. KIND. Madam Speaker, I ask unanimous consent that the gentleman from Texas (Mr. REYES) be removed as a cosponsor of H.R. 2740.

The SPEAKER pro tempore (Mrs. BOYDA of Kansas). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

PERMISSION FOR COMMITTEE ON ENERGY AND COMMERCE TO HAVE UNTIL MIDNIGHT, MONDAY, JULY 9, 2007, TO FILE REPORT ON H.R. 2900, FOOD AND DRUG ADMINISTRATION AMENDMENTS ACT OF 2007

Mr. PALLONE. Madam Speaker, I ask unanimous consent that the Committee on Energy and Commerce have until midnight on July 9, 2007, to file a report to accompany H.R. 2900.

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

There was no objection.

CONDITIONAL ADJOURNMENT TO MONDAY, JULY 2, 2007

Mr. PALLONE. Madam Speaker, I ask unanimous consent that when the House adjourns today on a motion offered pursuant to this order, it adjourn to meet at 2 p.m. on Monday, July 2, 2007, unless it sooner has received a message from the Senate transmitting its concurrence in House Concurrent Resolution 179, in which case the House shall stand adjourned pursuant to that concurrent resolution.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, JULY 11, 2007

Mr. PALLONE. Madam Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, July 11, 2007.

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

There was no objection.

IN MEMORY OF HANNAH CONGDON, BAILEY GOODMAN, MEREDITH McCLURE, SARA MONNAT AND KATHERINE SHIRLEY

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

Mr. KUHL of New York. Madam Speaker, we have been doing some serious work here. While the Members are departing for a district work period, I want to inform the rest of the House that 2 nights ago, a horrible accident happened in my district, in Canandaigua, New York, that took the lives of five young women from Fairport who were on their way to spend time on Keuka Lake, which is where I live.

All five of these young women were cheerleaders at Fairport High School and had just graduated from high school a week ago. They were all looking forward to a bright, fun summer together on the lake with friends, four of

whom were riding in a car behind them and were, thankfully, uninjured.

Madam Speaker, I am here to mourn the loss of Hannah Congdon. Hannah was known by friends as ''constant sunshine.'' She never said a negative word about anyone and was always smiling.

Bailey Goodman. The girls were headed to Bailey's family cottage on Keuka Lake. Bailey was the team's entertainment, according to her friends, and could always make her teammates laugh.

Meredith McClure. Meredith was known as the team's hardest worker, always the first one to try a new jump or a stunt.

Sara Monnat. Sara was jokingly referred to as the team ''boss.'' She would motivate and encourage her team in an amiable way, and was a born leader.

And Katherine Shirley. Katie loved her friends. She would spend hours putting together scrapbooks and surrounding herself with photos of her and her friends.

I offer my prayers and condolences to the families, friends and neighbors of these beautiful young women who were so violently taken from us.

I also rise, Madam Speaker, to ask that the House pause for a moment of silence in remembrance of Bailey, Hannah, Katie, Sara and Meredith.

The SPEAKER pro tempore. Members will rise and the House will observe a moment of silence.

□ 1915

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON HOUSE ADMINISTRATION

The SPEAKER pro tempore laid before the House the following communication from the Honorable ROBERT A. BRADY, Chairman, Committee on House Administration:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 28, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to Section 801(b) of Public Law 101–696 (2 U.S.C. 2081(b)), the Chairman and Vice Chairman of the Joint Committee of Congress on the Library serve ex officio on the U.S. Capitol Preservation Commission, but each may designate another Member to serve in his or her place.

As Vice Chairman of the Joint Committee for the 110th Congress, I am designating Representative Michael E. Capuano of Massachusetts to serve on the U.S. Capitol Preservation Commission in lieu of myself in my role as Vice Chairman of the Joint Committee of Congress on the Library, as provided for in Section 801(c) of Public Law 101–696 (2 U.S.C. 2081(c)).

Thank you for your attention to this matter.

Sincerely,

ROBERT A. BRADY,
Vice Chairman,
Joint Committee on the Library.

APPOINTMENT OF HON. C.A. ''DUTCH'' RUPPERSBERGER AND HON. ELIJAH E. CUMMINGS TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH JULY 10, 2007

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

WASHINGTON, DC,
June 28, 2007.

I hereby appoint the Honorable C.A. DUTCH RUPPERSBERGER and the Honorable ELIJAH E. CUMMINGS to act as Speaker pro tempore to sign enrolled bills and joint resolutions through July 10, 2007.

NANCY PELOSI,
Speaker of the House of Representatives.

The SPEAKER pro tempore. Without objection, the appointment is approved.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON ENERGY AND COMMERCE

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Energy and Commerce:

HOUSE OF REPRESENTATIVES,
Washington, DC, June 26, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
The Capitol, Washington, DC.

DEAR MADAM SPEAKER: Pursuant to H. Res. 496, I was elected to the Energy and Commerce Committee on June 19, 2007, to fill the vacancy created by a Member's temporary absence. That Member's temporary absence is over and the Member is able to reclaim his seat. Therefore, I hereby resign from the Committee on Energy and Commerce, effective immediately.

This resignation does not. affect my own status of being on leave from the Energy and Commerce Committee, and I will retain my seniority upon returning to the Committee.

Thank you for your attention to this matter.

Sincerely,

PAUL E. GILLMOR,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

MESSAGE FROM THE SENATE

The SPEAKER pro tempore laid before the House the following privileged message from the Senate:

In the Senate of the United States, June 27, 2007.

Ordered, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 1612) entitled ''An Act to amend the penalty provisions in the International Emergency Economic Powers Act, and for other purposes.'', and that upon the compliance of the request, the Secretary of the Senate be authorized to make corrections in the engrossment of the aforesaid bill.

The SPEAKER pro tempore. Without objection, the request of the Senate is agreed to, and S. 1612 will be returned to the Senate.

There was no objection.

COMMUNICATION FROM THE CHIEF ADMINISTRATIVE OFFICER OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Chief Administrative Officer of the House of Representatives:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, HOUSE OF REPRESENTATIVES,
Washington, DC, June 28, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with an administrative subpoena for documents issued by the Inspector General of the U.S. Department of Education.

After consulting with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

DANIEL P. BEARD.
Chief Administrative Officer.

FURTHER MESSAGE FROM THE SENATE

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

H.R. 1830. An act to extend the authorities of the Andean Trade Preference Act until February 29, 2008.

H. Con. Res. 179. Concurrent Resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

HONORING MATTHEW ALEXANDER OF GRETNA, NEBRASKA

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

Mr. FORTENBERRY. Madam Speaker, Corporal Matthew Alexander of Gretna, Nebraska, died in Baqubah, Iraq, on May 6, when a improvised explosive device detonated near his military vehicle. He was 21 years old.

Matthew and his wife, Kara, wed on Valentine's Day of this year. Upon his death, Kara said, ''Matthew made it his life's work to take care of those he loved. His heart was made of gold. Matt truly was our angel on Earth,'' she said.

Corporal Alexander was the son of Melvin and Monica Alexander of, Gretna, and the brother of Marshall.

As a young teen, he made clear his intent to serve others in the United States military. At his funeral, in a tremendous outpouring of support from the community, friends and neighbors gave testimony to his kindness and compassion, his dedication to the least among us.

His life and his death are marked by noble virtue. America is forever indebted to corporal Matthew Alexander.

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.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

VICE PRESIDENT SHOULD RESIGN OR FACE IMPEACHMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. MCDERMOTT) is recognized for 5 minutes.

Mr. MCDERMOTT. Madam Speaker, it is time for a new exit strategy, one that removes the Vice President of the United States from office, voluntarily, if he chooses, but by impeachment if he stonewalls.

The time has come for the Vice President to go. Our Nation and our national security interests at home and abroad cannot afford to have this Vice President one heartbeat away from the Presidency. As it stands now, the Vice President's damage to U.S. interests, security, system of government and our position at home and abroad will take years to overcome.

As my constituents in the State of Washington's Seventh Congressional District know, I have struggled mightily with this matter for a long time. In grave matters facing our Nation, I believe conscience and a deep respect for our system of government should guide our actions and words.

I didn't hesitate to speak the truth to power before the invasion of Iraq, despite the bitter partisan acts that I knew would follow. I have no doubt that I will be targeted for a new round of shelling after these remarks.

The intent of this administration and this Vice President has been to silence all dissent, and it always happens the same way; relentless attacks until people ask themselves, do I want to subject myself to that kind of hell if I speak out? Fear is what kept this administration in office in 2004, and fear is the only public discourse this administration understands and practices. Why debate, when you can dictate? Why follow the law, when you can act like you are above the law?

For months, I believed that impeachment was a dire course of action. Over these same months, I have seen the haven't repeatedly drive our Nation into increasingly dire situations in Iraq, Iran and within our country as he tramples on the Constitution like it was a doormat.

For months I have considered if America would best be served by bringing forth articles of impeachment against the Vice President. I kept asking myself, is the Vice President's conduct that dire, because impeachment is the closest thing there is to internment on political death row.

The Founders intended impeachment to be used when those running the government forgot that they worked for the people, and the Founders intended impeachment to be used when toughs running the government acted as though they were above the law.

When you look at the record, you have to conclude that the Vice President has placed himself above the law. He holds himself accountable only to special interests, who meet with him in secret with no record kept of who was there, what was discussed or what promises the Vice President made.

For the last 4 years, the Vice President has refused to allow routine office inspections by a Federal agency regarding the safe handling of America's secrets. The Vice President defies the Information Security Oversight Agency, claiming he is not part of the executive branch of government. When a sitting Vice President claims that he is not part of the executive branch of government to which he was elected, it is time to remove him.

The Vice President holds himself accountable to no one. He ordered the Secret Service to destroy visitors logs, and we have learned in the Washington Post recently, that the Vice President circumvented every check and balance inside the White House to force through his own agenda, to spy on Americans through illegal wire traps, creating the gulag at Guantanamo, and subverting civil liberties and free speech at every turn.

Since the President permits the flagrant disregard of the Constitution, it is up to the Congress to act and defend the American people. With each new revelation, America has seen only glints of what has been done totally in secret.

For all we don't know, this much we do know: The Vice President holds himself above the law, and it is time for the Congress to enforce the law. I believe the evidence is overwhelming and the articles of impeachment against the Vice President should be drawn up.

The Vice President likes to say the military option is on the table. Tonight it is time to say the impeachment option is on the table.

I am adding my name to H.R. 333, calling for the impeachment. For the good of the Nation, the Vice President should leave office immediately. Call it a medical condition, call it a political condition, call it what it is; the departure of a person who forgot that he works for the American people.

The Vice President must either resign or face impeachment.

Madam Speaker, I submit for the RECORD an article in Slate magazine dated 27 June 2004, entitled ''Impeach CHENEY.''

[From Slate.com, June 27, 2007]

IMPEACH CHENEY—THE VICE PRESIDENT HAS RUN UTTERLY AMOK AND MUST BE STOPPED

(By Bruce Fein)

Under Dick Cheney, the office of the vice president has been transformed from a tiny acorn into an unprecedented giant oak. In grasping and exercising presidential powers, Cheney has dulled political accountability and concocted theories for evading the law and Constitution that would have embarrassed King George III. The most recent invention we know of is the vice president's insistence that an executive order governing the handling of classified information in the executive branch does not reach his office because he also serves as president of the Senate. In other words, the vice president is a unique legislative-executive creature standing above and beyond the Constitution. The House Judiciary Committee should commence an impeachment inquiry. As Alexander Hamilton advised in the Federalist Papers, an impeachable offense is a political crime against the nation. Cheney's multiple crimes against the Constitution clearly qualify.

Take the vice president's preposterous theory that his office is outside the executive branch because it also exercises a legislative function. The same can be said of the president, who also exercises a legislative function in signing or vetoing bills passed by Congress. Under Cheney's bizarre reasoning, President Bush is not part of his own administration: The executive branch becomes acephalous. Today Cheney Chief of Staff David Addington refused to renounce that reasoning, instead laughably trying to diminish the importance of the legal question at issue.

The nation's first vice president, John Adams, bemoaned: ''My country has in its wisdom contrived for me the most insignificant office that ever the invention of man contrived or his imagination conceived; and as I can do neither good nor evil, I must be borne away by others and meet common fate.'' Vice President John Nance Garner, serving under President Franklin D. Roosevelt, lamented: ''The vice presidency isn't worth a pitcher of warm * * *.'' In modern times, vice presidents have generally been confined to attending state funerals or to distributing blankets after earthquakes.

Then President George W. Bush outsourced the lion's share of his presidency to Vice President Cheney, and Mr. Cheney has made the most of it. Since 9/11, he has proclaimed that all checks and balances and individual liberties are subservient to the president's commander in chief powers in confronting international terrorism. Let's review the record of his abuses and excesses:

The vice president asserted presidential power to create military commissions, which combine the functions of judge, jury, and prosecutor in the trial of war crimes. The Supreme Court rebuked Cheney in Hamdan v. Rumsfeld. Mr. Cheney claimed authority to detain American citizens as enemy combatants indefinitely at Guantanamo Bay on the president's say-so alone, a frightening power indistinguishable from King Louis XVI's execrated lettres de cachet that occasioned the storming of the Bastille. The Supreme Court repudiated Cheney in Hamdi v. Rumsfeld.

The vice president initiated kidnappings, secret detentions, and torture in Eastern European prisons of suspected international terrorists. This lawlessness has been answered in Germany and Italy with criminal charges against CIA operatives or agents. The legal precedent set by Cheney would justify a decision by Russian President Vladimir Putin to kidnap American tourists in

Paris and to dispatch them to dungeons in Belarus if they were suspected of Chechen sympathies.

The vice president has maintained that the entire world is a battlefield. Accordingly, he contends that military power may be unleashed to kill or capture any American citizen on American soil if suspected of association or affiliation with al-Qaida. Thus, Mr. Cheney could have ordered the military to kill Jose Padilla with rockets, artillery, or otherwise when he landed at O'Hare Airport in Chicago, because of Padilla's then-suspected ties to international terrorism.

Mr. Cheney has championed a presidential power to torture in contravention of federal statutes and treaties.

He has advocated and authored signing statements that declare the president's intent to disregard provisions of bills he has signed into law that he proclaims are unconstitutional, for example, a requirement to obtain a judicial warrant before opening mail or a prohibition on employing military force to fight narco-terrorists in Colombia. The signing statements are tantamount to absolute line-item vetoes that the Supreme Court invalidated in the 1998 case Clinton v. New York.

The vice president engineered the National Security Agency's warrantless domestic surveillance program targeting American citizens on American soil in contravention of the Foreign Intelligence Surveillance Act of 1978. He concocted the alarming theory that the president may flout any law that inhibits the collection of foreign intelligence, including prohibitions on breaking and entering homes, torture, or assassinations. As a reflection of his power in this arena, today the Senate Judiciary Committee subpoenaed Cheney's office, as well as the White House, for documents that relate to the warrantless eavesdropping.

The vice president has orchestrated the invocation of executive privilege to conceal from Congress secret spying programs to gather foreign intelligence, and their legal justifications. He has summoned the privilege to refuse to disclose his consulting of business executives in conjunction with his Energy Task Force, and to frustrate the testimonies of Karl Rove and Harriet Miers regarding the firings of U.S. attorneys.

Cheney scorns freedom of speech and of the press. He urges application of the Espionage Act to prosecute journalists who expose national security abuses, for example, secret prisons in Eastern Europe or the NSA's warrantless surveillance program. He retaliated against Ambassador Joseph Wilson and his wife, Valerie Plame, through Chief of Staff Scooter Libby, for questioning the administration's evidence of weapons of mass destruction as justification for invading Iraq. Mr. Cheney is defending himself from a pending suit brought by Wilson and Plame on the grounds that he is entitled to the absolute immunity of the president established in 1982 by Nixon v. Fitzgerald. (Although this defense contradicts Cheney's claim that he is not part of the executive branch.)

The Constitution does not expressly forbid the president from abandoning his chief powers to the vice president. But President Bush's tacit delegation to Cheney and Cheney's eager acceptance tortures the Constitution's provision for an acting president. The presidency and vice presidency are discrete constitutional offices. The 12th Amendment provides for their separate elections. The sole constitutionally enumerated function of the vice president is to serve as president of the Senate without a vote except to break ties.

In contrast, Article II enumerates the powers and responsibilities of the president, including the obligation to take care that the laws be faithfully executed. A special presidential oath is prescribed. Section 3 of the 25th Amendment provides a method for the president to yield his office to the vice president, when ''he is unable to discharge the powers and duties of his office.'' There is no other constitutional provision for transferring presidential powers to the vice president.

Yet without making a written transmittal to Congress, President Bush has ceded vast domains of his powers to Vice President Cheney by mutual understanding that circumvents the 25th Amendment. This constitutional provision assures that the public and Congress know who is exercising the powers of the presidency and who should be held responsible for successes or failures. The Bush-Cheney dispensation blurs political accountability by continually hiding the real decision-maker under presidential skirts. The Washington Post has thoroughly documented the vice president's dominance in a four-part series running this week. It is quite a read.

In the end, President Bush regularly is unable to explain or defend the policies of his own administration, and that is because the heavy intellectual labor has been performed in the office of the vice president. Cheney is impeachable for his overweening power and his sneering contempt of the Constitution and the rule of law.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the Vice President.

□ 1930

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WATERS) is recognized for 5 minutes.

(Ms. WATERS addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HINCHEY) is recognized for 5 minutes.

(Mr. HINCHEY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GOHMERT) is recognized for 5 minutes.

(Mr. GOHMERT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

WELCOME BACK SIMMONS COLLEGE OF KENTUCKY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky (Mr. YARMUTH) is recognized for 5 minutes.

Mr. YARMUTH. Madam Speaker, I rise in recognition of one of the most storied institutions in Louisville's rich history on this day of its rebirth as an independent liberal arts institution, as it was intended.

Shortly after the end of the Civil War, 12 forward-thinking former slaves gathered in Louisville, united by the understanding that education would be key to prosperity as free people in America. The institution of higher learning that opened its door 14 years later in 1879 was unique in its commitment to African American education.

While many similar institutions were the result of the efforts of white missionaries working to give recently freed people the advantages of American society, Simmons, known at that time as the Kentucky Normal Theological Institute in Louisville, was created in a collaboration that bridged the racial divide. Black Baptists and white Baptists, recently freed and those born of privilege, worked hand in hand in pursuit of equality in education.

Early leaders at the school came with impressive Ivy League pedigrees, but as the strength of the institution increased, they turned more and more to alumni that came from within. By the early part of the 20th century, it was difficult to find a finer education than that offered at Simmons College, earning it the nickname: ''The Black Harvard of the South.''

Within four decades of its inception and a half century removed from slavery, Simmons embodied the dream and exceeded the expectations of the dozen visionaries who foresaw education as the tools for equality. Louisville's Simmons College was a liberal arts college of national renown.

But like so many others, the economic hardships of the Great Depression devastated the school. The properties succumbed to foreclosure and the institution lost its independence. Despite meeting tremendous adversity, the determination that led Simmons' inception and incredible ascent drove its journey onward.

For decades and under several names, the school continued to exist. Most recently, the school specialized in theology, expertly training pastors at Simmons Bible College at 18th Street and Dumesnil.

But, Dr. Kevin W. Cosby, the latest in a great tradition of Simmons leadership dating back to Elijah Marrs, William Simmons, and Charles Parish, has led the way to a full restoration of

Simmons' early success as, in his words, ''the mother of black higher education in the State of Kentucky.'' Through his work as president of the school and as pastor at St. Stephen Baptist Church, Dr. Cosby has worked to expand the school to its original home at 7th Street and Kentucky, where, in conjunction with the current campus, it will once again operate as a fully independent liberal arts university.

In this capacity, Simmons will again offer students from around the country a chance to realize their potential and excel, giving hope to those who need it. I applaud the vision and fortitude that Dr. Cosby has shown in restoring this indispensable treasure, which is not just a shining light in Kentucky's history, but to the Commonwealth's present and future as well.

I hope that it is Simmons, not recent decisions in Washington that could indicate a slow retreat from our strides in civil rights, that portends the course our Nation now treads. It is my great honor to stand on the House floor in recognition of the tremendous national significance and benefit of Simmons College of Kentucky and to say: Welcome back.

IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Madam Speaker, President Bush finds himself increasingly isolated on the issue of Iraq. Public support continues to evaporate. This week in a devastating blow to the President's policy, Indiana Senator RICHARD LUGAR, ranking member of the Foreign Relations Committee, a respected voice and, I might say, a very experienced voice on foreign policy for the past 30 years, publicly broke with the Bush administration on Iraq.

In remarks on the Senate floor which are prominently featured on the home page of his Web site, Senator LUGAR said: ''Our course in Iraq has lost contact with our vital national security interests in the Middle East and beyond. Our continuing absorption with military activities in Iraq is limiting our diplomatic assertiveness there and elsewhere in the world. The prospects that the current ''surge'' strategy will succeed in the way originally envisioned by the President are very limited within the short period framed by our own domestic political debate. And the strident, polarized nature of that debate increases the risk that our involvement in Iraq will end in a poorly planned withdrawal that undercuts our vital interests in the Middle East. Unless we recalibrate our strategy in Iraq to fit our domestic political conditions and the broader needs of U.S. national security, we risk foreign policy failures that could greatly diminish our influence across that region and the world.''

Senator LUGAR framed the debate in terms of U.S. interests in the Middle East and the world. He is correct to note that: ''The current surge strategy is not an effective means of protecting those interests. Its prospects for success are too dependent on the actions of others who do not share our agenda. It relies on military power to achieve goals that it cannot achieve. It distances allies that we will need for any regional diplomatic effort. Its failure, without a careful transition to a backup policy, would intensify our loss of credibility. It uses tremendous amounts of resources that cannot be employed in other ways to secure our objectives. And it lacks domestic support that is necessary to sustain a policy of this type.''

I would add several other observations: Rising casualties signal a strategy that is not working.

The U.S. death toll has risen to over 3,555 and there are that many Iraqis dying every month. President Bush himself has admitted his surge will result in more American casualties, a phenomenon we in Ohio know well as last week we lost another airman, F–16 pilot Kevin Sonnenburg, who was laid to rest.

Madam Speaker, I would like to place in the RECORD other important information about the situation in Iraq. Flexibility is not the President's strong suit, and it is time for President Bush to get in touch with reality before he does more damage to the position of the United States in the Middle East and before we lose more of our sons and daughters and the nation of Iraq loses more of its sons and daughters.

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RISING CASUALTIES SIGNAL A STRATEGY THAT IS NOT WORKING

When a U.S. soldier was killed recently by a roadside bomb in the southwestern section of Baghdad, the death toll for American service personnel reached 3,500 over the four years of this war.

The U.S. death toll has risen over 3555.

President Bush himself admitted his ''surge'' will result in more American casualties—a phenomenon that has become all too frequent as a result of the Administration's conduct of the war. Even now, Northwest Ohio is mourning the loss of an F–16 pilot from the 180th Fighter Wing out of Toledo.

We stand foursquare behind our troops. We will support them in every possible way.

Sooner or later, President Bush has to face the facts: the American people will not sacrifice their sons and daughters in a failed strategy.

SOLDIERS BECOMING INCREASINGLY DISILLUSIONED

Our armed forces are being stretched too thin, but the White House just won't listen. Senator LUGAR said in his speech: ''The window during which we can continue to employ American troops in Iraqi neighborhoods without damaging our military strength or our ability to respond to other national security priorities is closing.''

Tour after tour in Iraq are taxing the best troops in the world, our American soldiers, leaving them increasingly disillusioned with the mission.

Soldiers are home no longer than 24 hours before they receive a phone call telling them to change their plans because they are going back to Iraq.

Our troops have stepped up to the plate, they have served with honor, and now it is time for their Iraqi counterparts to step up.

> Our unit has already sent two soldiers in a box. My soldiers don't see the same level of commitment from the Iraqi Army units they're partnered with.—Captain Douglas Rogers of Delta Company.

Meanwhile, the line between ally and foe is continuing to be blurred as soldiers watch shadowy militia commanders installed as Iraqi Army officers, which places all our forces in a vulnerable position, heavily susceptible to internal as well as external terrorist attacks.

THE WAR IS CAUSING NEUROPSYCHIATRIC ILLNESS AMONG OUR TROOPS

The war in Iraq is taking a hidden toll on the American forces:

38 percent of soldiers, 31 percent of our Marines, 49 percent of our Army National Guard and 43 percent of our Marine reservists have reported symptoms of neuropsychiatric illnesses—PTSD, anxiety, depression.

Mental health care stigma remains pervasive and is a significant barrier to care.

Mental health professionals are not sufficiently accessible to service members and their families.

There are significant gaps in the continuum of care for psychological health.

The military system does not have enough resources, funding or personnel to adequately support the neuropsychological health of service members and their families in peace and during conflict.

There is a shortage of active-duty mental health professionals. The system has been stressed by repeated deployments and other frustrations, and psychologists and psychiatric nurses are leaving the military in growing numbers:

Air Force lost 20 percent of mental health workers from 2003–2007.

Navy lost 15 percent of mental health workers from 2003–2006.

Army lost 8 percent of mental health workers from 2003–2005.

This report points to significant shortfalls in achieving goals and taking care of our service members and their families.—Dr. S. Ward Casscells, assistant secretary of defense for health affairs

The current complement of mental health professionals is woefully inadequate.—MHTF Report.

CONCLUSION

Madam Speaker, flexibility is not President Bush's strong suit.

As his policy in Iraq continued to unravel, he dug his heels in and refused to listen to the generals, to the Congress or to the American people.

As the situation in Iraq continued to deteriorate, the President kept insisting that things were getting better and the violence was beginning to subside.

As civil society devolved into chaos, President Bush held onto the false hope that the Iraqi people were somehow prepared to take the necessary steps toward creating a democracy.

Madam Speaker, President Bush cannot sustain this charade any longer.

The "wise men" of the Republican Party, including Senator LUGAR, are calling into question the fundamental precepts of the Bush policy and calling for a major overhaul.

The president's Iraq policy stands discredited in the eyes of the world. At this point, only President Bush, Vice President CHENEY and Prime Minister Tony Blair seem to believe that the original mission has any chance of success.

It is time, Madam Speaker, for President Bush to get in touch with reality before he does anymore damage to the position of the United States in the Middle East and before we lose in the Middle East even more of our sons and daughters in this disastrous war.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. REICHERT) is recognized for 5 minutes.

(Mr. REICHERT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. SARBANES) is recognized for 5 minutes.

(Mr. SARBANES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. ELLISON) is recognized for 5 minutes.

(Mr. ELLISON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

DIPLOMATIC STRATEGY FOR IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. SESTAK) is recognized for 5 minutes.

Mr. SESTAK. Madam Speaker, I rise to speak for a few minutes about Iraq. Every Member of the House brings their experience with them. Mine happens to be 31 years in the military, including leading men and women in war. I have operated with the Soviet Union, the People's Republic of China, entered the DMZ in North Korea, dealt with the Iranians at sea in the Persian Gulf.

When I saw us about to go into Iraq, I was concerned. I felt it was a tragic misadventure, not because of Iraq solely by itself, but because of what it would do to our strategic security around this globe.

I flew with my battle group over Iraq just prior to the war, after having left the war in Afghanistan. I have always been taken in the military by the power of our diplomacy, the power of our diplomats, because they are the ones who often have prevented us from having to use our military. I honestly believe there is a way to redeploy from Iraq that does not mean just getting out nor just bringing the troops home. Those are the wrong words.

Iraq is a set piece in a strategic environment around this world that the United States has interest in. And there is a way to end this tragic misadventure, to redeploy out of Iraq so we might place our men and women where they need to be in Afghanistan, the western Pacific, and here at home to improve the readiness of our Army that has not one, not one active Guard or Reserve unit that is in a state of readiness to deploy anywhere to any other contingency in this world.

And that strategy is really brought about by changing the behavior, in particular, of Iran, who I have operated with at sea, and Iraq and Syria, and the other nations in that region. We will not do that by doubling down once again on a bad bet with a surge of military forces. I know. I have watched it happen before.

This can only be resolved by a strategy that sets a date, a date within a year by which we will redeploy out of Iraq, because that date is not just for ending this war, it has the value of a different strategy to leave an unfailed state, as Iran, recognizing that we will no longer be in that state, but we will remain in the region at our bases that we do have in Qatar, Oman, Bahrain, the United Arab Emirates; and our carrier battle group and our amphibious ready group in that region because we have interests there.

But by that date we change the behavior of Iran who does not want to deal by itself with the 2 million Iraqis who have been dislocated from their homes and have yet to overflow their borders, as 2 million others have.

And Syria, that is Sunni, does not want as it fuels, after we leave there, a civil war, would be fueling the Sunnis against the Shia that the Iranians might be supporting. Neither nation wants a proxy war.

If we work diplomatically with a date certain, because they don't want us to remain in that nation, we have the ability to bring to the table the interested parties who can work on the extreme elements in that nation, Iran and Syria; and we deal with the center, the government of Baghdad, with a date certain that makes them recognize they must also step up to the plate and assume responsibility for the country which they have done and presently have to do as we keep a lid politically and militarily on a simmering pot.

There is a strategy which I believe we need to pursue, Republican and Democrat together, that sets a date of approximately a year, which gives us time to safely redeploy. Because, remember, it took us 6 months to redeploy out of Somalia with only about 8,000 troops, when we have 160,000 in Iraq with over 100,000 U.S. contractors. We need time to safely redeploy with a strategy that works to bring Iran and Syria to the table because they have interests in accommodating stability as we remain in that region because of our interests, providing air cover if necessary from above, from bases outside or Special Forces from outside, as we begin to address our other security interests around the world and here at home.

□ 1945

STAND DOWN 2007

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mr. CLEAVER) is recognized for 5 minutes.

Mr. CLEAVER. Madam Speaker, we are all concerned about the troops. I am extremely concerned about the troops when they return home.

On this past Saturday, June 23, I visited the 14th annual Kansas City Stand Down. This is a 2-day event, and it opened up in Kansas City on Truman Road, the road that Harry Truman's

house sits on. It was open to homeless veterans. It provided a variety of services. This event is an opportunity for Americans to help Americans, Americans giving respect and dignity to their veterans who are down on their luck and in many cases homeless.

It is believed there are approximately 1,800 homeless veterans in Kansas City, Missouri's largest city. This year 800 homeless veterans attended the Stand Down and received assistance from 500 volunteers. It was a wonderful opportunity to meet and visit with veterans who proudly served the United States of America, and I want to also say at this time it was a proud opportunity for me to thank the volunteers who forfeited their time to make a difference.

One of the most popular contributors was Big Bubba's Barbecue, who fed a delicious barbecue lunch to over 700 people on Saturday. Grants were provided by Best Buy, At Home America, and the U.S. Department of Labor. These grants, combined with donations and countless volunteer hours, ensured that the Stand Down would be able to provide the necessary assistance to our homeless veterans.

When a homeless veteran arrives, they know that they will be greeted with respect and provided with shelter, shoes, showers, haircuts, blankets, clothing and hygiene products. Each veteran is given medical health screenings, eye care, dental care and if the veteran does not have identification, they are provided with a picture ID, assistance with legal problems, VA benefit counseling, general benefits counseling, including Social Security, food stamps, local health and human services, substance abuse counseling, mental health counseling, employment services which include job referrals, employment counseling, as well as housing services.

I wish the entire Nation could have seen Kansas City turn out to pay respect to their veterans and to provide them with care. I truly appreciate and congratulate the Vet Center, AmeriCorps Vista volunteers and the Stand Down steering committee for a job well done. If this is done all over America the way it was done in the Fifth District of Missouri, our veterans will know that we really do care.

HOUSE DEMOCRATS' TOP 100 BROKEN PROMISES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 60 minutes as the designee of the minority leader.

Ms. FOXX. Madam Speaker, I appreciate this and I appreciate the minority leader asking me to lead this hour tonight.

I am going to have next to me here a little poster that I'm going to keep up during my talk. I am joined by a couple of my colleagues that I will recognize in just a few minutes. I have been blessed to be a part of an organization and a group that has come here on the House floor in the last 18 months or so called the Truth Squad, led very ably by our colleague, Dr. PRICE from Georgia. I think that we will add to our Truth Squad on a regular basis the group that will be talking about the House Democrats' Top 100 Broken Promises.

Last fall, the Democrats won a majority in this Congress, in the House and in the Senate, by making many promises to the American people. They have not kept these promises. At the beginning of the 110th Congress, the new majority came to power full of promises for a bipartisan working relationship and a landmark pledge to create ''the most honest, most open and most ethical Congress in history.'' Unfortunately, the first 6 months of Democratic control have been marked by a long string of broken promises. Contrary to the pledges they made to the American people, the leaders of the current majority have delivered a more closed, intellectually dishonest, and ethically ambivalent House of Representatives. By decree instead of open debate, Democrats have attempted to weaken our national defense and legislate retreat from the global war on terror, impose the largest tax increase in American history, propose the most indiscriminate wasteful spending this Congress has seen in decades, craft multi-billion dollar slush funds for secret earmarks, make gas prices worse by raising taxes and increasing regulation, and cut Medicare at a time when our seniors are enjoying large savings in their prescription drug medicines. This is the wrong direction for the American people.

I am quoting from a new report that the offices of the Republican leaders have put together and will continue to do that throughout my comments tonight.

At the 6-month mark of the new majority, the report takes a look at the House Democrats' top 100 promises and how those broken promises have led to little if any accomplishments of note and a record of failure that has undermined the confidence of the American people in this Congress. As I said earlier, this report complements efforts that have been made by other House Republicans, including the Official Truth Squad, and the Truth Squad has been holding Democrats accountable for their promises. We're going to go over these promises one by one, point them out to the American people and show them what has not happened even though the Democrats made these promises in order to get elected last fall.

Let me start with Democratic Promise No. 1: Prepared to Govern and Ready to Lead: ''Democrats are prepared to govern and ready to lead.'' Speaker-Elect NANCY PELOSI, D-CA, in a press release, November 8, 2006.

Now, let me tell you what the report is on that promise from the Chicago Tribune. The headline on the article, ''Democrats Promised Way More Than They've Delivered So Far.'' June 21, 2007. And this is the quote from that article: ''Six months after taking over Congress, Democrats find they have accomplished little of their agenda. Perhaps not coincidentally, Congress's job approval rating has reached a dramatic low. If they can't reverse the trend, some Democrats are starting to worry their majority could be short-lived.''

Well, for the benefit of the American people who counted on the promises that the Democrats made and who promised a new bipartisan approach to governing, and with our assistance we could have accomplished a great deal in this 6 months, but because they have refused to uphold their promises, they have not been able to fulfill much, if anything.

I would now like to recognize one of my colleagues who's here with us tonight who's going to expand upon some of these promises and talk a little bit about how they have affected the American people and perhaps particularly those in her district, the gentlelady from Florida, Ms. GINNY BROWN-WAITE.

Ms. GINNY BROWN-WAITE of Florida. I thank the gentlelady from North Carolina.

I think Americans are disappointed. I think with the change in leadership in the House of Representatives as well as in the Senate, the people thought things were going to be improved. Kind of like when you buy a new container of detergent, it might say New and Improved. Well, I have to say, it's not improved and it certainly isn't new.

We were promised transparency. As you know, the gentlelady from North Carolina, if you recall, we had some language about making all earmarks transparent when we were in charge, when the Republicans were in charge. Well, a week and a half ago on this very floor, we found out that that promise of transparency was broken and the promise of transparency in earmarks just didn't happen. As a matter of fact, we were going to be asked to vote on a bill that we had no idea what the earmarks were going to be in. We would be told that when it came back from conference.

Well, that clearly, as my momma used to say, was buying a pig in a poke. You didn't know what you were getting and it was a very bad public policy. One of the Democrat promises was that they were going to promote smart and tough security. Let me read a direct quote: ''Democrats are committed to protecting our country with real security initiatives that are smart and tough,'' then Minority Leader NANCY PELOSI said in a press release on October 25, 2006, before the November elections.

Well, what we find is that the Democrats brought legislation to the House floor supporting the transfer of responsibility for a critical national security program to, of all entities, the United

Nations. And then 230 Democrats voted against a Republican motion to recommit which would have prohibited this transfer of responsibility and made clear that America's national security is and should be the responsibility of America alone. That happened to be a vote on January 4 of 2007.

In the Fifth Congressional District in Florida, which I represent, and I know, Ms. FOXX, in your district, too, protecting of our borders is so important. Let me read a quote from then Minority Whip STENY HOYER. The quote was made November 25, 2006: ''I believe there is virtually unanimous agreement in the Congress that we must secure our borders and know who is entering our country.''

Contrast that with May of 2006, and then what we have is a total change on June 15, 2007, when, just 6 months after the Democrats took power in the House, 214 Democrats voted against a Republican proposal to provide funds necessary for the construction of at least two layers of reinforced fencing, the installation of additional and physical barriers, road lighting, cameras and sensors, so that we could make our borders secure. This certainly is not the secure U.S. border promise that was made before the election.

The Fifth Congressional District has a large number of retirees in it and people who are relying on Social Security. They truly care about the future of our country and the absolute need to be very careful about protecting future generations.

Let me read a quote that was made and that is that they were going to reform entitlement spending to protect future generations. But here's where the broken promise came in. The Democrat budget actually puts off tough and divisive decisions. Democrats did not include proposals to control the growth of entitlement programs that are projected to swamp the rest of the budget. Again, another broken promise.

While you have a list there of 100 broken promises, whether it's the transparency issue or whether it is reforming entitlement spending, or let me end with one that is so important to my district and that is Social Security and the Social Security trust fund. I would like to read a quote, and this was in March 2007 by a member of the Democrat Party from New Jersey. He said, ''We will not borrow the money from the Social Security trust fund and from other creditors around the world.''

However, when there was a Republican proposal to prohibit increases in the authorization spending levels if the Social Security surplus has been spent the previous year, that same Member from New Jersey voted to virtually break his promise. That's what Americans are concerned about. That's exactly why the rating of Congress is down to 14. I think it's a combination of thus far the very, very serious broken promises and what the Senate was about to do on immigration.

□ 2000

Americans are very disappointed, and I thank the gentlelady from North Carolina for bringing this issue to the House floor. It's important that we remind the citizens, Republicans, Democrats and Independents of the broken promises that have only happened the first 6 months of the Democrat control of this House.

I thank the gentlelady for bringing this very important issue up.

Ms. FOXX. I thank my colleague from Florida, who also represents a fifth district, as I represent the Fifth District in North Carolina. We share our names together and the districts that we represent, and our respective States together.

I am going to speak a little bit more from this report, and then I am going to recognize one of my colleagues from Texas. I think it's important to sort of set the stage again for these comments. I am very grateful to my two colleagues for being with me tonight.

Democratic Promise No. 2, now, as my colleague from Florida said, there are a lot more than 100 of these promises. We have taken the Top 100. Between now and the next 6 months, we know there are going to be a lot more than that, but we only have time to deal with the first 100.

But this was Democratic Promise No. 2 that I want to highlight, ''We will make this the most honest, ethical and open Congress in history,'' Speaker-elect NANCY PELOSI, press conference, November 8, 2006.

Broken promises, this is a quote from the Cleveland Plain Dealer editorial, June 10, 2007, entitled, ''A Wake-Up Call for Congress. When Democrats recaptured the House last November after 12 years of the minority, they promised voters 'the most honest, the most open and most ethical Congress.' Five months after Nancy Pelosi and her leadership took control, that promise remains unfulfilled.''

With so little in the way of accomplishments, is it any wonder that a new poll released by Gallup last week showed that just 14 percent of Americans have confidence in this Congress, an all-time low. The previous low point for Congress was 18 percent at several points in the time period from 1991 to 1994, the last time Democrats were in power.

Indeed, one of the only meaningful accomplishments of this Congress to date has been legislation enacted to fully fund American troops fighting the war on terror, a bill that was carried on the strength of a unified Republican Party. Nearly half of the 39 bills signed into law either named Federal property or billed a road.

In sharp contrast, Republicans have spoken with one voice and kept our promise made to the American people 6 months ago to return to our core principles and focus on a smaller, less costly, accountable government. Moreover, a unified Republican Conference has proven formidable, effective and successful in exposing flaws and strengthening Democratic legislation by passing 14 GOP motions to recommit in just 6 months, more than House Democrats were able to accomplish in their 12-year stint in the minority.

In many ways, the new Democratic majority has simply picked up where the old Democratic majority left off, a long list of broken promises, little in the way of accomplishments, and dangerously disconnected from the American people.

I came to Congress because I wanted to make changes in a positive way and represent the people of my district and the country in a very, very positive way. I think most Members came here for that. It troubles me to see an approval rating of only 14 percent. That is not good for this institution; it is not good for this country.

I want us to be able to revive the attitude of the American people toward the Congress. That is why we are holding up these promises that the Democrats have made and not fulfilled that let people know the difference between the Democrats and the Republicans in this body.

I would now like to recognize my good colleague from the State of Texas (Mr. CARTER), who is going to share some more insights into these broken promises.

Mr. CARTER. I thank my friend and colleague from North Carolina.

This is an interesting document that we have got here. I have got a copy, certainly a smaller version than is on the board there. These Top 100 broken promises, I thought it would just be interesting to just thumb through here and turn to a page and see if we can find one that we might find interesting.

I am just going to randomly look here. Let's see, energy policy, Energy Independence Day.

Promise: ''We will make this 4th of July Energy Independence Day.'' That's coming up next week, I believe. That's from Speaker-elect NANCY PELOSI back on May 9, 2007, at a press conference. ''The House energy bill has evolved into a heated internecine battle'' that threatens to spoil Democrats' hope of passing an overall energy policy by July 4. ''Pelosi versus Dingell Heats Up.'' ''Energy Tension Rises At Meeting,'' Roll Call, one of our newspapers here on the Hill, June 13, 2007. ''House Members will depart for the 4th of July district work period without passing independence energy legislation of any kind.'' That's a quick look through here.

Let's look over here at something else. ''Eliminate Reliance on Foreign Oil,'' promise: ''To free America from dependence on foreign oil, we will achieve energy independence for America by 2020 by eliminating reliance on oil from the Middle East and other unstable regions of the world.''

''NANCY PELOSI, A New Direction for America,'' her speech, page 6. ''During the first 6 months of the Democrat-

controlled Congress, no energy independence legislation has been passed by the House, much less sent to the President's desk. But 228 Democrats voted to impose more than $6.5 billion in new taxes on small and independent American energy producers, which will lead to less domestic supply, higher prices for consumers, and an increase in America's dependence on foreign sources.'' That's also from Roll Call.

Let's turn over here a couple of more pages and look at what we can find.

Probably one of the things that Americans worry about most is their security for their families and their that children. You know, we don't ever want the United States of America to have to suffer the kind of terrorist activity that our friends in Israel suffer where, when you send your kids to the park to play ball or just swing or just visit with their friends, there is some idiot that wants to blow you up and kill you. We don't want that in this country. Homeland Security is important.

The Democrats, when they ran the last election, they made promises that they would implement all of the 9/11 Commission report. That was kind of their campaign.

''On the first day we control Congress, we will begin by passing all of the 9/11 Commission recommendations,'' that's what the then minority leader NANCY PELOSI promised in the last election cycle campaign.

Another part of that promise, ''House Minority Leader NANCY PELOSI says she plans to pass all of the 9/11 Commission recommendations within 100 legislative hours of a Democrat takeover of the House of Representatives.'' That comes from Congressional Quarterly.

But, now, I am afraid that promise got broken. Let's see what they actually did here. ''But the 9/11 package will not include a reorganization of congressional oversight of Homeland Security Department or an attempt to declassify the intelligence budget, despite the fact that those two were key recommendations. Although the Democrats pledged during the election to implement all of the Commission's unfulfilled recommendations, aides now concede that doing so will be harder than they thought,'' Congressional Daily, December 15, 2006.

''Pass clean spending bills without Iraq policy changes. House Defense Appropriations Subcommittee Ranking Member John Murtha, Democrat from Pennsylvania, told reporters last week that he would not use the spending bills to enact policy on Iraq, a war he strongly opposes.'' That's from Congressional Daily.

Then we have ''A Broken Promise.'' An editorial in the Arkansas Democrat Gazette accused Democrats of using the supplemental spending bill to author resolutions that would severely restrict supplies and reinforcements for American troops in harm's way and would tie the President's hands by imposing all kinds of conditions on his ability to reinforce the troops. It comes from the Arkansas Democrat Gazette editorial, February 21, 2006.

CNN John Roberts questioned JOHN MURTHA, Democrat from Pennsylvania, about his slow-bleed scheme to undermine our generals and our troops on the ground on the American Morning, CNN, April, 2007. Mr. Roberts asked ''You heard what President Bush said, that Congress shouldn't be micromanaging the war. What do you say?'' JOHN MURTHA, ''That's our job, John.''

On the upcoming Department of Defense spending bill, it's clear that House Democrats and Representative MURTHA do intend to attach to the latest version of his slow-bleed scheme to undermine our troops. House Democrat leaders are considering votes next month on another legislative package aimed at changing course in Iraq and might announce those plans this week,'' said aides Monday. ''The Iraq language would be an attached to the Defense Appropriations bill.'' This was June 26, 2007, ''Democrats Weighing Attempt to Change Course of Iraq War,'' another broken promise.

Let's thumb over here just a little bit more and see what we can do. Something that—I just heard a lecture this morning by an expert from over at Georgetown University on international terrorism, where he told us in an hour-long lecture that the resources that we have on the ground, and the intelligence community and the special operations forces that operate are critical in being able to bring down al Qaeda, which is a world-wide network, and, quite frankly, very, very much still alive in countries like England and Western Europe, and their number one target is still to attack the United States of America.

He stressed that we have got to have intelligence at every level assisting us in finding these people. I think this was recognized when we started this session of Congress.

Here is a promise, ''We all, Democrats and Republicans alike, take very seriously our responsibility to protect the American people. We know the important role that intelligence plays in that.''

Another bill, another promise, ''This bill contains robust funding for critical intelligence programs.'' The first quote was from NANCY PELOSI. This is from SILVESTRE REYES, chairman of the Intelligence Committee.

But here is the broken promise. ''Democrats pledge to provide full funding for critical intelligence programs. But just months after taking power, they took precious resources away from critical intelligence programs and used the money to fund research on global warming instead. Led by U.S. Representative SILVESTRE REYES of Texas, a coalition of D.C. Democrats say national security will be better served if the CIA cash is used for global warming research, because apparently there just aren't enough people studying this issue out there.'' This is from an article that says Intelligence Committee Threatens National Committee, Detroit News editorial, May 13, 2007.

We can move on. This is fun. You just turn to a page and see what we have got here. I welcome anybody to come turn the page for me. I am not making these things up here.

''Reform Entitlement Spending to Protect Future Generations. This summer, Office of Management and Budget Director Rob Portman said the administration would return to entitlements and taxes in earnest following the elections. Senior Democrats on the House and Senate Budget Committees, Senator Kent Conrad of North Dakota, and Representative John Spratt of South Carolina, responded by saying Congress, not the administration, must drive these efforts.'' That's from The Hill newspaper.

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But the broken promises, but the Democrat budget plan puts off tough and divisive decisions. Democrats did not include proposals to control growth and entitlement programs that are projected to swamp the rest of the budget in coming decades as the baby boom generation retires.

That comes from Congressional Quarterly March 29, 2007. Democrat budget does nothing to curtail runaway entitlement spending, Tallahassee Democrat editorial April 16, 2007.

So we've just got promise after promise after promise. And as my colleague from North Carolina pointed out to us tonight, we've got an approval rating of this Congress at 14 percent, the lowest in the history of the United States Congress, by my understanding. The last time we were close to this low was back when the Democrats were last in power back just before 1994.

This is a sacred body here. And it's important to win elections, and people use a lot of tools to win elections.

But back where I come from, and where a lot of the folks around here come from, when you tell somebody you're going to do something, you ought to do it.

I once had a man tell me, if you ever serve in a legislative body, the greatest tool you take to that body is your word. And if you give somebody your word, you ought to keep it. And if you don't keep it, you ought to go home. And that's a man named Bob Johnson, who there now is an office building in the Capitol complex in Austin, Texas named after this great Texan. That is great advice. And that's why these broken promises, I think, should weigh upon all of us because, quite frankly, a man or a woman's word ought to be their bond. And if you say you're going to do something, you ought to do it, and if you can't do it, you ought to at least try. And if you're not going to try, then you've broken your promise. And that's really not what this House ought to be all about.

I know there's a lot of campaign rhetoric, but a lot of these things were not said in campaign and, in fact, many of them were said right on the floor of this House as a pledge to the colleagues in this House. These pledges shouldn't be broken. We have a duty to raise the level of honor that it now seems to be the American people seem to be perceived is lost in this House of Representatives. I hope we can all take my friend Bob Johnson, who's now passed away, his advice. Let's make our word our bond.

I'll yield back to my colleague from North Carolina.

Ms. FOXX. I thank the gentleman from Texas for coming over and helping shed some light on this subject. As he has pointed out, and our colleague from Florida pointed out, a lot of things have been said, not just in the heat of a campaign, but in very deliberate opportunities, either on the floor of the House or in plans that were drawn up, in press releases. These were not slips of the tongue that were made.

And let me point out to anyone who might have just joined us that, in addition to having the Official Truth Squad which has been operating for about 18 months here in the House to correct misstatements that are made by the people on the other side of the aisle so often, a group of us are going to be highlighting this new report which has just come out today, House Democrats Top 100 Broken Promises, put together by the Republican leaders offices here in the House of Representatives. We think it's important to highlight what was promised to the American people last year, this year and what have been the results of those.

In fact, while my colleague from Texas was speaking, I was just thinking about the fact that most of our colleagues have left the Chamber tonight, they're on their way home for the 4th of July recess. And I can remember, it has been just a short time ago, that the Democrats promised that they would get all the appropriations bills passed by the 4th of July recess. I'm not sure that that broken promise is even in here. But as of today, we passed 6 out of 12. So half of the appropriations bills got passed.

Now, I've even had some of them accuse us of being the problem in not being able to get the bills passed or not being able to go home on Friday afternoon. And I looked at one of my colleagues one day who said that, and I said, wait a minute; who's in charge here? You all blamed us last year for things we didn't accomplish. Now you're blaming us for things you don't accomplish. I find it very interesting that they're very good at doing that.

So our goal here is to simply hold them accountable. I think the American people want their government held accountable for what we promise to do. And as I said earlier, I'm very troubled by having come to a House that I revere so much, this House of Representatives, and find that the American people have such a low opinion of us, based partly, I think, on this very situation that we're faced with, promises made, promises broken.

I know when I was a child, and I know with my daughter and with my grandchildren, they take promises very, very seriously. And I think the American people take promises very, very seriously.

And I know that Republicans did not always live up to their reputation of being fiscal conservatives in the last 4 years, I would say, that they were in control of this House. But I don't think anybody can accuse us of having broken promises the way the Democrats have broken promises.

I, like most of my colleagues, want to work with the Democrats on getting things accomplished for the American people. But we find that difficult to do when we know that we can't count on their word.

I want to bring up a few more of these promises that have been made and broken that I think are going to be very, very good for the American people to be reminded of. I'm going to go in this report that's highlighted here to Democratic Promise No. 16, lower gasoline prices. I know this is a big concern in my district. It's a big concern to me. Promise: ''Democrats have a plan to lower gas prices. Join Democrats who are working to lower gas prices now.'' That was said by then minority leader NANCY PELOSI, Democrat, California in a press release, April 19, 2006.

Broken promise: And I'm going to quote from USA Today, May 22, 2007. ''The average price of gasoline hit $3.218 a gallon, up a stunning 11.5 cents the past week, and just half a penny shy of the inflation adjusted record the government reported. The average is almost certain this week to pass the inflation adjusted high of 3.223 recorded in May 1981 by the Energy Information Administration.'' And that comes from an article entitled Average Gasoline Price Nears 1981 Average. And as I said, it's from USA Today, May 22, 2007.

Democrats have been in power for 6 months and gas prices have gone up, not down.

Democratic Promise No. 17: Make energy reform a top priority. Promise: ''Democrats promise to hit the ground running on energy issues if they win control of the House or Senate. Responding to voters concerns about $3 a gallon gasoline and the soaring cost of home heating oil, Democratic leaders in both Chambers have ranked energy as one of their top priorities for the next Congress.'' That's from an article entitled Energy Reserving a Front Burner, National Journal, September 9, 2006.

Broken promise: And this is a quote from Energy and Environment Daily, May 18, 2007. ''House Speaker NANCY PELOSI, Democrat, California, issued a clear directive soon after Democrats took control of Congress this year, promising a comprehensive energy and climate change bill on the House floor by the 4th of July. But with five legislative work weeks to go before that deadline, House Democrats are still left with the task of cobbling together a bill from as many as 11 committees. As for the deadline itself, a House Democratic aide close to the process said the package will not arrive on the House floor before the July 4th recess.''

Well, that aide was certainly correct. We just adjourned today for the 4th of July recess, and we certainly did not have an energy bill to vote on. And 6 months after the Democrats took power in Congress, no comprehensive energy reform has ever been passed by the House, much less sent to the Senate.

Democratic Promise No. 18: Make global warming a top priority. Promise: Again from Speaker NANCY PELOSI. ''The most urgent environmental issue facing us today is global warming.'' And this comes from a piece attributed to the Speaker, a New Direction for America, page 9.

Broken promise: June 1, 2007, Congress Daily PM. ''Pelosi says global warming bill might wait until next year. Doesn't sound like it's a very urgent issue if they're going to put it off for a year.''

And the promises and the broken promises related to energy continue to go on and on and on.

Mr. CARTER. Will the gentlelady yield?

Ms. FOXX. I will be happy to yield to my colleague from Texas.

Mr. CARTER. And I thank the gentlelady for yielding to me.

As you were reading those interesting broken promises, I was thumbing through here and saw my name in one of them so I thought I might read about it. Broken promise No. 43: Protect U.S. Borders. Promise: ''I believe there is virtually unanimous agreement in Congress that we must secure our borders and know who is entering our country.'' Then-House Minority Whip STENY HOYER, press release May 25, 2006.

Promise: ''Democrats are for the rule of law. We want to get the border security right. We would do what's necessary to protect our borders.'' Then House Minority Whip STENY HOYER, press release December 15, 2005.

Broken promise: ''Just 6 months after Democrats took power in the House, 114 House Democrats voted against a Republican proposal to provide the funds necessary for construction of at least two layers of reinforced fencing, the installation of additional physical barrier, roads, lighting cameras and sensors pursuant to section 102 (b)(1) of the Illegal Immigration Reform and Immigration Responsibility Act of 1986.'' This comes from the GOP Motion to Recommit, a rollcall vote, June 15, 2007.

Broken promise: ''218 Democrats voted against an amendment by Representative John Carter, Republican,

Texas to strike new bureaucratic hurdles in the Homeland Security Appropriations bill designed to undermine the Department's efforts to complete the construction of the fence along the border. As Brit Hume said recently on Fox News: 'House Democrats added more than a dozen new rules the administration must meet before it can spend more money on the border fence.' Special report, Brit Hume, Fox News, June 18, 2007.'' And I thank the gentlelady for yielding.

Ms. FOXX. Well, thank you for helping to get on the record these broken promises.

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I think over the next several months, we will do our best to make sure that we bring them out one after another, and I am sure we are probably going to have another hundred of them to be able to talk about in the next 6 months without any difficulty.

I want to talk about fiscal responsibility and taxes a little bit because I think this is something else the American people are quite concerned about. Let me talk about Democratic Promise No. 49, ''Restore Fiscal Responsibility.'' Promise: ''Democrats offer a New Direction which includes fiscal responsibility,'' Democratic Caucus Chairman JAMES CLYBURN, press release, October 10, 2006.

Promise: ''We will work together to lead the House of Representatives with a commitment to integrity, to civility, and to fiscal responsibility,'' Speaker-Elect NANCY PELOSI, press release, November 16, 2006.

Promise: ''It is imperative to the future of our Nation that we come together, Democrats and Republicans, and restore fiscal responsibility,'' Majority Leader STENY HOYER, Democrat, Maryland, press release, January 23, 2007.

Broken promise, and this comes from the Post and Courier in Charleston, South Carolina: ''CLYBURN Defends Budget Earmarks,'' February 21, 2007. ''Now Democratic Whip JAMES CLYBURN, Democrat, South Carolina, also said he loves appearing in the Citizens Against Government Waste Pig Book. 'I want to be there as often as I possibly can for as much money as I possibly can,' he said.''

Folks, these are not conservative publications that are putting these quotes out and calling the Democrats to task. These are what we would generally call liberal newspapers. And there are lots of quotes from the New York Times. I just haven't gotten to them yet.

Broken promise relating to the promises I just read: ''Democrats resorted to begging, threatening, and, worst of all, bribing Members for their votes with $21 billion in pork-barrel projects . . . Loading a bill that's supposed to keep our soldiers in bullets, boots, and beans, pork-barrel bribes for congressional colleagues must be a low point in the history of the U.S. Congress. This destroys any pretense Democrats have to being a party of fiscal responsibility and good government.'' This came from the Colorado Springs Gazette editorial, March 27, 2007, in an editorial entitled ''Buying Votes; Military Funding Bill a Stain on Congress.''

Broken Promise: ''It's hard to say which is worse: Democratic leaders offering peanuts for a vote of this magnitude or Members allowing their votes to be bought for peanuts.'' This is from a USA Today editorial, March 22, 2007, entitled ''Pork Has No Place in 'Emergency' War Bill.''

These are the kinds of things that make the American public cynical about their elected officials. And it is nothing that the Republicans are saying about the Democrats. It is what the publications of this country are saying about them and showing over and over and over how they have broken their promises. I don't think that we could probably get into a stack up to here of all of the statements that have been made in all of the presses about the broken promises of the Democrats in the first 6 months of their majority reign, but I do think that it is important that we point out some of them so people can make the comparison between what has been said to them and what was promised to them.

Democratic Promise No. 57. It is entitled ''Institute 'PAYGO' to Control Spending.''

Promise by Speaker NANCY PELOSI on her Web site: ''Democrats are committed to fiscal responsibility through pay-as-you-go budgets so that our children and grandchildren are not saddled with mountains of debt.''

Broken promise, and again this is not coming from a Republican or conservative publication. This is coming from the San Diego Union Tribune in an editorial dated April 16, 2007. The quote: ''In Washington . . . congressional leaders have imposed pay-as-you-go budget rules that exclude the existing entitlement programs, such as Medicare and Medicaid, which dominate Federal spending. So 'PAYGO' is really just political cover for new taxes to support new spending.''

Some of the people in the country have gotten this other than the Republican Members of this Congress, and it is very important that these things be published so that people understand what they are doing.

Let me give you one more here. Democratic Promise No. 58, ''Adopt Honest Budgets.'' Promise: ''The new Democratic-led House takes America in a new direction, a fiscally responsible budget with the right priorities. Budget Committee Chairman JOHN SPRATT is a master of the budget, and he and his team have done an outstanding job reflecting the right American priorities and values,'' Speaker NANCY PELOSI, press release, March 21, 2007.

Broken promise: ''American families don't have the option of using gimmicks to put their family budgets in order. But such rules weren't applied by House Democrats in crafting their budget, which is loaded with trickery that hardly reflects American priorities and values. The House and Senate versions of the budget depend on reserve funds to pay for additional spending. There is only one catch: The reserve funds are empty.'' And the title of this, ''Democrats Banking on Empty Reserves.'' The source, Los Angeles Times, March 27, 2007. Again, hardly a conservative place to come up.

We talked earlier about earmarks, and I think that it is very important, again, that we talk a little bit more about the issue of earmarks because I think that was one of the more egregious of the promises that were made and then broken by the Democrats. And had we not called their hand on it 2 weeks ago in this very Chamber with our standing up and protesting what they were doing to keep the earmarks a secret so that the American people could not judge whether the votes we were taking on the bills were votes that we should be taking, but, no, the Democrats had promised transparency, but they weren't about to do it until we made them do it.

Democratic Promise No. 68: ''Allow Lawmakers to Challenge Individual Earmarks.'' Promise: ''I think, first of all, with any bill, any provision, whether it is an earmark or not, there should be transparency. So that is what we have said, and I hope you would agree, that before Members vote on a bill, there should be appropriate time for people to be able to read it, that it would be a matter of public record, and if there is an earmark that can stand the scrutiny, then that transparency will give the opportunity for it to be there,'' then Minority Leader NANCY PELOSI in a press conference, March 16, 2006.

Broken promise: ''Rather than including specific pet projects, grants, and contracts in legislation as it is being written, Democrats are following an order by House Appropriations Committee chairman to keep the bills free of such earmarks until it is too late for critics to effectively challenge them.'' The title of the article: ''House Democrats Sidestep Their Own Rule to Shield Lawmakers' Pet Projects From Scrutiny,'' Associated Press, June 3, 2007.

As I said earlier, we believe that it is our responsibility to bring to the American people a list of these broken promises, the promises made and then the promises broken, because the House Democrats haven't kept their promises to the American people, whether it is the result of inaction or an inability to govern. On issue after issue, the 110th Congress has failed to meet the needs of working families, soldiers battling radical jihadists, senior citizens, and others who are waiting

for Washington to offer serious solutions to the problems facing the country. One look at the polls shows Americans are taking notice and they aren't pleased.

But where the majority is failing to lead, Republicans are stepping up. While Democrats broke their promise to operate the House floor in an open, fair, and bipartisan manner, Republicans have found ways to strengthen and expose flaws in Democratic bills. While Democrats broke their promise to lead the most open, honest, and ethical Congress in history, Republicans are pushing for commonsense ethics rules that hold lawmakers to a higher standard. While Democrats broke their promise to deliver transparency in spending taxpayer dollars, Republicans have forced the majority to restore GOP earmark reforms that bring greater transparency and accountability to Federal spending. While Democrats broke their promise to enact legislation that makes America energy independent, Republicans believe we can lower gas prices and reduce our dependence on foreign energy by increasing domestic energy supplies, conserving more, and investing in the technologies of tomorrow. While Democrats broke their promise to be fiscally responsible increasing taxes and spending in tandem, Republicans put forth a plan that balances the Federal budget without raising taxes. And while Democrats broke their promise to make national and homeland security a priority, House Republicans have stood united to provide our troops the resources they need to defeat al Qaeda and radical jihadists and are determined to secure our borders and enforce our immigration laws.

While Republicans are working to earn back the majority, Democrats are acting like the entrenched majority they led before, saying one thing to Americans outside of Washington and doing something different inside the Capitol building.

Over the next few weeks, every House Democrat must answer this key question: Why haven't you kept your promises?

I don't have a Web site available like some of the other groups do. But I can tell you that this publication, ''House Democrats' Top 100 Broken Promises,'' will be available from any Republican Member of this Congress, and I am sure that we can make it available. I am sure it is on a Web site, probably on the Web sites of all of the leadership: Republican Leader JOHN BOEHNER, Republican Whip ROY BLUNT, Conference Chair ADAM PUTNAM, Policy Chairman THADDEUS MCCOTTER, Conference Vice Chair KAY GRANGER, Conference Secretary JOHN CARTER, Chief Deputy Whip ERIC CANTOR, Rules Committee Ranking Republican DAVID DREIER. My guess is that it can be found on any of their Web sites. I am going to make sure that it is on my Web site in the next few days.

But I think, again, it is important that we hold people to the promises that they have made and make sure that the American people don't continue to have this very negative opinion of the Congress of the United States. We want this House to be respected. We want the Senate to be respected. And we need to live up to our promises so that we can get on with the important work that the American people have sent us here to do.

This is the people's House, and I am extraordinarily proud to be a Member of this House. And I know I join with other Republicans in saying that we want to bring back respect and integrity to this House so it is not called a House of hypocrisy.

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AMERICA, MISSISSIPPI THANKS YOU

The SPEAKER pro tempore (Mr. HALL of New York). Under a previous order of the House, the gentleman from Mississippi (Mr. TAYLOR) is recognized for 5 minutes.

Mr. TAYLOR. Mr. Speaker, I want to thank my colleagues for yielding me the time.

Mr. Speaker, as you know, about 22 months ago the Mississippi Gulf Coast was hit with the worst hurricane in our Nation's history. It was followed up by a disaster made by man, which was the insurance industry almost uniformly denying the claims of people who had paid their premiums for decades. So people who thought they were covered woke up the next day or the next week to discover that their house was gone, and that their insurance company that said they were in ''good hands'' or that might have been their ''good neighbor'' or were ''on their side'' weren't going to pay.

It has led to several problems, one of which will be addressed, we hope, in July with a promise by the Speaker PELOSI, Chairman FRANK, Chairwoman WATERS for a hearing in the Financial Services Committee to amend the National Flood Insurance Program to allow people to buy all-perils insurance through their Nation, something that will prevent the fight in the future in other areas of America where 52 percent of Americans live. So if they go through the same sort of tragedy that the people of Mississippi went through, that they will be paid. Because the only people who did pay their claims last time, uniformly, was our Nation through the National Flood Insurance Program.

One of the ways that the American people responded to that, Mr. Speaker, is that by the thousands, all the way from kindergartners to grandparents, volunteers that have come to south Mississippi, they volunteered their time, they have given of their own personal treasure to help the people of south Mississippi rebuild who should have been paid by the insurance industry but won't. We've had so many groups. And I wish I could name them all and I wish I could have thanked them all.

But one of the groups I did get a chance to visit with just recently was the St. Elizabeth Seton Catholic Church of Naperville, Illinois, again, one of the thousands of groups that have been to south Mississippi and continue to go to south Mississippi to help people rebuild their lives.

We want to thank them and all the groups, but I also want to recognize a letter that they sent to my office. And it's strange that they should even be thanking someone from my office, it is my office that should be thanking them. But I want to read their letter in gratitude for them, and thank them as a way of thanking all the people that helped.

''We are eternally grateful to you for sharing with us one of Mississippi's finest natural resources, Chris LaGarde.'' Chris is an employee in my office.

Since we first met Chris a year ago, we've come to know him as a dear friend, a counselor, a leader, a chef, a mentor and a pack rat. He is a great big energizer bunny in a bright orange jumpsuit, not only because he never stops, but because his presence energizes all of us. Chris is a man of compassion and passion. He is caring, loving, generous and the most humble man you could ever meet. He's an excellent chef and host.

Through all of the trials and tribulations of finding work for our 60 volunteers all week and feeding us twice this week, he always kept his composure, his sense of humor and his love for all of us. He is a role model not only for young adults, but for us older adults as well. He lends perspective to what is really important in all of our lives, not our iPods, TVs, cell phones, cars and homes, but our friends, family and fellow human beings.

Chris is the epitome of the face of Christ, of service, of love for his fellow man.

To the folks of St. Elizabeth Seton, know what you've said is really about yourselves and about the other people who've come to south Mississippi to help us out. And on behalf of the people of south Mississippi, I want to thank all of those volunteers for what they have done and what they continue to do. And on behalf of not only the people of south Mississippi, but all of our fellow Americans, I think our fellow Americans have truly risen to the occasion. And I, for one, am eternally grateful for their help.

ACCOUNTABILITY IN THE WHITE HOUSE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from New Hampshire (Mr. HODES) is recognized for 60 minutes as the designee of the majority leader.

Mr. HODES. Mr. Speaker, I'm here tonight with my distinguished colleague from Florida (Mr. KLEIN) to talk

in this Chamber about accountability, and to talk about our security in the Middle East, our strategy for the war in Iraq, the problems the American people face with the leadership of this country, which does not seem, at the very top echelon, the President and the Vice President, to be able to respond to the clearly expressed will of the American people, the facts on the ground in Iraq, the advice from esteemed military commanders and generals who understand the situation in Iraq.

And, really, it all comes down to accountability. Because Mr. KLINE and I came to this body as a result of the elections of November 2006. And in those elections, the American people spoke loudly and clearly. In my home State of New Hampshire, they said we need a new direction in Iraq; our strategy is not working.

The war in Iraq has not made us safer. The war in Iraq is not enhancing American security. The war in Iraq is not stabilizing the Middle East and advancing our true national security interests. The war in Iraq is costing billions and billions and billions of dollars, sapping our military strength and readiness, and leaving us, as a Nation, poorer and unable to respond to conflicts around the globe and the urgent need of domestic priorities at home, the needs of working families here in America who need the kinds of funds that are being diverted into a war that is not working, that need to be used at home to help take care of Americans.

Now I'd like to yield to Mr. KLEIN.

Mr. KLEIN of Florida. I thank the gentleman from New Hampshire (Mr. HODES).

I appreciate the opportunity to be here tonight as members of our freshman class. We try to get together about once a week to speak to each other and to speak to the Members on the floor here about the importance of what we were elected to do, along with every other Member, Democrat and Republican, in this Chamber.

Certainly this last election had a lot to do with the war and the strategy of the war and whether waging the war in the way it was being waged was successful. And of course success, at least in my view and the people that I have spoken to, is what can we do to enhance and protect the American people? All of us, in our homes, our cities, our country, and certainly our friends abroad.

At this time, it seems pretty clear, and I think it's been pretty clear to the American people for a long time who have been ahead of the President and ahead of the Congress in their thinking about this, that the national security of our country, of course coming first, is not being enhanced by having our fighting men and women, our brave men and women fighting a war that by and large is the participation of a civil war, a civil war among groups of people that unfortunately have been fighting each other for a long, long time; that by us dropping in our own form of democracy in that region, it just doesn't necessarily work that way. Although we would like to believe as Americans, and we know that we have the best system in the world, it just can't be planted in some other part of the world and just accepted as it is.

So the reality is, what can we do? What are the choices? And I have not been one who said immediate withdrawal. There are some in this Chamber that believe in immediate withdrawal, there are some that say we should be there for 10, 20, 30, 50 years, as long as it takes.

I think the reality is, there has to be a better way. And I think that we've heard from many of our military experts. When President Bush says, let's listen to the military experts, I agree. But it's not just the military experts that are telling you what you want to hear, it's the military experts that have been our generals, people that have served in that region, continue to serve in that region, and not just as soon replace them if they don't agree with the present administration.

There are answers, just like anything else. It doesn't matter if it's health care or energy, there are answers to all these things. People solve problems all day long. Americans are very innovative, energetic people. There are answers to this one as well. They may not be the answers we're looking for that are the ultimate best answers, but there are ways that we can best protect our interests in the Middle East, our support of the State of Israel and other friends in that region, and then most importantly, the people that live in our country. And those may be redeployment, moving our troops out of harm's way and into areas where maybe the borders are secured; or maybe, as we know now, the major mistake was that the entire Iraqi leadership of its armed forces was basically eviscerated, they're gone and moved away. And so the result is you have an Iraqi Army that by and large is leaderless. And they've been trying to make amends on that and trying to deal with that, but they're still way behind their curve. We can probably provide some support in that area.

But we do also know at the same time, in terms of our national security interests, if we think about what brought us to this point so far and why we have this threat of terrorism, is because we were attacked on 9/11, nothing to do with Iraq, but Osama bin Laden and al Qaeda. That issue has to do with Afghanistan and maybe other areas of Pakistan. That's where our military might, our strength, our troops, our ability to build coalitions around the world, which we've lost along the way here, that's where we can have the most impact.

So Mr. HODES, I would just like to open with those thoughts. I know we're going to have a little bit of discussion on that. But I want the American people to know and I want our Members here in the Chamber to understand, there are choices; there are good choices, there are better choices, and there are choices to move forward. To stand still, to say the surge and all those things, we need to move forward and best protect our troops and best protect Americans.

Mr. HODES. Mr. KLEIN, one of the things I think about is the change in the dialogue that has occurred since the Democrats became the majority party here in the House of Representatives as a result of the elections of November 2006.

And I know that there are many people in this country who are extremely frustrated. More than 70 percent of the people in this country, the statistics now tell us, are committed to changing course in Iraq, despite the intransigence, the stubbornness, the refusal of the President to face reality, despite the refusal of the Vice President of this country to meet his own obligations to the people of this country. But the dialogue has changed.

It's very important, I think, to take stock of what has happened, where we are now and how we are moving forward, and also to talk about the accountability of the administration and the Republicans, our colleagues on the other side of the aisle, who have stood foursquare up until now with the failed policies of this President.

The picture that I have put up here is a picture of President Bush with virtually the entire Republican delegation standing with him when he rejected the Democrats' attempt to set reasonable guidelines for troop readiness, for benchmarks, for Iraqi accountability, and a timeline for the responsible, strategic redeployment of American troops to protect our security.

We've heard a lot in the past few days, in the past few months from our colleagues on the other side of the aisle who keep blasting Democrats. They say, well, we're not getting anything done. But Democrats have stood up time and time again to help push a new direction in Iraq. And frankly, and unfortunately, it's been our Republican colleagues on the other side of the aisle who have not helped move this along, who have not stood up to their President and said to our President, this is an American issue. We must all work together for a responsible strategy that protects American security.

Now, after 6 months in the majority, House and Senate Democrats really are changing the debate on the war. We're insisting that the Bush administration and the Iraqi Government be held accountable. We need benchmarks to measure progress, or the lack thereof. We need to challenge the stay-the-course strategy, and we will continue to challenge this President's stay-the-course strategy.

And what is not too surprising to me now, as we sit here today ready for the July 4th recess and about 6 months into the 110th Congress, under pressure from responsible Democrats and the American public, an increasing number

of Senate Republicans are now distancing themselves from the President's policy, even as our colleagues on the other side of the aisle, our House Republicans, continue to cling to it. The question is, when will the rubber-stamp House Republicans face the reality, join the Democrats, together with the American people, in demanding a real change and a responsible, strategic redeployment of our forces from Iraq? That, as you said, doesn't necessarily mean and shouldn't mean, in my view, that we bring everybody home in a precipitous fashion. That's what the Republicans continue to claim Democrats are talking about, but nothing could be further from the truth. Because the Democratic Caucus and the American people understand that what is needed is a responsible, strategic redeployment to protect American security.

Mr. KLEIN of Florida. And Mr. HODES, I would absolutely agree with you. And I think the proof is in the pudding back home. When I go back home and I speak to folks in town hall meetings in Palm Beach County and Broward County in south Florida where I live, I've heard from Democrats, Republicans and independents. And nobody wears their party on their sleeve, you just hear from them and they explain how they feel. And they feel very strongly that, as former military, there are a lot of senior citizen veterans in my area, they fought so hard for our country and the values and the strength that they have for the belief in the military and the strength that they have for the belief in our country and doing the right thing as we did in World War II and as we've done so many times since then. And they feel that what is going on right now is weakening the military, weakening America, as a standard bearer for truth and strength in the world, and this hurts. This hurts them, as people who fought so hard for our country.

□ 2100

I am not 70 years old. I am not 80 years old. But I have so many people that have expressed that to me as they wear their hats, as they wear their uniform, as they come and talk about their own personal experiences. We certainly have that generation.

Then we have the generation of parents whose kids may enlist or are already in the military. Some believe that what the military is doing is just right. Some feel very bad and feel like, not that their sons and daughters aren't doing the right thing on behalf of the country, they just feel like the strategy is not what they have made that representation, that commitment about.

I also feel like you do, that I am beginning to see, and I know in some of the committee hearings we have had in the House of Representatives we have heard expressions by both Democrats and Republicans. We are starting to hear from Republicans, too, about questions raised and looking for that accountability.

The bottom line is this: This is the Iraqis' war. This is the Iraqis' responsibility to take their own country and build it back up. That is their civilian ability, their ability to put the electricity back on, build hospitals and create jobs for themselves and put down the terror and the people that are harassing them in the cities and the explosives going on. They have got to take their own bull by the horns and do something about themselves. We can't do that. They have to do that. So there is this responsibility that they have to stand up to themselves and recognize.

We did what we said we were going to do. We took out Saddam Hussein and gave them a fresh opportunity. Saddam Hussein was a tyrant. He was a bad guy. But let's now look to the next level. The next responsibility is for the Iraqi people to stand up for themselves. We can't fight their war for them. We can't fight that for them. We have our own responsibilities.

We have to deal with Iran right now. Iran is a serious threat to Israel and our interests around the world, North Korea, obviously, and Afghanistan. These are places where the United States military needs to be able to be strong and exert itself when needed.

Mr. HODES. Mr. KLEIN, I want to pick up on a few points you made, because as I have traveled around New Hampshire, I have met with numerous veterans and lots of folks in the active military. The people in New Hampshire are not especially liberal, left-wing people. They are Americans.

This issue is really an issue of what it means to be a patriot. Because we all want the best outcome we can possibly make for this country, for our troops, for our veterans, for our wounded warriors. We want to do the best we can for America. On whatever side of this debate about the proper policy, I think we all need to respect each other's views on that.

I find that in New Hampshire. But what I find is a deep yearning that this country is accountable to the American people, that our government is accountable to the American people in a way that sets us on a course for being number one.

Now, I don't mean that in any big, bullying way, but number one because, up until recently, in my years—I have been around for 56 years—this country stood on its values. We stood on the principles of truth, justice, fairness, equality, and opportunity for all. That is what the American people expect from their government. That is where they want our country to go. They see that the war in Iraq has diverted us from being as great as we can be, from fulfilling the true promise of America both in the blood and treasure of our brave soldiers lost in the sands of Iraq.

They also are very concerned. I speak to people about some of what happened and the mistakes that were made that produced the issues that we are in today. They are very concerned, for instance, that while 9/11 was caused by al Qaeda terrorists in Afghanistan with the Taliban, that the Bush administration not only implied but said that somehow, Saddam Hussein and Iraq were tied in with al Qaeda at the time of that attack. It just wasn't so.

We have made some serious mistakes that they see. They see that the object of going in, occupying Baghdad and immediately firing the civil service, de-Baathification, firing the Army, simply provided fuel for the insurgency, provided people and weapons to fight against stability in Iraq. They see those questions.

Now the question they are asking is, where to? Where do we go from here? The good news is that some of the Republican Senators have begun to see the light. I just want to quote one of our distinguished colleagues who is in the Senate Chamber, Senator RICHARD LUGAR, the distinguished Republican from Indiana, the ranking member on the Foreign Relations Committee, who said, ''In my judgment, the costs and risks of continuing down the current path outweigh the potential benefits that might be achieved. Persisting indefinitely with the surge strategy will delay policy adjustments that have a better chance of protecting our vital interests over the long term. Our security interests call for a downsizing and redeployment of U.S. military forces to a more sustainable position.'' That was a speech by Senator LUGAR, a Republican from Indiana, on the Senate floor on June 25 of this year. He is beginning to face the reality and getting ready for a new direction in Iraq.

We have now been joined by our distinguished colleague, JASON ALTMIRE from Pennsylvania. We are delighted to have you with us. He often speaks with the 30-Something Group. It is a real treat to have him with the New Member Caucus tonight. The Class of 2006 welcomes you, JASON.

Mr. ALTMIRE. Thank you, Mr. HODES. It is an honor to see you here tonight, as well as Mr. KLEIN from Florida.

We are at our 6-month point. We have one of our freshman colleagues in the Chair tonight. Mr. HALL from New York is serving as the Speaker pro tempore this evening. We are in the Chamber here tonight; we are talking about the first 6 months. We are talking about what is certainly the most important issue facing the country, as anyone would agree, which is the war in Iraq. We are talking about accountability. As the gentleman pointed out, we have a President that seems to be struggling with accountability right now.

If you look at what has happened in Iraq, we talk about the surge. We are going to have this report in September on whether the surge has worked. We all pray that we get good news in September, that General Petraeus is going

to come in and give us an accurate assessment and, hopefully, that assessment will be that things are turning around.

But it does not appear at this point that that is the case. In fact, as you well know, Mr. HODES, the last 3 months where the surge has been fully in effect and we have been over there, have been the bloodiest 3 months in the 4½ years we have been in Iraq. The last 3 months have been the worst 3 months. That does not bode well for the effectiveness of the surge.

As you said, we are over 3,500 now that have been killed and 25,000 injured, wounded and that is just a tragic situation.

I was able to tour Walter Reed soon after that incident came to light with the Washington Post, and perhaps you gentlemen did as well. What strikes you when you meet these men and women, they are the bravest and the brightest and the best this country has to offer. To think that we have a situation where we were giving them substandard care in a military hospital, and in the Department of Defense, we chronically underfund our VA health care systems all across the country. So you have the Defense health care system that Walter Reed was a part of, and that was a disgraceful situation; then on the other hand, for the past several years, we have chronic underfunding of the VA health care system.

So when we talk about this administration's record with regard to accountability and what happens after these brave men and women come home, we have the issue of multiple deployments where the Guard and Reserve families have to struggle with multiple deployments and extended deployments going from 1 year to 18 months. Some of these veterans are small business owners or work in small firms where they have to go to their employer and say, I have to go over to Iraq, I have to serve this country. Of course, the employer says, that is wonderful, you have my support. Then they have to go back a second time, maybe a third.

Again, for the ones that own their own business and are the person that is running the business, how are they going to keep that business afloat? It affects the family. It affects the children. This has so many repercussions. Every segment of our society is impacted by it. But we have a President that has been given the views of the American people—we are going to talk about that tonight—but they have been disregarded.

Sixty-nine percent of the American people think we are heading down the wrong road in Iraq and that we need to change course. Instead, we get more of the same. We have an administration that was given a blueprint for success by the Iraq Study Group 6 months ago now, 7 months ago. Instead of following it, or at least looking at it, it was promptly discarded.

We have an administration that has ignored the advice of his generals on the ground. Whenever they tell him something he doesn't want to hear, they have resigned or they are fired. So I lack the confidence that this administration is going to be able to view the Iraq situation as anything more than ''stay the current course.'' We all know that we need a different course.

We were talking about accountability. I did just want to tell one story that is related to the way this administration views our men and women and the families that are serving this country. I had a constituent in town today. She is an 84-year-old Gold Star mother. Her son was killed in 1969 in Vietnam. She has not been to Washington, D.C. She has not seen the Wall with her son's name on it, the Vietnam War Memorial. She called our office 2 weeks ago and explained her situation. She said, ''I am bringing my two daughters, who are obviously grown now. They are the sisters of the serviceman that was killed in 1969. They are going to come down together as a family for the first time.'' Her goal, her life-long dream, was to tour the White House. So we called the White House. As you certainly know, there is a 6-month waiting list. But there is an exception in special circumstances. One of those circumstances, we were told, you were probably told, were for Gold Star families.

□ 2115

They can get in and take that tour of the White House.

So we were told, sure, they are welcome. We sent the information over, and then we promptly got a phone call saying, well, no, no, that exception only works for Iraq and Afghanistan Gold Star families, not for Vietnam era families.

So we had to call back this 84-year-old woman who wanted to see the Vietnam War Memorial and her son's name on the wall for the first time, and wanted to tour the White House, it was her lifelong dream, and we had to tell her well, I am sorry, we are not going to be able to do that, because the White House does not allow that.

Then it came to my attention that we as Members of Congress in very rare circumstances are allowed to take groups down and put them in the line if we appear with them. So I called her and I said, you know, I am going to just do this myself.

So today we took her down and we put her in the line and she got her tour of the White House.

So I sent a letter to President Bush and I said, there is two issues here. One is this policy is ridiculous. How can you justify putting one group of families who have suffered the greatest loss imaginable in the service of our country ahead of another group of families? How can you put one generation of military Gold Star families ahead of another?

The second issue is, what is the policy? Can you explain it? What is the justification for it? And please change it. That was the situation. I was fortunate as a Member of Congress, I was able to get Ms. Boyer in. But, unfortunately, you wonder how many people around the country have made a similar effort and were unable to get in on this tour.

So, I really thought this was a disgraceful situation, and I did want to bring it to the attention of my freshmen colleagues, because this is something that just happened today. And I think it is indicative of the treatment that our military families are getting from this administration.

I talked about the fact that we have had 6 consecutive years prior to this one of chronic underfunding of our VA healthcare system. You see the result at Walter Reed, what happens when you don't provide enough funding for these institutions. Unfortunately, we as a nation were doing that over the last several years.

But this Congress took a step in the right direction to resolve that by providing the largest increase in the history, 77-year history of the VA health care system, and in the 6 months we have been here, we have voted for $13 billion in increased funding for the VA healthcare system.

We have also voted to increase screenings and treatment for traumatic brain injury, which is now the signature issue for the Iraq war veterans. Many of the people who would have perished in previous wars, because of increased technology and military equipment, we have a lot of amputees and we have a lot of head injuries. So the issues we face are different from issues we faced in previous wars with regard to treating the men and women that come home.

So we are going to screen them and we are going to treat them for traumatic brain injury and we are going to make that part of what we are doing in the VA healthcare system.

So this Congress has taken a step in the direction of honoring our Nation's veterans, and I am proud at our 6-month point of our first term in Congress that we can go home over the July 4th recess and talk about the fact that no Congress in the history of the Congress has ever done more for our Nation's veterans than we have, in just 6 months. So I am proud to talk about that.

Mr. KLEIN of Florida. Thank you. I appreciate your observing those things that we did, because I think every one of us believes it is the right thing to do. I know, just to share for a moment, the experience that all of us had at Walter Reed Hospital and the experiences that we have all had in visiting our veterans and our folks who have fought for you us so bravely back home.

The point you made is that many of these men and women back in Vietnam, back in other wars, would have died based on the injuries they have received. But instead, because of modern science, they are alive today, some of

them. But the injuries are so substantial, loss of both legs, loss of arms, loss of major functions that they have, they are going to require a lifetime of care. And every American needs to understand that is a responsibility we have. When we ask our men and women to fight for us, we better be prepared to make sure they have all the necessary cares, and their families get that same level of care. Because it is that support, that when we ask people to fight for the values and strength of our country, that needs to be there.

But that is a cost of this war. And the problem, of course, is that if in fact, as we started this conversation tonight, we are not achieving our national security interests, we are not making Americans safer at home or our friends overseas more secure, if we are not accomplishing any of that, and we are going to wait until September now, and unfortunately there may be another 300 or 400 of our brave men and women losing their lives for something that again is not accomplishing those goals, and we are spending another $40 billion or $50 billion, I think a lot of Americans are saying, what could we do with that amount of money? What could we do with those lost lives back here at home, those lost lives, the lost opportunities for the families and men and women fighting for us?

I know when I think about Florida where I am from, they already have 139 men and women killed. We have had 1,196 severely injured. These are our neighbors. These are our friends.

We had just tragically this past week, a young man, 25 years old, Daniel Agami, who, unfortunately, was killed recently by, of course, an IED. I know that every one of us in this Chamber, and I think out there in the country, they have been through this loss. They understand what that neighbor, that nephew, that son, that daughter, what it means.

A lot of Americans haven't been really affected by this war because maybe the numbers are not as significant as they were during Vietnam or during World War II. But it is an American. Every loss of life is an American, and I think we all share that sense of feeling and, of course, that empathy for the families.

The question we are raising now, of course, the national commitment we have to fight wars is there. The strength and understanding our military always has to be at the ready. But we should also understand that when we do fight wars, that we need to win, succeed, do whatever is necessary, but, at the same time, be smart about it. Accomplish the goals that we have and recognize that in this dangerous world that we live in today, in this present strategy that President Bush has executed and is unwilling to change to this point in time, we have made ourselves weaker in other theaters, in other places around the world. That is unacceptable to me. It is unacceptable to every person I would imagine who is concerned about the future of our country.

We are prepared to change that. I am very happy that Democrats have changed, as you said, Mr. HODES, the discussion in Washington, taking the discussion back in our streets at home, our main streets back at home up here, finding even Republicans now who I know believe and, of course, they want to do the right thing as well, but just a blind loyalty to the President's policy at this point is not the right thing to do. We need to think, use common sense, figure out the right way to redeploy, protect our men and women over there, do the right thing so the Middle East can be stabilized and we can fight our real battles and deal with Iran and Afghanistan and other places.

Mr. HODES. Mr. KLINE, thank you very much for those thoughts. I expect that over this July 4th recess, a number of our colleagues, especially those on the other side of the aisle, will probably be hearing from their constituents about their concerns about the current course in Iraq, the failure of this administration's strategy, with the surge and the way things have been handled, the numerous mistakes, both strategic and implementation and in conception have deeply, deeply hurt us.

I know the American people, as we are here in Congress, especially in discussions with Democratic Members on the Armed Services Committee, are deeply concerned that American readiness, that our readiness to deal with other conflicts that may arise, not be jeopardized, and we are going to take important steps and have taken important steps to improve the readiness that has been hurt by these deployments in Iraq.

At some point we are going to talk a little bit more about what it has meant for our veterans, but we have been joined by another distinguished colleague who I would like to introduce. JOE SESTAK, a member of the class of 2006 from Pennsylvania, came to this Congress with an extraordinarily distinguished career, serving our country in the military in the Navy.

He is a gentleman who understands military, military matters, military operations. He is deeply committed to American strategic interests and is in the forefront of those in the Democratic Caucus who are intent on seeing a new direction in Iraq.

I would like to now turn it over to you, JOE SESTAK.

Mr. SESTAK. I appreciate that from my colleague from New Hampshire.

I want to comment upon what all three of you brought out, and I thought brought out well. I would like to speak about it from my experience.

I remember being on the ground in Afghanistan 2 months after that war began. I had the opportunity during a very short period of time to see what needed to be done. I left, brought back an aircraft carrier battle group for that war. Then we brought that battle group into the Persian Gulf for what we thought would be the starting run of the Iraqi conflict, and thinking what a tragic misadventure this would be.

Those words were brought back to me as I thought about them 18 months later when I returned on the ground in Afghanistan and saw what had not been accomplished when I had known what had to be done. Because we diverted our attention and our resources, our Psychological Operations Forces, our Special Operations Forces, our Civil Affairs Forces and the attention of this Nation from Afghanistan to Iraq.

To me, Afghanistan is prey to terrorists now once again as the Taliban regain control in parts of the southern provinces. And as we look inserting more forces back into Afghanistan, it is a poster child for what Iraq is really about.

Iraq is a conflict, a civil war that has hurt our strategic security, and Afghanistan is merely a poster child for how the rest of our global security, as well as our homeland security, has suffered.

There is not one army unit here at home, not one, Army, Guard, Active Guard or Reserve, that is in a state of readiness, that is committed to deploy anyplace in the world, as was said earlier, to any contingency elsewhere, from Korea to the Western Pacific, to help our other forces. Nor are we engaged in this world where the true center of gravity, strategic gravity for the United States is over the next decade, the Western Pacific, nor in Southeast Asia, nor in the Middle East.

We have walked away from a strategy of engagement in this world as we have narrowed down to a conflict that is a civil war in one country. We need to step back and look at Iraq. Not as itself alone, but as a piece in our strategic template of how we look at the security environment across this world. Therefore, we need a change in this strategy.

It is not about getting out of Iraq, as you well said. It is not just about returning our troops home. It is about a proper redeployment of our forces in order to enhance the security of America.

I am not anti-war. I am pro-security. And the Democratic approach to this is one that recognizes and should recognize with the Republicans, because we need them and they need us, to define the end of what President Bush said on 10 January would not be an open-ended commitment.

We need to define that end as a certain date, a specific date, approximately a year, that says to everyone in that region that behavior now has the incentive to change, because we will no longer be in Iraq providing the political and military cover for this civil war to continue to simmer as the politicians in Iraq, failing to step up to the plate because they are pursuing their personal fiefdoms, their personal ambitions in the 32 ministries that they run, as we provide their security.

And of great importance is Iran. When I was there with Senator HAGEL

a few months ago, everyone talked about the undue influence of Iran. Why not? We are in there bleeding, and that country wants us to bleed profusely. But if we were to set a date certain and to lead with confidence and engage Iran and Syria, to bring them to the table, our most senior political leader, U.S. political leader in Iraq said in response to a question, Iran does not want a failed state if we redeploy.

It may not want the government we want, but it does not want a failed state. It doesn't want the 2 million Iraqi refugees there that have not already overflowed Iraq's borders to continue to flow over Iran's. Nor does it want a proxy war between it, the Shi'as in Iran supporting the Shia in Iraq, and the Sunnis in Syria supporting the Sunnis in Iraq. Once we are out, they don't want that war to ensue.

So, what this future plan is to be about is a redeployment to enhance America's security by focusing where we need to in this world, beginning with Afghanistan, and a readiness here at home to bring it back up, to remain in that region on bases we already have and had before the conflict with troops there in Qatar, Oman, Bahrain, the United Arab Emirates, with a carrier battle group and amphibious ready group, and then deal with strength as we safely redeploy over a year's period, approximately. Because it took 6 months to redeploy out of Somalia with approximately 8,000 troops.

We have got 160,000 in Iraq and over 100,000 U.S. civilian contractors to safely redeploy. As we do this with a date certain and incentive to change the behavior of the Iraqis so they step up to the plate, knowing they must assume responsibilities, it brings the Iranians and Syrians together, with us remaining in the region, to have a strategy that leads to diplomacy, so that there is an accommodation for a non-failed state. A region we have our interests in, we will remain there, and a state that has brought the parties together under the incentive of a date certain to work towards stability.

I appreciate being able to make these comments which tonight's discussion I believe have really pointed us towards a strategic approach to a date to redeploy.

Mr. HODES. I thank you for those comments. Coming from someone with the kind of military experience you have, they ring especially true.

You know, often on the floor of the House of Representatives, what we have experienced in our first 6 months is political rhetoric that masks some of the deeper, more complex and nuanced issues that really are worthy of discussion in deciding as a nation how to move forward.

It is really what the American people have been asking, not only of us here in Congress, but especially of their President, their Vice President, the leaders in the White House, who have been responsible for this unfortunate failed policy. And what the American people, who are a generous, compassionate and patient people, have been deeply yearning for, is a real discussion of the kind we are having now, that points the way towards American security. Because, as you point out, we have created, unfortunately, more instability in the Middle East.

□ 2130

And now, however we got into it, we have to make the best of a bad situation because we are all in this together. That is the spirit with which we as Democrats are trying to talk to our Republican colleagues.

There has been a lot of name-calling on the floor. They call us cut-and-run and say this and that and the other thing. But as you have so well put, we are talking about a strategy. Strategy is the key word. It means a strategic redeployment to protect American security.

If we just step back for a moment, I want to share some of the thoughts of a very esteemed retired general, General William Odom, who addressed us recently about the situation there. He said, Look at the situation we are in. Our troops are in a sea of hostile people, approximately 7 million in number, and growing in hostility every day. Fully 80 percent of the Iraqis want the occupation to end. Fifty percent of them think badly enough about us that they would sanction violence against Americans.

We are surrounded in Iraq by unfriendly nations, Iran and Syria. We have problems with Hezbollah in Lebanon; Hamas and new issues for Israel. Israel's security has been threatened by the instability in the Middle East because, unfortunately, our misadventure in Iraq has emboldened Islamic jihadists in the region. It has not made us more safe, but has grown the Islam jihad movement. It has been the best recruiting device they have had.

So he understands the importance of what to do when American troops find themselves caught in the middle of not one civil war, as he put it, but in the middle of multiple civil wars. He addressed the concern, which is a valid concern on the part of all of us, of what will happen in Iraq when we redeploy in a planned strategic way. People are concerned. What will we leave?

We have a government at this point which is essentially not working. It is hardly a unity government. They can't get themselves together to have their army stand up or get the ministers to work together. They seem to have fallen into tribal allegiances.

But what General Odom pointed out in recent discussions with experts in the region, including generals of countries whom we have worked with, they have pointed out that it is highly likely that when we leave Iraq, when the American troop presence, which is the cause, in their view, of much instability, is gone, that Iraq—it is not going to be great, but the kind of cataclysmic events that people are predicting, in their view, won't occur because the Iraqis have had a long history of tribal conflict even within the Saddam Hussein regime. And remembering that Iraq was forged in 1916 out of separate tribal entities by the British and French in a grand deal, there has been an undercurrent of these tensions, which the tribal leaders, they believe, are going to work out.

Personally, I believe ultimately there will be a political solution in Iraq that the Iraqis must determine for themselves. Our military presence cannot impose a political solution; only they can. In my view, based on the research that I have done and based on discussions with experts in the region, I think it is highly likely that Iraq will devolve into some kind of autonomous regions, perhaps three autonomous regions. In Kurdistan, one representing the Sunnis, one representing the Shia, who then use the central government for certain federal purposes, but one which recognizes, as their constitution wants to go to, that a political solution, trying to hold together this government which isn't working, won't work for them, and they will find once we are gone and they no longer have us as a crutch, they will find the political solution they need to carry their country forward.

And if we, as a true world leader, redeploy strategically and wisely and then use our diplomatic resources to bring neighbors, allies, friends, reunite a real coalition in the world to help, we may be able to have the kind of result of a stable state that will help us not only in the region but around the world. And it is what the American people want.

It is this kind of discussion and this kind of thinking that the President ought to be having with his generals. I hope that as we sit here tonight talking about Iraq, and as we prepare to return home for July 4, I hope that President Bush is in the White House and I hope he is talking to his generals about what the plan ought to be for a strategic redeployment. But I fear that he is not doing that at this point.

Mr. ALTMIRE, why don't I throw it over to you.

Mr. ALTMIRE. I was struck in hearing my Pennsylvania colleague, the gentleman from Pennsylvania (Mr. SESTAK), I believe the highest ranking military officer ever elected to Congress; and so much of the rhetoric that revolved around the discussion that this House had on Iraq was, you guys don't have any experience, you don't know what you are talking about. All you want to do is tie the hands of the generals on the ground, and you need to leave this up to the experts.

What we have heard tonight is an expert, one of the military's foremost military experts that we are fortunate to have not only in this House of Representatives, but in our freshman class with us.

We heard a strategy for success, and we heard someone who has been there

and seen it firsthand. What struck me was the fact that the President has probably had these discussions, and he has probably had people come to him and offer solutions. Maybe not the identical solutions that Admiral Sestak has, but differences of opinion. And the problem is, this administration has not shown a willingness to listen to differences of opinion.

I talked about it earlier. Generals are reassigned if they come in with a difference of opinion. Public opinion certainly doesn't matter. The facts on the ground certainly don't matter.

I was watching earlier, and I don't know if you had the opportunity to walk through some of the facts of what is going on on the ground in Iraq right now. We hear a lot of things on TV about, is the surge working, is it not working. I will let my colleagues decide.

In November of 2003, the number of insurgents in Iraq was 5,000. That is a pretty high number. In March of 2007, the most recent month for which data is available, there were 70,000 insurgents in Iraq as estimated by the Brookings Institution. So 5,000, 4 years ago; 70,000, today.

The number of multifatality bombings in May of 2004 was 9; in May of 2007, last month, it was 42. To me that does not indicate that we are making progress or there is a light at the end of the tunnel. And the numbers of people killed, both civilian and American servicemen, we talked about that earlier, it is exponentially more now.

Clearly, we need a new direction, and we need people like Admiral Sestak, like anyone who is willing to take a hard look at this and offer an alternative solution, like the Iraq Study Group. This is a group of experts who got together, spent a great deal of time studying this issue, making very thoughtful recommendations to the American people, to the White House, and they were promptly disregarded.

Not only were they disregarded, but the course of action that they recommended, diplomacy with the other actors in the region, a training force rather than an offensive force, these are things that we are going in the exact opposite direction. We didn't just discard it, we have gone opposite to what they recommended.

I would say once again that this discussion is healthy. We have four of us here that have opinions, and there are a lot of opinions, and that is the way it should be. I would agree with the gentleman from New Hampshire (Mr. HODES) that I hope the same type of discussion is taking place on the other end of Pennsylvania Avenue. Unfortunately, that does not seem to be the case.

Mr. KLEIN of Florida. I agree with you, Mr. ALTMIRE. Just the title ''admiral'' speaks of such respect that we have for Representative SESTAK. Those of us who did not have the privilege of serving in the military, as you can imagine, there are 435 of us on the floor, we look to each other for advice. We learn from each other.

I know I have spoken to you on a number of occasions to get your advice, to be an informed Member of Congress, and I do appreciate that because I think you not only have that lifetime of experience serving in the military, but as a leader, an admiral in the military, you have the high level of understanding of all the issues we are discussing right now. Of course, it is not the end-all, be-all, but it is a tremendous resource for all of us.

One of the committees that I serve on is Foreign Affairs, and that committee is responsible for working with the President and the State Department on our foreign policy, whether it is in the Western Hemisphere, Hugo Chavez in Venezuela, or in the Middle East or Russia or China.

Our country has been consumed with terrorism since we were attacked on our shores by Osama bin Laden. One of the biggest frustrations we have as Americans, the most powerful nation in the world with the highest level of information and intelligence and reach around the world, the fact that Osama bin Laden is still on the loose is beyond imagination. Every American should demand that that should have been and should continue to be a top priority.

I am pointing that out for a reason. That reason is, we took our eye off the ball when we got involved in this in the first place. That has been discussed and we understand that. But that doesn't mean that today we shouldn't still be focusing on where the real threat is. The threat relates to al Qaeda and Osama bin Laden and his henchmen. The threat relates to nuclear weapons. These are the significant challenges of our day. They are challenges as it relates to Russia and loose nuclear weapons. They are challenges as it relates to North Korea and containing North Korea.

There was an interesting story that Reuters produced. It talked about the estimated number of nuclear weapons that were likely to have been produced by North Korea during the last 6 years of the Bush administration. This is a rogue country by many discussions, by the United Nations and countries around the world, that has a nuclear weapon, possibly seven nuclear weapons that we know of, all within the last 6 years, which tells us once again that we took our eye off the ball of dealing with the true threats.

This is not a question of whether North Korea is going to shoot off an ICBM towards the United States. This is not a stable country and may provide that nuclear weapon to other groups, organizations, countries. That is a threat. That is where our focus should be. Iraq is a different situation.

We take a look at Iran and what we know about Iran at this moment. There are an estimated number of centrifuges in Iran, in their main nuclear facility producing reactor-grade uranium. There may be 1,300 of these spread out in Iran. Iran is a threat, in having a nuclear weapon, to Israel and to other countries in the Middle East, and for the same reason, to the United States.

This is a serious issue. This is where our foreign policy and military strength and the sharing of intelligence and confidence with other allies around the world, where we have always historically, American Presidents have always led, and we made sure that we had that authority. And it was in our country's best interests.

But today we find ourselves in a place because we are mired in Iraq where many countries around the world are not prepared to share that goal of nuclear containment. This is something that we need to focus on. This is another reason why we have to extricate ourselves in a responsible way from a war that is not achieving our national security interests, and refocus our attention on nuclear weapons that may be developed in Iran, and make sure that we are doing the right thing to protect the American people.

Mr. HODES. Thank you.

Admiral SESTAK, we have a few moments left. I turn it over to you for some of your closing thoughts and then I will wrap up.

Mr. SESTAK. If I may add onto comments made by the gentleman from Florida (Mr. KLEIN), the lack of a strategy of engagement by this administration where it became focused and stuck in Iraq has hurt our security tremendously. We outsourced our leadership during that period of time to others.

North Korea went to China. We gave Iran to the European Union. And I can't tell you who we gave the Middle East to.

Let's step back and look at what has occurred. A conflict in the Middle East where our Secretary of State stopped by for a photo-op and continued down, in the midst of that conflict, to Southeast Asia for a conference.

Iran, bent now upon a nuclear weapon. And North Korea, as you referenced, during that period of time as they called General Powell back, who tried to continue the negotiations that the Clinton administration had left the Bush administration with an agreed framework not to have a nuclear reactor continue to produce fissile material. And a missile moratorium. They now at least have seven more nuclear weapons, if they care to build them.

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And they've exploded one of them. And they've broken the missile moratorium and only belatedly have they actually gone back now and agreed to the same agreement that the Clinton administration had.

Iraq is such a tragedy. Iran, when General Ikenberry was leaving, our three-star general from Afghanistan, he was asked, does Iran work toward our interest there? The answer was yes. You want stability in Afghanistan. It doesn't want the Taliban there or al

Qaeda. So we step back and say engage, engage with consequences Iran, Syria, give them a date that we won't be in that state of Iraq and they with Iraqis and Saudis and Jordan must step up so we can be about this world and ensure our security elsewhere. That's what this debate is about.

Mr. HODES. I thank all my colleagues, Mr. SESTAK and Mr. ALTMIRE from Pennsylvania, Mr. KLEIN from Florida. It has been a truly interesting discussion tonight focusing on strategy, the complexity of a world that has changed but which Democrats are facing with boldness and leadership to help take our country and the world in a new direction, to reverse the damage that's been done by the administration and reassert our role as a leader in this world on our principles and our values, not merely our military might but only using our military might in service of the good judgment our leaders exercise in the pursuit of peace.

As we leave for our July 4 recess, I want to leave us with this thought. The Army says that it will leave no soldier behind. And as we discussed here tonight, the Democrats in Congress have committed to leaving no veteran behind. We have voted and passed the biggest increase in Veterans' Administration spending for health care and needed services in this country's history.

The chart I have here shows in dramatic form what has happened over the past few years. From 2003 to 2008, the VA is treating many, many more Iraq and Afghanistan war veterans. We've been in a conflict where our soldiers have been deployed, redeployed, redeployed and redeployed again, two times, three times, four times. Whereas compared to World War II, when their active duty tours were 180 days, they're now seeing 15 months, wreaking havoc on the soldiers and their families at the same time. As General Odom put it today, they're experiencing cataclysmic events every day, new kinds of injuries, polytrauma, traumatic brain injuries, PTSD have created great complexity in our VA system.

So as we go out on July 4, I would ask us all to think about what supporting our troops really means. In my view, supporting our troops means employing and following a course that is a real, smart, strategic effort to protect American security by redeploying our troops from the middle of a civil war in which they don't belong, number one. That is truly supporting our troops, because they are owed the policy that the civilian leaders should be following. That is what our troops are owed and our veterans are owed when they come home, the best that we can give them. No more broken promises from the White House. No more broken promises from the Republicans who have cut the budgets time and time again, who have cut health care in the VA, who have imposed fee increases on our veterans. No more. We will leave no veteran behind. The Democrats promise that. We have followed through on our commitment.

And I am so proud to stand with you all as Members of the 110th Congress to help lead this country in a new direction and be the kind of world leader that the American people expect and deserve.

Thank you very much and good night.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ABERCROMBIE (at the request of Mr. HOYER) for today after noon.

Mr. MCNULTY (at the request of Mr. HOYER) for today on account of a funeral of a war casualty from the district.

Mr. POE (at the request of Mr. BOEHNER) for today after 6:45 p.m. on account of official business.

Mr. GILCHREST (at the request of Mr. BOEHNER) for June 25 and 26.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. YARMUTH) to revise and extend their remarks and include extraneous material:)

Mr. MCDERMOTT, for 5 minutes, today.

Ms. WATERS, for 5 minutes, today.

Mr. HINCHEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. SARBANES, for 5 minutes, today.

Mr. ELLISON, for 5 minutes, today.

Mr. YARMUTH, for 5 minutes, today.

Mr. SESTAK, for 5 minutes, today.

(The following Member (at the request of Ms. FOXX) to revise and extend his remarks and include extraneous material:)

Mr. REICHERT, for 5 minutes, today.

ADJOURNMENT

Mr. ALTMIRE. Mr. Speaker, pursuant to House Concurrent Resolution 179, 110th Congress, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 50 minutes p.m.), pursuant to House Concurrent Resolution 179, 110th Congress, the House adjourned until Tuesday, July 10, 2007, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2339. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Lactofen; Pesticide Tolerance [EPA-HQ-OPP-2006-0178; FRL-8132-9] received June 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2340. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Imidacloprid; Pesticide Tolerance [EPA-HQ-OPP-2006-0968; FRL-8135-5] received June 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2341. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants for Area Sources: Acrylic and Modacrylic Fibers Production, Carbon Black Production, Chemical Manufacturing: Chromium Compounds, Flexible Polyurethane Foam Production and Fabrication, Lead Acid Battery Manufacturing, and Wood Preserving [EPA-HQ-AR-2006-0897; FRL-8330-1] (RIN: 2060-AN44) received June 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2342. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; North Carolina: Charlotte, Raleigh-Durham, and Winston-Salem Areas Second 10-Year Maintenance Plan for the Carbon Monoxide National Ambient Air Quality Standard; Clarification [EPA-R04-OAR-2005-NC-0002-200538C; FRL-8328-6] received June 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2343. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's report on Audit Policy: Frequently Asked Questions for 2007; to the Committee on Energy and Commerce.

2344. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-61, ''Cigarette Stamp Clarification Temporary Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

2345. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-62, ''District of Columbia School Reform Property Disposition Clarification Temporary Amendment Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

2346. A letter from the Clerk of the House of Representatives, transmitting the annual compilation of personal financial disclosure statements and amendments thereto filed with the Clerk of the House of Representatives, pursuant to rule XXVI, clause 1, of the House Rules; (H. Doc. No. —43); to the Committee on Standards of Official Conduct and ordered to be printed.

2347. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting the Department's March 2007 ''Treasury Bulletin,'' pursuant to 26 U.S.C. 9602(a); jointly to the Committees on Ways and Means, Transportation and Infrastructure, Natural Resources, Energy and Commerce, Education and Labor, and Agriculture.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LANTOS: Committee on Foreign Affairs. H.R. 2420. A bill to declare United States policy on international climate cooperation, to authorize assistance to promote clean and efficient energy technologies

in foreign countries, and to establish the International Clean Energy Foundation; with an amendment (Rept. 110–215). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRANK of Massachusetts: Committee on Financial Services. H.R. 1851. A bill to reform the housing choice voucher program under section 8 of the United States Housing Act of 1937; with an amendment (Rept. 110–216). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRANK of Massachusetts: Committee on Financial Services. H.R. 1852. A bill to modernize and update the National Housing Act and enable the Federal Housing Administration to use risk-based pricing to more effectively reach underserved borrowers, and for other purposes; with an amendment (Rept. 110–217). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. RUPPERSBERGER:

H.R. 2894. A bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the ''Star Spangled Banner'' and the War of 1812, and for other purposes; to the Committee on Financial Services.

By Mr. FRANK of Massachusetts (for himself, Ms. WATERS, Mr. GARY G. MILLER of California, Mr. RAMSTAD, Ms. VELÁZQUEZ, Mr. MCHUGH, Mr. ENGLISH of Pennsylvania, Mr. AL GREEN of Texas, Mr. SHAYS, Mr. MURPHY of Connecticut, Mr. DENT, Ms. LEE, Mr. RENZI, Mr. CLAY, Mr. SMITH of New Jersey, Mr. LYNCH, and Mr. HINOJOSA):

H.R. 2895. A bill to establish the National Affordable Housing Trust Fund in the Treasury of the United States to provide for the construction, rehabilitation, and preservation of decent, safe, and affordable housing for low-income families; to the Committee on Financial Services.

By Mrs. MCCARTHY of New York (for herself and Mr. TERRY):

H.R. 2896. A bill to amend the Elementary and Secondary Education Act of 1965 to establish a volunteer teacher advisory committee; to the Committee on Education and Labor.

By Mr. LEWIS of Georgia (for himself, Mr. WELLER, Mr. BISHOP of Georgia, Mrs. EMERSON, Ms. JACKSON-LEE of Texas, Mr. MCDERMOTT, Mr. MCNULTY, and Mr. HINOJOSA):

H.R. 2897. A bill to amend title XVIII of the Social Security Act to establish a prospective payment system instead of the reasonable cost-based reimbursement method for Medicare-covered services provided by Federally qualified health centers and to expand the scope of such covered services to account for expansions in the scope of services provided by Federally qualified health centers since the inclusion of such services for coverage under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AKIN (for himself, Mr. DOOLITTLE, Mr. MARCHANT, Mr. CHABOT, Mr. GARRETT of New Jersey, Mr. CULBERSON, Mr. WILSON of South Carolina, Mr. POE, Mr. FRANKS of Arizona, Mr. SAM JOHNSON of Texas, Mr. PITTS, Mr. KING of Iowa, Mr. GINGREY, Mr. MCHENRY, Mr. KINGSTON, Mr. NEUGEBAUER, and Mrs. DRAKE):

H.R. 2898. A bill to amend title 28, United States Code, to establish standards for impeachment of justices and judges of the United States; to the Committee on the Judiciary.

By Mr. BISHOP of Georgia (for himself, Mr. LEWIS of Georgia, Mr. WESTMORELAND, Mr. SCOTT of Georgia, Mr. GINGREY, and Mr. JOHNSON of Georgia):

H.R. 2899. A bill to designate the Department of Veteran Affairs outpatient clinic located at 417 West 4th Avenue in Albany, Georgia, as the ''Walter Carl Jordan, Jr. Department of Veterans Affairs Outpatient Clinic''; to the Committee on Veterans' Affairs.

By Mr. DINGELL (for himself, Mr. BARTON of Texas, Mr. PALLONE, Mr. DEAL of Georgia, Mr. WAXMAN, Mr. BARROW, Mr. BUTTERFIELD, Mr. GONZALEZ, Mr. GENE GREEN of Texas, Mr. GORDON, Ms. SOLIS, Mr. MATHESON, Mr. INSLEE, Ms. ESHOO, Ms. HOOLEY, Ms. BALDWIN, Mr. FERGUSON, Mr. ENGEL, Mr. ROSS, Mr. TOWNS, Mr. ROGERS of Michigan, Mr. MARKEY, Ms. DEGETTE, Ms. SCHAKOWSKY, Mr. ALLEN, Mr. BURGESS, Mr. TERRY, Mrs. BONO, Mrs. MYRICK, Mrs. CAPPS, Mr. UPTON, Mr. MELANCON, and Mr. RUSH):

H.R. 2900. A bill to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and for medical devices, to enhance the postmarket authorities of the Food and Drug Administration with respect to the safety of drugs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ALLEN (for himself and Mr. MICHAUD):

H.R. 2901. A bill to amend the Internal Revenue Code of 1986 to establish a program demonstrating multiple approaches to Lifelong Learning Accounts, which are portable, worker-owned savings accounts that can be used by workers to help finance education, training, and apprenticeships and which are intended to supplement both public and employer-provided education and training resources, and for other purposes; to the Committee on Ways and Means.

By Mr. ALLEN (for himself, Mr. BISHOP of New York, Mrs. BOYDA of Kansas, Mr. BRALEY of Iowa, Ms. CASTOR, Mr. COHEN, Mr. ELLISON, Mr. HALL of New York, Mr. HARE, Ms. HIRONO, Ms. JACKSON-LEE of Texas, Mr. JOHNSON of Georgia, Mr. MCNERNEY, Mr. PERLMUTTER, Mr. SESTAK, Mr. WALZ of Minnesota, Mr. WEINER, Mr. MURPHY of Connecticut, Mr. WELCH of Vermont, and Mr. GENE GREEN of Texas):

H.R. 2902. A bill to amend the Internal Revenue Code to double the child tax credit for the first year, to expand the credit dependent care services, to provide relief from the alternative minimum tax, and for other purposes; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina (for himself, Mr. ETHERIDGE, Ms. CORRINE BROWN of Florida, Mr. MILLER of North Carolina, Mr. COHEN, Mr. MCINTYRE, Mr. DONNELLY, Mr. WALZ of Minnesota, Ms. CARSON, Mr. WATT, and Mr. BUTTERFIELD):

H.R. 2903. A bill to amend the Elementary and Secondary Education Act of 1965 to provide grants for innovative teacher retention programs; to the Committee on Education and Labor.

By Mr. BOUSTANY (for himself, Mr. MCKEON, Mr. CASTLE, Mr. HOEKSTRA, Mrs. MCCARTHY of New York, and Mr. FORTUÑO):

H.R. 2904. A bill to amend the Elementary and Secondary Education Act of 1965 to reauthorize the laws relating to public charter schools to improve academic achievement of all students; to the Committee on Education and Labor.

By Mr. PENCE (for himself, Mr. WALDEN of Oregon, Mr. BOEHNER, Mr. BLUNT, Mr. HASTERT, Mr. PUTNAM, Mr. CANTOR, Mr. HENSARLING, Mr. FLAKE, Mr. ADERHOLT, Mr. AKIN, Mrs. BACHMANN, Mr. BARRETT of South Carolina, Mr. BARTON of Texas, Mr. BILBRAY, Mr. BISHOP of Utah, Mrs. BLACKBURN, Mrs. BONO, Mr. BOOZMAN, Mr. BRADY of Texas, Mr. BROWN of South Carolina, Ms. GINNY BROWN-WAITE of Florida, Mr. BURGESS, Mr. BURTON of Indiana, Mr. BUYER, Mr. CALVERT, Mr. CAMP of Michigan, Mr. CAMPBELL of California, Mr. CANNON, Mr. CARTER, Mr. COLE of Oklahoma, Mr. CONAWAY, Mr. CRENSHAW, Mr. CULBERSON, Mr. DAVIS of Kentucky, Mr. DAVID DAVIS of Tennessee, Mr. TOM DAVIS of Virginia, Mr. DEAL of Georgia, Mr. MARIO DIAZ-BALART of Florida, Mr. DOOLITTLE, Mrs. DRAKE, Mr. DUNCAN, Mr. ENGLISH of Pennsylvania, Mr. EVERETT, Ms. FALLIN, Mr. FEENEY, Mr. FORTUÑO, Ms. FOXX, Mr. FRANKS of Arizona, Mr. GARRETT of New Jersey, Mr. GINGREY, Mr. GOHMERT, Mr. GOODE, Mr. GOODLATTE, Mr. GRAVES, Mr. HASTINGS of Washington, Mr. HERGER, Mr. HOEKSTRA, Mr. HUNTER, Mr. ISSA, Mr. SAM JOHNSON of Texas, Mr. JORDAN, Mr. KELLER, Mr. KING of Iowa, Mr. KINGSTON, Mr. KIRK, Mr. KLINE of Minnesota, Mr. KUHL of New York, Mr. LAMBORN, Mr. LATHAM, Mr. LUCAS, Mr. DANIEL E. LUNGREN of California, Mr. MACK, Mr. MARCHANT, Mr. MCCARTHY of California, Mr. MCCRERY, Mr. MCHENRY, Mr. MILLER of Florida, Mr. GARY G. MILLER of California, Mrs. MUSGRAVE, Mrs. MYRICK, Mr. NEUGEBAUER, Mr. PAUL, Mr. PEARCE, Mr. PITTS, Mr. POE, Mr. PRICE of Georgia, Mr. RADANOVICH, Mr. REYNOLDS, Mr. ROYCE, Mr. RYAN of Wisconsin, Mrs. SCHMIDT, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. SHADEGG, Mr. SHUSTER, Mr. SIMPSON, Mr. SMITH of Nebraska, Mr. SMITH of Texas, Mr. SOUDER, Mr. STEARNS, Mr. TERRY, Mr. TIAHRT, Mr. WALBERG, Mr. WELDON of Florida, Mr. WESTMORELAND, Mr. WHITFIELD, Mr. WICKER, Mr. WILSON of South Carolina, Mr. WOLF, Mr. YOUNG of Alaska, and Mr. UPTON):

H.R. 2905. A bill to prevent the Federal Communications Commission from repromulgating the fairness doctrine; to the Committee on Energy and Commerce.

By Mr. KIRK:

H.R. 2906. A bill to establish a pilot program under which the Secretary of Education makes grants to establish and support the 10th Congressional District of Illinois School Conservation Corps; to the Committee on Education and Labor.

By Mr. KIRK (for himself and Mr. LIPINSKI):

H.R. 2907. A bill to amend the Federal Water Pollution Control Act to establish a deadline for restricting sewage dumping into the Great Lakes and to fund programs and activities for improving wastewater discharges into the Great Lakes; to the Committee on Transportation and Infrastructure.

By Mr. SCOTT of Virginia:

H.R. 2908. A bill to encourage States to report to the Attorney General certain information regarding the deaths of individuals in the custody of law enforcement agencies; to the Committee on the Judiciary.

By Mr. ABERCROMBIE (for himself and Mr. PUTNAM):

H.R. 2909. A bill to amend the Internal Revenue Code of 1986 to restore the deduction for the travel expenses of a taxpayer's spouse who accompanies the taxpayer on business travel; to the Committee on Ways and Means.

By Mrs. DAVIS of California (for herself, Mr. MITCHELL, and Mr. WALZ of Minnesota):

H.R. 2910. A bill to amend the Servicemembers Civil Relief Act to provide for reimbursement to members of the Armed Forces of tuition for programs of education delayed by military service, for deferment of students loans and reduced interest rates for members of the Armed Forces during periods of military service, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ACKERMAN (for himself, Mr. GRIJALVA, Ms. KAPTUR, Ms. JACKSON-LEE of Texas, Mr. CAPUANO, Mr. COHEN, Ms. ZOE LOFGREN of California, Mr. PRICE of North Carolina, Mr. RANGEL, Ms. SCHAKOWSKY, Mr. MCDERMOTT, Ms. LEE, and Mr. CLEAVER):

H.R. 2911. A bill to amend the Electronic Fund Transfer Act to provide similar protections under that Act for consumers as apply under the Truth in Lending Act, and for other purposes; to the Committee on Financial Services.

By Mr. BISHOP of New York:

H.R. 2912. A bill to require the Administrator of the Federal Aviation Administration to finalize the proposed rule relating to the reduction of fuel tank flammability exposure, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BLUMENAUER (for himself, Mr. HASTINGS of Florida, and Mr. KUHL of New York):

H.R. 2913. A bill to amend the administrative requirements for conservation programs administered by the Department of Agriculture to ensure a greater emphasis on increasing habitat for native and managed pollinators and establishing cropping systems, integrated pest management regimes, and other practices to protect native and managed pollinators, and for other purposes; to the Committee on Agriculture.

By Mr. BRADY of Texas (for himself, Mr. ISRAEL, Mrs. BLACKBURN, Mr. BURGESS, Mrs. CUBIN, Mr. ENGLISH of Pennsylvania, Mr. HERGER, Mr. HINCHEY, Mr. MEEKS of New York, Mr. MCNULTY, Mr. NUNES, Mr. PAUL, Mr. RAMSTAD, Mr. SESSIONS, Mrs. TAUSCHER, Ms. ROYBAL-ALLARD, Mr. SMITH of New Jersey, and Mr. YOUNG of Florida):

H.R. 2914. A bill to amend title XVIII of the Social Security Act to improve access of Medicare beneficiaries to immune globulins; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRALEY of Iowa (for himself, Mr. CONYERS, Mr. EMANUEL, Mr. BOSWELL, and Mr. LOEBSACK):

H.R. 2915. A bill to amend the Public Health Service Act to reauthorize the National Health Service Corps Scholarship and Loan Repayment Programs; to the Committee on Energy and Commerce.

By Mr. BURTON of Indiana:

H.R. 2916. A bill to prevent Members of Congress from receiving the automatic pay adjustment scheduled to take effect in 2008; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUTTERFIELD (for himself, Ms. BERKLEY, Mr. MCINTYRE, Mr. MEEKS of New York, Mr. WYNN, Mr. THOMPSON of Mississippi, and Mr. LEWIS of Georgia):

H.R. 2917. A bill to require the Federal Communications Commission to report on measures being taken to inform the public of the transition to digital format television broadcasting; to the Committee on Energy and Commerce.

By Mrs. CAPPS (for herself, Mr. THOMPSON of California, Ms. ESHOO, Mr. FARR, Ms. SOLIS, Ms. ZOE LOFGREN of California, Mr. SCHIFF, Mr. WAXMAN, Mr. GEORGE MILLER of California, Mr. MCNERNEY, Mr. HONDA, Ms. WOOLSEY, Ms. MATSUI, Mr. STARK, Mr. LANTOS, Ms. LORETTA SANCHEZ of California, Ms. WATSON, Mrs. NAPOLITANO, Ms. LEE, Ms. HARMAN, Mrs. TAUSCHER, Mrs. DAVIS of California, Ms. ROYBAL-ALLARD, Mr. BERMAN, Ms. LINDA T. SÁNCHEZ of California, and Mr. SHERMAN):

H.R. 2918. A bill to permanently prohibit oil and gas leasing off the coast of the State of California, and for other purposes; to the Committee on Natural Resources.

By Mrs. CHRISTENSEN:

H.R. 2919. A bill to authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of designating the Virgin Islands Military and Veterans Memorial, to be located in Frederickstead, St. Croix, U.S. Virgin Islands, as a unit of the National Park System; to the Committee on Natural Resources.

By Mrs. CHRISTENSEN:

H.R. 2920. A bill to convey certain submerged lands to the Government of the Virgin Islands, and for other purposes; to the Committee on Natural Resources.

By Mr. COOPER:

H.R. 2921. A bill to require the Secretary of the Treasury to conduct a study on the feasibility of authorizing the Department of the Treasury to create and issue annuity products, and for other purposes; to the Committee on Financial Services.

By Ms. DEGETTE (for herself, Mr. CASTLE, Mr. BECERRA, and Mr. KIRK):

H.R. 2922. A bill to amend title XVIII of the Social Security Act to reduce the occurrence of diabetes in Medicare beneficiaries by extending coverage under Medicare for medical nutrition therapy services to such beneficiaries with pre-diabetes or with risk factors for developing type 2 diabetes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DINGELL (for himself, Mr. REGULA, Mr. MCCRERY, Mr. JINDAL, Mr. HALL of Texas, Mr. BAKER, Mr. JEFFERSON, Mr. BOUSTANY, and Mr. MELANCON):

H.R. 2923. A bill to direct the Secretary of Defense to make a grant to the National D-Day Museum Foundation for facilities and programs of America's National World War II Museum; to the Committee on Armed Services.

By Mr. ELLISON:

H.R. 2924. A bill to amend the Internal Revenue Code of 1986 to expand expenses which qualify for the Hope Scholarship Credit and to make the Hope Scholarship Credit and the Lifetime Learning Credit refundable; to the Committee on Ways and Means.

By Mr. GALLEGLY (for himself, Mr. MATHESON, Mr. ETHERIDGE, and Mr. GILLMOR):

H.R. 2925. A bill to provide a grant program for gifted and talented students, and for other purposes; to the Committee on Education and Labor.

By Mr. AL GREEN of Texas (for himself, Ms. LINDA T. SÁNCHEZ of California, Mr. HONDA, Mr. FRANK of Massachusetts, Ms. WATERS, Mr. LEWIS of Georgia, Mr. GUTIERREZ, Mr. HINOJOSA, Mr. THOMPSON of Mississippi, Mr. SERRANO, Mr. SIRES, Mr. HASTINGS of Florida, Mr. GRIJALVA, Mr. PASTOR, Mr. ELLISON, Ms. SCHAKOWSKY, Mr. CAPUANO, Ms. MOORE of Wisconsin, Mr. LYNCH, Mr. CLAY, Mr. WATT, Ms. CORRINE BROWN of Florida, Mr. KUCINICH, Mr. LARSON of Connecticut, Mr. CLEAVER, Mr. WALSH of New York, and Mr. COHEN):

H.R. 2926. A bill to authorize funds to prevent housing discrimination through the use of nationwide testing, to increase funds for the Fair Housing Initiatives Program, and for other purposes; to the Committee on Financial Services.

By Mr. HILL (for himself, Mr. TERRY, Mr. BARROW, Mr. BROWN of South Carolina, Mr. RYAN of Wisconsin, Mr. ROSS, and Mr. TOWNS):

H.R. 2927. A bill to increase the corporate average fuel economy standards for automobiles, to promote the domestic development and production of advanced technology vehicles, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HINOJOSA (for himself, Mr. BACA, Mr. BECERRA, Mr. GONZALEZ, Mr. SERRANO, Mr. GUTIERREZ, Mrs. NAPOLITANO, Mr. ORTIZ, Mr. REYES, Mr. RODRIGUEZ, Ms. ROYBAL-ALLARD, Mr. SALAZAR, Ms. SOLIS, Ms. VELÁZQUEZ, Mr. SCOTT of Virginia, Mr. DAVIS of Illinois, Mr. CUMMINGS, Mr. FATTAH, Mr. LEWIS of Georgia, Ms. LEE, and Ms. LINDA T. SÁNCHEZ of California):

H.R. 2928. A bill to provide grants to States to improve high schools and raise graduation rates while ensuring rigorous standards, to develop and implement effective school models for struggling students and dropouts, and to improve State policies to raise graduation rates, and for other purposes; to the Committee on Education and Labor.

By Ms. LEE (for herself, Mr. ALLEN, Ms. WOOLSEY, Mr. PRICE of North Carolina, and Ms. WATERS):

H.R. 2929. A bill to limit the use of funds to establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq or to exercise United States economic control of the oil resources of Iraq; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MAHONEY of Florida:

H.R. 2930. A bill to amend section 202 of the Housing Act of 1959 to improve the program under such section for supportive housing for the elderly, and for other purposes; to the Committee on Financial Services.

By Mrs. MALONEY of New York (for herself and Mrs. CAPITO):

H.R. 2931. A bill to amend the Public Health Service Act and Employee Retirement Income Security Act of 1974 to require that group and individual health insurance coverage and group health plans provide coverage for qualified individuals for bone mass measurement (bone density testing) to prevent fractures associated with osteoporosis; to the Committee on Energy and Commerce, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCHUGH:

H.R. 2932. A bill to amend title 39, United States Code, to make cigarettes and certain other tobacco products nonmailable, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARY G. MILLER of California (for himself, Mr. GORDON, Mr. BROWN of South Carolina, Mr. CALVERT, Mr. COOPER, Mr. CULBERSON, Mr. DAVID DAVIS of Tennessee, Mrs. JO ANN DAVIS of Virginia, Mr. DUNCAN, Mr. ETHERIDGE, Mr. GALLEGLY, Mr. GERLACH, Mr. HINCHEY, Mr. HOLT, Mr. KIND, Mr. MARKEY, Mr. MOLLOHAN, Mr. MOORE of Kansas, Mr. MORAN of Virginia, Mr. PICKERING, Mr. POE, and Mr. ROSS):

H.R. 2933. A bill to amend the American Battlefield Protection Act of 1996 to extend the authorization for that Act, and for other purposes; to the Committee on Natural Resources.

By Mr. MITCHELL:

H.R. 2934. A bill to prevent Members of Congress from receiving the automatic pay adjustment scheduled to take effect in 2008; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MORAN of Kansas (for himself, Mr. TIAHRT, Mr. MOORE of Kansas, and Mrs. BOYDA of Kansas):

H.R. 2935. A bill to extend tax relief to the residents and businesses of an area with respect to which a major disaster has been declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (FEMA-1699-DR) by reason of severe storms and tornados beginning on May 4, 2007, and determined by the President to warrant individual or individual and public assistance from the Federal Government under such Act; to the Committee on Ways and Means.

By Mr. NEAL of Massachusetts (for himself, Mr. ENGLISH of Pennsylvania, Mr. DAVIS of Alabama, Mr. SAM JOHNSON of Texas, and Mr. RAMSTAD):

H.R. 2936. A bill to amend the Internal Revenue Code of 1986 to provide a shorter recovery period for the depreciation of certain improvements to retail space; to the Committee on Ways and Means.

By Mr. NEAL of Massachusetts:

H.R. 2937. A bill to amend the Internal Revenue Code of 1986 to provide that management and administrative activities will not be taken into account in determining if an entity has sufficient business activities in a foreign country to avoid treatment as an expatriated entity; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 2938. A bill to authorize grants to upgrade agriculture and food sciences facilities at the District of Columbia Land Grant University, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE:

H.R. 2939. A bill to prohibit the commercial harvesting of Atlantic blackfish in the coastal waters and the exclusive economic zone, and for other purposes; to the Committee on Natural Resources.

By Mr. PERLMUTTER (for himself, Mr. KAGEN, Mr. WALZ of Minnesota, Mr. KIND, Mr. COSTA, Mr. DAVID DAVIS of Tennessee, and Ms. MCCOLLUM of Minnesota):

H.R. 2940. A bill to amend section 212 of the Immigration and Nationality Act with respect to discretionary determinations waiving an alien's inadmissibility based on certain activities, and for other purposes; to the Committee on the Judiciary.

By Mr. POE (for himself, Mr. COSTA, Mr. CHABOT, Mr. HOLDEN, Mrs. NAPOLITANO, Mr. PAYNE, Mr. FORTUÑO, Mr. ABERCROMBIE, Mr. REICHERT, Mr. ORTIZ, Mr. MOORE of Kansas, Mr. PAUL, Mr. MCHUGH, Mrs. MALONEY of New York, Mr. SNYDER, Mr. HALL of New York, Ms. CARSON, Mr. CLEAVER, Mr. GENE GREEN of Texas, Ms. NORTON, Mr. GRIJALVA, Mr. WELCH of Vermont, Mr. MCCAUL of Texas, Mr. WALZ of Minnesota, Mr. MICHAUD, Mr. GORDON, Mrs. GILLIBRAND, Mr. CARDOZA, Mr. MARSHALL, Mr. JEFFERSON, Ms. MATSUI, Mr. ETHERIDGE, Mr. SALAZAR, Mr. BRALEY of Iowa, Mr. ALLEN, Mr. RUPPERSBERGER, Ms. ROYBAL-ALLARD, Ms. KAPTUR, Ms. GINNY BROWN-WAITE of Florida, Ms. MOORE of Wisconsin, and Mr. MORAN of Virginia):

H.R. 2941. A bill to safeguard the Crime Victims Fund; to the Committee on the Budget, and in addition to the Committees on Rules, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYAN of Ohio (for himself and Mr. HUNTER):

H.R. 2942. A bill to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Financial Services, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SARBANES (for himself, Mr. ALTMIRE, Mr. ANDREWS, Ms. BERKLEY, Mr. BISHOP of Utah, Mr. BOOZMAN, Mrs. BOYDA of Kansas, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Mr. CARNEY, Mr. CASTLE, Mr. CUMMINGS, Mr. TOM DAVIS of Virginia, Mr. EHLERS, Mr. FILNER, Mr. GONZALEZ, Mr. HALL of New York, Mr. HARE, Ms. HIRONO, Ms. KAPTUR, Mr. KENNEDY, Mr. LOEBSACK, Mrs. MCCARTHY of New York, Mr. GEORGE MILLER of California, Mr. MILLER of Florida, Mr. PALLONE, Mr. PERLMUTTER, Mr. RUPPERSBERGER, Ms. LINDA T. SÁNCHEZ of California, Mr. SERRANO, Mr. SHAYS, Ms. SOLIS, Mr. SPACE, Ms. SUTTON, Mr. VAN HOLLEN, Mr. WALZ of Minnesota, Mr. WELCH of Vermont, and Ms. DELAURO):

H.R. 2943. A bill to amend titles II and XVI of the Social Security Act to provide for treatment of disability rated and certified as total by the Secretary of Veterans Affairs as disability for purposes of such titles; to the Committee on Ways and Means.

By Mr. SHAYS:

H.R. 2944. A bill to amend title II of the Social Security Act to provide that the eligibility requirement for disability insurance benefits under which an individual must have 20 quarters of Social Security coverage in the 40 quarters preceding a disability shall not be applicable in the case of a disabled individual suffering from a covered terminal disease; to the Committee on Ways and Means.

By Mr. STARK:

H.R. 2945. A bill to amend part C of title XVIII of the Social Security Act to provide beneficiary protections against excessive cost-sharing under the Medicare Advantage Program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TERRY (for himself, Mr. HOLDEN, Mrs. MCCARTHY of New York, Mr. SAXTON, Mr. PLATTS, Mr. SIMPSON, Mr. THOMPSON of Mississippi, Mr. PAUL, Mr. GRAVES, and Mr. CRAMER):

H.R. 2946. A bill to amend the accountability provisions of part A of title I of the Elementary and Secondary Education Act of 1965, and for other purposes; to the Committee on Education and Labor.

By Mr. UDALL of New Mexico:

H.R. 2947. A bill to provide for the establishment of energy performance standards for new Federal or federally supported buildings, and major renovations of Federal or federally supported buildings, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALBERG:

H.R. 2948. A bill to amend the Internal Revenue Code of 1986 to permit health insurance to be purchased from a health savings account; to the Committee on Ways and Means.

By Mr. WEXLER (for himself, Mr. GALLEGLY, and Mr. ACKERMAN):

H.R. 2949. A bill to authorize grants to the Eurasia Foundation, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. WILSON of New Mexico:

H.R. 2950. A bill to reduce our Nation's dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewables Reserve to invest in alternative energy, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Science and Technology, Education and Labor, Transportation and Infrastructure, Natural Resources, Oversight and Government Reform, Financial Services, Foreign Affairs, Small Business, the Judiciary, Armed Services, Intelligence (Permanent Select), and Agriculture, for a period to be subsequently determined by the Speaker, in each case for

consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YARMUTH (for himself and Mr. ELLISON):

H.R. 2951. A bill to amend the Internal Revenue Code of 1986 to modify the earned income tax credit for single, childless workers; to the Committee on Ways and Means.

By Mr. DREIER (for himself, Mr. HASTERT, Mr. COLE of Oklahoma, Mr. PITTS, Mr. PUTNAM, and Mr. RUSH):

H. Con. Res. 178. Concurrent resolution expressing the sense of the Congress that the United States should expand trade opportunities with Mongolia by initiating negotiations to enter into a free trade agreement with Mongolia; to the Committee on Ways and Means.

By Mr. SERRANO:

H. Con. Res. 179. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate; considered and agreed to.

By Ms. KILPATRICK (for herself, Mr. CONYERS, Mr. GRIJALVA, Mr. SERRANO, Mr. COHEN, Mr. RUSH, and Mr. HASTINGS of Florida):

H. Con. Res. 180. Concurrent resolution supporting the goals and ideals of African American Bone Marrow Awareness Month; to the Committee on Energy and Commerce.

By Mr. ORTIZ (for himself, Mr. TOM DAVIS of Virginia, Mr. BRADY of Pennsylvania, Mr. TAYLOR, Mrs. BOYDA of Kansas, Ms. BORDALLO, Mr. HINOJOSA, Mr. ABERCROMBIE, Mr. ISSA, Mr. MORAN of Virginia, Mr. BOUCHER, Mr. GOODE, Ms. KILPATRICK, Mr. BISHOP of Georgia, Mr. GRIJALVA, Mr. SESSIONS, Mr. YOUNG of Alaska, Mr. FORBES, Mr. SPRATT, Mr. AL GREEN of Texas, Mr. SPACE, and Mr. WOLF):

H. Con. Res. 181. Concurrent resolution recognizing and commending all volunteers and other persons who provide support to the families and children of members of the Armed Forces, including National Guard and Reserve personnel, who are deployed in service to the United States; to the Committee on Armed Services.

By Mr. ALLEN:

H. Res. 525. A resolution expressing the sense of the House of Representatives that the United States should reaffirm the commitments of the United States to the 2001 Doha Declaration on the TRIPS Agreement and Public Health and to pursuing trade policies that promote access to affordable medicines; to the Committee on Ways and Means.

By Mr. CUMMINGS:

H. Res. 526. A resolution supporting home ownership and responsible lending; to the Committee on Financial Services.

By Mr. MCDERMOTT (for himself, Mr. WELLER, Mr. STARK, Mr. PORTER, Mr. LEWIS of Georgia, Ms. BERKLEY, Mrs. BACHMANN, Mr. YARMUTH, and Mrs. DAVIS of California):

H. Res. 527. A resolution recognizing the month of November as ''National Homeless Youth Awareness Month''; to the Committee on Ways and Means.

By Mr. MURPHY of Connecticut (for himself, Mr. COURTNEY, Ms. DELAURO, Mr. LARSON of Connecticut, and Mr. SHAYS):

H. Res. 528. A resolution commemorating the 300th anniversary of the Town of New Milford, Connecticut; to the Committee on Oversight and Government Reform.

By Mr. WELCH of Vermont:

H. Res. 529. A resolution commending Brigadier General George Stannard and the Second Vermont Brigade upon the 144th anniversary of the Battle of Gettysburg; to the Committee on Armed Services.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 82: Mr. BERRY, Mr. BLUMENAUER, Ms. GIFFORDS, and Mr. ISRAEL.
H.R. 154: Mr. DAVIS of Illinois.
H.R. 156: Mr. TIM MURPHY of Pennsylvania.
H.R. 180: Mr. PETERSON of Minnesota and Mr. JOHNSON of Georgia.
H.R. 219: Mr. ADERHOLT.
H.R. 241: Mrs. BACHMANN.
H.R. 245: Mr. DAVID DAVIS of Tennessee.
H.R. 303: Mr. GONZALEZ, Mr. LARSEN of Washington, Mr. SMITH of Washington, and Mr. HAYES.
H.R. 396: Ms. GRANGER.
H.R. 404: Mr. DUNCAN.
H.R. 418: Mr. KLINE of Minnesota, Mr. BACHUS, Mr. MILLER of North Carolina, and Mr. PETERSON of Minnesota.
H.R. 450: Mr. DICKS.
H.R. 462: Mr. HILL.
H.R. 468: Mr. SERRANO and Ms. ZOE LOFGREN of California.
H.R. 507: Mr. LEWIS of Kentucky.
H.R. 530: Mr. MCNERNEY and Mr. ALEXANDER.
H.R. 549: Mr. DAVIS of Kentucky.
H.R. 583: Mr. NEAL of Massachusetts and Mr. DAVIS of Kentucky.
H.R. 601: Mr. LATOURETTE.
H.R. 621: Mr. HODES and Mr. DENT.
H.R. 642: Mr. ALEXANDER.
H.R. 643: Mr. HARE and Mr. RAHALL.
H.R. 657: Mr. JOHNSON of Georgia, Mr. GORDON, and Mr. FRANK of Massachusetts.
H.R. 687: Mr. ALLEN.
H.R. 697: Mr. SULLIVAN.
H.R. 748: Mrs. MILLER of Michigan and Mr. PEARCE.
H.R. 758: Mr. ALEXANDER.
H.R. 782: Ms. EDDIE BERNICE JOHNSON of Texas and Ms. LORETTA SANCHEZ of California.
H.R. 840: Mr. PASTOR.
H.R. 864: Mr. RAMSTAD and Mr. RUSH.
H.R. 867: Mr. WOLF, Mr. PETERSON of Minnesota, and Mr. LEWIS of Kentucky.
H.R. 928: Mr. CASTLE.
H.R. 957: Mr. FOSSELLA, Mr. COBLE, Mr. DENT, Mrs. WILSON of New Mexico, and Mr. CARTER.
H.R. 971: Mr. WELCH of Vermont.
H.R. 1023: Mr. RUPPERSBERGER, Mr. ROGERS of Kentucky, Mr. YOUNG of Florida, Ms. VELÁZQUEZ, and Mrs. BIGGERT.
H.R. 1030: Mr. WATT.
H.R. 1043: Mr. ELLISON.
H.R. 1076: Mr. FOSSELLA.
H.R. 1088: Mr. TIM MURPHY of Pennsylvania.
H.R. 1092: Mr. FRANK of Massachusetts.
H.R. 1102: Mr. SPACE and Mr. SCHIFF.
H.R. 1103: Mr. DAVIS of Illinois, Ms. WOOLSEY, Ms. LINDA T. SÁNCHEZ of California, and Mr. HONDA.
H.R. 1108: Mr. BISHOP of New York and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1110: Mr. BOSWELL.
H.R. 1112: Mr. CAMPBELL of California.
H.R. 1113: Mr. YOUNG of Florida, Mr. RENZI, and Mr. BURTON of Indiana.
H.R. 1120: Mrs. BACHMANN and Mr. WAMP.
H.R. 1134: Ms. MCCOLLUM of Minnesota.
H.R. 1147: Mr. LEWIS of Georgia.
H.R. 1171: Mr. CLAY and Mr. GERLACH.
H.R. 1177: Mr. ETHERIDGE.
H.R. 1178: Mr. RAMSTAD.
H.R. 1193: Mr. TIM MURPHY of Pennsylvania.
H.R. 1197: Mr. SAM JOHNSON of Texas.
H.R. 1211: Mr. BRADY of Pennsylvania.
H.R. 1216: Mr. PRICE of North Carolina.
H.R. 1229: Mr. HOLDEN.
H.R. 1267: Mr. ALTMIRE and Mr. SPACE.
H.R. 1275: Mr. WAXMAN and Ms. WATSON.
H.R. 1282: Mr. DAVID DAVIS of Tennessee.
H.R. 1304: Mr. CAMP of Michigan.
H.R. 1322: Mr. HASTINGS of Florida, Mr. BOUCHER, Mr. PASCRELL, and Mr. HONDA.
H.R. 1338: Mr. MITCHELL, Mr. SHULER, Mr. LIPINSKI, Mr. CARNEY, Mr. ELLSWORTH, Mr. BOREN, Mr. PATRICK MURPHY of Pennsylvania, Mr. CUELLAR, Mr. ORTIZ, Mr. KLEIN of Florida, Mr. SHAYS, and Mr. MCINTYRE.
H.R. 1343: Mr. LEWIS of Georgia, Mr. SCOTT of Georgia, Ms. LEE, Mr. GERLACH, and Mr. CUMMINGS.
H.R. 1357: Mr. COBLE, Mrs. WILSON of New Mexico, Mr. CRENSHAW, and Mr. CARTER.
H.R. 1381: Mr. PAYNE.
H.R. 1398: Mrs. CAPITO, Mr. HARE, Mr. CALVERT, Mr. HOEKSTRA, and Mr. JOHNSON of Georgia.
H.R. 1399: Mr. GOHMERT, Mr. FLAKE, Mrs. MCMORRIS RODGERS, Mr. NUNES, and Mr. PAUL.
H.R. 1400: Ms. LORETTA SANCHEZ of California, Mr. SCHIFF, Mr. STUPAK, Mr. CRENSHAW, Mr. MCKEON, Mr. MICA, Mr. KELLER, Mr. CUMMINGS, and Mr. MILLER of Florida.
H.R. 1415: Ms. DEGETTE, Ms. CLARKE, and Mr. BRADY of Pennsylvania.
H.R. 1416: Ms. CLARKE and Mr. BRADY of Pennsylvania.
H.R. 1418: Ms. DEGETTE.
H.R. 1419: Mr. SHAYS, Mr. JORDAN, and Mr. ELLISON.
H.R. 1420: Ms. ROYBAL-ALLARD, Mr. GEORGE MILLER of California, and Ms. LORETTA SANCHEZ of California.
H.R. 1422: Ms. HOOLEY, Mr. FARR, Mr. OLVER, and Mr. BROWN of South Carolina.
H.R. 1428: Mr. SMITH of Washington.
H.R. 1440: Mr. PORTER.
H.R. 1459: Mr. STUPAK, Mr. WELLER, Mr. SCOTT of Georgia, and Mr. DUNCAN.
H.R. 1464: Mr. GILCHREST, Mr. HOLT, Ms. LEE, Mr. MCDERMOTT, and Mr. ACKERMAN.
H.R. 1474: Mr. WELCH of Vermont, Mr. HINCHEY, Mr. MCCAUL of Texas, Mr. MELANCON, and Ms. VELÃZQUEZ.
H.R. 1506: Mr. ARCURI, Ms. CASTOR, and Ms. LINDA T. SÃNCHEZ of California.
H.R. 1507: Ms. MCCOLLUM of Minnesota and Mr. NEAL of Massachusetts.
H.R. 1514: Mr. LEWIS of Kentucky.
H.R. 1532: Mr. MCDERMOTT and Mr. FRANK of Massachusetts.
H.R. 1536: Mr. ARCURI.
H.R. 1537: Mr. MCKEON, Mr. RODRIGUEZ, Mr. PERLMUTTER, and Ms. SUTTON.
H.R. 1552: Mr. CUMMINGS, Mrs. CAPPS, and Mrs. MILLER of Michigan.
H.R. 1560: Mr. GOODE.
H.R. 1576: Mrs. BOYDA of Kansas.
H.R. 1584: Mr. MCINTYRE, Ms. HERSETH SANDLIN, Mr. REGULA, and Mr. HODES.
H.R. 1610: Mr. PASCRELL, Mr. CARTER, and Mr. BILBRAY.
H.R. 1629: Mr. LEWIS of Kentucky.
H.R. 1634: Mr. MORAN of Virginia, Mr. GENE GREEN of Texas, Ms. SCHAKOWSKY, Ms. SOLIS, Mr. ENGEL, Mr. WAXMAN, Mrs. TAUSCHER, Mr. RUSH, and Mrs. CAPPS.
H.R. 1647: Mr. TIM MURPHY of Pennsylvania.
H.R. 1665: Mr. BISHOP of Georgia.
H.R. 1687: Ms. NORTON, Mr. LOEBSACK, and Mr. ALLEN.
H.R. 1699: Mr. DAVIS of Illinois, Mr. PRICE of North Carolina, and Mr. BRADY of Pennsylvania.
H.R. 1705: Mr. ARCURI and Mr. COHEN.
H.R. 1707: Mr. COSTELLO.
H.R. 1709: Mr. HOLDEN and Mr. KILDEE.
H.R. 1761: Mr. POE.
H.R. 1809: Mrs. MCCARTHY of New York.

H.R. 1845: Mr. REYES, Mr. BISHOP of Georgia, Mr. LANGEVIN, and Mr. PETRI.
H.R. 1846: Mr. SESSIONS.
H.R. 1856: Mr. BROWN of South Carolina.
H.R. 1871: Mr. WYNN.
H.R. 1872: Mr. DAVIS of Illinois.
H.R. 1881: Mr. DEFAZIO.
H.R. 1889: Mr. COURTNEY.
H.R. 1912: Mr. STUPAK.
H.R. 1927: Mr. DAVIS of Alabama.
H.R. 1937: Mr. SPRATT, Mrs. MYRICK, Mr. BLUMENAUER, Ms. FOXX, Mr. NUNES, Mr. STUPAK, and Mr. PORTER.
H.R. 1941: Mr. CUMMINGS.
H.R. 1943: Mr. JACKSON of Illinois and Mr. BUTTERFIELD.
H.R. 1953: Mr. BOREN.
H.R. 1956: Mr. BISHOP of New York.
H.R. 1957: Mr. DELAHUNT and Mr. HOLT.
H.R. 1968: Ms. ZOE LOFGREN of California, Mr. THOMPSON of Mississippi, and Mr. LEWIS of Georgia.
H.R. 1971: Mr. BUTTERFIELD and Mr. ALLEN.
H.R. 1983: Mr. LOBIONDO, Ms. CASTOR, and Mr. WEXLER.
H.R. 1990: Mrs. JONES of Ohio.
H.R. 2015: Ms. HARMAN, Mr. PERLMUTTER, Mr. RODRIGUEZ, Mr. WALZ of Minnesota, and Mr. HIGGINS.
H.R. 2027: Mrs. MCMORRIS RODGERS and Mr. DAVIS of Alabama.
H.R. 2036: Mr. HARE.
H.R. 2046: Mr. CARNAHAN and Mr. HASTINGS of Florida.
H.R. 2053: Mr. ROSKAM, Mr. MCNULTY, Mrs. BONO, and Mr. MURPHY of Connecticut.
H.R. 2054: Mr. COSTA.
H.R. 2060: Mr. GILCHREST.
H.R. 2069: Mr. GRIJALVA.
H.R. 2075: Mr. BACA.
H.R. 2091: Mr. DAVIS of Alabama and Mr. GILLMOR.
H.R. 2092: Mr. MCGOVERN, Mr. GEORGE MILLER of California, Ms. ZOE LOFGREN of California, Mr. ALLEN, Mr. MORAN of Virginia, Mrs. MALONEY of New York, Mr. HONDA, Mr. PAYNE, Mr. FILNER, Ms. WOOLSEY, Mr. ROTHMAN, Mr. WAXMAN, Ms. WATSON, Mr. BLUMENAUER, Ms. JACKSON-LEE of Texas, Mr. POMEROY, Mr. SERRANO, Mr. BOUCHER, Mr. COHEN, Mr. BERMAN, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. COURTNEY, and Mr. ANDREWS.
H.R. 2102: Mr. HASTINGS of Florida, Mr. DICKS, Ms. NORTON, Mr. WEXLER, Mr. MCCAUL of Texas, Mr. RYAN of Wisconsin, Mr. PAYNE, and Mr. WOLF.
H.R. 2103: Mr. COURTNEY.
H.R. 2122: Mr. BOSWELL, Mr. SHERMAN, Mr. GEORGE MILLER of California, Mr. OLVER, Ms. MCCOLLUM of Minnesota, Mr. NADLER, Mr. CUMMINGS, Mr. ALLEN, and Mr. LOBIONDO.
H.R. 2123: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 2125: Mr. GILLMOR.
H.R. 2138: Mr. TOM DAVIS of Virginia, Ms. HOOLEY, Mr. CULBERSON, and Mrs. BACHMANN.
H.R. 2149: Mr. ALEXANDER.
H.R. 2165: Ms. KILPATRICK and Mr. GONZALEZ.
H.R. 2216: Ms. CARSON.
H.R. 2217: Ms. CARSON.
H.R. 2228: Mr. WOLF.
H.R. 2231: Mr. HASTINGS of Washington and Mr. DUNCAN.
H.R. 2236: Ms. DEGETTE.
H.R. 2247: Mr. PASTOR and Mr. DEFAZIO.
H.R. 2255: Mr. DAVID DAVIS of Tennessee.
H.R. 2265: Ms. HOOLEY.
H.R. 2274: Mr. BARTLETT of Maryland, Mrs. MCCARTHY of New York, and Mr. DICKS.
H.R. 2280: Mr. MARSHALL, Mr. BOSWELL, and Mr. PLATTS.
H.R. 2289: Ms. LINDA T. SÁNCHEZ of California.
H.R. 2298: Mr. HIGGINS and Mr. GRIJALVA.
H.R. 2312: Mr. BAKER and Mr. MILLER of Florida.
H.R. 2332: Mr. COBLE, Mr. DOOLITTLE, Mrs. WILSON of New Mexico, and Mrs. JO ANN DAVIS of Virginia.
H.R. 2342: Mr. HONDA.
H.R. 2353: Mrs. CUBIN, Mr. RODRIGUEZ, and Ms. HIRONO.
H.R. 2361: Mr. MOORE of Kansas.
H.R. 2362: Mr. LEWIS of Kentucky and Mr. CROWLEY.
H.R. 2365: Mr. SHERMAN, Mr. PETERSON of Minnesota, Mr. GOHMERT, and Mr. CAMP of Michigan.
H.R. 2380: Mrs. BLACKBURN, Mr. HAYES, Mrs. SCHMIDT, Mrs. MILLER of Michigan, Mr. PLATTS, Mrs. CAPITO, Mr. ROHRABACHER, and Mrs. WILSON of New Mexico.
H.R. 2392: Mr. HARE.
H.R. 2416: Mr. WELDON of Florida.
H.R. 2417: Mr. STARK.
H.R. 2426: Mr. HILL.
H.R. 2435: Mr. LEWIS of Georgia and Mr. WYNN.
H.R. 2438: Mr. BAKER.
H.R. 2443: Mr. MCNULTY and Mr. BOREN.
H.R. 2447: Ms. CARSON, Mr. CLEAVER, Mr. CONYERS, Mr. KUCINICH, Mr. JEFFERSON, and Mr. HOLT.
H.R. 2458: Mr. ALTMIRE.
H.R. 2471: Mr. LEWIS of Kentucky.
H.R. 2504: Mr. LARSON of Connecticut.
H.R. 2510: Mr. WICKER and Mrs. BACHMANN.
H.R. 2512: Mr. LAMPSON.
H.R. 2548: Mr. SCHIFF and Ms. LORETTA SANCHEZ of California.
H.R. 2550: Mrs. DRAKE and Mr. MILLER of Florida.
H.R. 2578: Mr. YOUNG of Alaska, Ms. FALLIN, and Mr. ROGERS of Kentucky.
H.R. 2588: Mr. WELDON of Florida.
H.R. 2596: Mr. FILNER, Ms. BEAN, Mr. MOORE of Kansas, Mr. TIERNEY, Ms. SCHAKOWSKY, Mr. ELLISON, and Mr. DEFAZIO.
H.R. 2600: Mr. GOODE, Mr. DUNCAN, and Mr. ADERHOLT.
H.R. 2608: Mr. LEWIS of Georgia.
H.R. 2609: Mr. CHANDLER and Mr. HINOJOSA.
H.R. 2634: Ms. CORRINE BROWN of Florida, Mr. CONYERS, Mr. DAVIS of Alabama, Mr. STARK, Mrs. CAPPS, and Mrs. CHRISTENSEN.
H.R. 2639: Mr. WALBERG and Mr. BURTON of Indiana.
H.R. 2659: Mr. SMITH of Nebraska, Mrs. BOYDA of Kansas, and Mr. PLATTS.
H.R. 2668: Mr. ELLISON.
H.R. 2700: Ms. BORDALLO.
H.R. 2702: Mrs. CHRISTENSEN, Mr. SIRES, Mr. CARNAHAN, and Mr. STARK.
H.R. 2707: Mr. FOSSELLA.
H.R. 2723: Mr. RUSH, Mr. HALL of Texas, and Mr. BUTTERFIELD.
H.R. 2734: Mr. SULLIVAN, Mr. TIAHRT, Mr. LEWIS of Kentucky, Mr. MILLER of Florida, and Mrs. MCMORRIS RODGERS.
H.R. 2738: Mr. PENCE.
H.R. 2743: Mrs. CHRISTENSEN.
H.R. 2745: Mr. PAUL, Mr. LAMPSON, and Mr. ALEXANDER.
H.R. 2746: Mr. RUSH.
H.R. 2750: Mr. MARCHANT, Mr. PAUL, Mr. LEWIS of California, Mr. CUMMINGS, Mr. WEXLER, Ms. MATSUI, Ms. BORDALLO, Mr. SMITH of Texas, Mr. BAIRD, Mr. BOREN, Mr. BOSWELL, Ms. CASTOR, Mr. ELLSWORTH, Ms. ESHOO, Ms. GIFFORDS, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. MCCARTHY of New York, Mr. MITCHELL, Mr. RUPPERSBERGER, Ms. SHEA-PORTER, Mr. STARK, Mrs. TAUSCHER, Mr. TOWNS, Mr. PASCRELL, Mr. MICHAUD, Mr. SESTAK, and Ms. SOLIS.
H.R. 2758: Mr. HOLT, Mr. RUPPERSBERGER, Mr. TIERNEY, Mr. MORAN of Virginia, Mr. MURPHY of Connecticut, Mr. CRAMER, Mr. BECERRA, Mr. BERMAN, Mrs. CAPPS, Mr. CARDOZA, Mrs. DAVIS of California, Ms. ESHOO, Mr. FARR, Mr. FILNER, Ms. HARMAN, Mr. HONDA, Mr. LANTOS, Ms. LEE, Ms. ZOE LOFGREN of California, Ms. MATSUI, Mr. MCNERNEY, Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Ms. ROYBAL-ALLARD, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Ms. SOLIS, Mr. STARK, Mrs. TAUSCHER, Ms. WATERS, Ms. WATSON, Mr. WAXMAN, Ms. WOOLSEY, Mr. DEFAZIO, Mr. KENNEDY, Ms. WASSERMAN SCHULTZ, Mr. BAIRD, Mr. EMANUEL, Mr. UDALL of New Mexico, Mr. MARKEY, Mr. CAPUANO, Mr. LARSON of Connecticut, Mr. MCGOVERN, Mr. NEAL of Massachusetts, Ms. SCHAKOWSKY, Mr. DELAHUNT, Ms. BERKLEY, and Ms. CASTOR.
H.R. 2762: Mrs. CUBIN, Mr. BACHUS, and Ms. DELAURO.
H.R. 2802: Mr. PAUL, Ms. SOLIS, Mr. PAYNE, Mr. HONDA, Mr. BARTLETT of Maryland, Ms. SCHAKOWSKY, Mr. TIERNEY, and Mr. FARR.
H.R. 2805: Mr. DOGGETT, Mr. DAVID DAVIS of Tennessee, and Mr. GORDON.
H.R. 2809: Ms. SCHWARTZ, Mr. GRIJALVA, Mr. KIND, and Mr. CARNAHAN.
H.R. 2818: Ms. CORRINE BROWN of Florida, Ms. CARSON, and Mr. GONZALEZ.
H.R. 2821: Mr. HERGER and Mr. JEFFERSON.
H.R. 2827: Mr. LOEBSACK.
H.R. 2831: Ms. WASSERMAN SCHULTZ and Mr. DAVIS of Alabama.
H.R. 2832: Mr. UPTON.
H.R. 2834: Mr. WELCH of Vermont and Mr. FILNER.
H.R. 2840: Mr. PAYNE.
H.R. 2842: Mr. CLAY.
H.R. 2852: Mr. CONYERS, Mr. ETHERIDGE, Mr. FOSSELLA, Mr. DELAHUNT, Ms. BORDALLO, Mr. FALEOMAVAEGA, Mr. FARR, Mrs. MCCARTHY of New York, and Mr. LINCOLN DIAZ-BALART of Florida.
H.R. 2857: Mr. SARBANES, Mr. PAYNE, Mr. HARE, and Ms. CLARKE.
H.R. 2859: Mr. COHEN.
H.R. 2860: Mr. HOEKSTRA and Mr. HINOJOSA.
H.R. 2879: Mr. HASTINGS of Washington.
H.R. 2880: Mr. SAXTON, Mr. RENZI, and Mr. SESSIONS.
H.R. 2892: Mrs. MALONEY of New York.
H.J. Res. 45: Mr. DONNELLY.
H. Con. Res. 4: Mr. GORDON.
H. Con. Res. 102: Mr. SNYDER, Ms. ROYBAL-ALLARD, Mr. CONYERS, Ms. HOOLEY, Mr. CAPUANO, Ms. BERKLEY, and Mr. DAVIS of Illinois.
H. Con. Res. 136: Mr. UDALL of New Mexico and Mr. JONES of North Carolina.
H. Con. Res. 139: Mr. JOHNSON of Georgia.
H. Con. Res. 162: Mr. BRADY of Pennsylvania, Mr. DOYLE, Ms. MATSUI, and Mr. RUPPERSBERGER.
H. Con. Res. 169: Mrs. CAPPS.
H. Con. Res. 176: Mr. PETERSON of Pennsylvania.
H. Res. 32: Mr. BURTON of Indiana, Mr. LEWIS of Georgia, Ms. MOORE of Wisconsin, Ms. SCHAKOWSKY, Ms. MCCOLLUM of Minnesota, and Mr. MCGOVERN.
H. Res. 34: Mr. RUSH, Mr. HONDA, Mr. LEWIS of Georgia, and Mr. MCGOVERN.
H. Res. 37: Ms. LEE and Ms. CASTOR.
H. Res. 106: Mr. BUTTERFIELD, Mr. BOYD of Florida, Ms. CARSON, Mr. WATT, Mr. CUMMINGS, Mr. SCOTT of Virginia, Mr. KAGEN, and Mr. LARSEN of Washington.
H. Res. 111: Mrs. MALONEY of New York, Mr. SPACE, Mr. ROGERS of Kentucky, Mr. WALZ of Minnesota, and Mr. MANZULLO.
H. Res. 140: Ms. SHEA-PORTER and Mr. BRADY of Pennsylvania.
H. Res. 145: Mr. CROWLEY and Ms. LINDA T. SÁNCHEZ of California.
H. Res. 169: Mr. ALTMIRE.
H. Res. 208: Mr. WESTMORELAND and Mr. GALLEGLY.
H. Res. 231: Mr. BACHUS.
H. Res. 282: Mr. FOSSELLA and Mrs. DRAKE.
H. Res. 303: Mr. CONYERS and Mr. PAYNE.
H. Res. 326: Mr. SPRATT, Mr. ORTIZ, Mr. BRADY of Pennsylvania, Mr. MARSHALL, and Mr. SESTAK.
H. Res. 333: Mr. JOHNSON of Georgia and Mr. ELLISON.

H. Res. 338: Mr. DAVIS of Illinois and Mr. HASTINGS of Florida.

H. Res. 345: Mr. KILDEE, Mr. RYAN of Wisconsin, Mr. CASTLE, and Mr. DELAHUNT.

H. Res. 356: Ms. ROS-LEHTINEN, Ms. LORETTA SANCHEZ of California, Ms. SCHAKOWSKY, Ms. SCHWARTZ, Mr. DELAHUNT, Mr. WAXMAN, and Mr. RUSH.

H. Res. 476: Ms. ZOE LOFGREN of California.

H. Res. 489: Mr. AL GREEN of Texas, and Ms. KILPATRICK.

H. Res. 493: Mr. THOMPSON of California, Mr. DREIER, Mr. BERMAN, Mr. MCKEON, and Mrs. MALONEY of New York.

H. Res. 494: Mr. FILNER.

H. Res. 497: Mr. SMITH of New Jersey, Mr. FORTUÑO, Mr. MCGOVERN, Mr. MCCOTTER, Mr. MORAN of Virginia, Mr. FRANKS of Arizona, and Mr. HIGGINS.

H. Res. 499: Mr. KLINE of Minnesota, Mr. ELLSWORTH, Mr. DENT, Mr. KING of Iowa, Mr. LAMBORN, Mr. WAMP, Mr. SHAYS, Mr. CULBERSON, Mr. YOUNG of Florida, Mr. WILSON of South Carolina, and Mr. ALEXANDER.

H. Res. 500: Mr. WICKER and Mr. MCCOTTER.

H. Res. 506: Mr. BURTON of Indiana.

H. Res. 508: Mr. ROHRABACHER.

H. Res. 511: Mr. ROSKAM.

H. Res. 515: Mr. DEFAZIO, Mr. BLUMENAUER, Mr. WU, and Mr. WALDEN of Oregon.

H. Res. 521: Mr. WEINER and Mrs. LOWEY.

H. Res. 523: Mr. ROTHMAN.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2720: Mr. REYES.

H. Res. 106: Mr. WICKER.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

91. The SPEAKER presented a petition of the Democrats Abroad Munich, Germany, relative to a Resolution strongly supporting a political rather than a military solution to the civil war in Iraq involving a regional diplomatic effort including Iraq's neighbors, as military force cannot be the answer to communal violence; to the Committee on Armed Services.

92. Also, a petition of the Democrats Abroad Munich, Germany, relative to a Resolution calling on the Democratic National Committee to develop a United States Climate Change Policy by 2008 that includes the United States participation in multilateral efforts to slow, stop and reverse the increase of global GHG emissions; to the Committee on Energy and Commerce.

93. Also, a petition of the Democrats Abroad Munich, Germany, relative to a Resolution calling for a proactive policy on the part of the United States of America for the renewal of the Israeli-Palestinian peace process; to the Committee on Foreign Affairs.

94. Also, a petition of the Democrats Abroad Munich, Germany, relative to a Resolution urging the Congress of the United States to impress upon the President of the United States that the current crisis over Iran's enrichment of uranium and its alleged aid and assistance to the insurgency in Iraq should be solved through diplomacy and direct talks with the government of Iran; to the Committee on Foreign Affairs.

95. Also, a petition of the Democrats Abroad Munich, Germany, relative to a Resolution concerning the restoration of habeas corpus; to the Committee on the Judiciary.

96. Also, a petition of the Washington Democratic Town Committee, relative to a Resolution urgently petitioning the Congress of the United States to institute impeachment proceedings against the President of the United States and the Vice President for approving warrantless surveillance of United States citizens in violation of the Constitution; to the Committee on the Judiciary.

97. Also, a petition of the Democratic Party of Arizona, relative to a Resolution calling for an end to the United States presence in Iraq by limiting funding for the war and fully funding the safe and orderly redeployment and withdrawal of all troops from Iraq; jointly to the Committees on Armed Services and Foreign Affairs.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, FIRST SESSION

Vol. 153 WASHINGTON, THURSDAY, JUNE 28, 2007 No. 106

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JON TESTER, a Senator from the State of Montana.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Gracious God, our hiding place, how often we take refuge in Your forgiveness. Thank You for Your unlimited mercy. Today, we are aware of how we do not always measure up to what we know to be right; forgive us. Also, we know of the times we have done wrong because of our failure to act; forgive us. Help us, Lord, to lean on Your grace, trusting You to save us from ourselves.

Today, bless the Members of this great body. Give them the strength and commitment to lead our Nation to new levels of greatness. Empower them to use their talents, abilities, and energies to make a better world. As they walk in the path of truth and honor, give them Your peace. We pray in Your saving Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JON TESTER, a Senator from the State of Montana, 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, June 28, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JON TESTER, a Senator from the State of Montana, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. TESTER 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. This morning the Senate will immediately resume consideration of S. 1639, the immigration legislation. There will be an hour of debate only prior to the cloture vote on the legislation. The time is divided between Senators KENNEDY and SPECTER or their designees.

Following the hour, the leaders will each receive 10 minutes if they choose to utilize the time, with the majority leader controlling the final 10 minutes. If all time is used, the cloture vote would occur about 10:50 this morning.

Members are reminded that there is a 10 a.m. filing deadline for any germane second-degree amendments.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

COMPREHENSIVE IMMIGRATION REFORM ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1639, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1639) to provide for comprehensive immigration reform and for other purposes.

Pending:

Reid (for Kennedy/Specter) modified amendment No. 1934, of a perfecting nature.

Division VII of Reid (for Kennedy/Specter) modified amendment No. 1934.

Division VIII of Reid (for Kennedy/Specter) modified amendment No. 1934.

Division IX of Reid (for Kennedy/Specter) modified amendment No. 1934.

Division X of Reid (for Kennedy/Specter) modified amendment No. 1934.

Division XI of Reid (for Kennedy/Specter) modified amendment No. 1934.

Division XII of Reid (for Kennedy/Specter) modified amendment No. 1934.

Division XIII of Reid (for Kennedy/Specter) modified amendment No. 1934.

Division XIV of Reid (for Kennedy/Specter) modified amendment No. 1934.

Division XV of Reid (for Kennedy/Specter) modified amendment No. 1934.

Division XVI of Reid (for Kennedy/Specter) modified amendment No. 1934.

Division XVII of Reid (for Kennedy/Specter) modified amendment No. 1934.

Division XVIII of Reid (for Kennedy/Specter) modified amendment No. 1934.

Division XIX of Reid (for Kennedy/Specter) modified amendment No. 1934.

Division XX of Reid (for Kennedy/Specter) modified amendment No. 1934.

Division XXI of Reid (for Kennedy/Specter) modified amendment No. 1934.

Division XXII of Reid (for Kennedy/Specter) modified amendment No. 1934.

Division XXIII of Reid (for Kennedy/Specter) modified amendment No. 1934.

Division XXIV of Reid (for Kennedy/Specter) modified amendment No. 1934.

Division XXV of Reid (for Kennedy/Specter) modified amendment No. 1934.

Division XXVI of Reid (for Kennedy/Specter) modified amendment No. 1934.

Division XXVII of Reid (for Kennedy/Specter) modified amendment No. 1934.

Kennedy Amendment No. 1978 (to Division VII of Reid (for Kennedy/Specter) modified amendment No. 1934), to change the enactment date.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts is recognized.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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Mr. KENNEDY. Mr. President, I understand that at the hour of 10:30 we will be having the cloture vote on the immigration legislation. Am I correct?

The ACTING PRESIDENT pro tempore. The vote may actually be at 10:50.

Mr. KENNEDY. Fine. I yield myself 5 minutes.

Mr. President, this has been a long journey to try and bring our broken immigration system and our broken borders to the place where this Senate can take action. Today's action is going to be absolutely key to whether we will be able to continue and finalize this legislation at the end of the week. So today's vote is a critical vote, key vote, perhaps the most important vote we have had here on this issue over the period of the last 3 years.

Our Judiciary Committee has been working on this legislation. Senator SPECTER has been a key part of this whole effort. It has been a bipartisan effort. Our quest has been a bipartisan effort here on the floor of the Senate.

Those of us who are committed to this issue believe we have an important responsibility to try to achieve something. We believe the reason for us being here, whether it is from Massachusetts or Pennsylvania or from other States, is to deal with the public's business, the Nation's business. This is the Nation's business. I think outside of the issue of the war in Iraq, this is front and center for our country.

People in my State are concerned and affected by it, and they are in other parts of the country as well. We have 900,000 nonnative-born individuals in my State of Massachusetts. Of those 900,000, 200,000 are undocumented. We have more than 3,000—in the city of Boston—more than 3,000 small businesses directly responsible for 34,000 jobs, more than half a billion dollars in pay and sales taxes in my State by those who are born in other countries. They represent probably less than 10 percent of the State's population, and 17 percent of the job market. The workers in our State, 17 percent are nonnative born, a demonstration that those individuals who have come here to the United States want to work. They want to work. They also are men and women of faith. They are men and women who care about their families, by the fact that more than $48 billion is returned every single year to the countries in Central and South America.

They care about their families. They want to work. More likely than not, they are all men and women of deep faith and religious belief. That is reflected in many of our communities in my State and in travels around the country. You see that day in and day out.

Also they want to be a part of the American dream. We have seen that reflected in the total numbers of individuals who have served in the Armed Forces of our country. Some 70,000 have served in Iraq and Afghanistan, and many have lost their lives. But in a number of instances, individuals, the undocumented, have crossed the line in terms of immigration, drawn here by the great economic magnet, the economic magnet that is on this side of the border that says: Look, we need you over here to make the American economy work. We want to pay you over here when you are unemployed over here. We will provide you the resources so you can look after your family. People have been attracted to that magnet. We have them here.

For those toward the end of this discussion and debate, as we have heard on the floor, we know what they are against. We do not know what they are for. Time and time again they tell us: We do not like this provision; we do not like that provision; we do not want that part of it. They ought to be able to explain to the American people what they are for. What are they going to do with the 12½ million who are undocumented here? Send them back? Send them back to countries around the world, more than $250 billion; buses that would go from Los Angeles to New York and back again? Try and find them? Develop a type of Gestapo here to seek out these people who are in the shadows? That is their alternative? That is their alternative?

This country and this Senate is better. We have a process that said: Look, okay, you are here and undocumented. You are going to have to pay a price. We are going to take people who are in the line who have said they want to play by the rules. They go and they wait, and you wait and you wait and you wait. You pay and pay, and you pay and you pay. You pay your fees, you pay your processing fees, your adjustment fees. You pay not only for yourself but the other members of the family. You demonstrate you are going to learn English, you demonstrate you worked here, that you are a good citizen, that you have not had any run-in with crime, and then maybe you get on that pathway with a green card, and, perhaps, in 15, 18 years you will be able to raise your hand and be a citizen here in the United States. This is the issue. Are we going to have a constructive and positive resolution of this issue, or are we going to be naysayers, bumper sticker sloganeers who say: We are against amnesty, or, we are against this bill?

America deserves better. The issue is too important. Now is the time, this is the place. The Senate is the forum where we have to take this action.

I am hopeful that America is watching this and will understand what is at stake here. This is an issue and this is a vote of enormous importance. We talk of votes here. Some are more important than others. A few are of enormous significance and consequence. A few of them are going to have a defining impact about what kind of society we are going to be in, how we are going to treat each other, whether we have a respect for our fellow human beings and our fellow individuals who are here in this country, and whether we believe that our greatest days are yet to come.

Are we going to respond to the voices of fear? And that is the issue. Are we going to have a positive resolution, a constructive resolution, that is going to continue to be shaped as it goes to the House of Representatives, shaped there as well by different responsible figures? It may have somewhat of a different view. Or are we going to say no, no, we have listened to those voices of fear who say: Absolutely not. We are going to take the status quo. Every person who votes ''no'' is going to know that this situation is going to get worse and worse and worse.

We are going to say that: Oh, yes, sure, we will do something down on the border. But you are never going to have the kind of workforce enforcement, you are never going to have the kind of absolutely essential identification system that any responsible immigration system is absolutely required to have.

This is a vital vote about the future of our country or the past. That is going to be the issue in question when the time comes to vote.

Mr. President, I reserve the remainder of my time.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I yield myself 5 minutes.

The legislation now pending is the very best that can be done by very extensive work on the immigration problems in the United States.

Last year in the 109th Congress, the Judiciary Committee, which I chaired, produced a bill. This year we went to a little different procedure and we have structured a bill which is the best that can be done as of this moment. It may yet be improved in the balance of the amendments yet to be voted upon, if cloture is invoked on this vote this morning, a 60-vote tally, obviously very difficult to get to.

Had I written the bill, it would have been substantially different. I would have agreed with Senator MENENDEZ that there ought to be more consideration to families. I would have agreed with Senator DODD that we ought to have more parents coming into this country. I would have agreed with those who oppose the touchback, which I think is punitive and formalistic and not related to anything, necessarily.

But this is an accommodation. The art of politics is to compromise and to accommodate. We have constantly said to the opponents: If you have something better, tell us what it is.

Not only have the opponents not told us what they have in mind for something better, but they have refused to come forward and offer any amendments and have used Senate procedure to stop others from offering amendments. So for hours I sat here as manager of the bill doing nothing. That is why we have utilized the unusual procedure we have today. Some are complaining that they have not had an opportunity to offer amendments but,

candidly, it is their own fault. When they had a chance to do so, they didn't. Beyond that, they stopped others from offering amendments.

We have the advocates for the immigrants. They have a very strong case. What this bill started out to do was to deal with the 12 million people who are so-called ''living in the shadows'' in fear. This bill does deal with that issue.

Those who say it doesn't go far enough have a point, but I think they lose sight of the core reason the bill is structured, as it is for the 12 million. It accommodates them in a realistic way and puts them on the path to citizenship. That has led many to cry ''amnesty.'' I don't think it is amnesty for the reasons that have been enumerated many times. But amnesty, like beauty, is in the eye of the beholder. These 12 million are going to be here whether we legislate or not. So if it is amnesty, to do nothing is to have silent amnesty. They are going to stay here. To do nothing is to perpetuate anarchy.

Those who have argued strenuously and cogently to have border protection and employer verification to eliminate the magnet and to reimpose the rule of law are right. But they are not going to get the core of what they want if no bill is passed. So we ought to come to grips with the basic reality that the fundamentals on both sides have been realized, not the periphery and not the fringes, but the fundamentals.

We have had some votes which really defy the tradition of the Senate. We had the Dorgan amendment early on where many voted against their preferences, their policy judgments, to kill the bill. They had a position as to what they thought was right. They had expressed it. We knew what their policy position was. They voted the other way to kill the bill.

Yesterday, on the Baucus amendment, it was really extraordinary. I have been here a while. Twenty-three Senators changed their votes. You can tell on the cards, there is a check one way and a cross-off and a check the other way. Twenty-three Senators changed their votes. We talk about profiles in courage, this is a profile in cynicism. Votes were changed in order to defeat the bill, not because they expressed the preferences of the Senators. There were colleagues who said how they would vote, and then they didn't vote the way they said they were going to. I am not going to call them commitments which were breached, but that term might be used. It is a little strong to say that a Senator broke his word and breached a commitment. Let me simply say that some said how they would vote and then didn't. That is an unusual occurrence in the Senate.

It has been a common practice for Senators to vote in favor of cloture and then to vote against the bill. That expresses a middle ground that the Senator doesn't think there ought to have to be a supermajority that is, 60 votes—to carry the bill. But the Senator doesn't want to vote for the bill and so expresses himself or herself by voting for cloture so the bill can go forward but then votes against the bill on the merits. Those who vote against cloture will be responsible for killing the bill. They can then vote against the bill so that they won't be responsible for passing the bill. Around here, we like to avoid being responsible for one thing or another, but if we do not have cloture on this bill, the bill is dead. If we have cloture, then Senators are not responsible for its passage when they vote against it.

I urge my colleagues to bear that in mind. We pride ourselves in the Senate on being courageous. President Kennedy's book as a Senator was titled ''Profiles in Courage.'' We have one illustration of that in the senior Senator from Arizona, Mr. MCCAIN, who is on the front page of the Washington Post today with the reports about his courageous stand on immigration costing him votes, perhaps costing him the Republican nomination. No one knows for sure, but it isn't helping him any.

It would be my hope that the Senate would rise to the occasion and would not kill this bill because if it is done, it is finished for the year. Next year is a Presidential/congressional election. We are off to 2009 and beyond. Then it will only be worse.

I leave my colleagues with the essential point that a responsible position would be to let the bill go forward. There is another 60-vote margin coming on the issue of a budget point of order. Don't be responsible for killing the bill by voting against cloture. Then you don't have to be responsible for the bill when voting no, and let the majority rule but not call for a supermajority on this very critical issue.

I reserve the remainder of my time.

Mr. KENNEDY. I yield 5 minutes to the Senator from California.

The PRESIDING OFFICER (Mr. CASEY). The Senator from California.

Mrs. FEINSTEIN. Mr. President, this is really a very difficult time because probably in the 14 years I have been here, there is no more important bill than this one. There is no more difficult bill. There is no bill that calls upon the courage of every single Senator more than this bill. I know what has been happening out there. I know the calls that have been made. I know some of the threats that have been made. Yet we have a chance in this bill to do the right thing.

Many people don't understand the bill. They don't understand the large amount of the bill that is dedicated to enforcing our borders. They don't understand the money that the fees and fines put into the process to be able to do what we need to do with respect to immigration. They don't understand the reforms that are made in employment verification. They also don't understand the threat to our national security—that having so many people in this country and not knowing who they are, having more people coming into this country every day and not knowing who they are—the threat this presents to the security of every man, woman, and child.

This bill is aimed to fix what is broken in our system. I have had individual Senators say to me: Well, if the bill was just this part, I would vote for it; if the bill was just that part, I would vote for it. The point is, this part or that part won't get 60 votes. Only a combination of parts to accomplish a broad fix of broken borders, broken identification, a totally broken system will get enough votes.

We are very close to the votes required. I don't know what to say to Members who are not yet decided to bring them on board. I agree with what Senator KENNEDY and Senator SPECTER have said: If we miss this opportunity, there is not likely to be another one in the next few years to fix the system. What will that mean? That will mean every year 700,000 to 800,000 more people will come across our borders unobserved, unknown. They will disappear into the shadows. If there is period of ''do nothing'' for the next 10 years, that will be 7 to 8 million more people illegally in the country. If we don't fix our visa overstay system, which is in this bill—40 percent of the illegal population are visas overstay; many of them don't go home—that will remain unfixed. If we don't come up with fraud-proof identification cards, employers will never really be able to know whom they employ and whether that individual is a legal person. This is an opportunity to fix all of that.

The fixes may not be to everyone's liking, but they are positive. It is the most positive immigration bill we have considered yet.

Additionally, never before in the history of the country is more being done to fix our broken borders, to fix interior enforcement, to fix employer sanctions. One thing is happening that has turned this bill by talk show hosts into something it is not, and that is for those people who are opposed, this is an amnesty bill. I don't know how we could say more strongly that it is not. I don't know how we could say more strongly that what is out there now is a silent amnesty. People are here 15, 20, 25 years. They are working, owning property. They now have a state of amnesty. This bill reconciles that. This bill changes that. This bill prevents it from happening in the future. It is hard for me to understand why that doesn't measure big-time with many of our colleagues. Apparently, it does not.

I can only come to the floor to plead: Let us finish this bill. If you are concerned about enforcement, Senator GRAHAM's amendment coming down the pike next has many very interesting improvements. Give him a chance to offer that amendment, then vote no. But I think to cut this bill off now is a huge mistake. We are so close. There are still a series of amendments to be passed. Please, give them an opportunity postcloture. Please vote for cloture.

I yield the floor.

Mr. SPECTER. Mr. President, I yield 5 minutes to the distinguished Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, in my last election my constituents sent me a couple of clear messages, one of which was do something about illegal immigration. In my State, we have a majority of people who are entering the country illegally coming across the border from Mexico, creating huge environmental problems, law enforcement problems, people victimized on both sides, costs to the State, lawlessness literally on street corners. The people of my State are saying: What is happening to our country when we can't enforce the laws at the border? Are we not a sovereign country? They have a point.

We understand politically that in order for us to enforce the law, we have to have an enforceable law. As a result, this bill we have put together for the first time creates a strong bipartisan consensus for all of the things that are needed to control our border. But it does more in two key ways. The reason these other two things are important is because a lot of my constituents have said: Why should we believe that a new law is going to be enforced when the existing law isn't enforced? That is a very good question. Presidents, both this administration and the previous administration, and Congresses have not done an adequate job of enforcing the law. But it is also true that we have two laws that are not very enforceable. We know that 40 percent of the people who are here illegally have overstayed visas. They didn't cross the border illegally. It is very hard to enforce the visa overstay laws because they are not adequate. We don't have adequate resources, either.

Secondly, the employee verification system in place today is a joke. Everyone knows that. One can use counterfeit driver's licenses and Social Security cards, and we all know there are millions of people working here illegally though they presented documents to an employer. The 1986 bill wrote a very bad provision for employment verification. It doesn't work.

So for those who say, ''Well, let's enforce the law, and then there will be the attrition of illegal immigrants and we will get back to a good situation,'' the answer is, of course, if you do not have a good law to enforce, you cannot work that strategy. The law has to be changed. It is very clear that in order to change the law so it can be enforceable—both with respect to visa overstayers and at places of employment—we are going to have to have a group of people get together, Democrats and Republicans, willing to support some things that each other wants in order to pass such a law. That is the genesis of the bill that is before us.

I hope my colleagues will recognize that doing nothing is not acceptable. It is pretty clear, when we come down to this cloture vote, that is going to be very close, that 40 Senators might be able to stop the Senate dead in its tracks here, thwarting the will of the majority. Those 40 Senators would be people on one side who want it all their way and on the other side who want it all their way, thwarting the will of the majority, which recognizes that neither side can have it all their way but that doing nothing is not acceptable. That will be the result if cloture is not invoked.

The final point I would like to make is there are several amendments we should be voting on to improve this legislation. Only by moving forward with the cloture vote will we be able to vote on those amendments. One of those is an important amendment, a very large amendment, which was put together by Senator GRAHAM and myself and Senator MARTINEZ and several others which really tries to fill in all of the gaps in enforcement, some of which have been pointed out to us by our constituents, by critics of the bill, by folks on the talk shows, by people who oppose the bill. We have taken a lot of those suggestions—many of them are great ideas—and put them into this enforcement amendment. It will, for example, make it very difficult for a visa overstayer to be able to be here illegally in the future. We are going to know when they overstay their visa. We are going to detain them until they can be removed from the country. That is just one example. So in order to be able to vote on those strong and strengthening amendments, we have to invoke cloture, we have to be able to proceed.

There are still two more opportunities for those who want to express their opposition to the bill to do so. There will be a budget point of order, and there will be the vote on final passage. But surely our colleagues would, I hope, respect the will of the majority, which is to keep moving to make this bill as good as we possibly can, and then everybody has the ability to vote however they want to at the end of the day. I hope my colleagues will agree that doing nothing is not an option and that we can continue to move the bill forward by supporting cloture.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, we have 5 allotted minutes for Senator SESSIONS, and I see he is on the floor.

I ask the Senator, would you like to take that time now, Senator SESSIONS?

Mr. SESSIONS. Mr. President, I understood it was 10 minutes.

Mr. SPECTER. Mr. President, I say to the Senator, you have 5 minutes from each side. You have 5 from me and 5 from Senator KENNEDY.

I say to the Senator, I was going to yield you 5 minutes now.

Mr. SESSIONS. Mr. President, I would be pleased to use 5 minutes now. I believe some of the other Members I wanted to share time with are available and can speak.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I will be pleased to yield 2 minutes to the Senator from North Carolina, Mrs. DOLE.

The PRESIDING OFFICER. The Senator from North Carolina.

Mrs. DOLE. Mr. President, first of all, I thank Senator SESSIONS, Senator DEMINT, and Senator VITTER for their hard work on this matter, and other Senators as well.

Certainly, there is one area in which we have much agreement; that is, securing our borders. Clearly, the American people do not have any confidence at all in the promises this will be done when there is track record of total failure. In 1986, there were 3 million illegal aliens, and today, of course, there are 12 million or more. The Government does not seem to know how many.

I have an op-ed piece from the Charlotte Observer. Just quoting from 1986: This bill will help us provide the immediate relief on the border that we need. In my view, it is a good bill. We should all support it, be glad that this long controversy has finally been put to rest.

Well, CHUCK GRASSLEY made it very clear in strong points that he was wrong in the 1986 vote, that this did not provide the security at the border we have been promised again today.

In 2006, we had the Secure Fence Act, 700 miles of fencing to be built. Only 2 miles have been built.

So my view, my strong view, is it is not just promises, it is proof people want. The American people want to see results, control of our borders. We need to establish standards or metrics and then show they have been achieved—for example, having a significant decrease in the number of illegal aliens who cross our border, having a significant decrease in those who overstay their visas, a high rate of deporting those where courts have said a person needs to be removed from this country and deal with contentious provisions at a later date. But these are the key issues people are concerned about.

The first order of business must be that we ensure that the mess we are faced with now never, ever occurs again. We should be laser-focused on our resources, our energy, and ensuring our borders are secure.

My staff and I have been meeting with sheriffs across our State. Section 287(g), which is law now, provides that these local officials can be deputized to enhance the ICE agents. This is very important.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. DOLE. I thank the Chair.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank Senator DOLE and yield 2 minutes to the Senator from Tennessee, Mr. CORKER.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I thank the Senator from Alabama for yielding me time.

I just wish to say I appreciate the efforts of all involved in what has happened over the last month. I really do. I have voted three times against cloture and will vote for a fourth time today against cloture. But at the same time, I really have tried to play a constructive role in voting on each amendment based on the merits of that amendment.

This bill is about a lot of things. Certainly, people have put a lot of effort into it—based on compassion, based on trying to solve a problem. It also, no doubt, has some more sinister components. I hate to say it: cheap labor, party politics, who is going to gain the majority. So there are a lot of different things at play here. I think we all understand that. But I really do appreciate the efforts of all involved.

Today, this is going to get down to four or five Senators. I encourage them to vote against cloture, for this reason: I think this bill is not good for America because I believe America has lost faith in our Government's ability to do the things it says it will do. We have had intelligence gaffs. We have had evolving reasons as to why we are involved in military conflicts. We have seen what has happened at the local, State, and Federal level on things such as Katrina. We have ministers who want to go on mission trips today but who cannot get passports renewed. This is about competence. It is about credibility. I think Americans feel they are losing their country. They are not losing it to people who speak differently or talk differently or are from different backgrounds; they are losing it to a government that has seemed to not have the competence or the ability to carry out what it says it will do.

I believe this bill is going to fail. What I would urge people to do is not what they have said today—and that is, to let it pass—but to move, meaning to pass into another time, but approaching it on a more modest basis, where we do the things we say we will do and build a foundation that will cause the American people to actually have faith in this Government.

The PRESIDING OFFICER (Mr. OBAMA). The Senator's time has expired.

Mr. CORKER. I thank the Chair.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank the Senator from Tennessee and would recognize the Senator from South Carolina, thanking him for his leadership. As the Senator from Pennsylvania, Mr. SPECTER, said, this has been a tough battle. I thank Senator DEMINT for his courage. I yield him 1 minute, I believe.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. DEMINT. Mr. President, I thank the Senator for his leadership.

Mr. President, this immigration bill has become a war between the American people and their Government. The issue now transcends anything related to immigration. It is a crisis of confidence between what the American people believe our Government is and should be, what it is to them now, and what they perceive it to be.

This vote today is really not about immigration. It is about whether we are going to listen to the American people and realize we need to proceed more carefully, in a more sensitive manner, and appear to be listening to the concerns of the American people.

The allocation of time, as we approach this vote, is very symbolic of where we stand. The supporters of this bill, out of an hour's time, have allocated 10 minutes to the opinion of the American people. I think we should listen to the American people. I hope all of my colleagues will decide not to move ahead with this bill and vote against cloture today.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DEMINT. I thank the Chair.

Mr. SESSIONS. Mr. President, I reserve my 5 minutes remaining.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I ask Senator SPECTER, may I be recognized?

The PRESIDING OFFICER. The Senator from Pennsylvania.

Who yields time?

Mr. SPECTER. Mr. President, I yield 5 minutes to the distinguished Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. I thank the Chair.

To my colleagues who have participated in this debate, I think it has been a once-in-a-lifetime experience, I hope for all of us, because if we did this every week, the Senate would fall apart because this is tough politics, there is no question about it.

I do not pretend to know that I am on the wrong side or the right side of the American people. I can tell you what polls say—that once you tell people what is in this bill, about border enforcement, employer verification, merit-based immigration, the temporary worker program, it is 2 to 1 in about every poll I have seen. I guess you can get the poll to respond to the way you ask the question.

What I am trying to do is provide a solution to a problem that affects the American people. Here is the formula for this problem to be solved: bipartisanship.

To my friends on this side, if you think you can ignore Democrats, good luck. They exist. There are a bunch of them over there. Yes, raise your hand if you are a Democrat. Why don't you all leave? Well, they are not going away. Now, there are a bunch of us over here. Good luck ignoring us.

I would like to secure the border. How many Democrats would? Everybody raises their hand, right? Wouldn't you like to have an employer verification system where an employer would know the difference between somebody who is illegal and legal?

Enforce the current law. To my friends who call me endlessly and say, ''Just enforce the current law, LINDSEY,'' well, here is LINDSEY's response: I have looked at it. It is unenforceable. You can get a job in America based on a driver's license and a Social Security card being presented. What did all the hijackers on 9/11 have in common? They all had fake ID cards. They all had fake driver's licenses. I can get you a Social Security card. To my good friend from South Carolina, JIM DEMINT, we can go to the Jockey Lot in Anderson, and I can get both of us a Social Security card by midnight with whatever name you want, whatever number you want.

Until we address that problem, we are never going to solve illegal immigration because it is about jobs. Current law is a failure. The public should be cynical. Are we helping them when we fail? We are at 20 percent approval, and we deserve it. We do not deserve our pay raise. But who are the 20 percent? What do you like about this Congress? I cannot believe there are 20 percent of the American people who like what we are doing up here because we are doing nothing but talking about what we will not do, and we are playing a game that the American people do not understand, like the other side does not exist.

You are never going to deal with this issue until you embrace the 12 million. No Democrat is going to let you build a fence and do all the things we want to do without addressing the 12 million. That is never going to happen.

I want to address the 12 million. The reason I want to address the 12 million, it bothers me there are 12 million people here that we do not know who they are and what they are up to. I wish they would go away, but they are not. It is a problem America has to deal with, and we want someone else to do it because we are afraid if we do a plea bargain it is amnesty. We are afraid that the people who don't want to deal with the 12 million will come and take our jobs away. This is about our jobs.

Well, this is bigger than my job. The 12 million will be dealt with. They are not going to be ignored. They will be dealt with firmly and fairly eventually. They are not going to be deported. They are not going to jail. They can't be wished away. So we need to come together in a bipartisan manner and have principled compromise where we deal with the 12 million, we deal with broken borders, we get a temporary worker program.

To my Republican friends, remember this day if you vote no. You will never, ever have this deal again. There will never be a merit-based immigration system such as we have negotiated because President Bush has helped us. To my friends on this side who say President Bush would sign anything, you don't understand what is going on here. President Bush has given us as Republicans things we will never get without

him being President. We have lost the majority, but we have a good deal because we have hung together. A temporary worker program and a merit-based immigration system is a good deal for this country. If we say no today, good luck of ever getting it again.

The 12 million stay here on our terms. They have to learn English. They have to pay fines. They can't be citizens unless they go back and start over. This is as good as it is going to get.

Now, if we lived in a perfect world where the Republicans could write this bill, it would be different, and I can assure you, my Democratic friends would have written a different bill. All I can tell you is, the American people have a low opinion of us because we can't seem to do the things we need to do——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. GRAHAM. Because we are too worried about us and not them.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I understand we have 11½ minutes; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. KENNEDY. I yield 4 minutes to the Senator from Colorado and the remaining time between the Senator from Illinois and myself.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. SALAZAR. Mr. President, I come to the floor this morning to urge my colleagues to vote yes on cloture as we bring this debate to a very pivotal point.

As I come to the floor this morning, I am reminded of the millions of phone calls and letters that everybody has received in this Chamber. Many of those phone calls and those letters, those demonstrations have been filled with hate and with venom. They have been filled with hate and with venom.

We are the United States of America because we are able to bring our Government together to function on behalf of the people of this country. So for all of those who have sent arrows in the direction of the profiles in courage who have been working on this issue for the last 2 years, I say to them: Remember the prayer of Cesar Chaves of the United Farm Workers in which he said: Help us love even those who hate us. Help us love even those who hate us so that we can change the world—so that we can change the world.

Much of the venom we have seen around this issue has to do with the fact that people are afraid. People are afraid. I ask my colleagues to join us in looking forward and not being afraid because what makes people afraid today is that we have a system of chaos, a system of broken borders, a system of victimization.

So how do we move forward to create a system of law and order of which we in the United States of America can be proud? How do we do that? Well, we have done our best. We have put forward a proposal that says the porous borders we have in America are not good for America. The national security of the United States of America demands—demands—that we move forward and secure those borders. So we have done it in this legislation, and we have included the funding to be able to secure those borders.

Second of all, for more than the last 20, 25 years, what has happened is that the United States of America has looked the other way as our immigration laws have been broken time after time. So for the first time, what we have done with this legislation is we have said we are going to enforce the laws. We are going to have tough employer sanctions against employers who hire those who are unauthorized to work in our country. We are even going to criminalize their conduct. So we will enforce the laws of our Nation.

Thirdly, we take the 12 million undocumented workers who are here in America, and we say: You are going to pay a fine. You are going to be punished. You are going to learn English. You are going to have to go to the back of the line, and then after some time on the average of 11, 12 years, between 8 and 13 years, if you do all the things we require of you, including paying these very high fines and paying all of the processing fees required, then at that point in time, you will have an opportunity to become a citizen if you so choose.

To me, that is a commonsense solution to the national security issue which is at stake in this debate. It also is a commonsense solution for a nation that prides itself in enforcing our laws. We are not like other countries around the world that don't enforce our laws, but we will be.

So I say this to my colleagues on the other side: I respect you. I respect you for what you do here and for how you bring a civil debate to the issues that we deal with every day. But at the end of the day, if we don't get this done today with this cloture vote, it is going to mean the national security of the United States of America will continue to be compromised into the future for who knows how long. It will mean we will continue to be a nation that does not enforce our laws on immigration within this country, and it will mean we will have failed to develop a realistic and honest solution to the 12 million undocumented workers who labor in America every day.

So I urge my colleagues to vote ''yes'' on this cloture motion that we have coming up.

I yield the floor.

Mr. SESSIONS. Mr. President, I believe there is 5 minutes on this side.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I know good people have worked on this bill, and they are promoting it as a good step forward on immigration. But our own Congressional Budget Office has answered that question. They have said if this bill becomes law, we will see only a 13-percent reduction in illegal immigration into America, and in the next 20 years we will have another 8.7 million illegals in our country. How can that be reformed? I submit this would be a disaster.

The American people, I do not believe, desire to double illegal immigration. That is what this bill—legal immigration. That is what this bill does.

Mr. President, I ask that I be notified after I have spoken for 2 minutes.

The PRESIDING OFFICER. The Senator will be notified.

Mr. SESSIONS. The bill is promoted as providing security, but the Border Patrol Association, the former Border Patrol Officers Association, two former chairmen, chiefs of Border Patrol of the United States, former Assistant Attorney General in charge of immigration and security say it will not work, and they are scathing in their criticism and steadfastly reject this bill. I believe it will further diminish, therefore, the rule of law.

The procedure used to get us to this point is unprecedented in the history of the Senate. It allows the leadership to approve every single amendment that gets voted on and gives us only 10 minutes in opposition this morning, while the masters of the universe get over 40 minutes, 50 minutes to promote their side. It is typical of the way this debate has gone, and it will breed more cynicism by the public.

I have just seen a notice this morning from the Sergeant at Arms to tell us that the telephone systems here have shut down because of the mass phone calls Congress is receiving. A decent respect for the views of the American people says let's stop here now. Let's go back to the drawing board and come up with a bill that will work.

The PRESIDING OFFICER. The Senator has used 2 minutes. He has 3 minutes remaining.

Mr. SESSIONS. I thank the Chair. I yield 2 minutes to the Senator from Louisiana who has been effective and courageous in his advocacy on this issue.

Mr. VITTER. Mr. President, if the Chair could inform me when I have used 2 minutes.

Mr. President, we all stand here on the floor of the Senate and regularly acknowledge and even praise the common sense and the wisdom of the American people. Well, this vote this morning for each of us is about whether you really believe that or whether it is just a cheap political line to use.

The American people get it, and they do have common sense and wisdom on this issue. They know repeating the fundamental mistakes of the 1986 bill, joining a big amnesty with inadequate enforcement, will cause the problem to grow and not diminish. They know promising enforcement after 30 years of broken promises isn't good enough. They know the so-called trigger is a

joke because if the trigger is never pulled, the Z visas, the amnesty happens forever. They know groups like the Congressional Budget Office have estimated that this bill, so big on enforcement, will only decrease illegal immigration 13 percent and will have another 8.7 million illegal aliens coming into the country. They know that. They do have wisdom and common sense.

The question is: Do we or do we decide that Washington knows best? This isn't just a vote about immigration. This is a vote about whether this body is out of touch, whether this body is arrogant, or whether it will respect the true wisdom and common sense of the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama has 1 minute remaining.

Mr. SESSIONS. I yield to the Senator from South Carolina, Mr. DEMINT.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. DEMINT. Mr. President, one of the most encouraging parts about this debate—there is a silver lining—is it has reengaged the American people and shown us that we are truly a government of the people. They have spoken and they have spoken loudly. Our phones have been ringing off the hooks. We have received e-mails and letters. People are trying to get in touch with us. Even now, they are calling in such numbers that it has crashed the telephone system in the Senate.

My question to the Senate today is: What part of ''no'' don't we understand? We need to vote no against cloture and stop this process that is alienating the American people from what we do, and then enforce the laws that are on the books and prove we are a nation of laws and that we will enforce the laws that have been passed by this Congress.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator has 10 seconds remaining.

Mr. SESSIONS. Mr. President, I wish we had been given more than 10 minutes, while the other side has been given 40 or 50. I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. I understand we have 7½ minutes.

The PRESIDING OFFICER. The Senator is correct.

Mr. KENNEDY. I yield 3½ minutes to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, in our Nation's history, this Nation of immigrants, we have always struggled with this issue. As soon as people arrive on this shore, there is a question about how many more can we take? What does it mean for our Nation if more people come from strange lands who don't speak our language? Yet this diversity has made America what it is today. We have sustained this great Nation because we are different and because we are accepting and because the people who struggle to come to these shores—my mother and her family, the families of all of us—brought with them a special quality: a determination for a better life and a willingness to take a risk to come to America. They brought a willingness to take the hardest, toughest jobs to prove the American dream and hope that their children will have better. Multiply that by millions and you have the story of this great Nation.

Throughout our history, we have always debated how many more we can take. That debate comes to a head this morning in just a few minutes. We will have a chance on the Senate floor to decide whether we step forward.

I have heard the voices against this saying: Not this bill. We can surely do better. We have worked hard on this bill. We have made compromises. There are parts of it which I detest and parts which I embrace, and that is the nature of compromise and cooperation. I thank all of those who have crafted it and put it together.

But I want to tell my colleagues what is at stake is very basic and fundamental as to who we are as a nation. Outside this Chamber, outside this congressional debate, you have heard the voices. Some of them are dark and ugly. They are not the voices of America, a hopeful nation that understands we can be a nation of laws, and with diversity we can grow in this world in the 21st century. No, these are voices of exclusion, people who want to keep those people out, people who want those people to go away. That is not America. That isn't what we are about as a nation. That isn't what distinguished us in the world. What distinguished us is we can stand up—Black, White, and brown, from all across this world—and make a nation. We have done it for over 200 years. We can do it again. Those who argue this diversity will destroy us don't understand the core values of this country.

I beg my colleagues this morning, even if you disagree with this bill, don't end this debate. Give us a chance to continue this debate and bring this to a conclusion and a vote. Give us this procedural vote that is coming up so we can continue this debate. If at the end of the day we step back and say we are surrendering to these negative voices across America, the Senate can't rise to the occasion with an important bill, it won't speak well of the Senate. There are those of us entrusted with the responsibility to serve in this place.

Let us say to people across America that we are going to have strong borders, we are going to enforce the law in the workplace, we are going to have rules that say to those who are here illegally you can only stay if you meet the strictest requirements. I think that is a reasonable standard, a reasonable compromise in the greatest tradition of America.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I ask to be notified when I have 30 seconds remaining.

We are called today by the ancients, the Founders of this Republic. Are we going to form a more perfect union? It was in this Chamber a number of years ago that we knocked down the great walls of discrimination on the basis of race, that we knocked down the walls of discrimination on the basis of religion. We knocked them down regarding national origin, we knocked them down with regard to gender, we knocked them down with regard to disability. Here in this Senate we were part of the march for progress.

Today, we are called on again in that exact same way. This issue is of the historical and momentous importance that those judgments and those decisions were. When the Senate was called upon, it brought out its best instincts, values, and its best traditions. We saw this Nation move forward. Who among us would retreat on any of those commitments? Who among us would say no to that great march for progress that we had in this Nation?

The question is: Is it alive? Is it continuing? Is it ongoing? Those who vote ''aye'' say it is ongoing, that we are continuing that march toward progress.

Year after year, we have had broken borders. Year after year, we have the exploitation of workers. Year after year, we see people who live in fear within our own borders of the United States of America. This is the opportunity to change it. Now is the time. Now is the time to secure our borders. Now is the time to deal with the national security issue. Now is the time to resume our commitment to family values, to people who want to work hard, men and women of faith, people who care about this country and want to be part of the American dream, who have seen their sons and daughters, in many instances, fight and lose their lives in Iraq and Afghanistan. That is the challenge.

Now is the time. This is the place. This bill is strong. It is fair and practical. Today, my friends, we have the choice: Are we going to vote for our hopes, or are we going to vote for our fears? Are we going to vote for our future, or are we going to vote for our past?

This is the place. Now is the time. This is the vote. Vote ''aye'' for America's future.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SPECTER. Mr. President, let me first compliment the distinguished Senator from Massachusetts.

I yield 2 minutes to the Senator from Florida.

Mr. MARTINEZ. Mr. President, I have been involved deeply in this debate that we have had over a couple of

years. It comes to a close in the next day or so in the Senate. We have an opportunity to move forward, to move the debate on, and to have an opportunity for the House of Representatives to then add their measure of influence upon what this bill should be about. We should not simply say the bill isn't good enough so we are going to do nothing.

For those who find criticism with the bill, it is much easier to tear down than it is to build. We have crafted a bill over months of discussions and negotiations, which does a tremendous amount to end the illegality, secure the border, to ensure that we have the mechanisms to enforce an employment verification system so we don't have any more illegal workers. We do a measure of justice to those who have been here and worked and made this country their home for, in many instances, two decades.

The fact is, for those who simply say do nothing, they have a measure of responsibility to what comes next. What comes next is a continuation of the illegal system. To say simply ''enforce the law,'' well, the current laws aren't good enough to be enforced. They do not have the enforcement mechanisms necessary to ensure that we do have workplace enforcement, which at the end of the day is the most important measure we can have.

A lot has been said about the cost to our society of illegal immigrants being legalized. The CBO, which we trust on these issues, has said—this is the nonpartisan congressional budget office—they find that the new Federal revenue from taxes, penalties, and fees under this bipartisan immigration bill will more than offset the cost of setting up the new immigration system and the cost of any Federal benefit temporary workers, Z visa holders, and future legal immigrants under the bill would receive.

I thank the Senator for yielding me some time. I simply say that it has been a pleasure to work with those who have committed themselves to do something about the problem, and not simply say what is imperfect about the solution but to find a solution to this difficult problem.

Mr. SPECTER. Mr. President, the Senator from Florida has such a background, being an immigrant himself, and I think our cause would be well served if he took another 3 minutes.

Mr. MARTINEZ. I thank the Senator.

Let me touch on that issue. As an immigrant to America, I understand what it means to live the American dream. I had the opportunity to come to this country as a 15-year-old child, not speaking the language or understanding this culture; yet the embrace that America gives those of us who are fortunate enough to come to these shores and make America our home made me an American.

Many out there today fear that immigrants don't want to assimilate. The fact is—and I have said this before—immigrants come to America not to change this country but to be changed by this country. That was my experience. I think it is the experience that has been repeated to the over 200-year history of this Nation as immigrants have come to these shores, and America has had the magic that it performs on those of us who come here to become Americans to then make a contribution, as I hope I am making today by serving in the Senate.

The fact is, this is a divisive issue, but I believe it will bind and heal our country if we deal with it. Unfortunately, to do nothing will continue this festering debate in our country that is so divisive and, at times, so ugly. Our country is better than that. I think our country has the resourcefulness and the strength of culture to ensure that we not fear they want to change America, but that we change them to be the Americans that we hope all of us are and can be.

I thank the Senator for the additional time. This is something in which I have invested my heart and soul because I believe it to be so right for our country. This isn't about the 12 million immigrants. This is about what that will do to ensure that America continues to be the place it has been for more than 200 years, as a beacon of liberty, the ''shining city on a hill'' that President Ronald Reagan spoke of. We have to continue that tradition and welcome more people into that tradition by allowing them to be legal citizens, legalize their status, while we make it clear that the game is up, and from now on immigration into America will only be legal and not illegal, as it has been for more than two decades.

Mr. SPECTER. Mr. President, I compliment the Senator from Florida for his statements. Had we more time, all of us could tell our own stories. Mine involves two immigrant parents. My father came here at 18, in 1911, and contributed to this country. My mother came with her family at the age of 6, in 1906, and contributed to this country. I thank the Senator from Florida, Senator MARTINEZ, who has a special story to tell because he himself is an immigrant and is a great testament to what we are trying to accomplish with this bill.

I yield 3 minutes to the Senator from Arizona, who has made such a unique contribution to this bill, coming from a border State and facing irate calls, not that they are necessarily representative of all of Arizona. He said he learned some new words.

The PRESIDING OFFICER. The Senator from Pennsylvania doesn't have 3 minutes. He has 30 seconds. The Senator from Massachusetts has 1½ minutes remaining.

Mr. KENNEDY. I yield that time to the Senator.

Mr. SPECTER. I have 10 minutes 30 seconds because I have been allotted the leader time. I yield him 3 minutes.

Mr. KYL. Mr. President, I can say this in about 90 seconds. The Senator from Pennsylvania made the point. It is a sad commentary in America today that many Americans have lost faith in their Government. The only group that has poll numbers less than the President these days is the Congress. Americans don't believe their Government is representing them and acting on their behalf. The polls show it.

On one of the most critical issues of our day, we will not restore that confidence if we fail to act again. The only way we can restore that confidence is by acting. Skepticism is not a reason for inaction. For those who say, well, let's enforce our laws, I remind them that some of our laws are unenforceable. My conservative friends are the first to point out that the 1986 law is not an effective law. It is unenforceable. Until we change it, we are not going to be able to enforce the law. That is why it is time for us to return to the rule of law in America. By returning to the rule of law, we can restore that confidence that is so critical for the American people to have in their Government.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SPECTER. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator has 9 minutes.

Mr. SPECTER. Mr. President, we have heard from the objectors what the American people think. I am not sure they have standing to represent the American people. We heard the junior Senator from South Carolina speak as to his interpretation of what the American people think. But we heard the senior Senator from South Carolina stand in firm support of this legislation—the Senator representing South Carolina, as well as the other Senator from South Carolina.

We know as a matter of practice that the callers and the e-mailers are characteristically naysayers. You hear a lot more from people who object than you do from people who are in favor. We know that the majority of America is the silent majority. From my own soundings, what I hear on the train when I come back and forth from Pennsylvania, what I hear in the restaurants, on the streets, and in the fitness club is to proceed, try to find a way to improve a very serious situation in immigration.

No one of us is able to speak for the American people. We hear different voices at different times. I know one thing with relative certainty, and that is you cannot tell what the American people think simply by those who object and those who call. We do not run America in a representative democracy, in a republic, by public opinion polls. If we did, we would take the public opinion poll and we could dispense with all of the fat salaries that Members of Congress get. We could dispense with paying 535 people and take a public opinion poll and sign it into law.

I think the most erudite statement on this particular issue was uttered by

a distinguished British philosopher politician, named Edmund Burke, in a speech to the electorate of Bristol on November 3, 1774, when he made this famous statement:

> Your representative owes you, not his industry only, but his judgment; and he betrays, instead of serving you, if he sacrifices it to your opinion.

Now, that is not to say in a representative democracy we ought to not consider the opinions of our constituents, but I think Edmund Burke was right more than 200 years ago when he talked about our duty in owing our constituents our best judgment.

What is our best judgment and how have we come to it? We have been working on immigration a long time, and we saw the failures of the 1986 legislation. Because the 1986 legislation failed doesn't mean we cannot correct the problem. Things are very different today than they were in 1986. For one thing, we now have a foolproof method of determining whether an individual is legal or illegal. So now we can hold employers responsible not to hire illegal immigrants. We can take away the magnet of work in this country for those who are not here legally.

We have lost sight I think, of the very fundamental purpose as to what we are trying to accomplish through legislation to reform immigration.

We are trying to secure our borders. This bill goes a long way to securing the borders with fencing, with automobile blocks, with more Border Patrol. The entire 2,000-mile plus of the border will be more secure. It can't be perfectly secured, and that is why we have employer verification which, as I say, is now foolproof. Then when we deal with the immigrants, we are trying to deal with the 12 million undocumented immigrants. Those who would like more—I said earlier that if I had my choice, I would agree with Senator MENENDEZ, that I would have more family unification. I would agree with Senator DODD that I would have more visas for parents. But this legislation is crafted by compromise, and that is the art of politics—the compromise. So it is the best bill that we can structure and come forward with.

If we do not legislate now, we will not legislate later this year when our calendar is crowded with Iraq and appropriations bills and patent reform, et cetera. We are then into 2008 and an election year for President and Congress, and it will be pushed over to 2009. Circumstances will not be better then, they will be worse.

We have a very frequent practice, as we all know, for Senators to vote in favor of cloture, and then to vote against the bill. That is an expression of policy judgment not to hold a piece of legislation to a 60-vote supermajority level. We do not have an issue of freedom of religion. We do not have an issue of freedom of speech. We have a public policy question where in good conscience Senators can say: I am opposed to the legislation, but I do not think it ought to be held to a 60-vote supermajority.

If we do not invoke cloture, this bill is dead. A vote against cloture is a vote to kill the bill. A Senator may vote for cloture and then express himself in opposition to the bill by voting against the bill.

For those who did not hear an earlier statement I made, I repeat, we had the unusual situation on the Dorgan amendment where Senators did not vote their judgment on public policy but voted against their own judgment to kill the legislation.

We have a tally sheet, those of us who work in the Senate, showing how Senators voted. And on the Baucus amendment yesterday, we had the extraordinary situation of 23 vote changes. You can tell the vote change because there is a mark on one side, it is crossed off, and the mark then appears on the other side.

I suggest to my colleagues that we had more cynical maneuvering on the Baucus vote, which is characteristic of the maneuvering throughout the text of this legislation, and that what this body ought to do is take the famous words of President John F. Kennedy when he served in this body, to exercise a little courage, a profile in courage as opposed to what appears to be a profile in cynicism.

The essence of it is, Senators can vote for cloture not to kill the bill, and then vote against the bill and exercise their right to do that and still allow this bill to go forward where it may yet be improved.

Mr. President, I see my time is just about to expire. How much time remains?

The PRESIDING OFFICER. There is 20 seconds remaining.

Mr. SPECTER. I yield back the remainder of my time.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, is immigration a problem? Of course, it is. But is immigration a problem that is limited to Texas, Arizona, California, the border States? No. Is immigration a problem only for big cities, such as San Antonio, New York, Chicago, L.A.? No. Immigration is a problem all over America.

As people know, I am from Searchlight, NV, a little town I was born in and the town where I lived. It is 60 miles southeast of Las Vegas in the southern tip of the State. Is immigration something people talk about in Searchlight? Of course, it is.

Take yesterday. I got back to my office, and there was a call from Tommy. I am not going to give his last name for fear somebody will look him up. Tommy called me—and I do have his last name—and he said: I have a friend here who is from Mexico, has been here quite a long time. What is this immigration bill you are working on going to do for him? Should I be in favor of it?

Yes, Tommy, you should be because your friend will no longer have to be afraid of being arrested and deported. This bill will allow him to come out of the shadows.

The same day, yesterday, I received my mail from Searchlight. Somebody sends me my mail that comes addressed to me in Searchlight. A letter was addressed to me and said, among other things: You probably should go under the witness protection program because of your work on this immigration issue.

That is from Searchlight, NV. This doesn't take into consideration the letters and the calls my offices in Reno, Las Vegas, and here in Washington get filled with hate. I have, of course, turned the letter that I got from Searchlight over to the Capitol Police.

This situation is a problem not just in the border States and big cities, it is a problem all over America.

We are said to be the greatest deliberative body in the world. Shouldn't we do something positive regarding an issue that affects everybody in America, immigration? Some say it is the country's biggest problem. While that may be debatable, it is a significant problem, one of the top two or three problems facing us, and the problem is not going to go away. Is it right to wait until there is a new President? Should we wait until we get a new Congress? Of course not. Talk radio has had a field day, these generators of simplicity.

I want everyone to know, and I want the record spread, I do not believe anyone who is a Senator who votes against this motion to proceed is filled with prejudice, with hatred, with venom, as we get in our phone calls and our mail. I don't believe that. But I do believe we have an issue before us that we must resolve.

My family has been enriched by immigration. My father-in-law, Earl Gould, came to America from Russia when he was a little boy. When he came here his name was Israel Goldfarb. He assumed the name Earl Gould. When I met my wife, her name was Landra Gould.

I had the opportunity to talk with my father-in-law many times. Every one of his siblings who came to America had a different name. They all changed their name in this great melting pot.

My father-in-law died as a young man—he was 52 years old—from leukemia. I think of him often. My wife is an only child. I think of him often for the kindness that he showed me. This ring I wear he gave to me on his death bed. This watch that I wear he gave to me. When he was sick and knew he was going to die, he and my mother-in-law took a trip to the Middle East and brought me back this watch. They didn't have money to buy watches for me, but they bought a watch for me. I still wear the watch.

In this great melting pot we have called America, of which I am a part, my five children are eligible for Israeli citizenship because, with the Jewish

tradition, lineage is with the mother, not the father. My children proudly know this.

My family has been enriched as a result of immigration. I knew my grandmother. I talked with her lots of times. As a boy, I listened to her stories. I talked with her. I can still hear her voice—oh, we had a grand time. That is how she talked. She was born in Katherine's Cross, England, and came over here as a girl, married my grandfather, had eight children, all of them raised in Searchlight, NV.

Those are two examples of what immigration is all about, two examples of what it has done to HARRY REID.

My skin is real white. We have African Americans. The Presiding Officer is of African-American ancestry. In the back of the room—we don't even have to look at the back of the room—we have Hispanics. But my skin is American skin, just as the Presiding Officer, just as Senator SALAZAR.

What is immigration all about? A number of years ago, one of America's great journalists, James Fallows, wrote a book called ''More Like Us.'' The thesis in this book was that everyone was saying we should be more like Japan.

Japan was at the zenith of its height and power, and we were in the doldrums economically. Everyone said we should be more like Japan.

James Fallows wrote this book, ''More Like Us,'' and he said: No, we should be more like us, like America, and the No. 1 issue he talked about being different from Japan, our strength, is immigration. I testify that is true; that is the strength of this great country.

Today in America we have a problem with immigration. We have porous borders that need to be fixed. We are Senators, I repeat, Members of the greatest deliberative body in the history of the world. With the honor of our office comes enormous responsibility. We must resist the ever-present temptation to do what is expedient at the expense of what is right. When short-term gain diverges from long-term good, we must choose the good. This is our challenge today.

I ask every one of my colleagues, Democrats and Republicans, not to shrink from this issue, to support us moving forward on this legislation for the good of our country, the greatness of our country.

There are 100 of us. If each one of us were given a few days to draft an immigration bill. We probably could do a better job than what has been done with this bill, in our own minds. But some of the greatest legislative minds in this body have worked long and hard to come up with this bill. Perfect? No. Good? Yes.

I hope we can do the right thing and move this legislation forward. I am not here to tell my colleagues this legislation is the greatest thing that ever came along, but it is something that is badly needed, and we need to continue this process.

Mr. President, there is $4.4 billion for border security. Is it going to help? Oh, it will help a lot. There are 370 miles of fencing, which we authorized and, of course, have done nothing about; 300 miles of vehicle barriers; 20,000 new Border Patrol agents; more than 100 ground-based radar and camera towers; and 31,500 detention beds.

Mr. SESSIONS. Mr. President, under the UC, I think we are well passed the time the leader had, and this side only received 10 minutes.

The PRESIDING OFFICER. The leader has the floor. The majority leader has the floor.

Mr. REID. Mr. President, I would say this, 31,500 detention beds. One of the problems we have——

Mr. SESSIONS. Mr. President, point of order. The unanimous consent gave the leader 12 minutes. It is now about 12 or 15. Does that override the leader's time?

Mr. REID. It is my understanding in the order——

The PRESIDING OFFICER. The Chair always allows some latitude to the two leaders. He is currently 1 minute over time.

Mr. REID. Mr. President, it is my understanding of the order of the presenters that Senator MCCONNELL and I had 10 minutes.

The PRESIDING OFFICER. That is true.

Mr. REID. Ten minutes was given to the distinguished Republican manager of the bill, and I now am using my leader's time that was not in the order.

I would also say to my friend from Alabama that I would never rudely interrupt him whenever he is giving a speech. I would never do that, and I wish he hadn't done that, but I will continue.

Mr. President, 31,500 new detention beds. In Las Vegas, when someone is picked up on an immigration violation, there is no place to put them. That is what this legislation does, actual money—not authorizing money but actual money. That is important.

It creates a mandatory employer verification system, which is so important, and a pathway to legalization for 12 million people, like my friend Tommy from Searchlight, NV. What do they do? They work, they pay taxes, they learn English, they stay out of trouble, and they pay fines and penalties. That is important.

AgJOBS. The DREAM Act. This legislation is important. It has come about as a result of a lot of hard work. For example, we have had 36 hearings, 6 days of committee action, 59 committee amendments, 21 days of Senate debate, and 92 Senate floor amendments.

I know the vote for everyone here today is a difficult vote. For some of us, it may be the most difficult of our careers. There is no perfect answer to this problem of immigration, but there are two paths. One path is diversion and negativity, while the other embraces hope. One path embraces exclusion, the other embraces the American dream. One path embraces the status quo, the other pragmatism. Democrats and Republicans alike, let us keep hope alive, let us keep the American dream alive, let us keep pragmatism alive and well here in the Senate.

I ask you to join on the path of hope, a courageous path, a path that President Bush, Leader MCCONNELL, and I have chosen, a bipartisan path to legislative hope. That is what this vote of cloture is all about. Voting for cloture on this imperfect bill will make our union a little more perfect.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order and pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 208, S. 1639, Immigration.

Ted Kennedy, Russell D. Feingold, Daniel K. Inouye, Tom Carper, Sheldon Whitehouse, Pat Leahy, Richard J. Durbin, Benjamin L. Cardin, Ken Salazar, Frank L. Lautenberg, Joe Lieberman, Dianne Feinstein, John Kerry, Charles Schumer, Ben Nelson, B.A. Mikulski, Harry Reid.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on S. 1639, the bill to provide for comprehensive immigration reform, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) is necessarily absent.

The PRESIDING OFFICER (Mr. BROWN). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 46, nays 53, as follows:

[Rollcall Vote No. 235 Leg.]

YEAS—46

Akaka	Gregg	McCain
Bennett	Hagel	Menendez
Biden	Inouye	Mikulski
Boxer	Kennedy	Murray
Cantwell	Kerry	Nelson (FL)
Cardin	Klobuchar	Obama
Carper	Kohl	Reed
Casey	Kyl	Reid
Clinton	Lautenberg	Salazar
Conrad	Leahy	Schumer
Craig	Levin	Snowe
Dodd	Lieberman	Specter
Durbin	Lincoln	Whitehouse
Feingold	Lott	Wyden
Feinstein	Lugar	
Graham	Martinez	

NAYS—53

Alexander	Baucus	Bond
Allard	Bayh	Brown
Barrasso	Bingaman	Brownback

Bunning
Burr
Byrd
Chambliss
Coburn
Cochran
Coleman
Collins
Corker
Cornyn
Crapo
DeMint
Dole
Domenici
Dorgan
Ensign
Enzi
Grassley
Harkin
Hatch
Hutchison
Inhofe
Isakson
Landrieu
McCaskill
McConnell
Murkowski
Nelson (NE)
Pryor
Roberts
Rockefeller
Sanders
Sessions
Shelby
Smith
Stabenow
Stevens
Sununu
Tester
Thune
Vitter
Voinovich
Warner
Webb

NOT VOTING—1

Johnson

The PRESIDING OFFICER. On this vote the yeas are 46, the nays are 53. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader is recognized.

Mr. REID. Mr. President, the vote has been cast. As I told a number of my Republican friends, even though the vote is disheartening to me in many ways, I think as a result of this legislative work we have done in the last several months on this legislation, there have been friendships developed that were not there before, trust initiated that did not exist before. I say to my friends, Democrats and Republicans, this is a legislative issue. It will come back; it is only a question of when. We are only 6 months into this Congress. We have so much to do.

Hopefully, this lesson we have all learned will be one where we recognize we have to work more closely together. I hope we can do that. I say to all of you, thank you very much for your patience—the phone calls I have made; if I twisted arms, it was not very often. I so appreciate—I think I speak for all of us—being able to be part of this great Senate where we are able to participate in decisions such as this.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent we go to a period of morning business with Senators permitted to speak for up to 10 minutes each, and Senator ROBERT C. BYRD be recognized to speak for double what everyone else is allowed to speak, 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The President pro tempore is recognized for 20 minutes.

The PRESIDING OFFICER. The President pro tempore is recognized for 20 minutes.

GROWING OLDER

Mr. BYRD. Mr. President, I feel compelled to address head on, I mean head on, the news stories in recent weeks that have pointed out the shocking discovery, yes, shocking discovery, that I am growing older. Did you get that? Shocking discovery that I am growing older.

I find it no surprise, but then I have had some time to become accustomed to the increasing distance between the year of my birth and the current date. I may not like it, but as Maurice Chevalier put it:

> Old age is not so bad when you consider the alternative.

A recent Associated Press story ran in West Virginia's Charleston Daily Mail. The headline read: Dramatic change in signatures shows that age is catching up with Senator BYRD. The newspaper offered as proof the signatures on my Senate financial disclosure forms from last year and this year. It is true that this year's signature looks like I signed it in a moving car. Some days, the benign essential tremor that I have had for years now is worse than on other days, just as it is for the approximately 5 million other people in the United States who suffer from similar tremors. It is annoying, but it is hardly evidence that I am at death's door.

Nor should it come as a surprise that I use canes to help me get around or that I am not always as fast as I once was. I am not aware of any requirement for physical dexterity in order to hold the office of U.S. Senator. The often grueling hours working in the Senate requires are tough on far junior Senators, and I am no longer one of the younger Senators.

But to worry in print that I have missed one vote this year? Really. Out of more than 18,000 votes in my career, to miss one vote or two votes every now and then is surely excusable. Even old people can be allowed a sick day or two now and then, can't they?

That is really the crux of the matter. In this Internet-savvy, media-infused culture, we have forgotten that people do get older, even, dare I say it, old, old. Television is full of pretty young people. The few white-haired heads that one sees on television are made up and glamorous. Off camera, though, most bear little resemblance to their TV persona.

In a culture of Botox, wrinkle cream, and hair dye, we cannot imagine that becoming older is a good thing, an experience to look forward to, a state worthy of respect. If I were 50 years old and used canes due to some injury or had a disease-related tremor, the newsletter stories would be about my carrying on despite my adversities. But my only adversity is age. Age.

In real life, the lucky ones among us do get old. We move down the steep slope, to the far right of the bell curve of age. The really lucky ones, and I almost count myself among them, get to be aged, into their nineties or even older, a distinction that I think is naturally paired with the wisdom borne of experience. We do get white hair, yes. And we do get wrinkles. And we move more slowly. We worry about falling down because we do not bounce up the way we used to.

Our brains are still sharp, but our tongues are slower. We have learned, sometimes the hard way, to think before we speak. I hope, however, that what we have to say is worth the wait.

Many good things are worth the wait. Grandma Moses did not take up painting until the age of 75. She painted some 1,600 paintings, 250 of which she painted after her 100th birthday. Michelangelo was still working on frescos and sculptures when he died at the age of 89.

Age is no barrier to accomplishment. When the spirit and the mind are willing, the creative juices continue to flow. I like to think that I still have a few things left on my to-do list. I also like to think that someday our rapidly aging society will get over its fear and its denial of aging. We had better get over it quickly because the demographics tell us our senior population is rapidly growing.

If my colleagues still show deference to me, as the news article reported, I hope it is due to my experience, my position as chairman of the Appropriations Committee, and my ability as a Senator. If they are patient with me as I turn the page, I hope that is an example of the Golden Rule; that they show patience with my minor adversities of age as they hope that someday others will show to them.

After all, the Senate is not exactly full of spring chickens. You better believe it. It is not supposed to be. The Senate was designed to give age and experience a chance to flourish, and the rules give slower speakers—the rules give slower speakers a chance to be heard.

Five percent of Senators date from the roaring 1920s. All of them served in World War II. The Senate will truly lose a great generation when they decide, if ever, if ever, to retire.

Almost a quarter of Senators date from the 1930s, including many seasoned committee chairmen and ranking members. I am sure my younger colleagues on the Appropriations Committee appreciate the opportunity to play a larger role as appropriations bills move through the Senate, as the recent articles reported.

As I have gotten older, I have learned to have great trust and great respect for my colleagues, many of whom I have worked with for many years. Why is that decried as a bad thing? Why should not these fine Senators, now in their fifties through their eighties, get to spread their wings while the old wise BYRD watches?

Abraham Lincoln once rightly observed:

> In the end, it's not the years of your life that count. It's the life in your years.

My only adversity—my only adversity is age. It is not a bar to my usefulness as a Senator. I still look out for West Virginia. I still zealously guard the welfare of this Nation and its Constitution. I still work every day to move the business of this Nation forward, to end this reckless adventure in Iraq, and to protect, to preserve, and defend the Constitution of the United States against all those who would reshape it to suit partisan agenda. I will continue to do this work until this old

body just gives out and drops. Do not expect that to be anytime soon.

I believe all ages and all occupations should be part of a truly representative body. I also believe society works best when the energy and idealism of youth, youth, youth, pairs with the experience and wisdom of age.

America is the land of opportunities. I don't think our some 36 million citizens over the age of 65 are disqualified from participating in the life of the country that we—we—helped to build. Our country rejected those kinds of arbitrary barriers long ago, and this Senator loudly and proudly rejects them now.

The PRESIDING OFFICER. The senior Senator from Alaska is recognized.

BRIGADIER GENERAL KEN TAYLOR

Mr. STEVENS. Mr. President, today I pay tribute to BG Ken Taylor, who will be buried at Arlington National Cemetery later this afternoon.

From his service as a pilot during World War II to his tenure as Commander of the Alaska Air National Guard, General Taylor was always a hero—in every sense of the word, and to all who knew and loved him.

As a young boy in Oklahoma, Ken set his sights on becoming a pilot. After completing high school and 2 years of college, Ken fulfilled his dream by joining the Army Air Corps.

In April 1941, newly commissioned as a second lieutenant, Ken received his first assignment. He was stationed at Wheeler Field, on the Hawaiian island of Oahu, as a member of the 47th Pursuit Squadron. And it was there, during one of the darkest days in our Nation's history, that Ken's bravery shined brightest.

Early in the morning on December 7, 1941, after a long night of poker, dancing, and a little drinking at the officer's club, Ken awoke to the sound of low flying Japanese aircraft fighters and bombers on course to attack the Navy's Pacific Fleet at Pearl Harbor.

Ken and fellow pilot George Welch, who was staying in a neighboring apartment, took immediate action. They called ahead to their air crew with instructions to load their P–40s with fuel and ammunition.

Both pilots hurriedly pulled their evening wear back on, and sped off in Ken's new Buick toward Haleiwa Field. Dodging Japanese strafing runs and driving at speeds in excess of 100 miles per hour, they soon arrived at the airfield. The pair quickly strapped into their P–40 Tomahawks, which were fully fueled but only partially armed.

Outnumbered, outgunned, and without orders, the two pilots taxied to the runway intent on engaging the over 300 unchallenged Japanese aircraft.

Once airborne, Ken and George immediately came under fire. Ken later described the ensuing combat as ''shooting fish in a barrel''—a definite understatement, as the Japanese shot back at their pursuers. At least one round hit Ken's cockpit, embedding shrapnel in his arm and leg.

Determined to stay in the air as long as possible, Ken and George attacked a group of bombers until they ran out of ammunition. The pair then landed at Wheeler Field to resupply and refuel.

While an air crew rearmed their planes, the duo received a dressing down from a superior officer for taking off without orders. The officer also insisted they stay on the ground, but when another attack forced airfield personnel to scatter, Ken and George took the chance to get back into the fight.

With a fresh supply of .50 caliber ammunition, Ken positioned himself on the runway to take off just as a group of dive bombers flew overhead. He described his second takeoff to Army Times as follows:

> I took off right toward them, which gave me the ability to shoot at them before I even left the ground. I got behind one of them and started shooting again. The only thing I didn't know at that time was that I got in the middle of the line rather than the end. There was somebody on my tail. They put a bullet right behind my head through the canopy and into the trim tab inside. So I got a little bit of shrapnel in my leg and through the arm. It was of no consequence; it just scared the hell out of me for a minute.

Before the last fires were extinguished from the remains of the Pacific Fleet in Pearl Harbor, Ken Taylor and George Welch had shot down at least eight Japanese fighters. Many believe their decision to take to the air prevented a full assault on Haleiwa, saving the field from sure destruction. By the end of the day, the two lieutenants had become America's first heroes of World War II—all while wearing tuxedo pants and a Hawaiian flower-print shirt.

For his tremendous courage under fire, Ken received the Distinguished Service Cross and a Purple Heart. But his service to this Nation was far from finished. Ken went on to fight at Guadalcanal, where he was credited with destroying another Japanese plane. After a broken leg ended his combat career, Ken returned stateside and served for 27 more years. He served in the Alaska Air National Guard.

In 1967, Ken became the Assistant Adjutant General for the Alaska Air National Guard. Before retiring in 1971, he was promoted to Brigadier General and served as the full Commander of the Air Guard.

In this capacity, Ken quickly distinguished himself as an able and respected leader. He worked closely with MG C. F. Necrason, then the Adjutant General of the Alaska National Guard, to save the Air Guard component in our State. Under Ken's direction, the reinvigorated Air Guard units provided rural Alaskans with access to health care, medivacs, and disaster relief services.

As a Senator for Alaska, it was my privilege to work with Ken on many occasions during this period. My wife Catherine's father, Bill Bittner, Sr., was a close friend of Ken's and his fishing partner. Bill and I often spent long summer days fishing with Ken and talking about World War II.

To this day, Ken's family has strong ties to Alaska. Ken's son, Ken Jr., followed in his father's footsteps and also became commander of the Alaska Air National Guard. They remain the only father and son in our Nation's history to have achieved such an honor. Also, Ken Sr.'s grandson, Eric Taylor, now serves in the Alaska Air National Guard with distinction.

The remarkable story of Ken Taylor reminds me of a statement once made by General George Marshall. Asked if America had a secret weapon to help win World War II, General Marshall replied in the affirmative. He said we had ''the best darn kids in the world.''

One can't help but wonder if these words were partly inspired by Ken Taylor, who, at age 21, exemplified great courage and bravery during the battle that drew America into World War II. For those who remember, his was one of the two planes that took off in the movie entitled ''Pearl Harbor.''

It gives me great pride to have known this man. On this solemn day when we put him to rest, let us all take a moment to reflect on the life—and honor the memory—of this great American hero.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri is recognized for 10 minutes.

HOMAGE TO SENATOR BYRD

Mrs. MCCASKILL. Mr. President, first, let me pay homage to the senior Senator from West Virginia who, in a typically eloquent way, spoke to the Senate about his long service to his State. Let me tell the people of West Virginia, they don't need to worry; they have a very strong Senator in this body. Any comments about his age are misplaced, because his passion and his intellectual heft and his knowledge of history and the Constitution far outweigh any considerations one would have about his age.

(The remarks of Mrs. MCCASKILL pertaining to the introduction of S. 1723 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

PROGRESS ON S. 1

Mrs. MCCASKILL. Mr. President, there are times since I have been here that I have been surprised and shocked. This week was one of them, when I saw the leader of my party rise to ask the body to send S. 1 to conference. Keep in mind what S. 1 is. S. 1 was the first piece of legislation we passed in the Senate this year. That is why it is called S. 1. Keep in mind what the vote was. It was 96 to 2. There are not going to be very many times that we do anything 96 to 2. That was months ago.

Now, all this time we have been waiting to send this bill to conference so we can move ahead and make it law. This is ethics reform. This is the essence of what we should be about. We are here to do the people's business, not big money's business. We are here to protect average people in these United States, not the lobbyists in the hallway.

Ethics reform should be at the top of our list. What happened when our leader asked for this bill to go to conference? The Republican leader objected. What in the world is going on that we would pass a bill 96 to 2 and then the Republican leader would say, ''I object to it going to conference''?

The American people have been very engaged on the immigration issue for weeks. That bill has come to its conclusion. I urge every American out there to use those same fingers and those same phones, to use those same e-mails and those same letters, to immediately begin calling their Senator and say to them: Why in the world would you be blocking ethics reform in the Senate? There is no good excuse—except politics. If we cannot get beyond politics to reform ethics, then I think the people have a right to give us an approval rating in the cellar.

So I call on the Republican leader, I call on our Republican colleagues: Stop playing games with ethics reform. Let's move forward. Let's make this happen on behalf of the people we came here to represent. If we cannot do this, we ought to put our tail between our legs, be ashamed, and go home.

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.

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.

IMMIGRATION

Mr. SESSIONS. Mr. President, I thank the Presiding Officer for his insight into the legislation we considered. I guess the Presiding Officer understands, when you have completed a tough campaign and you have talked to voters, you learn some things. Hopefully, our Senate has learned some things: That the heart of the American people is good, that they are not mean spirited, but they are concerned about a lawful system of immigration.

I was on an Alabama-based radio show ''Rick and Bubba.'' They are expanding out around the country and do an excellent job and are very fair about immigration. One told me the other morning: Senator, let me tell you my philosophy. My philosophy is that if you have a broken pipe in your attic, and there is water on your floor, you don't go spend all your time mopping up the floor, you fix the leaking pipe.

So I guess I would say the failure of the legislation today, despite the good efforts of my esteemed colleagues who met together and wrote this bill—and they did not want anybody to change a jot or tittle of it—despite all of that, despite their good efforts, it did not do the job. It did not shut off the water. According to the Congressional Budget Office, it would only have reduced illegality by 13 percent, and in the next 20 years we would have another 8.7 million people here illegally.

I think our Senators—after hearing that and having it pounded in and seeing this is not an exaggeration but an objective report by the Congressional Budget Office, and then we heard the promises: The only way to get a lawful system in America is to vote for this bill—they were not persuaded, especially because the American people saw through it.

Rightly, the American people have grown to be cynical about the words of Congress on immigration. They have grown to be cynical about that. For 40 years, Presidents and Congresses have promised we are going to make a lawful system: We are going to do this. Don't worry, I voted for that bill last year. It was going to do this and do that, double Border Patrol—but nothing ever happens.

We arrested a million people trying to enter our country illegally last year—a million people. Why do we have that many people arrested? One reason is because the border is known, worldwide, to be insecure and that you have a very good chance of being able to enter the country illegally.

If we can change that and we create a clear message around the world that our border is secure and if you come you are going to be apprehended and you will be prosecuted if you come across the border illegally, we could see a dramatic dropoff in that and a dramatic increase of people applying, waiting in line to come legally. That is what it is all about, and this bill did not do it.

Now, somebody was saying to me and asking me recently about President Bush and his legacy. I have to tell you, I like President Bush. He is a friend of mine. I believe his heart is good. I believe he wanted to do something good about immigration. I have the highest regard for him.

What I would ask President Bush to do with regard to his legacy on immigration would be to carry on at a much more effective and aggressive rate than he has with a movement toward enforcement. He has done things in the last several years to improve immigration enforcement more than the previous four or five Presidents, but it has not been enough.

So I would suggest to the President: Make it your legacy to leave a secure border for America. Enforce our current laws. Utilize every effective and appropriate tool we now have, which would make a huge difference. Ask the Congress for what additional tools you need. Let's begin to create a lawful system at the border.

As the American people see that and gain confidence in us as a government, then we begin to talk about some of the more difficult problems: What do we do about 12 million people who are here illegally?

One of the things that very much concerned me in this bill—and it shows the mindset that seemed to be driving the legislation and was an indication there was no real commitment to enforcement—was moving the date of the people who would be allowed to go on a path to legality and even citizenship to even if you came into our country last year.

Now, last year's bill, which I vigorously criticized, said you could take advantage of the amnesty or legalization process if you came into America before January 1, 2004. This bill said you could take advantage of the amnesty—you would not be asked to leave—and you could become an American citizen if you broke into our country before January 1, 2007, this year.

So after the President has called out the National Guard, after we have said the border is closed—and it has not been closed; we made some improvement, but it has not at all closed the illegality at the border—but if you could get past the National Guard last December 31 and get into this country, this bill would have put you onto a citizenship path.

But that is not what our colleagues told us who supported the legislation. They said it was going to help those people who have deep roots in America who have children here and ones we cannot ask to leave. I am sympathetic to that. I am prepared to work on something like that. But the idea that some single person who broke across the border last December, past the National Guard, is being given all the benefits of citizenship, all the benefits we would give to somebody who waits in line to come legally makes no sense to me and indicates the mindset we have here.

The mindset is confused is all I am saying. The President, the executive branch, and the Congress have not yet gotten the message. The message is: We don't want talk. We don't want promises. We want you to get busy and create a lawful system of immigration, and then we can begin to talk about how to deal with people who are here illegally and what our future flow of immigration would be. They had some good ideas in the bill about how to improve the future process by which we select for admission immigrants who desire to come. We know we can't accept everybody. Eleven million people applied for the 50,000 lottery slots we had in the year 2000. It just indicates that the number of people who would like to come here vastly exceeds our ability to admit them all, so we must select some way for those who come. I believe that a touch, a bit, in this bill that tended toward a Canadian-type

system was a great first step and should give us a model for future flow.

So to my colleagues and particularly to my friend, the President of the United States, whom I respect so much, I would say let's make it a legacy of this Congress and this President to do everything possible, beginning today, to have a secure border in our country. I believe it would be widely approved by the American people. I believe it would be good for our country. It would be a true contribution to American society and put us on the road toward a step to adopting new and better policies for immigration.

It is great to see my colleague, Senator HUTCHISON from Texas. I thank her for her insight and commitment to creating a good system. Being from Texas and having lived with this issue for years and years, she is sympathetic and compassionate to those who want to come to America, but she also understands the need to create a system of laws we can be proud of.

Mr. President, I thank the Chair and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I thank the Senator from Alabama for his remarks.

This is a hard time. This has been a very difficult issue. There is no question that so many people put hours and hours in to try to produce a piece of legislation that could get a majority or 60 votes to proceed. I think it is important for us to take a moment and say, yes, it was a disappointment, but we must go forward. This should not be the end of efforts to deal with one of the most important, if not the most important, domestic problem in our country today; that is, we are a sovereign nation which must have secure borders.

We know there are terrorists who are trying to enter our country to harm Americans. We would be naive to look the other way. We know there are drug cartels trying to enter our country with illegal drugs. We know there are human traffickers who are bringing people into our country illegally and robbing these people of huge amounts of extorted money. We know we must stop that.

We also know there is a need in this country for work and jobs that are not being filled by Americans, and we must provide a legal way for people to fill those jobs. We must not equate the people who have come here for jobs, trying to feed their families—because they have little hope from their country of origin of being able to do that—with terrorists and drug dealers. They are two separate kinds of problems and separate kinds of people. We need to provide an avenue for those who are trying to do better for themselves and their families to work in our country and to be in our country and, within the laws we have, to go into permanent residency and citizenship.

We do have a crisis, and it is our responsibility to meet it. Just because this effort failed does not mean we didn't make progress. I think we did make progress. It was not enough to get the majority even of this Senate to agree that this not only took care of the problems of today but would provide a standard for tomorrow and 10 years from now so that everyone would know what the laws are and that the laws would be enforced. So we have made progress.

I look at so many of our colleagues who worked so hard on this, along with members of the President's Cabinet and the President himself, and I know how deeply disappointed they are that this was not successful. Nevertheless, I believe we were in a much better place this year than we were last year, and I believe, if we start fresh, we can come up with a better approach to this problem.

What would a better approach be?

First, I think it is clear the American people do not believe there is a commitment to border security. I believe there is much more progress in this area than is known. We know the catch-and-release program is virtually shut down. It used to be that an alien coming into our country illegally who was not from Mexico but was from farther down in Central or South America would not be able to be apprehended and deported because there were no detention facilities that could hold them, so they were caught and released. Today, that program has been virtually shut off.

So we have made progress. Is it enough? Absolutely not. But we must have a renewed commitment to border security, and I think it is clear the American people believe we must show there is a commitment as a prerequisite to addressing the other problems.

Today, I suggest we might look at a fresh approach which has the commitment that was made by the President 2 weeks ago to border security, the money commitment for the barriers, and the commitment to following through on those border security measures. That would be one step we could take that I believe would have universal agreement. There is no one who has called me about this bill who has not said the absolute first requirement is border security.

The second thing I think we should do as we are continuing this commitment to border security is a guest worker program—a guest worker program going forward that is a workable way for people to come into this country and have the ability to work out in the open, legally, to be able to go back and forth from their home country without being afraid they could not get back in, and a tamperproof identification for employers to easily be able to see that a person is legally in this country.

I met with my good friend Massey Villarreal yesterday, and he said: Where is the help for the small businesses that may not even be computerized?

I said: I know the Department of Homeland Security, when the regulations are made, will have a provision for a business that has one employee or two to be able to have a clear, easy way to verify with this tamperproof ID. There would be a picture on it and a biometric indication.

So I think we need to work on the guest worker program immediately, along with the border security program, so that the economy of this country and the people who are seeking to work in our country to provide for their families wherever they may live would be able to be matched. I think we should do those two things first. That would be my suggestion of a new approach.

The problem we ran into with this bill and the bill we tried to pass last year was that tough issue of, what you do with the people who are already here illegally, because the enforcement was not done. A blind eye was turned. Through many years, since 1986, there has not been that workable guest worker program which would accommodate the economic needs of our country and the economic needs of workers who cannot find jobs in their own home countries. Dealing with that was the hangup on this bill, make no mistake about it. It was the perception that people would be able to come here, stay in our country illegally, and never have to go home in order to become legally processed in our country. The American people rose up and said no. My amendment which tried to fix that came very close—53 to 45.

I think that is a concept we should revisit but not until we have addressed border security and made a commitment and significant improvements and a guest worker program established for people coming in legally. In my opinion, that would probably also cause some of the people who are here illegally to see a clear path, a workable path, a dependable path to come into our country and begin to work legally if we act now to set up that guest worker program. Then start the long and arduous process of trying to handle responsibly the people who are here illegally, some of whom have homes, have American-born children, which we must realistically address but maybe not all at once. That would be my suggestion for those who are willing to say: Let's take a week, and let's determine what the next course should be.

Mr. President, I ask unanimous consent for 2 additional minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. HUTCHISON. Let me end by saying I do believe we need to take some time. We need to look at the consequences of doing nothing, which I do not think people focus on enough, and try to have a fresh approach, perhaps a more graduated approach, that would

secure our borders and would have a guest worker program going forward and then follow up by dealing with the illegals who are in our country now. Perhaps there would even be a safe harbor—no commitments about what would happen but not to cause people to lose jobs that are not being filled.

Perhaps, there could be something along that line as we decide how to deal with those people who are here. I do believe there will be more acceptance of a responsible, legalization process of people who are here illegally if the American people see border security and a guest worker program that puts the people in the front of the line who have come legally into our country to work.

Mr. President, it is so important that we not give up. It is so important that we not turn another blind eye to the problem facing this country of more and more illegal aliens coming in. We must secure our borders from terrorists, drug dealers, and human traffickers. But it is not the same as people who are coming to our country for economic help for themselves and their families. We must provide a way to attract those people to jobs that are not being filled by Americans. So, yes, it is disappointing today.

I applaud the people who have worked so hard. I want to say that they did make progress, and it is something from which we can all learn and do better as we move forward. But, mostly, we cannot shirk the responsibility of our United States Senate and our United States Congress, working with the President, to do the right thing for our country.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts is recognized.

IMMIGRATION

Mr. KENNEDY. Mr. President, it is now clear that we are not going to complete our work on immigration reform. That is enormously disappointing for Congress and for the country. But we will be back and we will prevail. The American people sent us here to act on our most urgent problems, and they will not accept inaction.

I have seen this happen time and time again. America always finds a way to solve its problems, expand its frontiers, and move closer to its ideals. It is not always easy, but it is the American way.

I learned this first as a child at my grandfather's knee. He taught me that in America progress is always possible. His generation moved past the cruel signs in the windows in Boston saying ''Irish Need Not Apply'' and elected that son of an Irish immigrant as mayor of Boston.

I learned that lesson firsthand when I came to the Senate in 1962. Our Nation was finally recognizing that the work of civil rights had not ended with the Emancipation Proclamation, nor with the Supreme Court's decision in Brown v. Board of Education. It was up to Congress to take action.

The path forward has never been an easy one. There were filibusters of the Civil Rights Act of 1964 and of the Voting Rights Act of 1965. But we didn't give up and we ultimately prevailed.

The same was true in our battles for fair housing and for an end to discrimination against persons with disabilities. On immense issues such as these, a minority in the Senate was often able to create stalemate and delay for a time. But they had never been able to stop the march of progress.

Throughout all of those battles, we faced critics who loudly warned that we were changing America forever. In the end, they were right. Our history of civil rights legislation did change America forever. It made America stronger, fairer, and a better nation.

Immigration is another issue like that. We know the high price of continuing inaction. Raids and other enforcement actions will escalate, terrorizing our communities and businesses.

The 12 million undocumented immigrants will soon be millions more. Sweatshops will grow and undermine American workers and wages. State and local governments will take matters into their own hands and pass a maze of conflicting laws that hurt our country. We will have the kind of open border that is unacceptable in our post-9/11 world.

Immigration reform is an opportunity to be true to our ideals as a nation. Our Declaration of Independence announces that all of us are created equal. Today, we failed to live up to that declaration for millions of men and women who live, work, and worship beside us. But our ideals are too strong to be held back for long.

Martin Luther King had a dream that children would be judged solely by ''the content of their character.'' Today, we failed to make that dream come true for the children of immigrants. But that dream will never die. It has the power to overcome the most bitter opposition.

I believe we will soon succeed where we failed today, and that we will enact the kind of comprehensive reform that our ideals and national security demand. Soon, word will echo across the country about the consequences of today's vote. The American people will know that a minority of the Senate blocked a record investment in border security.

H.L. Mencken said that for every complex problem, there is a simple solution—and it is wrong. A minority in the Senate has employed a simple label against this bill—amnesty—and they were wrong, too.

A minority in the Senate rejected a stronger economy that is fairer to our taxpayers and our workers. A minority of the Senate rejected America's own extraordinary immigrant history and ignored our Nation's most urgent needs.

But we are in this struggle for the long haul. Today's defeat will not stand. As we continue the battle, we will have ample inspiration in the lives of the immigrants all around us.

From Jamestown, to the Pilgrims, to the Irish, to today's workers, people have come to this country in search of opportunity. They have sought nothing more than a chance to work hard and bring a better life to themselves and their families. They come to our country with their hearts and minds full of hope.

We will endure today's loss and begin anew to build the kinds of tough, fair, and practical reform worthy of our shared history as immigrants and as Americans.

Immigration reforms are always controversial. But Congress was created to muster political will to answer such challenges. Today we didn't, but tomorrow we will.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. MCCASKILL). Without objection, it is so ordered.

Mr. CORNYN. Madam President, I ask unanimous consent to speak for up to 10 minutes.

The PRESIDING OFFICER. The Senator has that right.

Mr. CORNYN. Madam President, I wanted to come to the floor to offer a few thoughts and observations on the important vote we had earlier today on the immigration bill. I know many people are puzzled when they watch us debate big and important issues such as this. What usually happens is our views are reduced to a bumper sticker. Particularly on complex topics such as immigration, a bumper sticker doesn't tell the whole story. So I wish to offer a few thoughts on the way forward on this important issue.

I have not found an issue in my short time in the Senate, now about 4½ years, which has been more closely followed and on which there has been more passion than the subject we have been debating this week and which we voted on this morning.

Sometimes, as we all know, passion can produce more heat than light, but what we need is some light and some clear thinking and some better solutions to our broken borders and our broken immigration system than we have had so far.

I don't say that with the intent to criticize the hard work that people have put into this effort. I am proud of the fact that since I have been in the Senate, I have tried to constructively contribute to a solution to this problem. As a member of the Senate Judiciary Committee and as a former chairman of the Immigration and Border Security Subcommittee of that Judiciary Committee, now as the ranking member, I have tried my best to contribute

to a solution. But I think the one message I would take away from what we saw happen earlier today is the American people, my constituents in Texas, are profoundly skeptical of big Government solutions with a lot of moving parts based on big, grandiose promises, when our history has been one of not delivering consistent with what we promised. Let me mention what I mean by that.

In 1986, we had a big immigration bill, supposedly one to fix all the problems. President Ronald Reagan signed that bill. I remember Ed Meese, his Attorney General, wrote a piece in I believe the New York Times explaining what was going through President Reagan's mind as he signed that amnesty for 3 million people. Ed Meese explained that President Reagan was told in 1986 that if you do this amnesty one time, that will be the end of it; you will never have to do another one, as long as we have enforcement of our laws that go hand in hand with that grant of amnesty for 3 million people.

Part of the skepticism that I think the American people and certainly my constituents in Texas have had about this bill is that they saw coupled with a path to legalization and ultimately American citizenship for roughly 12 million people that we mean it this time, we are going to get serious about border security, we are going to get serious about eliminating the document fraud and identity theft that makes our current worker verification system virtually unworkable, and they saw a repetition of 1986.

There were components of this bill that I thought were actually pretty good, that represented an improvement over the status quo. But I think some of the debate got a little bit hard to believe such as when people said the only way you are going to get border security is if you agree to a path to citizenship for 12 million people. The American people are pretty smart. They can see through that, and they know there is no obvious linkage between border security and a path to citizenship for 12 million people. They know if we were serious about border security, we would have already done it.

So I think, at least the lesson I have learned from this vote this morning is not that we can give up because the problem is not going to go away. It may get caught up in Presidential election politics and maybe part of what we need to do is continue this grand national conversation about how do we solve this problem because I don't believe there is any problem that is too big for the American people to solve. Certainly, they are not waiting for some pronouncement from Mount Olympus in Washington, DC, about here is the answer and you have to swallow it. We work for the American people. We work for the constituents who sent us here. The power we get to act on their behalf comes from the bottom up; it doesn't come from the top down. I think part of the rejection that we saw of this particular bill was the sense that Washington was trying to dictate a solution about which the American people had a lot of questions and a lot of reservations.

I think we need to go back to basics. We need to go back and listen to our constituents. We need to talk to them and explain to them what the problem is. We need to have a transparent process that is an interactive process where we can listen to them and we can tell them what we have learned about this issue and about some of the problems and try to come up with a solution.

One of the lessons may be that big, multifaceted, complex programs such as this bill offered, particularly on something where the Federal Government doesn't have a whole lot of credibility when it comes to actually enforcing the law or securing the border, the American people are not going to accept it, and I think that was reflected in the vote we had today.

That is not the same thing as saying give up, because we can't give up. This problem is not going away. As somebody who represents a border State with about 1,600 miles of common border with Mexico, I say we have to find a rational solution to this problem.

I know that passions have run high, but I, for one, am very pleased with the level of the debate in the Senate because, as we all know, sometimes this topic is susceptible to some pretty irresponsible language and dialog.

This was not a rejection of our heritage as a nation of immigrants. We are a nation of immigrants, but we are also a nation of laws. And I think what the American people saw—certainly my constituents in Texas saw—is the status quo of a kind of lawlessness and a lack of commitment to simple law and order which they wanted to see restored. I think if we demonstrate that we have heard the message they have sent us—if we demonstrate that, yes, we are serious about border security; yes, we are serious about enforcing the law—then I think we can continue that conversation and talk about the other aspects of this legislation that we need to continue to work on.

What are the legitimate needs of American employers for legal workers? Certainly, we would prefer that they get legal workers rather than workers who are not respecting our laws. Certainly, we would all want, I would think, to have a system whereby someone can show up at a workplace and present a tamper-proof, secure identification card and virtually guarantee that they are legally eligible to work in the United States as opposed to the kind of document fraud and identity theft that now runs rampant and which makes it impossible even for good employers trying to honor the law to know that the person standing before them can actually legally work in the United States.

We recently had an example of a company, a Swift meatpacking plant, which was the subject of a raid by the Immigration and Customs Enforcement Service in multiple States, including my State of Texas. What they found was this company was using the only Government program—the only Government program—known as Basic Pilot, to try to match up the identity of people who came to work there with a Social Security number. Basic Pilot confirmed that, yes, that is JOHN CORNYN, and that is JOHN CORNYN's Social Security number, but that is about all Basic Pilot could tell them. What they wouldn't tell them is if it was somebody else masquerading as JOHN CORNYN and claiming his Social Security number.

That company sustained a huge business loss because the Federal Government failed it by not providing it with a reliable means to determine whether people who claim to be American citizens and eligible to work were, in fact, eligible. So we have a lot of credibility we need to restore at the Federal Government level when it comes to enforcing the law and securing our borders.

I think if we perhaps break down this big problem into smaller solutions, step by step, and work our way through this, we can continue to find an opportunity to solve this problem bit by bit and piece by piece. What I saw rejected this morning were big, grandiose government solutions where our credibility was seriously lacking because of a lack of followthrough on earlier promises, particularly when it comes to enforcing our laws and securing our borders.

I would just like to say to all my colleagues who have worked so hard on this issue that you have my commitment that I will continue to work with you in good faith to try to solve the problems. That is what I thought my constituents wanted me to do. That is what I know they want me to do. They do not want us pointing the finger of blame. They do not want us calling each other names. And they do not want the sort of ''hyperpartisanship'' that unfortunately too often characterizes our activities in Washington. But they also don't want to be sold a bill of goods. They do not want to be promised a lot when they know we are going to deliver little.

So this is a big issue, one that is worthy of the greatest deliberative body in the world—the U.S. Senate—and it is an issue on which I assure each of my colleagues that I intend to do my part to try to solve.

Madam President, I yield the floor, and 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. HATCH. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). Without objection, it is so ordered.

NOMINATION OF LESLIE SOUTHWICK

Mr. HATCH. Mr. President, as the discussion over immigration reform demonstrates, this body confronts tough issues and can find itself embroiled in some contentious debates.

Over the years, it has not been uncommon to see judicial appointment debates at the top of the list of contentious debates. And during those debates, we have seen a lot of tactics and methods used.

But some tactics are simply wrong.

Some methods are simply inappropriate.

There are some means which no ends can justify. Some of these wrong tactics, inappropriate methods, and illegitimate means have been used to attack the nomination of Leslie Southwick to the U.S. Court of Appeals for the Fifth Circuit.

If we care about the integrity of this body and the good of the judicial branch, if we really believe that there is something more important than raw ideological politics, we should reject this attack on this good man and confirm his nomination.

Judge Southwick, who served for a dozen years on the Mississippi Court of Appeals, has received a unanimous well qualified rating from the American Bar Association.

He has the strong support of his home State Senators, both of whom are Senior Members.

He would fill a judicial emergency vacancy.

And though it has been obscured by all the hyperbolic, vitriolic, and over-the-top rhetoric now thrown about, the Judiciary Committee just months ago approved without objection Judge Southwick's nomination. Now, for whatever reason, the nomination is in limbo—first it is on the committee agenda without action and now not on the committee agenda at all.

The committee looked at the same qualifications, the same record, the same man with the same character, and found no objection whatsoever.

The only difference—which is really a distinction without a difference—is that Judge Southwick was then nominated to the U.S. District Court but now has been nominated to the U.S. Court of Appeals.

The disturbing tactics being used against this nominee are certainly not new, and they are no more legitimate or persuasive now than when they have been used against other nominees in the past.

Frankly, I am amazed that anyone finds them credible, let alone persuasive.

Judge Southwick served on the Mississippi Court of Appeals for 12 years.

It is not credible to focus only on a few cases among the 7,000 in which he participated and the nearly 1,000 opinions he wrote.

It is not credible to focus only on the results of those few cases, ignoring the facts and the law.

It is not credible to demand that judges render decisions that serve certain political interests, whether or not the law actually requires that result.

It is not credible to attack Judge Southwick for phrases or language in opinions he did not write.

It is not credible to ignore the limitations imposed on appeals court judges by the standard of review they must follow.

It is not credible to say that a judicial ruling against a particular party amounts to a judge's personal hostility against a group to which that party might belong.

These are some of the misleading tactics that we have seen used against judicial nominees in the past and are being used against Judge Southwick now.

These tactics are simply not credible, and I am amazed that my Democratic colleagues seem to be going along with them.

One of the sure signs that such illegitimate tactics are in play is that they result in a distorted, twisted caricature of a nominee that those who have long known and worked with him simply do not recognize.

Richard Roberts, former president of the Mississippi bar, for example, says that no other lawyer in the State is as qualified as Judge Southwick to serve on the Fifth Circuit.

According to Phillip McIntosh, associate dean at the Mississippi College School of Law where Judge Southwick now teaches, a politically and racially diverse faculty unanimously approved Judge Southwick for a faculty position with no question about his integrity, fairness, or impartiality.

A. La'Verne Edney, an African-American partner at Judge Southwick's former law firm, clerked for him on the Mississippi Court of Appeals.

He says that Judge Southwick applied the law fairly without regard to the parties' affiliation, color, or stature.

These and other colleagues and partners of Judge Southwick know him best.

I can only imagine their shock and confusion over the wildly derogatory and extreme descriptions offered by Judge Southwick's Washington-based critics.

I can only imagine the reaction by those who know Judge Southwick when those who do not know him make such claims without knowing what they are talking about.

I think my colleagues would agree that the American Bar Association has never been accused of a conservative bias.

And I think we would all agree that the ABA conducts perhaps the most exhaustive and thorough evaluation of judicial nominees.

The ABA looks at the whole record; the ABA interviews dozens of people in each case.

Let me remind everyone that the previous nominee to this very same Fifth Circuit position ran into trouble when the ABA rated him not qualified.

My Democratic colleagues thought that was the most insightful, thorough, accurate, and definitive evaluation ever done on any nominee to any position anywhere.

The same ABA has unanimously given Judge Southwick its highest well qualified rating.

That means, according to the ABA's own description of its rating criteria, that Judge Southwick gets the highest marks for such things as compassion, open-mindedness, freedom from bias and commitment to equal justice.

So here is the choice we face.

On the one side, critics who do not know and have not worked with Judge Southwick look only at the results of just a few cases and claim Judge Southwick has hostile views on issues such as race, when there is no indication by anybody in Mississippi or otherwise that he has any such hostility.

On the other side, the ABA and those who do know and have worked with Judge Southwick look at his entire record and gave him the highest marks for compassion, open-mindedness, freedom from bias and commitment to equal justice under the law.

These two radically different pictures of this nominee cannot both be true.

I think the tactics and standards used by Judge Southwick's critics are wrong and illegitimate, and the conclusions about him based on those tactics are simply not credible. I think they know that.

And they certainly do not justify doing an about-face and voting against a nominee who, just months ago, received the Judiciary Committee's unanimous support.

Illegitimate tactics leading to less than credible conclusions do not justify disregarding the judgment of our colleagues, the Senators from Mississippi, who are this nominee's home State Senators.

Let me close with one more point.

In their opposition letter, the Congressional Black Caucus says that we "should be impressed by the frequency with which Southwick's opinions and concurrences have been overruled." That is pure, unadulterated hogwash.

Judge Southwick authored 927 opinions and concurrences while on the Mississippi Court of Appeals and only 21 of them have been either reversed or even criticized by the Mississippi Supreme Court in 12 years. I don't know of many judges who have such an unblemished record.

I must say that I am indeed impressed by the frequency with which Judge Southwick's opinions and concurrences have been overruled.

I am very impressed with such a low reversal rate over such a long period of distinguished judicial service.

And I note that Kay Cobb, former presiding justice of the Mississippi Supreme Court, the court that reviewed Judge Southwick's decisions, has written with enthusiastic support of his nomination.

Justice Cobb, unlike Judge Southwick's critics, has known him for many years and highlights his attention to promoting fairness and equality.

Judge Southwick has served his community, volunteering with Habitat for Humanity since 1993.

He volunteered to serve his country in the Mississippi National Guard and by joining a line combat unit that served in Iraq.

Only months ago, the Judiciary Committee found Judge Southwick's qualifications and character sufficient to report his district court nomination without a single objection.

Judge Southwick today is the same man with the same qualifications, the same ability, the same character, and the same commitment to the rule of law.

He has the strong support of his home State Senators—both of whom are highly respected—and should be given the opportunity to serve on the Fifth Circuit.

The Judiciary Committee should report his nomination, and the Senate should confirm him, without delay, or a manifest injustice will have occurred and will led to even more antagonism between the two sides of this body.

We have been used to some of these tactics in the last 2 months of a President's tenure, maybe even the last 6 months, but hardly ever against a person of this man's qualifications, and then we have usually knocked that type of criticism down, as decent, honorable Senators should knock them down. Frankly, this President will serve for another year and a half. He has appointed a sterling, good man who deserves to be brought before the Senate and confirmed. I hope my colleagues will stop this tragedy and put this man on the court. He deserves it. He will be great on the court. He will be a person who will be fair and decent for everybody. I have every confidence in him.

I ask unanimous consent that the letters to which I referred be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LAW OFFICES OF
RICHARD C. ROBERTS III,
Ridgeland, MS, June 5, 2007.

Re Leslie Southwick.

Hon. ARLEN SPECTER,
Ranking Member, Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR SENATOR SPECTER: The issue of diversity seems to be the current focal point in the nomination process for the vacancy existing on the Fifth Circuit Court of Appeals. As a former President of the Mississippi Bar, I understand and appreciate the desire and need to have females and African-Americans serving in our federal judiciary, particularly when the candidates are from Mississippi. I venture to say, however, that no other lawyer in the State of Mississippi is as qualified for the Fifth Circuit position by virtue of education, experience, intellect, integrity and temperament as the Honorable Leslie H. Southwick.

I have known Judge Southwick personally since 1977. I am sure you are well aware of Judge Southwick's outstanding legal career, and his exemplary service to our country in The Department of Justice and as Staff Judge Advocate for the 155th Brigade Combat Team in Iraq. I would venture to guess that his fellow judges have also expressed their written support of his untiring efforts and abilities as a judge on our Mississippi Court of Appeals.

The purpose of my letter, however, is to emphasize Judge Southwick's personal virtues. He is simply one of the finest, most decent, kind, humble, and fair-minded persons I have ever known regardless of race or gender.

Judge Southwick reminds me in so many ways of Judge Charles Clark, who served for many years as Chief Judge for the Fifth Circuit Court of Appeals, and for whom Judge Southwick clerked before entering the private practice of law. When Judge Clark served on the Court of Appeals, he had it all—intellectual ability, superb personal and organizational skills, work ethic, commitment, integrity, and a wonderful sense of humor. I am sure you remember Judge Clark. Judge Leslie Southwick is cut from the exact same cloth.

Seldom will the Judiciary Committee have the opportunity to make an appointment which will have such a lasting effect on the integrity of our federal judicial system in Mississippi and the other states within the Fifth Circuit, and to solidify the reputation it justifiably enjoys as the protector of our rule of law, the civil rights of all citizens. Please do not miss this opportunity to confirm the nomination of Judge Leslie Southwick.

With highest regards, I am
Respectfully yours,
RICHARD C. ROBERTS, III.

MISSISSIPPI COLLEGE,
June 4, 2007.

Re The Honorable Leslie Southwick.

Hon. ARLEN SPECTER,
Ranking Member, Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR SENATOR LEAHY: I am writing to you to express my strong support for the nomination of Leslie Southwick to the Fifth Circuit Court of Appeals. I have known Judge Southwick for several years while he has been an adjunct professor and vising professor at Mississippi College School of Law. As Associate Dean, hiring of adjuncts comes under my responsibilities for the law school. We have been honored to have him on our faculty and look forward to a long and beneficial relationship with him. Our students likewise hold Judge Southwick in highest regard.

Judge Southwick is a man of highest integrity, honor and intellect. As a judge on the Mississippi Court of Appeals he scrupulously did his judicial duty in following the law in his judicial opinions. I am greatly disappointed that some have taken the opportunity to try to score political points by characterizing Judge Southwick as intolerant or having ''very fixed, right-wing world view,'' seeking to imply that he would not be fair and impartial in applying the law. In my personal and professional dealings with him, I can attest to his fine character. I have not the slightest doubt regarding his impartiality and commitment to fairness.

Judge Southwick would make an outstanding judge for the Fifth Circuit. I know that he will uphold the law and apply it regardless of his personal view on a particular subject. He is a very thoughtful man, a true scholar. I also know that he is not racist and does not hold racist views. Such an allegation is ludicrous, insulting, and without foundation.

As an example of the regard with which Judge Southwick is held by the law faculty at Mississippi College, he was offered a position as a visiting faculty member following his resignation as a judge for the Mississippi Court of Appeals and pending the approval of his nomination to the Fifth Circuit. The suggestion to make this offer was made by one of our faculty members, and the recommendation was unanimously approved by our faculty. We have a politically and racially diverse faculty, but not one note of concern about Judge Southwick's integrity, fairness, or impartiality was sounded. His appointment to our faculty was strongly supported by all of our faculty members. I might even mention that his teaching partner for Trial Practice this past semester is an African American attorney and former Mississippi Circuit Court judge, and whom Judge Southwick personally recruited to partner with him for the course.

I hope that you will support the nomination of this outstanding man to the Fifth Circuit. He is an exceptional candidate and deserving of confirmation.

Sincerely,
PHILLIP L. MCINTOSH,
Associate Dean and Professor of Law.

BRUNINI, ATTORNEYS AT LAW
TRUSTMARK BUILDING,
Jackson, MS, June 5, 2007.

Re Judge Leslie Southwick Nomination.

Hon. ARLEN SPECTER,
Ranking Member, Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR SENATOR SPECTER: I am an African-American partner at the law firm of Brunini, Grantham, Grower & Hewes, PLLC, where Judge Southwick was once a member. I believe in fairness for all people and salute our leaders for giving their lives to assure that fairness. While I share the sentiments of other African-Americans that the federal judiciary needs to be more diverse, I believe that Judge Southwick is imminently qualified for the United States Fifth Circuit Court of Appeals and write in support of his nomination.

I met Judge Southwick during my third year of law school when I interned with the Court of Appeals of Mississippi. That internship allowed me an opportunity to work with most of the Judges on the bench at that time. I was most impressed with Judge Southwick because of his work ethic and his serene personality. When I finished law school in 1996, I believed that my chances for landing a clerkship were slim because there was only one African-American Court of Appeals judge on the bench at the time and there were very few Caucasian judges during the history of the Mississippi Supreme Court or the Court of Appeals (which was fairly new) who had ever hired African-American law clerks. In spite of the odds, I applied for a clerkship. Judge Southwick granted me an interview and hired me that same day. While Judge Southwick had many applicants to choose from, he saw that I was qualified for the position and granted me the opportunity.

During my tenure as clerk with the Court, Judge Southwick thought through every issue and took every case seriously. He earned a reputation for his well thought out opinions and his ability to produce the highest number of opinions in a term. It did not matter the parties' affiliation, color, or stature—what mattered was what the law said and Judge Southwick worked very hard to apply it fairly. Judge Southwick valued my opinions and included me in all of the discussions of issues presented for decision. Having worked closely with Judge Southwick, I have no doubt that he is fair, impartial, and has all of the other qualities necessary to be an

excellent addition to the United States Court of Appeals for the Fifth Circuit.

In addition to serving our State, Judge Southwick has also honorably served our country. During his mission to Iraq in 2005, Southwick found the time to write me often to let me know about his experiences there. Upon his return to the United States, Judge Southwick shared with others his humbling experience serving our country. It is clear from his writings and speaking that he served with pride and dignity.

Other the years, Judge Southwick has earned the reputation of being a person of high morals, dignity, and fairness. It is unfortunate that there are some who have made him the chosen sacrifice to promote agendas and have set out to taint all that Judge Southwick has worked so hard to accomplish. I am prayerful that those efforts will not preclude Judge Southwick from serving as our next Judge on the United States Court of Appeals for the Fifth Circuit.

If additional information is needed, please feel free to contact me.

Yours truly,

A. LA'VERNE EDNEY.

SUPREME COURT OF MISSISSIPPI,
Jackson, MS, June 5, 2007.

Re Judge Leslie H. Southwick.

Hon. ARLEN SPECTER,
Ranking Member, Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR SENATOR SPECTER: This letter is enthusiastically written to urge you and the Committee to confirm Leslie H. Southwick to serve on the Fifth Circuit Court of Appeals. I've known him for many years and I'm honored to give him my highest recommendation, without reservation. In every way he is worthy to serve.

Judge Southwick's scholarship and character are stellar. The opinions he wrote during his ten years on the Mississippi Court of Appeals reflect his thoroughness and fairness, as well as the depth of his knowledge and the quality and clarity of his reasoning and writing.

In every aspect of his legal career and life in general, Leslie Southwick has excelled. He has a long and consistent record as a devoted family man, a courageous military leader, an accomplished author, and an excellent appellate judge. His awareness and attention to promoting fairness and equality with regard to race and gender are exemplary.

Our country needs conscientious and independent judges of impeccable integrity and I cannot think of anyone who better qualifies for this appointment!

Sincerely,

KAY B. COBB (1999–2007)

Mr. HATCH. 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. MENENDEZ. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMMIGRATION

Mr. MENENDEZ. Mr. President, from my State of New Jersey and that part of the State in which I live, we can almost touch Lady Liberty. She is that close to us from a State park called Liberty State Park, an area I had the unique privilege of representing in the House of Representatives for 13 years and an area I still represent as the junior Senator from New Jersey, an area I have fond memories of because of the power of what it means. From that same park we can cross a bridge and go to Ellis Island, a place to which millions came to America to start a journey, a journey that contributed enormously to its great promise, enormously to the great country that it is today.

I rise to discuss the recent cloture vote on immigration with that context in mind. The Senate had a historic opportunity to move forward today with comprehensive immigration reform that truly secured our borders, that realized the economic realities of our time and allowed people the opportunity to come out of the shadows into the light to earn their legalization.

Unfortunately, the Senate decided to maintain the status quo, a status quo of broken borders, that does not meet our economic challenges, and that permits human exploitation and trafficking to take place.

As someone who was part of the early negotiations back in March of this year on the question of immigration reform, I maintained then that the administration had leaped away from the largely bipartisan bill of last year that received 23 Republican votes and 39 Democratic votes to a much more conservative, much more impractical, and a much more partisan proposal this year. I was unable to join several of my colleagues in what has become known as the grand bargain. I acknowledge and appreciate several of those who advocated, because we were only on the floor on immigration reform, truly a critical issue for this country, as a result of their leadership, colleagues such as Senators KENNEDY and SALAZAR and GRAHAM, to name a few, who truly believed in that opportunity; at the same time, because of the leadership of the majority leader, who was willing to take on one of the most contentious issues, an issue that has been contentious throughout our country's history. I have often remarked on the floor how on the question of immigration, it is interesting to have heard the language of those debates at different times in our history.

Ben Franklin referred to no longer being able to accept those who were coming to our shores in negative terms. He was talking then about the Germans. The former Governor of Massachusetts, in the early 1900s, said that, in fact, they are sending the most illiterate of their people to our shores. He was talking then about the Irish. In 1925, in an official report of the Los Angeles Chamber of Commerce, they said: We need the Mexicans because of their bending and crouching habits which the whites cannot attain themselves to in order to pick our produce. We had the Chinese exclusionary provisions.

So while this has always been a welcoming country, the debate has not been as welcoming. On that day when the ''Grand Bargain'' was announced, I came to this Chamber to express my opposition to the deal that was announced because I believed it was deficient in some regard and to say that I would work to improve it. Looking back at what I said then, in light of today's vote, it was strikingly clairvoyant to me, to say the least.

I said on that day we must come together not as Democrats and Republicans or liberals and conservatives but as statesmen and, in doing so, honor the traditions of the Senate as a body that values reasoning, honest debate, and compromise over sound bites and talking points but especially over the politics of fear.

Unfortunately, today, the voices that appealed to that fear and the lowest common denominator won out. Only 12 of our Republican colleagues were willing to stand up and vote to invoke cloture, almost half of those who voted for last year's bipartisan immigration bill.

Only 12 Republican colleagues were willing to move forward, at least for the final essence of debates and amendments, and to a final vote, which is about half of those who voted last year for immigration reform.

Now, personally, I still had serious concerns about the direction of the bill, but I voted to keep it alive because I wanted to work to make it better and because I believe in comprehensive immigration reform as something that is in the national interest and national security of the United States and because America's promise and its security should not have been snuffed out by one single vote.

I said back on that day in May that I could not sign on to the agreement because it tore families apart, and it says to many they are only good enough to work here and give their human capital and slave but never good enough to stay here. But instead of responding to those erstwhile concerns from those of us willing to be supportive of comprehensive immigration reform, the appeal was constantly made to the right of the spectrum, to those who actually achieved some of the things they wanted in the bill but, obviously, never even intended to vote for comprehensive immigration reform—not even to vote to allow it to move forward. As it moved to the right, it got less and less support from the right.

Unfortunately, instead of working with those of us who were willing to not only work to improve this bill but also put our votes where our mouths were, they kept giving in to demand after demand from conservative Republicans, and in turn this bill moved further and further to the right.

In fact, at least two Members who were at the press conference on May 17 and got things included in the bill voted against keeping this process moving forward by voting against cloture today.

Ultimately, in my mind, this came down to a President and a party who was, once again, there for the photo

ops and the press conferences but was not willing to roll up their sleeves and do the hard work to improve this bill and help it move forward for our Nation: a Republican Party that was not about progress but about partisanship; a Republican Party that was not about solving our Nation's problems but seeking political gain by stopping progress of any sort in this Senate; the same President who used large amounts of political capital misleading our country into a disastrous war in Iraq, with little political capital on truly improving our Nation's security through tough yet practical and comprehensive immigration reform; a President who used political capital on tax cuts for the wealthiest in our country but not on truly meeting our Nation's economic needs through fair and comprehensive immigration reform; and it is either a President who has no political capital or one who was not willing to use it.

Finally, throughout my life, and most recently on the Senate floor, I have heard the phrase ''those people''—''those people.'' Those who use that phrase are the voices of division and discrimination. They are the xenophobes who exist today and have existed at different times in our Nation's history but whose voices have ultimately been overcome to give way to the greatest successful experiment in the history of mankind—the United States of America that we know today.

But the last phrase of Emma Lazarus's poem emblazed on the inner wall of the pedestal of the Statue of Liberty says:

I lift my lamp beside the golden door!

Maybe today that lamp is somewhat dimmer, but it will shine again. The course of history is unalterable, the human spirit cannot be shackled forever, the drumbeat for security, economic vitality and, most importantly, justice will only grow stronger.

Finally, to those who have often referred to ''those people'' in this debate, let me say on behalf of ''those people,'' we have seen the light, and we simply will not be thrust back into the darkness.

Mr. DOMENICI. Mr. President, I rise today to discuss my vote against cloture on S. 1639, the border security and immigration reform bill debated by the Senate this week.

I support some of the proposals behind S. 1639 because we must address our border and immigration crisis. However, I was forced to vote no on the motion to invoke cloture on S. 1639 for several reasons.

The bill before us is neither workable nor realistic. Additionally, many Senators do not even know what is in the latest version of the bill.

It is also pretty clear to this Senator that anything similar to S. 1639 is dead on arrival in the House of Representatives. I question the rationale of passing a bill that has so many flaws when several Members of the House have said this bill will not even be considered by the House. Would it not be better for all of us to have a more open and fair debate on border security and immigration that is not subjected to unnecessary deadlines and closed-door decisionmaking?

In addition, as a border State Senator, I know first-hand the need to secure our borders because every day my constituents tell me about the problems they face because of illegal entries into our country. We have a crisis on our borders that must be resolved.

However, instead of pursuing immediate emergency funding to help secure our border, S. 1639 cobbles border security improvements and funding with some concerning immigration reforms. While the bill also provided $4.4 billion to fund these border security initiatives, that money was contingent upon final passage of the bill by Congress, something that appears to be less than a sure thing.

What is clear to me is that the American people want the measures in the bill—like providing 20,000 Border Patrol agents, constructing 370 miles of border fencing and 300 miles of border vehicle barriers, putting 105 radar and camera towers on the border, and using four unmanned aerial vehicles for border security—in place before we address the millions of unauthorized aliens living and working in the United States. Therefore, I believe it would be more appropriate to provide $4.4 billion in border security funding in a separate emergency spending bill to fund these border security initiatives.

Additionally, I remain concerned about the amendment process associated with this bill. More than 300 amendments were filed to this bill's predecessor, S. 1348, and almost 150 amendments have been filed to S. 1639. However, we were only allowed to consider 26 amendments to S. 1639. Border security and immigration reform are the most important domestic issues facing the United States today. Clearly the Senate, the most deliberative body in the world, should be allowed to consider additional amendments that could improve upon this bill. While one of my amendments is part of the package of amendments that was allowed to be considered to this bill, I had other good ideas to make this bill better for New Mexico, the southwest border, and the United States. Many of my colleagues on both sides of the aisle did too, and we deserve an opportunity to consider those amendments.

Also, some of the provisions that I initially supported in this bill have been amended to the point that the bill no longer has its initial purposes. For example, the temporary worker program that is critical to so many industries in my State does not meet those industries' needs.

Further, I am concerned by statements by members of the bipartisan border and immigration working group that some issues of concern in S. 1639 will be resolved in conference. The Senate should debate the issues of concern in this bill; we should not rely on a small group of our colleagues to resolve those issues in an unamendable conference report.

Lastly, I have been told that this bill would have an interesting and unintended effect in my home State of New Mexico. As I understand it, New Mexico State law would allow all Z visa holders under this bill to qualify for Medicaid. That matter needs to be reviewed and its impacts fully considered so that the Congress can avoid unintended effects of this bill.

For all of these reasons, I decided to vote no on the motion to invoke cloture on S. 1639. We need improved border security and immigration reform.

Mr. KERRY. Mr. President, last night there was a vote on a critical amendment to the immigration bill, Senator BAUCUS' proposal to strip any reference to REAL ID in the underlying bill. This, truly, is a case of addition by subtraction.

REAL ID—astronomically expensive, personally intrusive, controversial, and unrealistic, passed by the last Congress without real scrutiny—is precisely the kind of impractical trigger that could derail comprehensive immigration reform.

Unless we amend this bill, real reform will have to wait for REAL ID. Consider the groups lined up against it: not just the ACLU, but also the National Conference of State Legislatures, and the National Governors Association. Since REAL ID passed in the last Congress, 16 States have enacted anti-Real ID bills or resolutions. Another 22 States, including my own, have anti-Real ID bills and resolutions pending in their State legislatures.

Why are they so opposed to REAL ID? They are opposed because it sets an unreachable standard and offers States almost no financial help in meeting it. Conservative estimates State that it would cost $23 billion to fully implement REAL ID. This legislation only authorizes $1.5 billion for States and the President didn't ask for a single dollar for REAL ID in his budget request. That means that States would have to shoulder a $21 billion burden. That is an enormous unfunded mandate.

This crushing financial burden on States is bad enough—but REAL ID poses a security risk as well. Its requirements expose people's personal data to theft by creating a massive pool of highly sensitive personal information such as Social Security numbers, birth certificates and driving information.

Even if States could pay for this new program it would require a tremendous amount of personnel and work to get this done. The Massachusetts DMV has estimated it would take 10 years to reenroll current citizens with licenses alone, which would place them beyond the 2013 deadline in the bill.

REAL ID is profoundly flawed—That is why six States have passed laws that prohibit it from being implemented at

all. These States will never be REAL ID compliant and that is why its inclusion in the immigration bill is so dangerous.

Immigration reform is difficult enough without conditioning it on an unfeasible, unfunded mandate that States are not only unwilling but in some cases legally bound not to meet. Squaring that circle should not be a precondition for a much larger need: providing real immigration reform for the American people.

I am proud to have supported the Baucus-Tester amendment to remove this dangerous and nonsensical provision from the underlying bill. I hope that we will be able to move forward and create a fair, reasonable and comprehensive immigration bill that this country so desperately needs.

Mr. LEVIN. Mr. President, our immigration system is broken and needs reform. Undocumented immigrants flow through our porous borders. Employers hire them with near impunity. Our Government lacks the ability to adequately detect unauthorized employment, while employers in sectors such as agriculture, Michigan's second largest industry, fear that their crops will go unpicked for lack of legal, authorized workers. The bipartisan compromise bill before the Senate was an opportunity to make progress on a very difficult problem.

The first step in immigration reform must be stronger border security. Although there were some provisions in the bill before the Senate that I did not support, this legislation had strong border security measures, even stronger than the ones we debated a few weeks ago. In fact, it contained the funding for the enhanced border security.

We need a more secure, more sensible, and fairer system of immigration. Because of filibusters in the Senate we have been unable to fully consider and amend the bill. We do not know what the final language might have been, and we were unable to vote on amendments which we favored. We should have finished the consideration of those amendments to determine whether or not the final product was an improvement on the status quo. To do that, cloture was required to end the filibuster. I am disappointed that the Senate was thwarted in that endeavor.

Mr. ENZI. Mr. President, I opposed S. 1639, the immigration reform bill, and the motion to invoke cloture on this flawed piece of legislation.

Our immigration system is complicated. Our borders remain open. We cannot have immigration reform without strengthening the security of our borders. This unsound bill circumvented our Senate process and attempted to buy off support by throwing in carrots for Senators in exchange for their support.

The American people understand what is going on here in the Senate debate and they understand what cloture means. They are flooding our offices in Washington, DC, and our offices in our home States with calls and e-mails so much so that our phone system cannot keep up. The people of Wyoming have made it clear to me that they do not support this legislation. They want something to be done to address our borders, but do not support the blanket amnesty of this bill.

The current situation of an open border and an overly complex hiring process encourages illegal immigration and the hiring of illegal workers. Once we improve these situations, we can determine what steps may be necessary for addressing the illegal immigrant population.

We should not, however, even be considering amnesty. Amnesty encourages illegal immigration. In 1986, 7 million immigrants were granted amnesty. Today we are facing an illegal population of over 12 million. The 1986 amnesty did not stop illegal immigration. We should not repeat this policy without ensuring that we are not making the same mistake.

This is a complicated issue that will directly impact businesses across the United States. Improvements are needed in employer verification processes, but those improvements cannot be made in legislation forced through the Senate by vote trading. People who break laws should be held accountable for their actions. This means better enforcement of our current laws, both on the border and by employers. Employers must be given the tools to verify legal workers and be held accountable when they knowingly hire illegal immigrants.

We in the U.S. Senate still have the opportunity to do some good. We can go back to our committee process and draft legislation that could help our Border Patrol do their jobs. We can put together an employee verification system that actually works and does not run small businesses out of business through fines. There could be a lot of solutions for securing our border and making sure that people who are hired are legal immigrants. We can improve the way that temporary seasonal worker visas and agricultural worker visas are processed.

Rewarding bad behavior only encourages more bad behavior. We will not encourage more bad legislative behavior by going forward with this legislation.

Mr. HATCH. Mr. President, I rise today to speak of my vote against cloture on the motion to proceed to S. 1639, the comprehensive immigration reform bill. This issue continues to be a divisive one, both in the halls of Congress and throughout our Nation. Indeed, many people throughout the country have strongly held views when it comes to our Nation's immigration policy. In fact, over the past month, I have heard from countless Utahns who have contacted me with their views on immigration reform. I expect that every Senator's office has been overwhelmed with calls, emails, and faxes from constituents expressing their concerns with various provisions of the bill.

While I commend the bipartisan panel of Senators that has worked tirelessly to negotiate this legislation, I must express my disappointment in the manner in which the bill's proponents have sought to move this bill through the Senate.

I, for one, am supportive of comprehensive immigration reform and for many of the approaches outlined in this bill. We simply cannot be asked to live with the status quo. However, once again, there are several huge problems with this bill, and I believe that a more thorough vetting of this legislation through debate and amendment could have fixed those problems and ensured that it contained policy changes the American people would support.

As many have observed throughout this debate, there are currently millions of illegal immigrants residing within our Nation's borders. No one knows exactly how many, only that they are here, they are working, and, in large part, they contribute to our economy.

We also have many businesses and industries that must have access to foreign labor, especially during this time when, while are seeing record lows in unemployment, we still have a shortage of workers.

Under the status quo, employers are too often forced to make a decision between hiring illegal workers and wondering whether our inefficient and often arbitrary enforcement efforts will catch up with them or abiding by the law and closing the doors of their businesses.

We need to find a fair, compassionate and lawful way to deal with the illegal immigrants already this country. We need to create a guest worker program for those businesses in need of foreign workers. And, we need to improve the system by which we legally distribute visas and green cards to make it more fair and efficient.

The authors of this legislation have tried to address these issues in the current bill, and I applaud them for their efforts. However, they addressed them in various ways that, in the minds of many, make this bill completely unworkable and ineffective. The policies proposed by legislation are almost impossible to implement and even if they could be implemented, there are so many loopholes and exclusions that almost every solution in the bill can and will be bypassed by those who want to continue to exploit the system. I am convinced that many of my colleagues understand these concerns and even agree with my assessment, but they are so anxious to end this debate and reach a successful conclusion they compromised several core values that Americans hold dear and made damaging concessions.

The provisions of this bill were negotiated and vetted in secret. It was then brought to the floor where the apparently shaky coalition that drafted the

legislation have, throughout this process, voted as a block to prevent the passage of any so-called ''deal-breaking'' amendments. At several points during the debate, members of this coalition have admitted that the amendments in question would, in their opinion, improve the overall bill. Yet, in an effort to preserve the coalition, they have worked together to prevent the passage of even some of the most reasonable, commonsense amendments.

Then, after an initial attempt to end the debate failed, the majority leader agreed to let the debate go forward and to have votes on a number of amendments. Initially, this sounded good. However, it soon became clear that, in another effort preserve this shaky, flawed compromise, the only amendments that would be voted on were those of the majority leader's own choosing.

I don't believe that anyone should be criticized for their willingness to compromise. Clearly, compromise is a vital part of what we do in the Senate. However, we simply cannot value compromise for compromise's own sake. Indeed, we should not push through such fatally flawed legislation simply because it is the product of compromise. Compromise—the means by which the Senate passes legislation that will benefit our Nation—is not an end unto itself.

Yet, too many of my colleagues seem all too willing to simply push this legislation through simply to preserve this great compromise. In fact, it almost appears as if some would consider our efforts successful if we were simply able to bring this bill to passage, regardless of what the bill looked like and regardless of what its effect would be on our immigration system. However, I believe that if we were to follow this course, we would be wasting an opportunity to provide real reforms to our Nation's immigration policy and to provide real solutions for our Nation's many immigration problems.

It is not a novel idea to suggest that there was a better way to approach this problem. That way, Mr. President, was the process by which we approach all issues of this magnitude. This bill was brought to the floor without having gone through the committee process. This is never a good sign for any piece of legislation. Whenever you bypass the regular order of the Senate, there will undoubtedly be a significant portion of our constituents who feel as if their views don't count. The Senate has used and maintained the committee structure for over 200 years, and it has served the American people well. In this case, refusing to use the time-tested committee structure has been a recipe for disaster.

The decision to bring this bill directly the floor robbed many Senators of an opportunity to examine the bill thoroughly and publicly express their concerns. In addition, it made certain that the bill would come before the entire Senate without the benefit of Committee hearings, expert testimony, and a public markup.

Strangely enough, this is the precise criticism meted out by the Democrats when they were in the minority last Congress. Now that control of the Senate has changed hands, it seems the Democrat requirement for regular order is not necessary anymore.

Mr. President, we have been told that this is our last chance to pass immigration reform for several years. I disagree. Once again, there were other approaches that could have been taken to pass this legislation, and these options remain available. In addition, there are many areas of agreement when it comes to immigration. Therefore, I believe that we can find a way to address our immigration problems that will satisfy the American people.

But, to do that, we need a process that is fair and open. The process we have followed in this case has been too limiting and, as a result, we have a bill that the vast majority of Americans will not support. That being the case, I oppose this effort to end debate and to push this bill through.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SALAZAR). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF LIEUTENANT GENERAL DOUGLAS E. LUTE TO BE ASSISTANT TO THE PRESIDENT AND DEPUTY NATIONAL SECURITY ADVISER FOR IRAQ AND AFGHANISTAN

Mr. LEVIN. Mr. President, I ask unanimous consent that the Senate now proceed to executive session to consider Calendar No. 165, the nomination of LTG Douglas Lute; that the time until 3 o'clock be for debate on the nomination, equally divided between myself and Senator WARNER or his designee; that at the conclusion or yielding back of time, the nomination be laid aside and the Senate return to legislative session in morning business; and that at 4 p.m., the Senate return to executive session and the vote on confirmation of the nomination of Lieutenant General Lute.

I also am hopeful that there will be some votes on judicial nominees as well today, but that has not yet been cleared.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read the nomination of Douglas E. Lute, Department of Defense, Army, to be Lieutenant General.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, I yield myself 8 minutes.

I support the nomination of LTG Doug Lute to be Assistant to the President and Deputy National Security Adviser for Iraq and Afghanistan.

Lieutenant General Lute is an accomplished senior officer with a distinguished record and great experience in both military tactics and national security strategy and policy. Lieutenant General Lute has been serving as the Director of Operations, J–3, on the Joint Staff since September of 2006. Immediately prior to this assignment, he served for more than 2 years as the Director of Operations, J–3, at U.S. Central Command, overseeing combat operations in Iraq and Afghanistan and other operations in the CENTCOM area of responsibility.

While I know of no concerns as to General Lute's qualifications for the position to which he has been nominated by the President, there have been some other concerns expressed about this nomination. The first concern questions the need for the position itself as well as the potential for confusion as to who is responsible for Iraq and Afghanistan policy. On the one hand, the position implies a direct and independent relationship with the President as Assistant to the President, and on the other hand, as Deputy National Security Adviser for Iraq and Afghanistan, the position implies subordination to the National Security Adviser.

One can argue that the responsibility for Iraq and Afghanistan policy clearly belongs to the National Security Adviser, as well as the responsibility for directly advising the President on those issues. Creating a position with ambiguous subordination to the National Security Adviser could needlessly complicate and confuse an already confused policy process. I, too, have some concerns in this regard but not to the extent that I will oppose the President's decision to create such a position.

The other concern which has been expressed is that appointing an Active-Duty military officer to such a political position is a practice which should be avoided in that for the officer in question, it needlessly blurs the distinction between recommendations he might make based on unbiased professional military judgment and those based upon or colored by political considerations. In a larger sense, it is counter to the traditional American approach to civil-military relations. For the individual officer, it may also create difficulties in subsequently returning from a political position to a uniformed, apolitical, military position. I emphasize that General Lute will remain on active duty during this period.

However, this would not be the first time that uniformed military officers, remaining on active duty, have served

in such positions, one of the most notable examples being Colin Powell's own service as, first, the deputy National Security Adviser, and then as the National Security Adviser, and subsequent outstanding service as Chairman of the Joint Chiefs of Staff. While I don't believe it should be the norm for a military officer to serve in these kinds of positions, I do not believe this should be a disqualifying concern in rare circumstances such as this, and therefore should not disqualify General Lute from his nominated position.

I do believe, however, that General Lute has been nominated for an unenviable position. He will be responsible for bringing coherence to an incoherent policy—a policy that is still floundering after more than 4 years of war in Iraq.

General Lute told the Armed Services Committee that ''the position is an advisor and coordinator, without directive authority beyond a small staff.'' He further said that the ability to move policy forward had to do more with such factors as ''Presidential direction and support, acceptance by other policy principals, broad commitment to a common cause, cultivated interpersonal relationships, personal integrity, and meaningful results.''

Secretary Rice, described as a close personal friend of the President—indeed almost a family member—was either not able to get that Presidential direction and support or not able to employ it to bring coherence to the President's policy. One must wonder how General Lute can be expected to be more successful.

It is no secret that several retired four-star general officers were offered the position and turned it down. According to media reports, one reason given by one of the generals was that the administration remains fundamentally divided on how to carry out the conflicts in Iraq and Afghanistan. Retired Marine GEN Jack Sheehan, who declined to be considered for the position, said:

> The very fundamental issue is, they [the administration] don't know where the hell they're going.

General Sheehan reportedly expressed concern that the hawks within the administration, including Vice President CHENEY, remain more powerful than the pragmatists looking for an exit strategy in Iraq. This does not bode well for General Lute.

It is no secret that General Lute himself questioned the so-called surge strategy for Iraq before its announcement by President Bush last January. Indeed, General Lute confirmed that doubt at his hearing.

The surge is now complete, and the results are not very promising. American casualties are at some of the highest levels of the war, sectarian violence is rising again after a short reduction, and the insurgency is as active as ever, especially in the use of mass casualty-producing car bombs against Iraqi citizens and improvised explosive devices against United States and Iraqi forces.

The stated principal purpose of the surge was to give space and time for the Iraqi politicians to make progress on the critically important political reconciliation benchmarks, such as implementing legislation for the equitable distribution of revenues from oil sales, de-Baathification, and constitutional amendments, that would lead to reconciliation among the three main Iraqi groups. Progress is not apparent in those critically important political reconciliation areas—again, the stated purpose of the surge.

I believe the only chance to get Iraqi politicians to stand up is when they know we are going to begin to stand down. Our soldiers risk their lives while Iraqi politicians refuse to take political risks and make the necessary compromises to promote reconciliation. Those are the compromises which everybody agrees must be made if there is going to be any hope to end the violence in Iraq. We cannot continue to have the lives of American servicemembers held hostage to Iraqi political intrigue and intransigence.

I hope once General Lute is confirmed, he will be willing and able to redirect Iraq policy to exert maximum pressure on Iraqi leaders to achieve political reconciliation. The beginning of that is a phased redeployment of United States troops from Iraq. That is the only leverage on those leaders with any hope of success, with them finally understanding that their future is in their hands and we cannot save them from themselves.

But as for today's nomination, I support the confirmation of LTG Douglas Lute to be the special assistant to the President and the Deputy National Security Adviser for Iraq and Afghanistan.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I note with great respect and approval the Senator's comments to support his nomination. The Senator and I have discussed this nomination, and I strongly endorse the President's nomination of General Lute and welcome the support of our distinguished chairman of the committee.

The Senator made reference to General Sheehan and others who apparently had some contact with the White House personnel, and others, regarding possibly taking on this assignment. In no way can I believe their comments should be held against the distinguished nomination of General Lute. They are part of the public records, but I think sometimes when the President speaks with individuals about the possibility of serving him, those matters are best left confidential—for any President. I certainly treat them that way. I was somewhat taken aback by the judgments of General Sheehan and others. No disrespect to the chairman, but they are of no significance here.

This is a highly distinguished officer. He fought in the second armored cavalry regiment in Operation Desert Storm. He later commanded the second armored cavalry regiment in 1998 to 2000, and the multinational brigade east in Kosovo in 2002. In 2003, he was assigned as deputy director of operations in headquarters European command and, in that capacity, played an important role in responding to the impending humanitarian crisis in Liberia. It was in that context that I first met this distinguished officer.

General Jones was, at that time, NATO commander. I talked with him about the problems we were experiencing over the African coast at that time. As you may recall, elements of the Marine Corps and other Naval units were sent down there to try to—and indeed they did—succeed in contributing to a cessation of a lot of the tensions which could have erupted into a civil war.

At that time, General Lute was director of operations for the U.S. Central Command, where he served over 2 years. I was privileged to join him off the coast aboard those naval vessels, and he accompanied me when I went in and worked with the Ambassador in the incipient days of that potential conflict.

As a key member of the joint staff, I visited him many times in the Department of Defense and received excellent briefings from him about the worldwide situation. I have witnessed firsthand the extraordinary, professional capabilities of this fine officer.

In the estimation of GEN David Petraeus:

> Doug Lute knows Iraq. Doug Lute knows Iraq, the region, and in Washington will be a great addition to the team that is striving to achieve success in Iraq. He is also a doer.

Ambassador Crocker added:

> General Lute's knowledge and experience will make him a valuable partner to our efforts in Iraq. I look forward to working closely with General Lute in the coming months.

There has also been some indication that people are concerned about the precedents connected with this assignment. I will put into the RECORD a list of individuals who have served Presidents in this capacity over the past years. Notably among them were General Haig, military assistant to the President for national security affairs; Lieutenant General Scowcroft; Admiral Poindexter; GEN Colin Powell; General Kerrick; GEN Michael Hayden, Director of Central Intelligence at the present time and on active duty.

I ask unanimous consent that this list be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Rank/Name	Position	From	To
GEN Alexander Haig	Military Assistant to the Presidential Assistant for National Security Affairs	1969	1970.
GEN Alexander Haig	Deputy National Security Advisor	1970	1973.
GEN Alexander Haig	White House Chief of Staff (Nixon)	1973	1974.
LTG Brent Scowcroft	Deputy National Security Advisor	1973	1975.
ADM John Poindexter	Deputy National Security Advisor	1983	1985.
ADM John Poindexter	National Security Advisor	1985	1986.
LTG Colin Powell, USA	Deputy National Security Advisor	1987	1987.
LTG Colin Powell, USA	National Security Advisor	1987	1989.
LtGen Donald Kerrick, USAF	Deputy Assistant to the President for National Security Affairs	1997	1999.
LtGen Donald Kerrick, USAF	Deputy National Security Advisor	2000	2000.
Gen Michael Hayden, USAF	Director of Central Intelligence	2006	Present.

Mr. WARNER. I would also put this into the RECORD at this point. I solicited the White House's views regarding any legalities of this nomination. I have the letter of Mr. Fielding, counsel to the President. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, DC, June 26, 2007.

Hon. JOHN WARNER,
U.S. Senate,
Washington, DC.

DEAR SENATOR WARNER: This is in response to your inquiry as to the constitutionality of the President of the United States appointing an active duty military officer to serve in the White House Office as Deputy National Security Advisor to the President and Assistant to the President.

There is no constitutional issue arising by virtue of such service. All military officers are part of the Executive Branch of our government, and there is no break in their chain of command, as the President's constitutional duties include his role as Commander-in-Chief of the United States Armed Forces. Likewise, such an appointment is consistent with U.S. law. See 10 U.S.C. §601.

As you are aware, in the past our Nation has been served by active duty military officers holding the same position; to wit: General Brent Scrowcroft, Admiral John Poindexter, General Colin Powell, General Donald Kerrick.

Thank you for your inquiry. I am pleased to be able to respond.

With best regards,

Sincerely,

FRED F. FIELDING,
Counsel to the President.

Mr. WARNER. Mr. President, I feel that this gentleman, General Lute, is eminently qualified, as the President has indicated. It is the personal prerogative of the President to select those who wish to advise him in a confidential vein. General Lute will undertake that with great distinction.

The PRESIDING OFFICER. The Senators from Virginia and Michigan control the time.

Mr. SESSIONS. Will somebody yield me some time?

Mr. WARNER. Mr. President, I yield such time as the Senator from Alabama wishes to take.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. LEVIN. Will the Senator yield briefly?

Mr. SESSIONS. Yes.

Mr. LEVIN. Mr. President, how much time remains on both sides?

The PRESIDING OFFICER. The Senator from Michigan has 7½ minutes. The Senator from Virginia has 10 minutes.

Mr. SESSIONS. Mr. President, I ask to be notified after 5 minutes.

The PRESIDING OFFICER. The Chair will so notify the Senator.

Mr. SESSIONS. Mr. President, I think Senator LEVIN and Senator WARNER have pointed out the fact that this is not an unprecedented appointment and that it is consistent with what has been done before. People have their own ideas about how the chain of command should work, but that is fundamentally the question to be answered.

Let me join with Senator WARNER in saying how much I admire the record of General Lute. He is a three-star general. He was a director of operations at the operational section of Central Command for 2 years. He is intimately familiar with the Middle East. He has demonstrated in his positions with the Department of Defense in recent years with the joint staff his willingness to question ideas that many consider popular. In fact, it is reported that he asked a lot of tough questions about the surge, and how that would go, and how it should be handled if done. I think, if anything, we know for sure that he will do what he believes is in America's interests.

Let me tell you why I truly believe we need a position such as this and a man like General Lute. We have about 170,000-plus soldiers in Iraq and Afghanistan. They are serving us in a dangerous area of the world. We know and have had so many colleagues say—and Senator LEVIN is most articulate in saying this—it is more than just the military; there is a political settlement, there is reconstruction, there are economic issues involved, oil and gas, water, electricity, which are all key components of having a government effective in Iraq that serves the people of Iraq and Afghanistan.

This is important. The problem is we have all our agencies involved in Iraq, not just the military. We have the State Department involved in Iraq. The State Department is the one responsible for trying to move the Government along in an effective way. They also have responsibility over the economy, trying to help Iraq have a good economy. They are responsible for trying to negotiate safety agreements with its neighbors. They are responsible for infrastructure, actually. They are not responsible for law and order, the court system, and the prison system, which has not gone well at all. I have been a major critic of that situation. That is under the responsibility, not of the Department of Defense but the Department of Justice. If your court system is not working, if you don't have an adequate jail system, if you can't get the water turned on or the electricity turned on, our soldiers are at an increased risk to their safety.

So it is absolutely critical that all our agencies of Government work together, agree, work out differences, and create the greatest possible opportunity for those fabulous soldiers we have sent to be successful in helping to create a stable and decent government in Iraq. It is not at the level of cooperation we need. We have not gotten to that level.

I am telling my colleagues, I have seen it. The Department of Defense is here, the Department of Justice is here, the Department of State is here. The Department of Defense—probably in frustration, I will say it this way. I said we probably would have been better off just giving everything to the Department of Defense. They are pretty doggone competent in what they do. But the State Department has huge responsibilities in Iraq. Therefore, the Defense Department steps back and they interface, but State has responsibilities, Justice has responsibilities, and Interior has responsibilities in Iraq. Virtually every department and agency does. They are not at the highest level of effectiveness, in my view.

It is not as important, I have to say, for Justice to get a court system up and running as it is for the Defense Department because it is their soldiers at risk if we don't create a good justice system in Iraq.

I thought we needed somebody such as General Lute to go into Iraq, go into Afghanistan, and find out what is going on and be able to tell the President where the problems are. When there is a dispute between agencies, one person can fix it, and that is the President of the United States. He can say: I want it done this way or your resignation tomorrow, Mr. Secretary. Or you and I have had a long friendship over the years. I want this done, you don't want it done. I will get somebody who will get it done.

But how can he know all these different problems that are occurring? How can he personally be on top of it? Likewise for the Secretary of State. She is expected to be in China, to go to Brazil, Chile, Indonesia, Europe, Kosovo, South Korea, or Japan. The National Security Adviser has the whole world under his responsibility. He has to be managing all these issues

and personally advising the President. The Secretary of State has to manage all the bureaucracy contained in the State Department.

I guess what I would say to my colleagues, it is obvious to me the National Security Adviser cannot drop all of his or her responsibilities and spend his or her time negotiating problems in Iraq. The President is going to have to designate somebody to do that. He has chosen General Lute who is a man, by all accounts, of extraordinary ability, proven experience in the region, a person who knows the difficulties so he can carefully and with good judgment analyze the different disputes and try to get them settled so we can get on with producing more oil and gas, having water for the citizens, having the sewage system working, having the electricity on, and helping to make sure we have a legal system with sufficient bed spaces to detain criminals.

I discovered that we have one-ninth as many bed spaces in Iraq as we do in my State of Alabama. I saw a similar story for New York. There are not enough places to put the criminals, and we have to increase those places. The bureaucracy is sitting around and not getting that done.

If we catch and release terrorists, they are going to go out and kill again. There have been several articles that have picked up on this situation. I have to say, it has been a theme of mine for 3 years now, and we still haven't gotten the justice system up like we would like it.

I see the Presiding Officer, a former attorney general in his State, Senator SALAZAR. We were together in Iraq and talked about these issues. I know he shares a genuine concern that things are not being accomplished as fast as possible. So I think that operating in the name of the President to try and find out what difficulties are occurring in Iraq, where the bottlenecks are, and being able to get the parties together in the name of the President—he has no direct authority to order the Department of Justice or the Department of Defense to do anything. But he has the authority given by the President. If they can't agree, he can appeal to the President. He can say: Mr. President, the Department of State wants to do this, the Department of Justice wants to do this, the Department of Defense wants to do this. My recommendation is to do this, but you need to make this decision. Then the President can help eliminate these problems.

The truth is, when somebody such as General Lute says we have a disagreement between State and Justice and I am inclined to say this is the way it ought to be settled, but the President told me, when I call him tomorrow, to let me know if there are any difficulties, I am going to tell him that you two children cannot agree, usually they get together and settle it. They don't want to have the President come in and settle these disputes and get involved. They know he has a lot of issues on his plate.

That is the concept that I think can be helpful in making us more effective in creating the infrastructure, the civil justice system in Iraq and Afghanistan, thereby enhancing the ability of those governments in those countries to be successful, therefore enhancing their ability to be effective against terrorists and violence, therefore reducing the threat to our soldiers—that is the bottom line—and increasing their ability to be successful.

I am pleased to support this nomination. I think all the serious questions that have been raised have been answered.

I see my friend and colleague from Virginia. He raises a good point about this matter of a uniformed person being in the executive branch, the political branch, I guess one can call it. We have done it before and, in this case, in my view, that concern, while a legitimate one, I believe is outweighed by the fact that we need help right now and General Lute is the guy who can do it.

I yield the floor.

The PRESIDING OFFICER. Who yields time to the Senator from Virginia?

Mr. LEVIN. Mr. President, how much time remains?

The PRESIDING OFFICER. There is 6½ minutes remaining.

Mr. LEVIN. Mr. President, I yield the 6½ minutes to the Senator from Virginia. If he needs additional time, I ask unanimous consent that he be given additional time, after the 6½ minutes. We will wait and see if that is the case.

Mr. WEBB. Mr. President, I will do my best to finish within 6 minutes. I appreciate the chairman asking me to come to the floor.

This issue came up fairly quickly because of the vote this morning. I was not able to be here when my friend and colleague, the senior Senator from Virginia, made his comments, but he did give me the letter that had been provided to him by the counsel to the President which addresses the issue of the constitutionality of a uniformed officer serving as a direct policy adviser inside the administration.

Counsel Fielding points out in the letter that there is no constitutional issue. He mentions Generals Scowcroft, Powell, Kerrick, and Admiral Poindexter as recent examples of active-duty military officers holding this type of position.

I would have risen in opposition to all of these other individuals under the circumstances that exist today, and I am going to try to clarify that.

I don't expect the opposition I have to General Lute's nomination is going to preclude him from being confirmed. I don't want the record to indicate that I have any question with respect to his competence, the way he has served the country over the past 30 years or so, but I do believe this is a very important issue, and it goes beyond the opinion that was in Counsel Fielding's letter.

He addresses the direct constitutionality because the military is a part of the executive branch. My difficulty is that the military must in this country remain separate from politics. That doesn't mean the President cannot bring an active-duty military person on to his staff. As Senator WARNER said in another meeting, the President has the authority to bring anyone of value to his administration he wants. The question becomes: Should that individual remain in uniform? And should that individual be able to return to the active-duty military once his service is done?

I asked General Lute during his confirmation hearings if he believed that the advice he would be giving in this position would be political in nature, and it unavoidably is.

So we have a situation that is recent history. This type of situation does not go back long in American history where we have brought active-duty military people inside the political circle of an administration and then allowed them to return as active-duty members back to the military. This has not happened with any frequency, other than in the past 20 years or so.

That individual returning to the military in a uniform unavoidably causes questions inside the military about political alignments and tends to politicize the military. That is my problem. There is no way General Lute can go to the morning meetings and give advice that is not simply operational, but that is political in nature with respect to how an administration puts a policy into place, and then can return to the active-duty military and be viewed as politically neutral. I say that again with respect to the other individuals who were named in Fred Fielding's letter.

It is my intention, during the time I am in the Senate, to ask any military officer who is being put into a position of political sensitivity whether that individual intends to take the uniform off and keep it off. Any individual who otherwise is qualified who intends to return to the active-duty military service, in my opinion, is violating this very sensitive line with respect to the politicization of the military, and I intend to oppose those nominations.

I thank the chairman for this time.

I yield the floor.

Mr. FEINGOLD. Mr. President, in keeping with my practice of deferring to Presidents when it comes to executive branch nominations, I voted to confirm LTG Douglas Lute to serve as Assistant to the President and Deputy National Security Adviser for Iraq and Afghanistan. He is a competent officer with a history of service to this Nation. However, I am deeply concerned that rather than changing course in Iraq, the President is merely rearranging the bureaucracy in the White House.

The administration needs to better coordinate the U.S. Government's operations in Iraq and Afghanistan. I am

pleased that Lieutenant General Lute has acknowledged that the U.S. military alone cannot stabilize Iraq and that enhanced efforts by other agencies of the Federal Government are needed.

However, I am skeptical that this new position will have a significant impact given that the President still refuses to admit that there is no military solution to the situation in Iraq. Until the President recognizes the need to redeploy our troops from Iraq and seek international assistance in promoting a political resolution, I am afraid that Lieutenant General Lute's efforts will simply contribute to more of the same failed policy. I will continue working to redeploy our troops from Iraq so that we can devote greater resources to our top national security priority—going after the terrorists who attacked us on 9/11 and their allies.

Mrs. BOXER. Mr. President, I am voting present on the nomination of Douglas E. Lute to be Special Assistant to the President and Deputy National Security Adviser for Iraq and Afghanistan.

Although I respect General Lute's distinguished 30-plus year career in the U.S. Army, I view this position as rearranging the bureaucracy at the White House. The creation of a ''war czar'' will not hide the President's failed policies and is another way for him to duck responsibility for the war in Iraq.

Mr. BYRD. Mr. President, on May 15, 2007, President Bush nominated LTG Douglas Lute as Assistant to the President and Deputy National Security Adviser for Iraq and Afghanistan. In that position, Lieutenant General Lute is to be charged with coordinating the efforts of the executive branch to support our commanders and senior diplomats on the ground in Iraq and Afghanistan.

I am voting against the nomination of LTG Douglas Lute, not because he is unqualified for the position but because the White House refuses to permit him to testify before those Members of Congress responsible for the oversight and funding of these conflicts. Article 2, section II of the Constitution makes it clear that the power to appoint certain officers involves the advice and consent of the Senate. I can imagine no circumstance where the President may require policy advice and guidance from an Active Duty military officer regarding ongoing conflicts and issues relevant to Congress's oversight responsibilities to which Congress should not be equally capable of hearing in either public or closed forums as appropriate. To do otherwise may raise popular suspicion that all is not on the ''up and up'' with the way the President is conducting this war.

I am also concerned that putting a general in this position will leave the military open to inferences by the administration that it is the military, rather than George W. Bush, who is responsible for the failed policies in Iraq. After 5 years of conflict in Afghanistan and Iraq, the President, his Cabinet, and his existing staff should have long ago figured out how to coordinate executive branch support to our commanders and senior diplomats in the field, without needing to put a military officer in charge of coordinating the civilian arms of government.

Repeatedly, the President has appointed a new military officer to a leadership position and Congress has allowed the nomination to proceed without objection. The White House then turns the cooperation of Congress into yet another sound bite to prolong the prosecution of the President's failed policy. How many times have we heard that General Petraeus was confirmed unanimously and that we ''just need to give him time''? The President has had 4½ years to show progress. Instead, the situation continues to worsen in Iraq.

I, for one, will not vote to give the President another military officer to blame or another unanimous vote to exploit to delay bringing home our troops. I will not accept the President's claim that a military officer advising the President on two ongoing conflicts should not be required to testify before Congress on the progress of this long and disastrous war.

I will, therefore, vote against the confirmation of Lieutenant General Lute to this position.

The PRESIDING OFFICER. Who yields time?

Mr. SESSIONS. Mr. President, how much time remains on this side?

The PRESIDING OFFICER. There is no time remaining to Senator WARNER.

Mr. SESSIONS. I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, apparently I have a minute and a half remaining. I will be happy to yield to the Senator from Alabama, if he would like the time.

Mr. SESSIONS. Mr. President, if we are waiting for the vote, I was going to quote a few items from General Lute's statement, but otherwise I don't need to do that.

Mr. LEVIN. The vote will begin at 4. Under the order, there is another speaker scheduled at 3 o'clock.

The PRESIDING OFFICER. At 3 o'clock the Senate will return to morning business.

Mr. SESSIONS. Mr. President, if Senator LEVIN is comfortable with this, I ask for 3 minutes. If someone comes to the Chamber at 3 and needs to take the floor, I will yield.

Mr. LEVIN. Mr. President, I ask unanimous consent that the Senator from Alabama be yielded 3 minutes, and then morning business start at 3:03 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Alabama.

Mr. SESSIONS. Mr. President, we had a hearing with General Lute. Senator LEVIN presided in his able way, as always. He gave us a short written statement of some of his principles. I thought the American people might appreciate how he approaches this issue.

He spoke to people. He said this about this position:

> To a person, those with whom I have spoken conveyed two clear messages: first, a message of concern for the well-being and safety of our men and women in harm's way; and second, that we would all like to see us pursue a course of action that makes our country safer while safeguarding our national interests in the region. Surely, this is our common ground.

He went on to say:

> But the stakes for the United States are also high. This region—where America has vital national interests—will not succeed if Iraq and Afghanistan do not succeed, and the U.S. plays a vital role in this cause.

He went on to say this:

> No one is satisfied with the status quo: not the Iraqis, not key regional partners, not the U.S. Government, and not the American public. To change this, we are in the midst of executing a shift in course as announced by the President in January. Early results are mixed. Conditions on the ground are deeply complex and are likely to continue to evolve—meaning that we must constantly adapt. Often, measures that fix one problem in as complex an environment as this reveal challenges elsewhere.

That is certainly true. General Lute continued:

> But one factor remains constant—the dedication and sacrifice of our men and women, military and civilian, serving in these combat zones. They are a continuing source of inspiration to me and to my family.
>
> The position for which I have been nominated is designed for one fundamental purpose: to advise the President on how to provide our troops and civilians in the field with increased focused, full-time, real time, support here in Washington.

He goes on to say:

> The aim is to bring additional energy, discipline, and sense of urgency to the process. Our troops deserve this support.

I think that is a good statement, a sense of urgency for all our agencies and departments of Government, not just the military. He concludes this way:

> Mr. Chairman, I am a soldier; and our country is at war. It is my privilege to serve. This position represents a major personal challenge and I am humbled by the responsibility it entails. If confirmed, I will give the President my straightforward, candid, professional advice.

Mr. President, I yield the floor.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate is now in a period of morning business, with Senators permitted to speak up to 10 minutes each.

Mr. LEVIN. Mr. President, 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. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. REID. Madam President, I ask unanimous consent that following the vote on the Lute nomination, there be 10 minutes equally divided between Senators LEAHY and SPECTER, or their designees, for debate on judicial nominations; that at the conclusion or yielding back of that time, the Senate vote on confirmation of Executive Calendar Nos. 85, 105, and 106, in that order; that the motions to reconsider be laid upon the table; the President be immediately notified of the Senate's action and the Senate return to legislative session.

The PRESIDING OFFICER (Ms. KLOBUCHAR). Without objection, it is so ordered.

Mr. REID. Madam President, Senator WARNER asked earlier today what would happen with the next judge, which is a Virginia judge. It would be my intent—I have to talk to Senator LEAHY, and I have a meeting with him this afternoon—that we do that on Monday, the day we get back. We will do the Virginia judge and the remaining district judges. So there will be four votes on the Monday we get back on the district court judges.

Mr. LEVIN. Madam President, if the leader will yield for a question, those three additional judges you made reference to are the three Michigan district court judges?

Mr. REID. That is right. That is what we had left on the calendar.

UNANIMOUS-CONSENT REQUEST—H.R. 2316

Mr. REID. I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 182, H.R. 2316, Lobbying Disclosure; that all after the enacting clause be stricken, and the text of S. 1, as passed by the Senate on January 18, 2007, be inserted in lieu thereof; that the bill be read a third time, passed, the motion to reconsider be laid on the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate with a ratio of 4 to 3, with the above occurring without intervening action or debate.

I would say to my distinguished colleague—my counterpart, Senator MCCONNELL—that it is my intent not to appoint the conferees until we get back.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. MCCONNELL. Reserving right to object, and I will not object, I was not on the floor Tuesday when the majority leader first brought this issue to the Senate floor. I was down at the White House. I am pleased he is ready to go to conference on lobby reform, the first bill introduced in this Congress, S. 1, and passed with a vote of 96 to 2 almost 6 months ago, on January 18.

I am also encouraged the Democratic House finally decided to pass a bill after many months of stalling and excuses. However, before we agree to this unanimous consent request, I would like to engage my colleague in a brief colloquy to ensure minority rights are not trampled, as they were in the supplemental.

As the Senate will recall, the majority drafted that bill and included matters not related to troop funding and not part of either bill. This was designed, obviously, to get around 41 Republican Senators here in the Senate. Obviously, putting those items in a troop funding bill made it very difficult to oppose the bill and we know how that story ended.

In that vein, I ask my good friend, the majority leader, to commit that, consistent with the provisions of S. 1—to commit not to drop extraneous provisions into this conference report not dealt with by either body. I think it is important that this very significant issue, on which we have had extraordinary bipartisan cooperation, continue to deal with the subject matter related to this bill.

Mr. REID. Madam President, I don't wish to relegislate the supplemental. I think it was one of the best things that has happened to the country in a long time. We were able to get some things in that bill, such as minimum wage, for the first time in 10 years; disaster relief for farmers, first time in 3 years; the first time we got money over and above what the President wanted for homeland security; we were able to get $6.5 billion for Katrina.

Having said that, the distinguished Republican leader has my assurance this bill will deal with the subject matter that came out of the Senate and out of the House. It will deal with ethics and lobbying reform.

I further say to my friend, and he and I have had long discussions on this bill and I am sure we will continue to have some, this will be a real conference, as we have had for many years—not recently, but this will be a conference where there will be public debate on what we should do and what we should not do.

We will schedule that the week we get back, schedule the conference as soon as we can when we appoint conferees. There has been a request we not appoint them today. I accept that. We will do it when we get back. The minority need not worry. This legislation, when it comes back, will be perfect for the President to sign if, in fact, that is necessary. In some instances, it is not necessary. But it will deal with ethics and lobbying and nothing else.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Madam President, I have one phone call to my cloakroom I have to deal with. I respectfully request that we have a very short quorum call, so I can consult with one of my Members. If the majority leader will not object, I would like to have a very brief quorum call.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. MCCONNELL. 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. REID. It is my understanding there is a unanimous consent pending.

The PRESIDING OFFICER. The Senator is correct. Is there objection to the request?

Mr. DEMINT. Reserving the right to object, Madam President.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. DEMINT. Madam President, earlier this year, the Senate took a major step in being more transparent with the earmarking process. We worked together. We passed within the lobbying/ethics reform bill transparency and rules that would keep us from adding secret earmarks when we go to conference. I have asked repeatedly on the Senate floor that we accept that as a rule. I had asked the majority leader to amend his unanimous consent request to go to conference to include Senate acceptance of the rules we have already passed. That way we would have the comprehensive work we have all planned to have. I understand from the majority leader they are not willing to accept that, and they want to go to conference where it is our belief it will be significantly changed.

In light of our inability to come up with agreement that would include earmark disclosure, I object.

The PRESIDING OFFICER. Objection is heard.

The majority leader.

Mr. REID. Again, we have delay, delay, delay, on an issue of vital importance. What we are asking is to go to conference. We have already acknowledged there will be nothing that will come out of conference other than what is in this bill. For us to do the conference out here on the Senate floor is a little unusual proceeding. All the conference committees I have been involved in have been ones where the conferees decide what should happen, and then they bring that matter back to the respective bodies. Then there is a vote on it.

If my friend from South Carolina doesn't like what comes back, he has every avenue within the rules at his disposal. No one is trying to take advantage of him. I appreciate the work he has done on earmarks. A number of other people have worked on earmarks. It has been a progressive step forward. But it would not say much about my leadership if we negotiated it out here

on the floor of the Senate as to what was going to be in the conference report. That is what the conferees are all about.

Again, we cannot go forward on the 47 different items that are in this ethics and lobbying reform——

Mr. DEMINT. Will the leader yield for a question?

Mr. REID. All of which are important. Earmarking is important to my friend from South Carolina. Other Senators have other things of importance in this lobbying/ethics reform. We debated this issue. We debated it at some length. We accepted a lot of amendments. A number of amendments were not in the final draft of what went to the House. They have now completed their work. It is time we go to conference and work this out. But we are not going to piecemeal this out here on the Senate floor.

Mr. DEMINT. Will the leader yield for a question?

Mr. REID. I am happy to.

Mr. DEMINT. I thank the leader, and I appreciate his perseverance. I would just like to ask why the part of this bill that applies only to the Senate—it does not need to be conferenced with the House because it is our rule about how we deal with earmarks, how we deal with the conference of out-of-scope earmarks. Why can't we just accept that part here and go to conference with all of these other provisions in which you know our Members are interested?

I have no objection to going to conference, but there is no reason to conference with the House on rules that apply only to the Senate.

Mr. REID. Madam President, the House, of course, has issues that affect them only. Sometimes they affect what we do. So we can't do this in a vacuum. I have a suggestion. I think it is a valid, constructive suggestion. I would say to my friend from South Carolina, what he should do is see what he can do to get on the conference. That is what I would suggest. I would be happy to have you on the conference. I don't select who the Republicans put on the conference, but that may be an answer to the problem. I would be happy to have you in the conference. I think it would be a good exercise for you to see what goes on inside of a real conference.

Separate and apart from that, I have to simply say, this is, again, a diversion, a distraction from doing the work of this country.

Mr. DURBIN. Will the majority leader yield?

Mr. REID. I am happy to yield.

Mr. DURBIN. I would like to ask the majority leader if I understand what has happened here. We have adopted the language of the Senator from South Carolina in S. 1, 96 to 2. We sent it over to the House for consideration. The Senator from South Carolina came to the floor while the House was deliberating and insisted that we move forward. We said we had to wait for House action, and House action has taken place, moving us to a conference. Now the Senator from South Carolina is objecting to going to a conference so that this could become the law of the land and the rules applying to the Senate. Is that where we are today? The Republican Senate is objecting to going to conference on ethics and lobbying reform?

Mr. REID. The Senator from Illinois has it down pat. We have worked within the confines of the rules that have been given us. We have passed a bill. They have passed one in the House. Now is the time to see if we can make it into law.

There will be some things that will wind up being a Senate rule. Some things will wind up being a House rule. That is part of what the conference is going to work out. No one is trying to detract from anything that the distinguished Senator from South Carolina wants. But just because you want something doesn't mean you are necessarily going to get it. I just think this is such a bad way to legislate. Here we were within seconds of being able to go to conference. A phone call came in to the cloakroom. I understand that. The Republican leader has an obligation to take care of his Members. But I think this is not a good way to go.

Mr. DURBIN. Will the Senator yield for another question?

Mr. REID. The eyes of the American public are on us.

Mr. DURBIN. Will the Senator yield?

Mr. REID. I am happy to yield.

Mr. DURBIN. I ask the majority leader, wasn't there a clear message from the last election that people wanted us to clean up the culture of corruption in this town, that they wanted ethics and lobbying reform? Isn't that why the Democratic majority picked it as S. 1, the first piece of legislation we considered, made it a high priority, and passed it with a strong bipartisan vote? And isn't it a fact that because of the objection from the Republican side of the aisle, we now run the risk of having nothing, no change, no reform in lobbying or ethics, and that the Senator from South Carolina has asked for you to guarantee a result from a conference committee?

Mr. REID. I appreciate——

Mr. DEMINT. Madam President, may I respond?

Mr. REID. For the first time in 131 years, someone was indicted working in the White House. That man has now been convicted and is in prison. The President's appointee to handle Government contracting was led away in handcuffs from his office. He is now in prison. The majority leader of the House of Representatives was convicted three times of ethics violations. He has now resigned in disgrace after having been indicted in Texas.

We have another Congressman, part of the whole Abramoff scandal, who is in prison. Many staff members have pled guilty to crimes, have quit. Some of them are giving State's evidence. The investigations are still ongoing. A couple of days ago, Mr. Griles, second in command at the Interior Department, was sentenced to prison.

It is time that we got real and change this culture. That is what this legislation is all about. It is time that we started doing things for the American people. One of the things we can do is tell the American people that we are distancing ourselves from this culture of corruption.

That is what this legislation is all about. To not allow us to go to conference on some petty issue that my friend has raised is really bad, not good for the American people. This is a bill loaded with good things. We want to do some good things for the American people.

On some procedural suggestion that is not within the confines of common sense and good judgment, we have an objection. That is wrong. All it does is focus more attention on the culture of corruption.

Mr. DEMINT. Will the Senator allow a response?

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. DEMINT. I thank the Chair.

I am very surprised to hear earmark reform referred to as a trivial issue. More than anything else, the things that you were just talking about, the corruption, are all earmark related, where Congressmen have sold earmarks for bribes. A big part of the corruption here is earmarks. To respond in a more detailed way, the House has passed its own rules package. It didn't relate to us. They did not send it to conference. They didn't need the Senate to advise. They adopted their own rules. We know, if I could speak through the Chair to Senator DURBIN, that if we send this to conference, nothing will be done this year. This conference will work for months. We will not have earmark reform during this year's appropriations process. That is exactly what this is intended to do.

For that reason, Madam President, I ask unanimous consent, again, that the rules be discharged from further consideration and the Senate now proceed to S. Res. 123 and S. Res. 260; that the resolution be agreed to, and the motion to reconsider be laid on the table.

Mr. DURBIN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Madam President, I would assure my friend that I have spoken to the Speaker on more than one occasion. We have been trying to get to conference on this for quite some time now. They completed their work. It has been about 3½ weeks. I believe without any stretch of the imagination, we will finish this conference in a week. It might go 10 days. But it will only be a question of scheduling. The conference will go very quickly. It will be a public conference.

I would say to my friend—I say this respectfully—did you serve in the House before you came here?

Mr. DEMINT. Yes, sir.

Mr. REID. I thought so. So you are probably not familiar with conferences because under Republican leadership, they were eliminated. There were no conferences. I have said we will hold public conferences. So even though my friend is probably not familiar with a real conference, we will have one. It will not take all year. It will not take all conference. We will finish it very quickly.

No one suggests that earmarking is trivial. I suggested that your objection to this is trivial. I say that you shouldn't do this. It is wrong. It is only slowing up what you in your heart want. All you are doing is slowing it up. There is no intent on my behalf to eliminate earmark reform. I think most everybody in this body lives by earmark reform. I think it would be very good that rather than some vacuous thing talking about earmarks, we have something here that we can look to that is either a part of a law or a rule. My friend should not worry about this taking a long time. Once we get to conference, it will not take long.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. SCHUMER. Madam President, I would like to address my comments to my friend from South Carolina. The bottom line is very simple. We have conference committees to move things along, not to slow them down. My colleague from South Carolina has concerns about earmarks. I understand them. They are heartfelt. But it is clear that if we acceded to his request, any single Senator, because of any issue on any bill, could hold up progress completely—on ethics reform, on 9/11, on anything else.

I will tell you my reading. I am from a different part of the country than my colleague, but people want us to get some things done. They don't want us to say: If I don't get it exactly my way on my provision, I am going to hold everything up. That is the consequence of what my friend from South Carolina is saying.

Mr. DEMINT. Will the Senator yield?

Mr. SCHUMER. I might feel that the worst part of what happened, the scandals we talked about, is the free trips. I might say: I don't want to trust anything to conference reports. Unless free trips are done exactly as we say here, I want to hold up the bill. One of my colleagues might say that they think the worst thing is flying and the airplanes.

Mr. DEMINT. Will the Senator yield?

Mr. SCHUMER. I will in a minute. We would be totally gridlocked. If each of us in this body of 100, each with strong opinions and great talents, were to say: I am not going to let anything move forward unless I get my thing done, period, without change, without discussion, without modification, with the other body, we would be where the public doesn't want us: gridlocked on ethics reform, gridlocked on 9/11, gridlocked on everything else.

I am happy to yield to my friend from South Carolina.

Mr. DEMINT. I thank the Senator for the comment. You are exactly right. If this was just what I wanted, I would not hold up anything. This is something you voted for. Every Senator voted for this earmark reform as a Senate rule, not as something we are going to debate with the House but as our rule. All I am asking is that we adopt the rules for the Senate that we have already passed. I do not want to hold up this conference.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, we have a vote scheduled. I have just received word from the Appropriations Committee, bipartisan, they need another 10 minutes. So I ask unanimous consent that they have 10 minutes; otherwise, I will just go into a quorum call.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. So the vote will take place at 10 after the hour.

Mr. SCHUMER. Madam President, reclaiming my time.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, I understand this passed by a whole lot of votes. That is not the point. There are lots of things that pass by a lot of votes, and then they all have to be worked out in conference committees and in other ways. If each of us insists ''it is my way or I hold things up''—maybe there are ways to improve and strengthen the provisions we pass; maybe there are things other people might add; maybe there will be the kinds of legislative tradeoffs that will make a stronger ethics bill. We all have no way of knowing. But we do know one thing: If what the Senator from South Carolina is doing, by asserting his prerogatives in the Senate, was done by everybody, or even five other Senators, we would absolutely have no ethics reform—no ethics reform—no ethics reform.

Mrs. BOXER. Madam President, will the Senator yield for a question?

Mr. SCHUMER. I am happy to yield to my colleague from California.

Mrs. BOXER. Madam President, I come from the House of Representatives, as my friend from New York and my friend from South Carolina. Over there, in that body, the Speaker decides how everything is going to go, whether the Speaker is a Republican or Democrat. Then some people come over here from the House, and they decide they are going to use the rules of the Senate to call attention to what they think is the issue of the day.

I want to thank my friend. My question to my friend is this: If you went out and asked the average person on the street what they think about the Congress and whether we need ethics reform and if we should pass ethics reform, my friend, I think, would agree—and I will ask him this—they would answer, yes.

Then, if you followed it up, I say to my friend, and said: Well, there are one or two things missing from this bill; we took care of 12 things, but it is tough because we have to work across party aisles. It is tough because everybody has his or her own idea. Do you think it is good to get started with the package we have and get it done for the American people?

What does my friend think the average person would say?

Mr. SCHUMER. Madam President, the average person would say—because the average American is practical—anyone who insists on only his way or her way is gumming up the works. To get 90 percent or 95 percent of what is a good package, most people would say, yes.

I will say another thing to my colleague.

Mr. DEMINT. Madam President, will my Senator yield for a question?

Mr. SCHUMER. Madam President, I will be happy to yield when I finish my little colloquy with my friend from California.

My guess is, if you ask the person on the street what is the most egregious abuse in terms of lobbyists and ethics, it is the trips. That is what caught the highlights. It was all the free gifts and all the emoluments and going to London and going here and going there. Most people, if you asked them about earmarks, and they knew what the earmarks were—they would say the bridge from Alaska is a bad thing, and there are a few others that are a bad thing—but my guess is that 95 percent of the people in this body—maybe 100 percent; maybe my friend from South Carolina is proud of the earmarks they have put in and they should be made public early and there should be debate on them—but they, in themselves, are not wrong as the free trips, in themselves, are wrong.

So the bottom line is, if you ask the average citizen, my colleague from California is right, they would say: Move forward because there is a lot in this bill that is important. In fact, the No. 1 abuse we read about might have been trips or emoluments or something like that more than earmarks.

Mr. DURBIN. Madam President, will the Senator from New York yield for a question?

Mr. SCHUMER. Madam President, I am happy to yield to my colleague form Illinois.

Mr. DURBIN. Madam President, is the Senator aware that the bill just objected to by the Republican Senator from South Carolina that we want to take to conference to make into law includes provisions that toughen the rules concerning gifts and travel, banning gifts from registered lobbyists, requiring the market value be paid for tickets to events, prohibiting Senators from participating in events to honor them at a national convention, extending the ban on travel paid for by lobbyists, requiring Senators and staff to receive approval from the Ethics Committee before accepting expenses for any trip paid for by private sources, requiring full disclosure of any travel on

noncommercial airlines, requiring certifications and disclosures filed by Senators and staff available to the public for inspection?

Also, it includes slowing down the revolving door between Senators and staff, so those leaving the Senate are limited in the jobs they can take; reducing and eliminating negotiations for another job by a sitting Senator in terms of where they might go when they leave the Senate; also, prohibiting staff contact with lobbyists who are family members of the Senator; also, voting to significantly expand lobbying disclosure.

It goes on for lengthy paragraphs: voting to prohibit partisan efforts like the K Street Project, that notorious project involving lobbyists and Members of the Senate; voting to deny pensions to former Members convicted of certain crimes; voting to protect the integrity of conference reports.

Does the Senator from New York not make this point, that when one Senator stands up and says: Well, I have one little section that I want to guarantee is going to be in the final conference report, that Senator is stopping us from considering all of these elements of ethics and lobbying reform, each of which points to some concern of Members of the Senate where we want to change the ethics standards, clean up the culture of corruption?

So when the Republican Senator from South Carolina objects to going to conference, he stops us from considering any and all of the things I just read.

Is that the point the Senator from New York is making?

Mr. SCHUMER. Madam President, I thank my colleague from Illinois. That is exactly the point I am making. I would say, the reason we have a Senate, and not a body of one, is because there are different views. Some of the things that my colleague from Illinois read to me are the most objectionable that are on the books now.

I would guess the public is probably closer to my view than the view of the Senator from South Carolina. I would guess what bothered them the most with Abramoff, or with anything else, was all the trips and emoluments and the way the lobbyists sort of insinuated their way into the whole process. There are hundreds of earmarks where there were no lobbyists involved. There were many more earmarks—most earmarks—where the public debate would be supported by this body.

Mr. DEMINT. Madam President, will the Senator yield for a question?

Mr. SCHUMER. So I would say to my friend from Illinois that is exactly the point. If each of us insists that our little provision must be passed on its own—no debate, no discussion, no moving forward with the general process—we would have no ethics reform.

Mr. DEMINT. Madam President, will the Senator yield for a question?

Mr. SCHUMER. So despite the good intentions of my colleague from South Carolina, the effect of what he is doing is preventing good, strong, tough ethics reform across the board on issues such as earmarks, but also on issues such as trips and the K Street Project, and everything else from moving forward.

So my colleague from Illinois makes a point that I think is——

Mr. DURBIN. Madam President, will the Senator yield for another question?

Mr. SCHUMER. Madam President, I continue to yield to my colleague.

Mr. DURBIN. Madam President, I would like to ask my colleague from New York, as to the notorious K Street Project, where lobbyists had regular meetings with Members of the Senate to discuss which legislation would come up, which amendments would be considered, which provisions in the Tax Code would be passed, and which would fail—all of these things are now prohibited under the bill that we want to send to conference. They do not relate directly to earmarks, which are appropriations measures, but everyone across America would concede there were clear abuses when it came to this K Street Project.

So when the Republican Senator from South Carolina objects to taking this bill to conference, he has gone beyond earmarks. He is not allowing us to consider the broader question about what we consider to be unethical and illegal contacts between lobbyists and Members of the Senate. He is stopping us from passing new laws to bring some ethics reform to the Senate.

I ask the Senator from New York, the issue of earmarks was voted on with an overwhelming vote in the Senate. The Appropriations Committee, on which I serve, is moving forward with real earmarks reform. So it would seem that the Senator from South Carolina is carping on a trifle here. We have a huge number of important legislative items to consider in S. 1.

I ask the Senator from New York, in the time he has served in the House and the Senate, can he recall a time when a Senator or Member of Congress could receive a guarantee that a conference committee was going to produce exact language as each Member would like going into the conference?

Mr. SCHUMER. Well, Madam President, I have served in this body now for 8 years. I had served in the House for 18 years. I cannot recall a single instance. We do have senses of the Senate; we had senses of the House, which are supposed to direct things. But we have never asked for a guarantee. I, for one, cannot recall someone saying: I am holding up everything until I get my guarantee. That is wrong.

Mr. DEMINT. Madam President, will the Senator yield for a question?

Mr. SCHUMER. Madam President, I will be happy to yield in a second.

I will tell you, I go to my State. It is a diverse State of 19 million people. It is not South Carolina. It is not Illinois. It is not Nevada. It is not California. It is not Washington State. But I will tell you, the No. 1 thing I hear is: Can't you folks each give in a little bit? Can't you folks each work with one another and get something done?

That is what I hear. Yet the path my friend from South Carolina is taking is exactly the opposite because we will get good earmark reform.

EXECUTIVE SESSION

NOMINATION OF LIEUTENANT GENERAL DOUGLAS E. LUTE, TO BE LIEUTENANT GENERAL, U.S. ARMY

The PRESIDING OFFICER. Under the previous order, the Senate resumes executive session and will proceed to a vote on Executive Calendar No. 165, which the clerk will report.

The legislative clerk read the nomination of Lt. Gen. Douglas E. Lute to be Lieutenant General.

The question is, Will the Senate advise and consent to the nomination of Lt. Gen. Douglas E. Lute, to be Lieutenant General, U.S. Army, under title 10, U.S.C., section 601?

Mr. REID. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mrs. BOXER (when her name was called). Present.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 94, nays 4, as follows:

[Rollcall Vote No. 236 Ex.]

YEAS—94

Akaka	Domenici	McConnell
Alexander	Dorgan	Menendez
Allard	Durbin	Mikulski
Barrasso	Ensign	Murkowski
Baucus	Enzi	Murray
Bayh	Feingold	Nelson (FL)
Bennett	Feinstein	Nelson (NE)
Biden	Graham	Obama
Bingaman	Grassley	Pryor
Bond	Gregg	Reed
Brown	Hagel	Reid
Brownback	Harkin	Roberts
Bunning	Hatch	Rockefeller
Burr	Hutchison	Salazar
Cantwell	Inhofe	Sanders
Cardin	Inouye	Schumer
Carper	Isakson	Sessions
Casey	Kennedy	Shelby
Chambliss	Kerry	Smith
Clinton	Klobuchar	Snowe
Coburn	Kohl	Specter
Cochran	Kyl	Stabenow
Coleman	Landrieu	Stevens
Collins	Lautenberg	Sununu
Conrad	Leahy	Thune
Corker	Levin	Vitter
Cornyn	Lieberman	Voinovich
Craig	Lincoln	Warner
Crapo	Lott	Whitehouse
DeMint	Lugar	Wyden
Dodd	Martinez	
Dole	McCain	

NAYS—4

Byrd Tester
McCaskill Webb

ANSWERED ''PRESENT''—1

Boxer

NOT VOTING—1

Johnson

The nomination was confirmed.

Mr. REID. Madam President, it is my understanding that there are three votes for district court judges, is that true?

The PRESIDING OFFICER. That is true.

Mr. REID. Madam President, I ask unanimous consent that all votes be 10 minutes in duration.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I thank the Chair.

The PRESIDING OFFICER. Under the previous order, there is 10 minutes of debate preceding the votes.

Who yields time?

The Senator from Vermont is recognized.

Mr. LEAHY. Madam President, we are going to have how many nominations?

The PRESIDING OFFICER. Three. The Senator has 5 minutes.

Mr. LEAHY. Madam Presient, the Senate continues to make progress today with the confirmation of three more lifetime appointments to the Federal bench, Benjamin Hale Settle to the District Court for the Western District of Washington, Richard Joseph Sullivan to the District Court for the Southern District of New York, and Joseph S. Van Bokkelen to the District Court for the Northern District of Indiana. The nominations of Mr. Settle and Mr. Sullivan are for vacancies deemed by the Administrative Office of the U.S. Courts to be judicial emergencies. All three nominees have the support of their home State Senators. I thank Senators MURRAY, CANTWELL, CLINTON, SCHUMER, LUGAR, and BAYH for working with us and with the President on the nomination.

These 3 judges will bring this year's judicial confirmations total to 21. It is before the Fourth of July recess, and we have already confirmed many more judges than were confirmed during the entire 1996 session when President Clinton's nominees were being reviewed by a Republican Senate majority. That was the session in which not a single circuit court nominee was confirmed. We have already confirmed three circuit court judges in the early months of this session. As I have previously noted, that also puts us well ahead of the pace established by the Republican majority in 1999.

As the Judiciary Committee chairman, I have always treated this President's judicial nominees more fairly than Republicans treated President Clinton's. With these confirmations, the Senate will have confirmed 121 judges while I have served as Judiciary Chairman. It is a little known and wholly unappreciated fact that during the more than 6 years of the Bush Presidency, more circuit court judges, more district court judges, and more total judges have been confirmed while I served as Judiciary chairman than during the longer tenures of either of the two Republican chairmen working with Republican Senate majorities.

The Administrative Office of the U.S. Courts lists 48 judicial vacancies after these nominations are confirmed, yet the President has sent us only 26 nominations for these vacancies. Twenty two of these vacancies—almost half—have no nominee. Of the 15 vacancies deemed by the Administrative Office to be judicial emergencies, the President has yet to send us nominees for 6 of them. That means more than a third of the judicial emergency vacancies are without a nominee.

Of the 13 circuit court vacancies, more than half are without a nominee. If the President had worked with the Senators from Rhode Island, New Jersey, Maryland, California, Michigan, and the other States with the remaining circuit vacancies, we could be in position to make even more progress.

As it is, we have cut the circuit vacancies in half, from 26 to 13. Contrast that with the way the Republican-led Senate's lack of action on President Clinton's moderate and qualified nominees resulted in circuit court vacancies increasing from 17 to 26. During most of the Clinton years, the Republican-led Senate engaged in strenuous efforts to keep circuit judgeships vacant in anticipation of a Republican President. To a great extent they succeeded.

The Judiciary Committee has been working hard to make progress on those nominations the President has sent to us. Of course, when he sends us well-qualified, consensus nominees with the support of his home-state Senators like those before us today, we can have success.

Mr. Settle is a partner and cofounder of the Shelton, WA, law firm of Settle & Johnson, PLLC, where he has worked for 30 years. He also served 7 years as a prosecutor and defense counsel in the U.S. Army Judge Advocate General Corps.

Mr. Sullivan is general counsel to Marsh & McLennan Companies, Inc., where he has worked since 2005. Before that, he worked as a Federal prosecutor in the Southern District of New York and in private practice at the Wall Street law firm of Wachtell, Lipton, Rosen, & Katz.

Mr. Van Bokkelen is the U.S. attorney for the Northern District of Indiana, where he has served since 2001. He has worked in private practice for the law firms of Goodman, Ball, Van Bokkelen & Leonard and Wilson, Donnesberger, Van Bokkelen & Reid. He previously served as an assistant U.S. attorney and as an assistant attorney general in the Indiana Attorney General's office.

I congratulate the nominees and their families on their confirmation today.

Have the yeas and nays been asked for on the Benjamin Hale Settle nomination?

The PRESIDING OFFICER. They have not.

Mr. LEAHY. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Is all time yielded back?

Mr. LEAHY. I yield back my time.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SPECTER. Madam President, I seek recognition to speak on the nomination of Benjamin Settle to be a U.S. District Judge for the Western District of Washington. Benjamin Hale Settle was nominated by President Bush on January 9, 2007. A hearing was held on his nomination on March 13, and he was unanimously reported out of the Judiciary Committee on April 25.

Mr. Settle has an impressive resume and a record of service. He received his B.A. from Claremont McKenna College in 1969. Upon graduating from college, he enlisted in the U.S. Army Reserve and entered law school at Willamette University College of Law where he received his J.D. degree in 1972.

After graduating from law school he worked for Don Miles Attorneys as an associate until he was called up to serve full time in the Judge Advocate General's Corps for the U.S. Army in 1973. Three years later, in 1976, Mr. Settle left full time Army service and rejoined the Don Miles where he practiced for one year, before opening a small partnership of his own. He has enjoyed a successful career as a general practitioner, working in a variety of small partnerships over the last three decades.

Mr. Settle's broad practice has encompassed both litigation and transactional matters. The nominee has also served as the general counsel to several municipal and private corporate entities. In addition to his litigation and general counsel work, Mr. Settle has served as judge pro tempore in Mason County Superior and District Courts where he has managed numerous matters for mediation and arbitration.

The ABA has unanimously rated Mr. Settle ''Qualified.'' The vacancy to which Mr. Settle is nominated has been designated a ''judicial emergency'' by the nonpartisan Administrative Office of the Courts. I hope my fellow Senators will support this nomination.

Madam President, I also seek recognition to discuss the nomination of Richard Sullivan to be a District Judge for the Southern District of New York.

Richard J. Sullivan was nominated to be a U.S. District Court Judge for the Southern District of New York on February 15, 2007. A hearing was held on his nomination on April 11, 2007, and the Judiciary Committee reported his nomination favorably on May 3, 2007.

He is a highly qualified nominee with a distinguished record both as a prosecutor and in private practice. In 1986,

he received his B.A. degree from the College of William and Mary, where he was elected to Phi Beta Kappa. In 1990, he graduated from Yale Law School. Following law school, he served as a law clerk to Judge David M. Ebel of the United States Court of Appeals for the Tenth Circuit. In 1991, he joined Wachtell Lipton Rosen & Katz as a litigation associate.

In 1994, he joined the U.S. Attorney's Office for the Southern District of New York as an assistant U.S. attorney. During his tenure in the office, he served in a variety of leadership positions. In 1999, he was put in charge of the Office's General Crimes Unit and later became chief of the Narcotics Unit. In 2002, he was named the founding chief of the newly created International Narcotics Trafficking Unit, which was dedicated to investigating and prosecuting the world's largest narcotics trafficking and money-laundering organizations. From 2002 to 2005, he also served as director of the New York/New Jersey Organized Crime Drug Enforcement Task Force.

In 2005, Mr. Sullivan joined Marsh & McLennan Companies, Inc., as deputy general counsel for litigation. He still works in that capacity, and since 2006 has also served as the general counsel of Marsh Inc., the world's largest insurance broker and risk management firm. Marsh & McLennan Companies is the parent company of Marsh Inc.

The American Bar Association has unanimously rated Mr. Sullivan ''Well Qualified.'' The seat to which he is nominated has been designated a ''judicial emergency'' by the nonpartisan Administrative Office of the Courts. I hope my fellow Senators will vote to confirm Mr. Sullivan.

And finally, Madam President, I seek recognition to discuss the nomination of Joseph S. Van Bokkelen to be a District Judge for the Northern District of Indiana.

President Bush nominated Mr. Van Bokkelen on January 9, 2007. A hearing was held on his nomination on April 11 and the Senate Judiciary Committee reported his nomination favorably on May 3. He is a highly qualified nominee with extensive experience both as a prosecutor and in private practice.

In 1966, Mr. Van Bokkelen received his B.A. degree from Indiana University. In 1969, he graduated from Indiana University School of Law. After graduating law school, Mr. Van Bokkelen joined the Office of the Indiana Attorney General, serving as deputy attorney general and subsequently as assistant attorney general. In 1972, he became an assistant U.S. attorney for the Northern District of Indiana, where he served until 1975.

Between 1975 and 2001, he worked in private practice as a partner—first at Wilson, Donnesberger, Van Bokkelen & Reid and then at Goodman, Ball, Van Bokkelen & Leonard, P.C. His practice has focused on litigation, both civil and criminal. Between 1983 and 1985, he served as a special prosecutor to investigate the murder of a prominent politician and lawyer in Lake County, IN.

Since 2001, Mr. Van Bokkelen has served as U.S. Attorney for the Northern District of Indiana. His courtroom experience is extensive. Over the course of his career, he has tried over 100 cases to verdict. The American Bar Association has unanimously rated Mr. Van Bokkelen ''Well Qualified.''

I urge my fellow Senators to support this nomination.

Madam President, I know everybody is anxious to conclude these matters. They ought not be noncontroversial. Again, we have Benjamin Hale Settle, for the Western District of Washington; Joseph S. Van Bokkelen, for the Northern District of Indiana; Richard J. Sullivan, for the Southern District of New York.

All have excellent academic records and professional records and passed through the Judiciary Committee. I recommend that my colleagues vote for them.

I yield back the remainder of my time.

NOMINATION OF BENJAMIN HALE SETTLE, TO BE UNITED STATES DISTRICT JUDGE

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Benjamin Hale Settle, of Washington, to be United States District Judge for the Western District of Washington? The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 237 Ex.]

YEAS—99

Akaka	Crapo	Lieberman
Alexander	DeMint	Lincoln
Allard	Dodd	Lott
Barrasso	Dole	Lugar
Baucus	Domenici	Martinez
Bayh	Dorgan	McCain
Bennett	Durbin	McCaskill
Biden	Ensign	McConnell
Bingaman	Enzi	Menendez
Bond	Feingold	Mikulski
Boxer	Feinstein	Murkowski
Brown	Graham	Murray
Brownback	Grassley	Nelson (FL)
Bunning	Gregg	Nelson (NE)
Burr	Hagel	Obama
Byrd	Harkin	Pryor
Cantwell	Hatch	Reed
Cardin	Hutchison	Reid
Carper	Inhofe	Roberts
Casey	Inouye	Rockefeller
Chambliss	Isakson	Salazar
Clinton	Kennedy	Sanders
Coburn	Kerry	Schumer
Cochran	Klobuchar	Sessions
Coleman	Kohl	Shelby
Collins	Kyl	Smith
Conrad	Landrieu	Snowe
Corker	Lautenberg	Specter
Cornyn	Leahy	Stabenow
Craig	Levin	Stevens
Sununu	Vitter	Webb
Tester	Voinovich	Whitehouse
Thune	Warner	Wyden

NOT VOTING—1

Johnson

The nomination was confirmed.

NOMINATION OF RICHARD SULLIVAN, TO BE UNITED STATES DISTRICT JUDGE

The PRESIDING OFFICER. The clerk will report the next nomination.

The legislative clerk read the nomination of Richard Sullivan, of New York, to be United States District Judge for the Southern District of New York.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Madam President, for all Members, this will be our last vote. There will be a voice vote following this vote. On Monday, July 9, starting at 5:30 p.m., maybe even 5:15 p.m., we will have a series of three or four rollcall votes.

Madam President, I ask for the yeas and nays on this nomination.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Richard Sullivan, of New York, to be U.S. district judge for the Southern District of New York?

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) is necessarily absent.

The PRESIDING OFFICER (Mr. WHITEHOUSE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 238 Ex.]

YEAS—99

Akaka	Dole	McCaskill
Alexander	Domenici	McConnell
Allard	Dorgan	Menendez
Barrasso	Durbin	Mikulski
Baucus	Ensign	Murkowski
Bayh	Enzi	Murray
Bennett	Feingold	Nelson (FL)
Biden	Feinstein	Nelson (NE)
Bingaman	Graham	Obama
Bond	Grassley	Pryor
Boxer	Gregg	Reed
Brown	Hagel	Reid
Brownback	Harkin	Roberts
Bunning	Hatch	Rockefeller
Burr	Hutchison	Salazar
Byrd	Inhofe	Sanders
Cantwell	Inouye	Schumer
Cardin	Isakson	Sessions
Carper	Kennedy	Shelby
Casey	Kerry	Smith
Chambliss	Klobuchar	Snowe
Clinton	Kohl	Specter
Coburn	Kyl	Stabenow
Cochran	Landrieu	Stevens
Coleman	Lautenberg	Sununu
Collins	Leahy	Tester
Conrad	Levin	Thune
Corker	Lieberman	Vitter
Cornyn	Lincoln	Voinovich
Craig	Lott	Warner
Crapo	Lugar	Webb
DeMint	Martinez	Whitehouse
Dodd	McCain	Wyden

NOT VOTING—1

Johnson

The nomination was confirmed.

NOMINATION OF JOSEPH S. VAN BOKKELEN TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF INDIANA

The PRESIDING OFFICER. The clerk will report the next nomination.

The assistant legislative clerk read the nomination of Joseph S. Van Bokkelen, of Indiana, to be United States District Judge for the northern district of Indiana.

Mr. LUGAR. Mr. President, I appreciate this opportunity to support the President's nomination of Joseph S. Van Bokkelen to serve as a U.S. district judge for the Northern District of Indiana.

I would first like to thank Senate Judiciary chairman, PAT LEAHY; ranking member, ARLEN SPECTER; and the respective leaders for their important work to facilitate timely consideration of this nomination.

In July of last year, Judge Rudy Lozano informed me of his decision to assume senior status after a distinguished career of public service. He was a remarkable leader on the Federal bench, and I applaud his leadership to Indiana and to the legal community.

Given this upcoming vacancy and the need for strong leadership, I was pleased to commend to President Bush Joe Van Bokkelen to serve on the Federal court in the Northern District of Indiana.

I have known Joe for many years, and I have always been impressed with his high energy, resolute integrity, and remarkable dedication to public service.

Joe Van Bokkelen attended Indiana University where he received both his undergraduate and law degrees. He then served in the Indiana Attorney General's Office followed by his first experience in the United States Attorney's Office in the Northern District.

After many years of private practice, Joe assumed his current position of United States Attorney for the Northern District of Indiana on September 21, 2001. His performance in this position has been nothing short of remarkable. He has undertaken the most aggressive public corruption initiative in the history of the office. Since 2002, over 30 public officials have been indicted and convicted. Joe has also used his office to target the use and possession of illegal firearms, combat gang activity, implement drug demand reduction programs, and cultivate community partnerships.

Likewise, Joe has demonstrated leadership in the Justice Department where he serves on several of the Attorney General's advisory committees, including Violent and Organized Crime, White Collar Crime, Sentencing Guidelines, and the Regional Information Sharing Working Group.

Newspapers across northern Indiana contain articles and editorials applauding his determination to bring about effective law enforcement. The Northwest Indiana Times recently commented that Joe Van Bokkelen ''has an excellent track record for the five years he has led the U.S. Attorney's office in Northern Indiana.''

Joe has received a number of high performance ratings, including the A.V. rating from Martindale-Hubbell and the highest judicial rating from the American Bar Association.

Outside of his public service, Joe is involved with a number of community activities and civic organizations.

I would again like to thank Chairman LEAHY and Ranking Member SPECTER for their leadership in facilitating consideration of Joe Van Bokkelen's nomination to serve as a Federal judge. I believe that he will demonstrate remarkable leadership to northern Indiana and will appropriately uphold and defend our laws under the Constitution.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Joseph S. Van Bokkelen, of Indiana, to be United States District Judge for the Northern District of Indiana.

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, motions to reconsider these votes are laid on the table. The President shall be notified of the Senate's actions.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate returns to legislative session.

The minority leader is recognized.

Mr. MCCONNELL. Mr. President, I ask I be allowed to proceed as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMMIGRATION

Mr. MCCONNELL. Mr. President, today is a day of victory and defeat. So many people have poured so much of themselves into this bill over the last weeks and months, and every one of them deserves our thanks and our respect.

This bill tested the will, and the goodwill, of many people. But it tested some more than others. So first I want to thank those whose position did not prevail.

Senator SPECTER's knowledge of this issue is matched only by his stamina. As the ranking member, he has our admiration and he deserves our thanks.

Senator KYL inspired all of us, flying into his State and facing a lot of angry constituents, and the cameras week after week with optimism, patience and good cheer.

Senator GRAHAM was one of the generals in this effort. He always does what he thinks is right, and Americans admire him for it.

Senator MARTINEZ was another general. He brought intelligence and tenacity to this debate, and a story that never fails to inspire us.

Senator LOTT's a great whip, and a good friend. He has been in this building more than 3 decades, but he has the energy of a freshman. He has been a leader and friend: I thank him for it.

Senator SALAZAR gave a lot of himself to this debate, a lot of time and no little criticism. Thank you.

And finally, it is a marvel of nature to see a man whose calling in life is obvious to anyone who sees him at his job. Senator KENNEDY is such a man. He loves his work, and his passion has inspired us.

Of course, behind all these Senators are a lot of terrific staff members who have worked incredibly hard on this bill. On the Judiciary Committee, there was Michelle Grossman, Lauren Petron, Gavin Young, Lauren Pastarnack, Lynn Feldman, Juria Jones, and most of all Mike O'Neill.

On Senator MCCAIN's staff, Becky Jensen. On Senator GRAHAM's staff there was Matt Rimkunas and Jen Olson. On Senator KYL's staff, Elizabeth Maier and Michael Dougherty. On Senator MARTINEZ's staff, Brian Walsh, Clay Deatherage, and Nilda Pedrosa.

Now I want to thank everyone who opposed the bill.

Senators SESSIONS, DEMINT, and VITTER got us all to sit up and listen closely to a lot of people who thought they had been shut out of this debate. They put the rules of this body to work. And I would take any one of them in a firefight.

Senator CORNYN, one of the original architects, deserves our thanks. He has been committed to finding a solution to our Nation's immigration problem for a long time. His contributions on the interior enforcement piece of this bill were a major part of the original compromise. But when he saw it was not a solution he could accept, he told us.

Senator CHAMBLISS told us what the farmers needed, and we listened. We thank him for his important contributions to the bill.

Senator ISAKSON was the author of the trigger concept, which every one now agrees is a good idea.

To everyone involved in the crafting of this bill, I want to thank you. This was a labor of uncommon intensity. It required will, energy, and patience. And while it strained a lot of bonds, it broke none of them. As the majority leader said after the final vote, ''We're all still friends here.''

As the elected leader of my conference, I stood here in January and opened this session with a pledge. I knew contentious issues always have a better chance of being solved by divided governments, that immigration reform was within our reach, and I said we should put it in our sights.

I also knew it was going to have to be bipartisan if we were going to get a bill at all. So everyone I have mentioned

rolled up their sleeves and got to work. And they put together a bill that represented the best chance we had of getting to our goal.

But it touched a nerve, and the shock of it shot right through the Senate. It lit up the switchboards here for weeks, and ignited a debate that strained our normal alliances here and at home in our States.

I heard from a lot of Kentuckians. Thousands of smart, well-informed people called my offices to talk about this bill. They did not like the idea of someone being rewarded for a crime, or the impact that this would have on a society whose first rule is the rule of law. They did not trust the Government to suddenly get serious about border control after neglecting it for 2 decades. And I do not blame them. I worried about all that too. And to every one of them, I say today: Your voice was heard.

A lot of good people came to my office. They argued for positions as diverse as the country itself. They explained their views patiently and with passion. I want to thank them too for informing my thinking and for helping to shape this extraordinary debate.

My goal from the start has been to move the conference forward, to facilitate debate, to ensure that the minority's voice was heard to the maximum extent possible. I had hoped there would be a way forward. And as the divisions between supporters and opponents widened, the only way forward, to my mind, was to ensure a fair process. This was the only way to be sure we could improve the status quo, which all of us agreed was indefensible. If every voice was heard, we could be confident our votes reflected the best this body could do.

I had hoped for a bipartisan accomplishment, and what we got was a bipartisan defeat. The American people made their voices heard, the Senate worked its will, and in the end it was clear that the bill that was crafted did not have the support of the people of Kentucky, it did not have the support of most Americans, it did not have the support of my conference, and it did not have enough support in the Democratic conference, a third of which opposed it.

This is not a day to celebrate. We do not celebrate when a pressing issue stays unresolved. But we can be confident that we will find a solution to the problems that we have tried to address here. Many people have made great personal sacrifices to work on a solution to our broken immigration system. A lot of them exposed themselves to ridicule and contempt.

And so we can say with pride that the failure of this bill was not a failure of will or hard work or good intentions. Martin Luther King once said that ''human progress never rolls in on wheels of inevitability; it comes through the tireless efforts of men.'' And we can be sure that many good people will step forward again to offer their intelligence, understanding, and their ''tireless efforts'' when the time comes to face this issue again.

That time was not now. It was not the people's will. And they were heard.

HONORING OUR ARMED FORCES

STAFF SERGEANT THOMAS W. CLEMONS

Mr. MCCONNELL. Mr. President, I rise today to honor the life of a heroic soldier and a fellow Kentuckian, SSG Thomas W. Clemons. SSG Clemons, born in Leitchfield, KY, proudly served in the Kentucky Army National Guard from August 2000 until December 11, 2006, when he tragically lost his life while on his second tour of duty near Diwaniyah, Iraq. He was 37 years old.

Staff Sergeant Clemons earned numerous awards and medals throughout his military career, including the Bronze Star Medal. A decorated soldier, he will be remembered by those who knew him as a loving son and brother, a caring husband, a devoted father, a loyal friend and an avid University of Kentucky Wildcats fan.

A true family man, Thomas cherished time with his wife, Sheila, his sons Tony and Ryan and his stepdaughters Brittany and Amber. He was known for saying that of all the blessings God had bestowed upon him, his family was the greatest.

Like most soldiers, Thomas felt that being away from that family was the hardest part of serving his country. But rather than focus on himself, he sought to alleviate the loneliness of others. As a father to two teenage boys, Staff Sergeant Clemons recognized the difficulty that long periods away from home created for the youngest soldiers in particular.

He ''tried to be a daddy to everyone over there, especially the young ones,'' says Thomas's mother, Patricia Frank. And along with the comfort and nurturing Staff Sergeant Clemons gave to his troops, he provided an equal amount of discipline and professionalism.

Clemons's company commander, CPT Ronald Ballard, said, ''Thomas was the type of leader who delivered a one-two punch. First, he gave his guidance and standards, and then he led by example.''

Captain Ballard went on to add that Thomas ''understood he would not always be here to lead his soldiers—that he had to get them ready to fill his boots.''

On one particularly tortuous day in Iraq, Staff Sergeant Clemons phoned his parents in Kentucky. One of his men had just died. Like any mother would, Patricia gently reminded her son that family was what was important, and that his family was alive and well—to which Thomas replied, ''Over here, everyone is my family.''

Thomas embraced his duties as a Guardsman without hesitation. Before his departure to Iraq, he told several friends and family members, ''a few lives for a million—that's worth it.''

Staff Sergeant Clemons was assigned to the 2nd Battalion, 123rd Armor Regiment in the Kentucky Guard. After serving his first year-long tour of duty, he volunteered for a second, and was redeployed to Iraq in March 2006.

His friend and fellow soldier SP Joshua White said that when he asked Thomas why he offered to go back to Iraq, Thomas replied sincerely, ''I cannot sit back on my couch and watch one of my soldiers' names come across that screen and live with myself.''

Thomas's unit provided force protection and ran security missions for the Army. ''He was honored to be a soldier,'' Patricia says. ''That's what he wanted, and that's what he was.''

Staff Sergeant Clemons's funeral service was held in December 2006 in the small Kentucky town of Caneyville, close to Leitchfield in Grayson County. So many people came to pay their respects to Thomas and his family that the funeral home could not hold them all. Many of Thomas's friends told Patricia after the service that ''he helped me by just talking to me.''

Staff Sergeant Clemons was a man people wanted to know, and he is mourned and missed by his beloved family and friends who had the honor to know him.

He is loved and remembered by his wife, Sheila, his mother and step-father, Patricia and Jimmie Frank, his sons, Tony and Ryan, his step-daughters, Brittany and Amber, his brothers, Tim Clemons, Chad Clemons and Shannon Frank, his sisters, Julie Johnson, Michelle Mudd and Pamela Bowling, and many others.

Staff Sergeant Clemons was the type of man who, when asked by a local volunteer group if they could send him anything while he was serving abroad, replied, ''pencils, for the little kids in Iraq.'' He was the type to volunteer his free time to serve as a youth basketball and baseball coach back home in Kentucky.

He was the family man who cherished time with his children, the friend with a shoulder to lean on and the soldier who was willing to sacrifice his life ''to save a million,'' even a million people he had never met.

And so although neither I nor my colleagues had the pleasure of meeting him, I stand here today to say this Senate honors and salutes SSG Thomas W. Clemons for his service. We will hold his family in our thoughts and prayers. And the citizens of Kentucky and this grateful nation will always remember his sacrifice.

CHANGE OF VOTE

Mr. LUGAR. Mr. President, on roll-call vote No. 231, I voted ''nay.'' It was my intention to vote ''aye.''

I ask unanimous consent that I be recorded as an ''aye.'' This would not affect the outcome of the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, 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. DURBIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMMIGRATION

Mr. DURBIN. This was an historic day in the Senate. I was up after the vote on immigration with Senator KENNEDY. We had a little press conference to talk about what happened. We needed 60 votes to move the immigration bill forward, for more amendments, to final passage.

When the roll call was taken, there were 46 votes; it was far short of what was needed. The average person might ask: ''Why would it take 60 votes to pass something in the Senate? I thought it was by majority vote.'' Well, not in the Senate, it is not. If it is a complicated issue, and many are, it takes 60 votes. It is just the nature of this place, the reason why the Senate was created. It is the reason why a Senator from a State such as Rhode Island would represent his State, along with one other Senator, and a Senator from a State such as Illinois would have two Senators. It is the nature of the Senate.

It is a guarantee that the minority always has protection and a voice in this political process. It leads to a lot of frustrations, as you can imagine, because bringing together 51 Senators ready to act and to solve a problem is not enough; around here, it never has been. And it leads to a lot of criticism from the outside about how we spend so much time talking and so little time doing. People look at us and say: ''You know, how many years have you all been giving speeches about health care in America? When are you going to do something about it?'' Well, the honest answer is, that is good criticism. We have not come up with a plan, nor have we had the political will to move a plan, and if we did, it would face its biggest hurdle probably right here on the floor of the Senate. This is the place where things slow down. George Washington said of the Senate: ''This is the saucer that cools the tea.''

I was lucky to serve in the House for 14 years. It is a great place. I loved it. I loved all of the people I worked with. We ran every 2 years. You had to be in touch with the folks in your district on a regular, constant basis. You reacted pretty quickly as things came along. Bills passed, resolutions passed, you would sit there and shake your head and say: ''All of the things we do just seem to die in the Senate.'' Well, it is the nature of the process. It is a narrowing between the two Chambers that makes it difficult to move things through.

Well, today was a classic example. We know—everyone knows—the immigration system in America has failed. It has just plain failed. In 1986, the last time we addressed this issue, 21 years ago, President Reagan suggested an amnesty for those who were here illegally and that we do things to stop more from coming. It did not work. The amnesty was given; the enforcement did not take place. On average, about 800,000 new illegals came into the United States each year for 21 years; 600,000 stayed.

We have a rough estimate that about 12 million undocumented and illegal people are here today. What are we going to do about it? Well, first and obviously, stop illegals from coming into the United States. It won't be easy. Look at the risks people are willing to take to come to our country—walking across a desert knowing your life may be at stake, paying someone thousands of dollars to put you in the back of a truck where you might be asphyxiated, jumping on a railroad train where you could lose your life or a limb, just to get right here in our country. It is that desire to come to America that has been around for so long, and it is still there, and it will always be there.

But we know there are things we could do to make this border of ours better. We talked about things, sensible things—not a 2,000-mile wall or anything like that, but placing walls where they will help, placing fences where they will help, traffic barriers, new technology, more border enforcement, training, trying to reach cooperative agreements with the Mexicans and others—to slow illegal border crossings down. All of those things represent a positive step forward. We committed $4 billion to that effort. It should be done.

Then the workplace—that is what brings people here. Anyone who comes to America and thinks they can just park themselves and wait for a comfortable life is wrong. They come to work. The jobs that immigrants take, they are jobs that most of us do not want. If you went to a restaurant in the great city of Chicago, which I am honored to represent today, and you took a look around at who took the plates off your table, my guess is many of them may be undocumented people. You don't see the folks back in the kitchen washing those dishes or those on the loading dock or perhaps tonight the ones who will clean the bathrooms—likely to be, many of them, undocumented people who are here doing those jobs every single day. They made your bed in the hotel room after you left; they were with your mom in the nursing home bringing her water and changing her sheets; they are the people who, incidentally, make sure they trim the greens for you so this weekend they will look picture perfect. Those are the folks out there every single day. They are in the packing houses, like the place where I used to work in college. That is no glamorous job. They took it because no one else wants it. It is difficult, it is dirty, it is hot, it is a sweaty, nasty job, and they take it because they get paid to do it.

Most of them, when they get the paycheck, send half of it back home. There are many parts of Central America and South America which subsist because of the transfer payments from people working in America who are illegal, sending their checks back home to their families. These workers live in the barest of circumstances and try to get by in the hopes that some day, they will be Americans; some day, they will have family with kids who have a much better chance.

Their story is our story. It is a story of this Nation from its beginning. Today, we had a chance to address this problem, to deal with 12 million who are undocumented, to deal with border enforcement, workplace enforcement, and to talk about how many more people we need each year.

We cannot open our borders to everyone who wants to come to America. We cannot physically do it. It would not be good for our Nation, for those who are here, or for our economy. But there are some we need.

As a Congressman who represents downstate Illinois, there were times when I desperately begged foreign physicians to come to small towns. These towns did not have a doctor. They were going to lose their hospitals. Doctors came from India, from Pakistan, other places, from the Philippines, and they were greeted with cheer by people who had never been to their countries or knew anything about their land of origin. They came to the rescue. They opened that doctor's office. Many of the people in those small towns I represent in Illinois could not even pronounce that doctor's last name. He was ''Dr. K,'' they would say, ''I just don't know how to pronounce his name. I am glad he is here. Mom is feeling better, and we are glad he is here if we ever need him.''

So we bring in folks each year, and we try in this bill to define how many we are going to need. Well, you know what happened once debate started, Mr. President. There is a sentiment in America which is as historic as our country. I say jokingly, because I have no way of knowing, that in 1911, when my mother came off the boat in Baltimore, having arrived as a 2-year-old little girl from Lithuania, and came down that ramp with my grandmother and her brother and sister, I am sure there were people looking up at this group coming in, saying: Please, not more of those people.

That has been the nature of America. We know we are almost all immigrants or the descendants of immigrants. Yet there is a resistance that is built into our country to more coming in: They are different, there may be too many of them, they may threaten our jobs—all of those things. And we saw that sentiment, not on the floor of the Senate or the House, but certainly we heard it on

television, on radio. It is a sentiment that goes from being critical to being dark and ugly.

My wife called me this morning from our home in Illinois. She told me the telephone calls that were overwhelming my office had reached our home and people were calling her all through the night. They got our home telephone number and decided to try to keep her awake all night. Well, that is part of this job. I am not asking for sympathy. I understand I am a public figure. I am sorry she had to put up with it. She has put with it for a long time. But that sentiment got carried away in many respects. It went beyond criticizing a bill and went into something else that doesn't speak well of us as a Nation.

So tomorrow morning, across America, many people—some 12 million of them—will get up and go to a job where they will work hard and they will come home and not be sure about what tomorrow will bring. They do not know if there will be a knock on the door and they will have to leave. They do not know if they will be separated from the family they love, they do not know whether their children will have any future at all. That uncertainty is because of the fact that we did not have the votes today in the Senate.

I think about some of them whom I know personally. I think about some of the characterizations of those people which I think are so unfair.

Last weekend, Pat Buchanan, who makes a living writing books and saying things that are controversial, was on ''Meet the Press'' and characterized the 12 million people as criminals, welfare recipients, called them the mass invasion of the United States. Perhaps a few of them might fit in that category, but not the ones I have met and know.

Among the people now whose lives are going to be left in uncertainty is a mother I know and know very well. Her husband was one of those lucky ones. He was a citizen from Mexico. In 1986, he was given amnesty by President Reagan. He works 14-hour days in a club in Chicago as a maitre'd, greeting people, bringing them to their tables. He and his wife have four children who are all American citizens. They were all born here. But his wife is undocumented. Several years ago, she was deported, 3 days before Mother's Day, back to Mexico. She was pregnant at the time and wanted to stay in the United States with her doctor until the baby was born but wasn't allowed. Eventually, I called the State Department. They gave her a humanitarian visa to come back to the United States. Now once each year I make a phone call to ask if she can stay with her family for another year. Luckily, she has been able to stay on what they call a humanitarian waiver. But she and her children never know from year to year whether mom is going to be deported to Mexico. Will it make America better if she leaves? Will it make that family better? I don't think so. This is clearly a case where this great Nation can certainly absorb a loving mother who wants to make sure her kids have a good life.

There is another girl—she is now a young woman—I know from Chicago. She is Korean. She was an amazing young lady who had great musical talent. She was accepted at Juilliard School of Music, but when she applied she learned from her mother that when she was brought from Korea to the United States at the age of 2, no papers were filed. She had no status. She wasn't a citizen of anyplace. She called our office and said: ''What should I do?'' We checked, and we were told she had to go back to Korea. She had not been there since she was 2 years old. Her life is a life of uncertainty now. Where is she going to go? This is the only country she has ever known. She wants to use her musical talents right here in America, a place she calls home.

Then there is an attorney in the Loop in Chicago, a nice, attractive, young woman who graduated from law school. I met her at a gathering. She asked if I could talk to her afterward. She came up to me and said: ''I have to talk to you in private. It is about my mom. My mom is Polish. She came to Chicago to visit some relatives years ago, overstayed her visa. She is not here legally. She got married, had a family. She lives in constant fear that she is going to be deported away from her children and grandchildren. What are we going to do, Senator?''

There will be no answer to these cases until we have a law that creates a mechanism, a formula, and a process that is reasonable. We tried to do that today without success. We can't give up. We can't give up on these cases, and we can't give up on this issue.

We have to understand that this great Nation of immigrants has to have laws. These laws have to be followed. There will be no more amnesties. What we suggested today was that anyone who is here and wants to try to make it to the finish line of legalization has to understand how tough it will be over 8 to 13 years before you can reach that goal. Go to the back of the line so everybody who applied legally comes before you, learn English, have no criminal record, have a history of work, pay your taxes, pay your fines, check in every year. Then, at some point, go back outside this country and apply to come in again. Those are not easy steps. Very few would have made it to the finish line, but we gave them that chance. That is what America is about, to give people a chance.

I hope we return to this issue. I doubt if it will be soon. But I hope we return because of the fact that we have left so many questions unresolved.

DARFUR

Mr. DURBIN. Mr. President, I come to the floor this evening to address an issue which I have addressed every week for several months now. It is the ongoing genocide in Darfur. How long are we going to allow this genocide to continue? How long will we allow mass killings, rapes, torture and the torching of homes and entire villages? How long will we tolerate 200,000, maybe 400,000 deaths? How long will we tolerate 2.5 million people displaced from their homes, a refugee crisis in Chad and other nearby crises? How long will the global community tolerate such brutality in today's world.

In May, more than 4 years after the crisis in Darfur began, President Bush said:

> For too long, the people of Darfur have suffered at the hands of a government that is complicit in the bombing, murder, and rape of innocent civilians. My administration has called these actions by their rightful name: genocide. The world has a responsibility to help put an end to it.

I agree with the President. I agree, and I call on the President to help America take action by use his upcoming visit with Russian President Vladimir Putin to demand a halt to Russian military sales to the Sudanese Government, sales that fuel the violence and are in violation of the U.N. arms embargo. My colleagues on both sides of the aisle—Senator SAM BROWNBACK, Republican of Kansas; RUSS FEINGOLD, Democrat of Wisconsin; GORDON SMITH, Republican of Oregon—have joined me in a bipartisan request. Together we wrote President Bush asking him to take action on this urgent issue when he meets with the President Putin. Russia can't claim to be a responsible leader in the global community and at the same time flaunt United Nations sanctions established to help end this ongoing genocide. Mr. Putin cannot have it both ways.

Amnesty International recently reported that Russia and China, two permanent members of the U.N. Security Council, are supplying the bulk of weapons to Sudan. That is right. Two permanent members of the U.N. Security Council are providing the weapons and ammunition being used by the Sudanese Government to perpetuate the genocide, killing innocent life. That is unacceptable. Mr. Putin must put an end to weapons sales. Weapons sold to the Sudanese Government contribute to the massive human misery and violence in Darfur. As I speak today, human rights violations, rapes, murders, attacks on humanitarian workers continue without end. The accounts are ongoing and widespread.

For example, the Associated Press recently reported a horrible story, one that is sadly too common in Darfur. Seven women at a refugee camp in Kalma, Darfur, pooled their money to rent a donkey and a cart. They ventured out of the camp to gather firewood, which they hoped they might be able to sell and use the proceeds to feed their families. A few hours away from the camp, they were attacked and robbed by the Janjaweed militia. They

were gang raped and beaten. They had to flee naked back to the camp.

According to Amnesty International, in recent years, Russia exported to Sudan $21 million worth of aircraft and related equipment and more than $13 million worth of helicopters. Witnesses have documented Russian attack helicopters used by the Sudanese Air Force during Janjaweed attacks. Russian-built Antonov aircraft have been seen bombing areas along the border with Chad.

I have photos I will share with those following the debate. This is an MI–24 attack helicopter at Nyala airport in Darfur, March 2007. It is a Russian helicopter. According to the United Nations, the sales of this aircraft are prohibited. The Russians make these sales, and these helicopters are used to kill innocent people. President Bush is meeting with the President of Russia. I hope he will mention this attack helicopter and how it is being misused in violation of U.N. resolutions.

Similarly, this is the Antonov-26 aircraft spotted in many places in Darfur between January and March 2007, parked here at Nyala airport in late March 2007, another Russian aircraft sold in violation of U.N. resolutions that can be used, unfortunately, to sustain a government which is perpetuating a genocide. Russia should not be helping the genocidal efforts of the Sudanese Government.

It has been 2½ years since President Bush decisively called the crisis in Darfur a genocide. We have tightened sanctions and called for greater action to stop it, and I applaud that. But we must do more. I have appealed to the President personally and directly on three different occasions. Last week, I appealed to Secretary of State Condoleezza Rice to seize every single opportunity to make the genocide in Darfur a big issue, an issue of diplomacy and for action.

I say to the President, we have many issues to discuss with our Russian partners, ranging from cooperation in preventing the spread of nuclear weapons and materials to reaffirming support for basic democratic principles and institutions in Russia. Our relationship with Russia is a very important one. But we can't look the other way when an ally is aiding in a genocide. I hope President Bush will use his visit with President Putin to help highlight an issue that requires immediate attention, helping to stem the crisis in Darfur. Put an end to this genocide by putting an end to Russian weapons sales to the Sudanese Government.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

IMMIGRATION

Mr. SALAZAR. Mr. President, I come to the floor to speak about the immigration reform issue. Before my colleague from Illinois leaves the Chamber, I wish to say that at the end of the day, there were some profiles in courage, people of the heart but also people of the mind who wanted to do what is right for America and for America's future. I cannot think of a better colleague than the senior Senator from Illinois, DICK DURBIN, for his passion, for his wisdom, for his courage, and for his leadership. I look forward to continuing our work together as we work on this and so many other issues that are so important, both to Illinois and to Colorado and to the Nation and to the entire world. I thank my colleague from Illinois.

As I reflect on the occurrences of the last several years with respect to immigration reform, I wish to comment on several things. The first of those is a long history related to an issue that is somehow intertwined with my own life. Four hundred nine years ago, my forefathers and foremothers came to the place we now call the State of New Mexico, today known as the land of enchantment. It was in New Mexico they decided to found what was the first settlement in the Southwest and in that part of the State. They named that city the city of Santa Fe, the city of holy faith. Over the centuries following the founding of the city of Santa Fe, for the next 250 years, my family continued to farm and ranch along the banks of the Rio Grande River, from Santa Fe up to the north through communities such as those named Espanola and Chama. Then in 1848, we didn't immigrate to this country, but the border of the United States of America moved us over to the Rio Grande River to the south. It was in 1848, the Mexican-American war was ended with the signing of the Treaty of Guadalupe Hidalgo. The signing of the treaty gave the people who lived in at that time the Southwestern part of the United States the option of either becoming citizens of these United States or going back not from where they had come but back to the other side of what had been a new border that had been created in 1848.

My forefathers and foremothers at the time having had 250 years of history living in the Southwest, living in New Mexico, living in the southern part of Colorado, made the decision they were going to choose the path of America, the path of the future, the path of what is now the greatest country in the world. It was a good decision. As a result of that decision, we have been now in New Mexico and Colorado for a number of generations. I am a fifth generation Coloradan. My family goes back in New Mexico for 12 generations.

Going back to that history, and recognizing for the first 250 years of my family's settlement of these United States they were part of the Government of Spain, subjects of the Government of Spain for most of that time, and then for about 20 years a part of the Mexican Government when Mexico overthrew Spain in the War of Independence in 1821. So for us there is that history which ties us so much to the lands of the southwest.

Now, for me, when I think about that history, and when I see what America has done for my family, I see very much an America that has been an America in progress.

I look to the Civil War, where there were over 600,000 people in America who died, as Lincoln said in his Gettysburg Address, to give a new birth of freedom to America. That was a statement by President Lincoln in which he believed slavery and the separation and ownership of people based on their race was something which was absolutely wrong. He was able to keep our Union together with the blood that was spilled both in the South and in the North.

It was out of that great Civil War of our times that we ended up with what are now some of the more significant amendments of our Bill of Rights. One thinks of the 13th and 14th and 15th amendments that abolished slavery, that created equal protection under the laws, that made sure everybody—no matter who they are, no matter where they come from—had an opportunity in these United States.

But that was not the end of the march for progress because even with the inclusion of those amendments, women were excluded and, in fact, the U.S. Supreme Court, in interpreting those amendments, made the decision that the Jim Crow segregation laws of the United States of America were just fine; that it was OK for the Government of America to sanction a place where you could have schools for Blacks, schools for Whites, schools for people who were Hispanic. It was OK, in those days, for women, according to the laws of this country, not to be allowed to vote, to take a subservient and very secondary role in our society. That was after a great civil war where over 600,000 people gave their lives on the soil of our America. But yet America marched forward on a path of progress. And we did, indeed, later on adopt the women's right of suffrage that allowed women to vote in our society.

Through the long civil rights movement, led by great leaders such as Thurgood Marshall, we ended up with a courageous Supreme Court in a unanimous decision of those days where Justice Warren wrote the famous Supreme Court decision of Brown v. Board of Education. In that 1954 decision by Justice Warren, what Justice Warren said in that decision is that the place of separate but equal had no place in our America. He said you cannot have a doctrine of separate but equal. That ends up branding those who are of a different color with a sense of inferiority and, therefore, under the equal protection clause of the 14th amendment there was no room for segregation in the United States of America. That was a significant milestone in our march for progress in America.

We have made major steps since that point in time. The passage of the Civil

Rights Act, signed by President Johnson in the 1960s, ushered in a whole new era of civil rights in America. We have continued to march forward.

So, today, as we look at what happened with the end of the immigration reform debate, I remain steadfastly confident and optimistic the tomorrows and the weeks ahead and the years ahead will bring about a resolution to this issue of immigration which we deal with today, and in that resolution of how immigration legislation is passed, to fix a system which is in chaos and in disorder today, what we will find is, as Dr. Martin Luther King said, change in our immigration laws will bend toward the arc of moral justice; that justice is where that arc will lead us as we deal with the issue of immigration reform.

I believe very strongly we had a good bill. It was not a perfect bill. It was a bill that, obviously, had its critics, both on the left and on the right. But I think it is important for us to step back and ask ourselves what it is we were trying to do, those of us who worked so hard on this legislation.

I believe, first and foremost, what we were doing is trying to address the national security issues of the United States. We were trying to do that by strengthening our borders and making sure we had enough money to be able to hire the personnel and do the things we have to do to enforce our borders and also to enforce our laws within our country.

How can we sit here today in the United States of America and know there are millions of people we do not know, or what their backgrounds are, who are here illegally, how can we be satisfied that our national security is taken care of when the borders are as porous as they are today? This national security issue is an inescapable force that will ultimately lead us to have the right resolution to dealing with the issue of our broken borders.

We also have a system of immigration which is simply broken. It is not working. What ends up happening is people point a lot to the border to the south, Mexico, as though that is where the issue of immigration, which has become so contentious, is rooted. Yet in reality, when you talk to the Irish who live in New York or in Chicago or other places, there are many undocumented Irish who live in those communities.

There are undocumented people in this country who come from over 140 countries all around the world. Indeed, no matter how big a wall we build, no matter how tall the wall, no matter whether that wall is as big as the Wall of China, the fact is, we have a system inside of our country that is not working because about 40 percent of the people who are here in an undocumented status actually came into the country legally, and they have overstayed their visas. So we have an immigration system within our country that simply is not working.

Finally, there are the moral and human issues that are at stake, including the human and moral issues with the 12 million people who live here in the shadows of our society. Our quest was to bring those 12 million people out of the shadows of darkness and pain they currently live in, into the sunlight of our society.

We made it very clear in our statement that it was not a free ride. We said to them in our legislation they would have to pay significant fines, they would have to pass a background check, they would have to learn English, they would have to live through a time—to use a Catholic metaphor—a period of purgatory for up to 8 years before they would be eligible to even become citizens. For most of them it would have meant a period of up to 11 years.

So this was not the free ride that was characterized by some of the opponents of the legislation. This was, indeed, tough, fair, and practical legislation that we proposed. But that legislation will not be heard on the Senate floor further for who knows how long. But at some point in time those forces that drew us together are forces which are not going to go away.

We have to continue to figure out a way to fix our broken borders. We have to have the courage to stand up and ensure that fix of a broken immigration system. What we have to do is have the courage to say we are going to do something that is moral and just and humane with the 12 million undocumented workers who have toiled in our hotel rooms, in our fields, who work at construction sites, who work as chicken pluckers, as my good friend said in South Carolina, who work in those kinds of conditions every day.

So I leave the end of this day with a sense of hopefulness, a sense of optimism, and with a sense that these inescapable forces that impel us forward will now not allow us to fail. We will get this job done.

As we get this job done, it is also important to reflect on the fact that there have been many people who have gotten us to the point where we are today. There is a lot of work that has gone on on this issue of immigration.

As Senator REID, and I, and others have spoken about this issue of immigration, we have reminded people that since 9/11 there have been 36 hearings on the issue of immigration. There have been 6 days of committee markup. There have been 59 committee amendments. There have been now probably 25 days of this Senate debating the issue of immigration. And during that course, there have been almost 100 Senate floor amendments that we have voted on as we have moved forward with immigration reform.

We will get there. But through that whole effort, there have been some tremendous people who have been profiles in courage. Some of them are newcomers to our Senate family. Some of them are Democrats who have been around a long time and who have inspired the people of America and the people who work here every day—day after day after day. Some of them are Republican. Some of them are Democrat. I want to say a word about some of these individuals.

Senator KENNEDY, yes, some people love him; some people hate him. But there is no person who has more of a passion and a sense of justice in America. When you think about the contributions the Kennedy family and Senator KENNEDY have made to this Nation, they are one of those historic and heritage families of whom we can all truly be proud. It has been an honor for me to work with him.

Senator LINDSEY GRAHAM did not have to get involved in the issue of immigration. He is up for reelection. It is not a popular issue. He comes from a tough State, South Carolina. Yet he worked every day and gave it everything he had, his whole heart and soul. He deserves a profile in courage for what he did.

Senator FEINSTEIN has labored so much because she cares about those people working in the fields. She cares so much about making sure we have a program that works for business and for agriculture. She is concerned about the human and moral issues. She partnered up with our colleague, Senator LARRY CRAIG, to get 800 organizations behind the legislation for AgJOBS. She did an incredible job in moving us forward, along with Senator LARRY CRAIG.

Senator BOB MENENDEZ, we heard him speak earlier on the Senate floor. He truly has added a tremendous dimension to this body, and his leadership will continue to bring us to a solution that is a fair and humane and just solution to this issue of immigration about which he cares so much. When he talks about family reunification, for him, he knows what that means in the context of immigration in a personal sense. So we need to honor and respect his perspective, which I support.

Senator REID, without his leadership, and without his bringing ''Lazarus'' up to life again on the floor of the Senate on immigration, we would not have gotten anywhere. So I thank our leader for having given us the opportunity and having stood with us on some very tough debates. He is a tough guy. He is a boxer. He knows how to fight. That is the kind of leadership America needs.

Senator LEAHY, as the chairman of the Judiciary Committee, who has done such a great job in the functioning of that Judiciary Committee, helped us move this legislation forward. I thank him for his leadership.

Senator KYL, the chairman of the Republican Conference Committee—get that—the chairman of the Republican Conference Committee, was in the trenches. He was in the trenches, sleeves rolled up, trying to make this thing happen; JON KYL from Arizona deserves one of those profiles in courage as well; Senator MCCAIN and his leadership. He is running for President. This is not a popular issue to take up.

Some people are saying that perhaps this is an issue that might take him to a lesser standing in the polls. But I will say this about Senator MCCAIN: He is a hero of America, and he is a hero of America because he has the courage of his convictions to stand up for those things he believes in. You think about those years he spent in captivity in Vietnam and what kind of courage was honed into his consciousness and into his humanity. He truly is a person of great leadership.

Senator SPECTER, the ranking member of the Senate Judiciary Committee, is a Republican who helped shepherd this legislation forward. Day after day he worked to make this happen because he knew of the national imperative we were dealing with. He also is one of those people with great courage.

My colleague from Florida, Senator MARTINEZ, worked hard for a very long time trying to get us across the finish line. For me, he is a brother. For me, when he tells the story of being a Peter Pan child, he exemplifies the dream and hope of what America is. We very much look forward to continuing our working relationship together on issues that affect America.

I say to his colleague, the Presiding Officer, Senator NELSON from Florida, I appreciate his great work and hanging with us, even on what was a very tough vote at the end.

I also want to say a quick word about a couple of other people who are freshmen, about whom some might say: What were they doing involved in such a big issue? But then I guess they did it because they learned and because they were doing it for all of the right reasons. SHELDON WHITEHOUSE, my colleague from Rhode Island, I called on him and said: You need to be a part of this group. You need to be a part of it because, No. 1, you are on the Judiciary Committee; and No. 2, you were a great attorney general of Rhode Island; and No. 3, you will learn so much in working with great names such as KENNEDY and SPECTER, LEAHY, and others. So he joined us, and day in and day out he was there, laboring to get us across the finish line.

AMY KLOBUCHAR, the new Senator from Minnesota, has a way of trying to bring people together. She has a way of trying to bring people together. She labored mightily to get us to where we ended up today, with at least as many votes as we were able to get.

But it is not just those who work who have the title of Senator—and I might add Senator TRENT LOTT also did a Herculean job of trying to get us across the finish line, and I thank him for that.

But there are many people behind each of these Senators. We get the honors, we get the label of Senator, but we couldn't do it without the wonderful floor staff we have, including the Parliamentarians and the clerks and others who help us every day, but also the staffs of each of our offices.

From Senator KENNEDY's staff, I thank Ester Olavarria, Michael Myers, Janice Kaguyutan, Melissa Crow, Mary Giovagnoli, and Todd Kushner; for Senator FEINSTEIN, Amy Pope and Jennifer Duck; for Senator MENENDEZ, Chris Schloesser; for Senator REID, Serena Hoy, Marcela Urrutia, and Ron Weich; for Senator DURBIN, Joe Zogby; for Senator LEAHY, Matt Virkstis and Ellen Gallagher; for Senator GRAHAM, Jen Olson and Matt Rimkunas; for Senator KYL, Elizabeth Maier and Michael Dougherty; for Senator MCCAIN, Becky Jensen; for Senator SPECTER, Michael O'Neill and Juria Jones; for Senator MARTINEZ, Nilda Pedrosa and Clay Deatherage.

I thank all the staff who have made this possible.

In conclusion, let me say I have great hope. I have great hope and I am optimistic. I am optimistic we are going to be able to deal with the great issues of our time in the 21st century. We are going to be able to figure out a way to resolve the issues in Iraq and in the Middle East, because the greatness of America depends upon us restoring the greatness of America around the world. We will move forward with a clean energy future for the 21st century, which is what we worked so hard on and what we passed in this Chamber last week. We will work very hard to address the issues of health care which affect so many Americans and their families and so many American businesses. Yes, we will continue to work on the issue of immigration. It is an issue we must resolve, and I am optimistic.

I am optimistic because when I think of that generation I come from, that generation of World War II, the parents of the Presiding Officer and mine, people who lived through those very difficult times of the Great Depression and the Dust Bowl, people who fought in World War II, veterans such as my father who went to war, my mother who served in the Pentagon during World War II, that generation of World War II, where half a million Americans gave their lives in the name of preserving civilization and freedom; if they could take on those challenges of their time, then there is no reason why we in the Congress cannot take on the challenges of our time and restore the greatness of America and make sure that the legacy they left to each and every one of us is not a legacy we forget or that we do not pass on in an even better shape to our children. I do not want our generation to be the first generation in American history that passes on the baton to the next generation in worse condition than we inherited it from our parents.

I thank the Presiding Officer, and I yield the floor.

Mr. President, in my haste to thank everybody I forgot to say something about someone who has now been through three immigration battles with me in my office, and that is Felicia Escobar. Felicia will be going to law school soon. For the last 3 years she has labored mightily, putting in sometimes 100-hour work weeks to make sure we are doing the right things on immigration, and I wanted to personally thank her on the floor for her great efforts.

Mr. President, I yield the floor and I note 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 have had the privilege of listening to the Presiding Officer in his role as the Senator from Colorado give a very detailed and very comprehensive overview of a lot of the personalities and the intrigues, as well as the substance, that went into this whole debate on immigration. It was interesting that when we failed to get the necessary 60 votes today to cut off debate on a motion of cloture, all the Senators stayed on the floor and listened to the majority leader. I thought the tone that the majority leader, Senator HARRY REID of Nevada, set was not one of bitterness; it was one expressing a good deal of frustration in the fact that so much effort had been made and we didn't get to the 60 votes. As a matter of fact, I think we were some 11 or 12 votes short of the 60 votes.

He did not point fingers. He didn't say whose fault it was. He said there will be another day, that this is one of the great issues of our time, and that America was better off for having had the debate. HARRY REID comported himself with great dignity and great leadership because there will be another day. There has to be another day on the issue of immigration, simply because what we have now on the books is a law this Senator voted for in 1986 as a Member of the House of Representatives; a law that has never been enforced by the U.S. Government and never has been obeyed by the people who were supposed to obey the law. What was estimated back in 1986—21 years ago—to be 2 million, maybe 3 million illegal folks in this country, because the law was never obeyed, in many cases by employers who were supposed to be the fulcrum of enforcing the law, that they would only hire legal entrants into this country, and on top of it was never enforced by the U.S. Government, created a condition that so many people have blasted the very legislation we have been considering of amnesty.

What we have now is amnesty: That 2 million or 3 million 21 years ago would grow to 12 million illegal aliens today. That is amnesty. Amnesty is what we have today because the law was never enforced or obeyed. That is what we have to correct.

Now, sadly, because of the experiences we have had over the last 21

years, not only on the question of immigration, but then from the lessons of September 11, 2001, we realize there is another reason we must control our borders, so desperately necessary to the welfare and the protection of this country, the protection of the homeland. Because of those two main reasons, we will live to see another day, and we will pass an immigration law to bring us into order out of the chaos which is the current condition.

I commend the Senator from Colorado as he gave a personality profile of so many of these wonderful Senators here, and it is a Senate family. You get to know each other on a personal basis, and you see how on occasion a Senator will rise to an occasion. All of the people whom the Senator from Colorado mentioned certainly merit that distinction. But what the Senator from Colorado didn't do is he didn't talk about himself. The Senator from Colorado has done one of the most remarkable jobs of acclimating to the Senate within a short period of time and becoming so effective, and especially on an issue such as immigration, for which he has great passion and compassion.

So I wanted to add my little comments to all of those the Senator mentioned who have so wonderfully stood tall under very difficult circumstances. It is quite unusual when a subject will touch a nerve that will create such passion on both sides—passion that gets so heated that the sides won't talk to each other. We cannot make law like that because, as the Good Book says, you have to come and reason together. When the passion gets so hot that you cannot come and reason together, you cannot come together and build consensus, that is when the legislative process in a democracy breaks down.

These Senators, in the midst of all of that passion, stood tall, comporting themselves extremely well and serving in the best tradition of the U.S. Senate.

Mr. President, 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. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. NELSON of Florida). Without objection, it is so ordered.

ETHICS AND LOBBYING REFORM

Mr. REID. Mr. President, we had a number of conversations this afternoon on the floor about ethics and lobbying reform. We are not going to move on that anymore today. We will renew our request tomorrow, until we get this done. I hope we can get it done. It is really important for the country.

Mr. President, I am reading now into the RECORD a statement that was issued today. I received it in my office, as all Senators did:

> Statement on status of 9/11 Commission recommendations bill, dated June 28, 2007.
>
> The 9/11 families are grateful to Congressional Leadership for taking the difficult step of removing a controversial labor provision from pending security legislation intended to implement the remaining 9/11 Commission recommendations.

I will read that again; I didn't do a very good job of it.

> The 9/11 families are grateful to Congressional Leadership for taking the difficult step of removing a controversial labor provision from pending security legislation intended to implement the remaining 9/11 Commission recommendations. We recognize that this was a difficult decision for them, considering their party's longstanding dedication to the principles involved.
>
> Passage of this bill is long overdue, particularly in light of bipartisan support at the bill's inception in both the House and Senate. The Democrats have taken an important step toward improving our national security by removing what the opposition identified as an impediment to the bill's passage.
>
> Senate Republican leadership must, in turn, stop blocking the naming of conferees so that this critical legislation can move forward. Similarly, the Administration should cease its threats to veto legislation regarding the provisions that go to the heart of the 9/11 Commission recommendations.
>
> Everyone must work together. The safety and security of our country is at stake.

This is signed by Carol Ashley, whose daughter Janice was lost in that terrorist attack of September 11; Rosemary Dillard, who is the widow of Eddie, who was killed in that terrorist attack; Beverly Eckert, who is the widow of Sean Rooney, who was killed in that attack; Mary Fetchet, the mother of Brad, who was killed in that terrorist attack; Carie Leming, whose daughter Judy was killed in that terrorist attack; and Abraham Scott, the widower of Janice, who was killed in that attack.

These are members of organizations that have been steadfast in making sure everything is done so that we don't have other terrorist attacks and that we implement the recommendations of the 9/11 Commission. Those organizations are Voices of September 11th, 9/11 Pentagon Families, and Families of September 11, which are organizations well known throughout the country.

Earlier this spring, the Director of National Intelligence, ADM Mike McConnell, told our Armed Services Committee in a public hearing that al-Qaida's franchise is growing and its leadership remains alive and well along the Afghanistan/Pakistan border and that any new attack on the United States ''most likely would be planned and come out of the [al-Qaida] leadership in Pakistan.'' We think that is incredible. Almost 6 years after 9/11, we face the same threat we faced that day: Osama bin Laden and a determined extremist group intent on harming Americans. Unfortunately, it is painfully clear that much more can and must be done to protect America from terrorist attacks.

Three years ago, the bipartisan 911 Commission recommended ways to strengthen our defense against terrorism. Unfortunately, the Bush administration and the Republican-controlled Congress failed to act on most of these recommendations. That is why one of the first bills passed in the House and the Senate at the start of this session of Congress would finally and fully implement the unanimous recommendations of the 9/11 Commission.

As my colleagues know, since we acted on a broad bipartisan basis, House and Senate Democrats and Republicans have worked tirelessly to resolve the differences over this bill and get it to the President's desk so it can be signed into law. However, twice this week, my Republican colleagues have objected to moving forward so we can complete action on this bill.

On Tuesday, a Republican Senator made it clear for the record that the Republicans objected to proceeding to conference because of a provision in the bill regarding TSA screeners, which had prompted the President to issue a veto threat on the bill.

Although the provision would improve efficiency, morale, and skills of TSA screeners, President Bush strenuously opposed it.

In an effort to demonstrate our commitment to completing this important legislation as quickly as possible, we informed our Republican colleagues we were prepared to address their objections and remove this provision during conference negotiations. But my Republican colleagues apparently decided to shift the goalposts.

Yesterday, when I asked for consent to proceed with the commitment that the TSA provision not be included in the conference, Senator LOTT objected on behalf of Senate Republicans. But this time he would not say why he objected. He just objected.

Once we made our intentions clear about their expressed concern, I certainly don't understand why my Republican colleagues continue to object to moving forward to complete action on this bill. Why do they keep shifting the goalposts? Of what are they afraid?

This strange behavior is not lost on the American people. Today, representatives of the 9/11 victims, their families, let their views be heard. I have read their statement into the RECORD. The American people expect us to finish this work as rapidly as possible.

There can be little doubt that America will be more secure when this bill is signed into law. That is why I believe we need to take the next procedural step as part of our regular order, which is to appoint conferees to finish these negotiations.

Therefore, Mr. President, I make the following unanimous consent request: That the homeland Security and Governmental Affairs Committee be discharged from further consideration of H.R. 1 and that the Senate then proceed to its immediate consideration—I am sorry, whenever I see that H.R. 1, it confuses everybody; that is what we

did that the Senate proceed to its immediate consideration; that all after enacting clause be stricken and the text of S. 4, as passed in the Senate, on March 13, be inserted in lieu thereof; that the bill be read a third time, passed, the motion to reconsider be laid upon the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate, with the above occurring with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. COBURN. Reserving the right to object.

The PRESIDING OFFICER. Does the Senator from Oklahoma object?

Mr. COBURN. I object.

Mr. REID. Mr. President, does the Senator from Oklahoma wish to make a statement?

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I say to the majority leader, I do not mean to delay this bill. I am on that subcommittee. I worked hard on this bill. I agree with the majority leader that many of those recommendations need to go forward.

This bill spends $12 billion over the next 3 years. We have worked tirelessly and worked hard. Mr. President, $9 billion of that $12 billion is grants. It is certainly not in the best interest of those most at risk, but I lost that fight. So I am willing to let that go. But the postgrant review process, which we asked for and were told would be in the bill before we went to conference, is not in it. Every time we ask about it, we get pushed back.

Until we look at how we are going to spend the money, until we can satisfy that, I don't believe we are ready to go to conference, and I also believe there are still some problems with ports in terms of solving those problems and some of the tier 1 issues we have.

My objection is not meant to be dilatory or anything else, other than to make the point that if we are going to spend $9 billion in grants to carry these recommendations out—and that is a small portion of the recommendations of the 9/11 Commission, but it is the $9 billion—and we refuse to have a postgrant auditing process where we look to see—because we know from what IGs have told us and the GAO, much of the money we have been spending post-9/11 has been wasted, and it hasn't gone to prevent the next terrorist act.

I have a personal interest as well. I have a daughter who lives in New York City. I want her protected. I don't want to do something that might stop that, but we have to do it in a way that makes us good stewards of the taxpayers' money.

That is my reason for objecting. It is not on behalf of the Republican leadership. It is on behalf of myself and my staff in trying to get good value for our money.

Mr. REID. Mr. President, I say through the Chair to my friend, I guess I will ask the question: Who have you talked to who said you can't have this postaudit program in the bill?

The PRESIDING OFFICER. The Senator from Oklahoma can answer the question of the majority leader.

Mr. COBURN. My staff has relayed to me, the Federal Financial Management Subcommittee minority staff, who have been working on this issue since we passed the bill, relayed to me before I came over that they still will not grant us that access in the bill.

Mr. REID. I will be happy to work with Senator LIEBERMAN. He is a person who has a reputation for being fair. He would be the chair of this conference, as far as I know.

I say to my friend, I will be happy to take a look at this issue—no guarantees. It sounds reasonable what the Senator is asking. I ask of the Senator, let us go to conference. If something comes back out of conference—I will personally look into this. I will talk with Senator LIEBERMAN about this issue. I don't know the bill that well because it has been through a committee of which I have no knowledge. But give us a chance. I don't know who the distinguished Republican leader will put on the conference. This is going to be a real conference, an open conference, where people will be able to, in a public meeting, say: I want to offer this amendment, and then the conference can either accept it or reject it.

I think the Senator from Oklahoma should give us a chance. This is an important issue. There are provisions that should be implemented—should have been implemented a long time ago.

I recognize that the Senator has a daughter in New York. I have listened to my colleague, the senior Senator from New York, on more than one occasion about what the people of New York went through, we all went through. America through long-lens glasses watched what happened on 9/11. These people in New York, widows and widowers—and I read their names into the Record—have a better feeling about these issues and we need to get this done.

I commit to my friend, the junior Senator from Oklahoma, that I will personally take a look at this issue. I know how thoughtful he is and how he feels about the money that is spent by the American taxpayers. I will make every effort to make sure the Senator from Oklahoma is treated fairly. Even though he is not a member of the conference, I will arrange it, if he is not on the conference committee, he can come and talk to the conferees. I will do whatever I can to help alleviate any of the concerns he has.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, first, I thank Majority Leader REID for trying to move this bill forward.

Second, I say to my friend from Oklahoma, I have tremendous respect for my friend from Oklahoma. I regard him truly as a friend. We traveled to China together. He is a gentleman, and I don't think anybody doubts the sincerity of his conviction and his desire to save and not waste money.

Similar to Senator REID, I am not familiar with the particulars of this provision the Senator wishes to put into the bill, but it seems reasonable. I have to tell my friend from Oklahoma, I don't want to see money wasted. I can tell him that in New York City, we are not wasting the money. In fact, the taxpayers of New York, the city where his one daughter and two of mine reside, as well as my wife and my parents and most of my family, we in New York don't like to see the money wasted. We think too much of it is spread all over the place.

I will tell him this: That the money that goes to New York is not wasted, No. 1. No. 2, there are areas that affect the whole country that will be held up. Port security—God forbid a nuclear weapon is smuggled into this country and exploded, God forbid. The more we delay on port security, the worse off we will be. Rail security, truck security, and cyber security are all part of this bill.

Similar to Senator REID, it seems to me the proposal the Senator from Oklahoma is making sounds good. Why not have review? Money wasted on this vital area—it is akin to money from the DOD wasted because it is our defense, even though it is our homeland defense as opposed to our military defense—hurts all of us.

But I can tell him this: I have known Senator REID a long time. The Senator from Oklahoma has known him a little less longer than I. When he makes a commitment to be serious about this issue and to look at it carefully and to give a colleague, such as the Senator from Oklahoma, a bird's-eye view of what happens in the conference and the ability to push and make changes, he is sincere. He is not trying to put one over and push this aside.

Also, I am not on the committee, but I will join my colleague from Oklahoma in wanting a review process. I would like to speak with Chairman LIEBERMAN and other members of the committee as to why they didn't put this in. I don't know the reason for that. But I can assure him, as somebody who is involved in many parts of the Homeland Security bill because of the city and State from which I come, I will work with him because I hate seeing the money wasted. I hate it.

In New York City, we are spending money. New York City taxpayers and New York State taxpayers are spending money because we don't think there is enough. I will give one example.

I live in Brooklyn. There is the Brooklyn Bridge. Intelligence reports

targeted the Brooklyn Bridge several years ago, and they know how they would try to blow up the bridge, which is by the two towers, the cables. It is a suspension bridge, the first one ever built. Every day there are two police officers at each end of the bridge. That is four police officers 7 days a week, 24 hours a day. We can't do it part time if terrorists are going to go after this bridge. So that is 20 police officers per week. It is five shifts to do it 24 hours a day, 7 days a week. That money is coming out of the pockets not of my friend from Nevada or my friend from Oklahoma but the daughter of the Senator from Oklahoma, my family, me, city residents. It is not fair.

This bill, in terms of helping deal with some of those issues, is important. In making our homeland secure, it is important.

So I make a plea to my friend from Oklahoma—and he is my friend and I think every bit of his intentions are honorable, as they almost always are—to let this bill go forward, to take the majority leader's word that he will look at this issue himself carefully and make sure the Senator from Oklahoma has the ability to look at it carefully because this bill has been delayed long enough and the heartfelt pleas of the people who Senator REID mentioned—I know most of them personally, I know about their losses, I know their families a little bit—are for real, as are the pleas of everybody else who is involved.

So I ask my colleague to consider lifting his objection and letting us move forward. There will be plenty of time to object if the conference committee doesn't treat him fairly. He can slow this place down and slow the bill down at that point and have the same effect as doing it now, and we might be able to move forward with the legislation.

Mr. COBURN. Mr. President, if I might be recognized, I say to my colleague for New York, I have been working on this for 6 months. This isn't new. They knew this was coming. These are commitments that were made that were not kept. This is not a reflection on Senator LIEBERMAN. This is a staff-driven problem. The only leverage I have to get staff to do what they are supposed to be doing is this.

I apologize to the Senator and to his constituents. If my colleagues fix it over the break, when we come back, I would not have any objection.

Mr. SCHUMER. Mr. President, will my colleague yield?

Mr. COBURN. Yes, I yield.

Mr. SCHUMER. Is that the Senator's only objection?

Mr. COBURN. That is the only objection I have.

Mr. REID. Mr. President, I say to Senator COBURN, I received a note. This is from Senator LIEBERMAN's staff:

We have worked very close with Senator COBURN's staff—in particular his subcommittee staff director—Katie French. Coburn's provisions were included in S. 4. The House negotiators opposed them and after long negotiations Katie signed off on our final agreement.

Beth worked on this and will send more information in a moment.

It appears they have worked this out.

Mr. COBURN. Mr. President, I have no knowledge, I say to the majority leader, that has been worked out. The last memo I have from my staff director is that it has not. If that is the case, again, I will live up to my word that I promised the majority leader and senior Senator from New York that you would not have an objection from me—

Mr. REID. If this is the case, tomorrow in the Senator's absence, can we go ahead with this bill?

Mr. COBURN. If that is the case, then I don't have a basis for objection.

The PRESIDING OFFICER. The majority leader.

VOTE EXPLANATION

Mr. BIDEN. Mr. President, I was not able to be here yesterday for all of the votes on motions to table amendments to S. 1639. Had I been here, I would have voted against tabling the amendments filed by Senator DODD and Senator MENENDEZ.

TRIBUTE TO BARBARA WHITNEY CARR

Mr. DURBIN. Mr. President, Chicagoans take our green spaces very seriously. In fact, if you look at the great seal of the city of Chicago, you will see, written in Latin, the city's motto: Urbs in Horto—City in a Garden.

So it seems only natural that Chicago is home to one of America's most popular and spectacular gardens: the Chicago Botanic Garden.

The Botanic Garden is one of the brightest jewels in Chicago's crown of great cultural and educational institutions.

Since its opening in 1972, the Chicago Botanic Garden has provided a 385-acre island of beauty and tranquility just outside of one of America's biggest and busiest cities.

Today, it is the second-most visited public garden in the country, drawing appreciative visitors from throughout the Chicago area and around the globe.

Part of what makes the Chicago Botanic Garden so extraordinary is the dedication, vision and inexhaustible energy of the woman who has served as its president for the last 12 years, Barbara Whitney Carr.

With a great sense of gratitude—and a touch of sadness I would like to wish Barbara Carr well as she prepares to step down from the Botanic Garden and begin a new chapter in her life. More importantly, I want to thank her for all she has done to make the Chicago Botanic Garden a beautiful oasis, a popular tourist attraction, and an important teaching tool.

Like Daniel Burnham, the legendary planner who redesigned Chicago after the Great Fire of 1871, Barbara Carr ''make(s) no little plans.''

She joined the Botanic Garden as president and CEO in 1995 and immediately set to work developing and carrying out a 10-year, $100 million improvement plan.

Her plan included renovation and construction of eight gardens, as well as the restoration of close to 6 miles of Lake Michigan shoreline.

Under her direction, the Chicago Botanic Garden has expanded its collection to include more than 2 million plants.

While it is undeniably beautiful, the Chicago Botanic Garden prides itself on being more than just a pretty garden. Under Barbara Carr's leadership, the garden has truly become a living museum and classroom. Students from the Chicago Public Schools attend programs at the garden in which they learn about the science of plants and the importance preserving biodiversity.

And you don't even have to visit the Botanic Garden to learn from it. Working with the University of Illinois at Chicago, the garden created an online, searchable database of plant species that can help even the most inexperienced gardener. It is called eplants.org. If you have a garden you might want to bookmark that site. It is a good one.

A few years ago, Barbara Carr realized that in Chicago—one of the greenest cities in the country—there weren't a lot of advanced degree programs in horticulture and botany, and she quickly set about to fill that gap. She initiated the creation of an Academic Affairs Program at the Botanic Garden and teamed with Northwestern University, the Illinois Institute of Technology, and the University of Illinois to develop several outstanding academic programs.

In recent years the garden has become the site of cutting edge research in the fields of botany and environmental conservation.

In recent years the garden has become the site of cutting edge research in the fields of botany and environmental conservation. It is home to an impressive seed repository called the Seeds of Success program, part of a global initiative to collect and store native seeds in order to preserve plant biodiversity.

Over the years, both Barbara and the garden have received many accolades. The garden was recognized for its educational programs and community outreach projects with the National Award for Museum and Library Service in 2004. This prestigious honor is the highest award bestowed upon a museum. Earlier this year, the American Public Garden Association presented Barbara with the 2007 Award of Merit, the organization's highest honor.

Before joining the Botanic Garden, Barbara Carr earned a degree from Denison University in Ohio. She spent nearly 20 years at the Lincoln Park Zoological Society, serving as its executive director and president.

To say that Barbara is ''retiring'' somehow doesn't seem quite right. It would be more accurate to say that she is redirecting her energies. I have no doubt that Barbara will remain involved in her community and committed to the many causes in which she believes so deeply. She will also have the opportunity to spend more time with her family: her husband Robert F. Carr III—better known as Tad their six children, and 11 grandchildren.

I join the residents of Chicago, the ''city in a garden,'' in thanking Barbara Whitney Carr for helping to create a garden in our city that makes us all proud.

RESCUERS FROM EIELSON AIR FORCE BASE

Mr. STEVENS. Mr. President, it gives me great pride to salute three brave young airmen stationed at Eielson Air Force Base in Alaska. SSGt Bryan Fletcher, SrA Elicia Greer, and SrA John Rogers displayed remarkable heroism—and saved a life—on the evening of June 16, 2007.

The three airmen were riding recreational vehicles near Jet Ski Lake in Fairbanks when they heard a woman scream. They immediately stopped to help, and saw an unconscious man about to drown in the lake. Staff Sergeant Fletcher dove into the water first, followed by Senior Airman Greer. They proceeded to pull the man out and began cardiopulmonary resuscitation. Senior Airman Rogers, who was riding a distance away, soon arrived to help in this effort.

Airmen Fletcher, Greer, and Rogers spent several minutes administering CPR to Joseph Mead before they registered any response. All three took turns performing mouth-to-mouth resuscitation and compressing Mead's heart. They continued CPR until the University of Alaska Fire Department arrived to take over. Mead was safely revived, taken to the hospital, and released the next day with no lasting injuries.

The lakeside rescue is not the first time these individuals have displayed tremendous heroism—each has also served in Iraq with distinction. As veterans of U.S. Army combat convoy duty, they were tasked with dangerous and difficult work in the most demanding of circumstances. Like their recent rescue of Joseph Mead, however, no challenge has yet proven too difficult for them to overcome.

Staff Sergeant Fletcher hails from McCloud, TX; Senior Airman Greer is from Bozeman, MT; and Senior Airman Rogers is from Cumberland Gap, TN. They are currently assigned to the 354th Logistics Readiness Squadron at Eielson Air Force Base, where they serve Alaska and our Nation with honor.

A few days after the rescue, Joseph Mead's cousin, Ben Saylor, said, ''This is a reminder that there are good people in this world.'' He is right. These airmen epitomize the kind of quiet professionalism and unassuming valor our men and women in uniform demonstrate on a daily basis. I join all Alaskans in commending their courageous actions.

BUDGET SCOREKEEPING REPORT

Mr. CONRAD. Mr. President, I rise to submit to the Senate the first budget scorekeeping reports for the 2008 budget resolution. The reports, which cover fiscal years 2007 and 2008, were prepared by the Congressional Budget Office pursuant to section 308(b) and in aid of section 311 of the Congressional Budget Act of 1974, as amended.

The reports show the effects of congressional action through June 25, 2007. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con Res. 21, the 2008 budget resolution.

For 2007, the estimates show that current level spending equals the budget resolution for both budget authority and outlays while current level revenues exceed the budget resolution by $4.2 billion. For 2008, the estimates show that current level spending is below the budget resolution by $928.1 billion for budget authority and $586.7 billion for outlays while current level revenues exceed the budget resolution level by $34.6 billion.

I ask unanimous consent that the letters and accompanying tables from CBO be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 27, 2007.

Hon. KENT CONRAD,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2007 budget and is current through June 25, 2007. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 21, the Concurrent Resolution on the Budget for Fiscal Year 2008, as approved by the Senate and the House of Representatives.

Pursuant to section 204(a) of S. Con. Res. 21, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the enclosed current level report excludes these amounts (see footnote 1 of Table 2 of the report). This is my first report for fiscal year 2007.

Sincerely,

PETER R. ORSZAG,
Director.

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2007, AS OF JUNE 25, 2007

[In billions of dollars]

	Budget resolution [1]	Current level [2]	Current level over/under (−) resolution
On-Budget:			
Budget Authority	2,255.5	2,255.5	0.0
Outlays	2,268.6	2,268.6	0.0
Revenues	1,900.3	1,904.5	4.2
Off-Budget:			
Social Security Outlays [3]	441.7	441.7	0.0
Social Security Revenues	637.6	637.6	0.0

[1] S. Con. Res, 21, the Concurrent Resolution on the Budget for Fiscal Year 2008, as adjusted pursuant to section 207(f), assumed approximately $120.8 billion in budget authority and $31.1 billion in outlays from emergency supplemental appropriations. Such emergency amounts are exempt from the enforcement of the budget resolution. Since current level totals exclude the emergency requirements enacted in P.L. 110–28 (see footnote 1 of table 2), budget authority and outlay totals specified in the budget resolution have also been reduced (by the amounts assumed for emergency supplemental appropriations) for purposes of comparison.

[2] Current level is the estimated effect on revenue and spending of all legislation that the Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations, even if the appropriations have not been made.

[3] Excludes administrative expenses of the Social Security Administration, which are off-budget, but are appropriated annually.

Source: Congressional Budget Office.

TABLE 2.—SUPPORTING DETAIL FOR THE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2007, AS OF JUNE 25, 2007

[In millions of dollars]

	Budget authority	Outlays	Revenues
Enacted in previous session:			
Revenues	n.a.	n.a.	1,904,706
Permanents and other spending legislation	1,347,423	1,297,059	n.a.
Appropriation legislation	1,480,453	1,543,072	n.a.
Offsetting receipts	−571,507	−571,507	n.a.
Total, enacted in previous session	2,256,369	2,268,624	1,904,706

TABLE 2.—SUPPORTING DETAIL FOR THE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2007, AS OF JUNE 25, 2007—Continued

[In millions of dollars]

	Budget authority	Outlays	Revenues
Enacted this session:			
Appropriation Acts: U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (P.L. 110–28) [1]	−794	9	−166
Total, enacted this session	−794	9	−166
Entitlements and mandatories: Budget resolution estimates of appropriated entitlements and other mandatory programs	−30	0	0
Total Current Level [1] [2]	2,255,545	2,268,633	1,904,540
Total Budget Resolution	2,376,348	2,299,749	1,900,340
Adjustment to the budget resolution for emergency requirements [3]	−120,803	−31,116	0
Adjusted Budget Resolution	2,255,545	2,268,633	1,900,340
Current Level Over Adjusted Budget Resolution	0	0	4,200
Current Level Under Adjusted Budget Resolution	0	0	n.a.

[1] Pursuant to section 204(a) of S. Con. Res. 21, the Concurrent Resolution on the Budget for Fiscal Year 2008, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. The amounts so designated for fiscal year 2007, which are not included in the current level total, are as follows: U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (P.L. 110–28)—Budget Authority, 120,803; Outlays, 31,116; Revenues, n.a.

[2] Excludes administrative expenses of the Social Security Administration, which are off-budget.

[3] S. Con. Res. 21, as adjusted pursuant to section 207(f), assumed $120,803 million in budget authority and $31,116 million in outlays from emergency supplemental appropriations. Such emergency amounts are exempt from the enforcement of the budget resolution. Since current level totals exclude the emergency requirements enacted in P.L. 110–28 (see footnote 1), budget authority and outlay totals specified in the budget resolution have also been reduced (by the amounts assumed for emergency supplemental appropriations) for purposes of comparison.

Notes.—n.a. = not applicable; P.L. = Public Law.

Source: Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 27, 2007.

Hon. KENT CONRAD,
Chairman, Committee on the Budget, U.S. Senate Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2008 budget and is current through June 25, 2007. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 21, the Concurrent Resolution on the Budget for Fiscal Year 2008, as approved by the Senate and the House of Representatives.

Pursuant to section 204(a) of S. Con. Res. 21, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the enclosed current level report excludes these amounts (see footnote 1 of Table 2 of the report). This is my first report for fiscal year 2008.

Sincerely,

PETER R. ORSZAG,
Director.

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2008, AS OF JUNE 25, 2007

[In billions of dollars]

	Budget resolution [1]	Current level [2]	Current level over/under (−) resolution
On-budget			
Budget Authority	2,350.2	1,422.1	−928.1
Outlays	2,353.8	1,767.1	−586.7
Revenues	2,015.8	2,050.5	34.6
Off-budget			
Social Security Outlays [3]	460.2	460.2	0.0
Social Security Revenues	669.0	669.0	0.0

[1] S. Con. Res. 21, the Concurrent Resolution on the Budget for Fiscal Year 2008, as adjusted pursuant to section 207(f), assumed approximately $0.6 billion in budget authority and $48.6 billion in outlays from emergency supplemental appropriations. Such emergency amounts are exempt from the enforcement of the budget resolution. Since current level totals exclude the emergency requirements enacted in P.L. 110–28 (see footnote 1 of table 2), budget authority and outlay totals specified in the budget resolution have also been reduced (by the amounts assumed for emergency supplemental appropriations) for purposes of comparison. Additionally, section 207(c)(2)(E) of S. Con. Res. 21 assumed $145.2 billion in budget authority and $65.8 billion in outlays for overseas deployment and related activities. Pending action by the Senate Committee on Appropriations, the Senate Committee on the Budget has directed that these amounts be excluded from the budget resolution aggregates in the current level report.

[2] Current level is the estimated effect on revenue and spending of all legislation that the Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations, even if the appropriations have not been made.

[3] Excludes administrative expenses of the Social Security Administration, which are off-budget, but are appropriated annually.

Source: Congressional Budget Office.

TABLE 2.—SUPPORTING DETAIL FOR THE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2008, AS OF JUNE 25, 2007

[In millions of dollars]

	Budget authority	Outlays	Revenues
Enacted in previous session:			
Revenues	n.a.	n.a.	2,050,796
Permanents and other spending legislation	1,410,115	1,351,590	n.a.
Appropriation legislation	0	419,862	n.a.
Offsetting receipts	−575,635	−575,635	n.a.
Total, enacted in previous session	834,480	1,195,817	2,050,796
Enacted this session:			
Appropriation Acts: U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (P.L. 110–28) [1]	1	42	−335
Total, enacted this session	1	42	−335
Entitlements and mandatories: Budget resolution estimates of appropriated entitlements and other mandatory programs	587,601	571,260	0
Total Current Level [1] [2]	1,422,082	1,767,119	2,050,461
Total Budget Resolution	2,495,957	2,468,215	2,015,841
Adjustment to the budget resolution for emergency requirements [3]	−605	−48,639	n.a.
Adjustment to the budget resolution pursuant to section 207(c)(2)(E) [4]	−145,162	−65,754	n.a.
Adjusted Budget Resolution	2,350,190	2,353,822	2,015,841
Current Level Over Adjusted Budget Resolution	n.a.	n.a.	34,620
Current Level Under Adjusted Budget Resolution	928,108	586,703	n.a.

[1] Pursuant to section 204(a) of S. Con. Res. 21, the Concurrent Resolution on the Budget for Fiscal Year 2008, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. The amounts so designated for fiscal year 2008, which are not included in the current level total, are as follows: U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (P.L. 110–28)—budget authority, 605; outlays, 48,639; revenues, n.a.

[2] Excludes administrative expenses of the Social Security Administration, which are off-budget.

[3] S. Con. Res. 21, as adjusted pursuant to section 207(f), assumed $605 million in budget authority and $48,639 million in outlays from emergency supplemental appropriations. Such emergency amounts are exempt from the enforcement of the budget resolution. Since current level totals exclude the emergency requirements enacted in P.L. 110–28 (see footnote 1), budget authority and outlay totals specified in the budget resolution have also been reduced (by the amounts assumed for emergency supplemental appropriations) for purposes of comparison.

[4] Section 207(c)(2)(E) of S. Con. Res. 21 assumed $145,162 million in budget authority and $65,754 million in outlays for overseas deployment and related activities. Pending action by the Senate Committee on Appropriations, the Senate Committee on the Budget has directed that these amounts be excluded from the budget resolution aggregates in the current level report.

Notes.—n.a. = not applicable; P.L. = Public Law.

Source: Congressional Budget Office.

NOMINATION OF LIEUTENANT GENERAL DELL LEE DAILEY

Mr. FEINGOLD. Mr. President, I wish to discuss the confirmation of Lieutenant General Dell Lee Dailey as the Coordinator in the State Department's Office of Counterterrorism.

Lieutenant General Dailey has had a distinguished military career. There can be no question about that. He is a graduate of West Point and has served as a battalion commander, regiment commander, and assistant division commander both at posts in the United States and abroad. Most recently, he served as director at the Center for Special Operations at MacDill Air Force Base. He has received numerous awards for his excellence including the Defense Distinguished Service Medal, two Defense Superior Service Medals, three Army Commendation Medals and six Meritorious Service Medals. He has spent his entire life defending this nation and I thank him for service.

The position to which he was confirmed last Friday is that of the State Department's Coordinator for the Office of Counterterrorism. While I did not object to Lieutenant General Dailey's confirmation, as a member of both the Foreign Relations Committee and the Select Committee on Intelligence, I would like to register my concerns.

While the nomination of a military official to a civilian post does not by itself cause concerns, this particular position requires an ability to develop and implement interagency strategies and to encourage the use of and mobilize non-DOD assets. In the context of this administration's tendency to employ military options against strategic problems, or to assign nonmilitary functions to the Department of Defense, it is particularly important that the Coordinator for Counterterrorism demonstrate a commitment to expanding and utilizing the resources of the State Department, USAID and other agencies of the U.S. Government.

I have talked with General Dailey and reviewed his writings, including a 2006 article in which he wrote that Special Operations forces, ''doing what they do best,'' are ''developing links within the population that will provide ongoing intelligence and personal relationships that will cement ties with allies around the world.'' When it comes to military engagements, Special Operations forces may, in fact, have this role. But in most of the countries and regions of the world where we are fighting al-Qaida and seeking to deny it safe haven, these activities should not fall to the Department of Defense. Indeed, ''developing links within the population'' and ''cement[ing] ties with allies around the world'' are the jobs of our diplomats. And, in far-flung regions of the world, where a U.S. diplomatic presence or foreign aid program can help deny terrorist organizations safe haven, we should be working to expand those efforts, not deferring to the Department of Defense. This is critical for four reasons. First, our diplomats and foreign assistance professionals have the background and training to conduct these activities. Second, regardless of the skills of Special Operations forces, the very fact that uniformed officers are at the forefront of local diplomacy can be counterproductive by encouraging or reinforcing perceptions that U.S. policy is driven by our military. Third, if policy is to guide counterterrorism efforts—and that is the whole point of the Coordinator position—then diplomats, not soldiers, need to be leading the way. And, finally, we need our military to do what it does best in the struggle against al-Qaida and its allies, and that is conduct tactical operations as well as work directly with host country militaries and regional peacekeeping forces. The overextension of Special Operations or other military forces for other missions takes away from these efforts.

We need only look at Africa, where strategic counterterrorism policies are desperately needed, to understand the challenges ahead. In Somalia, DOD operations have been conducted in a near policy vacuum. Tactical efforts have not, and will not, address the conditions that have allowed terrorist organizations safe haven. Yet violence and instability continue to fester, at great cost to our national security, without adequate diplomatic, humanitarian or foreign assistance efforts. Elsewhere on the continent, in regions where extremism can take hold and where terrorist organizations might find sympathetic populations, neither the State Department nor USAID has sought to maintain a presence. Finally, AFRICOM's recent difficulties in finding a willing host country illustrate how diplomatic initiatives must precede efforts to expand our military footprint. I have supported AFRICOM and believe that African nations will recognize what the command may have to offer, but we must acknowledge that governments and local populations alike remain skeptical of initiatives that seem driven by our military.

It is in this context that I sought from General Dailey an understanding of this critical position, one whose primary mission is ''to forge partnerships with non-state actors, multilateral organizations, and foreign governments to advance the counterterrorism objectives and national security of the United States.'' At his nomination hearing, I asked him the following question:

> What points of collaboration do you see for the relative roles of U.S. military action, military assistance and nonmilitary assistance in the war against international terrorism?

Lieutenant General Dailey's response was:

> The military has a huge source of non-lethal, non-kinetic resources that Department of State and the other agencies, I think, can rely on to be successful in that portion of the war on terror that gets to the hearts and minds of the people. Civil affairs operations, public diplomacy—right now the Special Operations organizations have about 15 or 20 teams that help in public diplomacy that work specifically for the ambassadors in the embassies. That's just a small snapshot of what the military can bring to the table.

Unfortunately, this response appears to reflect the mindset of someone who sees combating terrorism through a military, or at least Department of Defense, prism. This answer suggests a lack of appreciation for the need to incorporate and balance civil, intelligence, and military initiatives when coordinating a U.S. counterterrorism strategy. It is not that the answer is wrong; it indicates a keen understanding of what the Department of Defense can bring to the table. But the Department of Defense does not need more champions in the interagency process. What is needed is a champion for the role of other agencies and departments, for aggressive diplomacy, for expanded foreign assistance efforts, for antipoverty and anticorruption programs that complement broader counterterrorism strategies, for effective public diplomacy, and for multilateral cooperation, including strengthening regional organizations in places like Africa and rediscovering the common ground with our allies in Europe and elsewhere that we had immediately after September 11.

I recognize that these challenges present an extremely high bar for any nominee. I also recognize that this nomination is colored by the failure of this administration to develop and implement effective interagency counterterrorism strategies. But it is precisely because of the critical importance of this position and the need for the nominee to resist this administration's overemphasis on military options that I have regarded General Dailey's nomination with such scrutiny. I do not register these concerns lightly and now that he has been confirmed, I look forward to working with General Dailey on developing coherent and comprehensive counterterrorism strategies, coordinating true interagency efforts and promoting the use of our diplomatic and other nonmilitary resources that are so critical to success in the fight against al-Qaida and its affiliates.

REMEMBERING SENATOR CRAIG THOMAS

Mr. GRASSLEY. Mr. President, Senator Craig Thomas was a very good friend. He served in the Senate with great honor and respect for the institution.

I got to know Senator Thomas best through the work of the Finance Committee. Senator Thomas was an active and dedicated participant in the business of the committee from tax policy, to health care, Social Security and international trade. When I was chairman of the committee, I could always count on his diligent, steadfast and

valuable involvement in the issues before us. I appreciated greatly his commitment to conservative principles and the responsibilities of governing.

In particular, as chairman of the Trade Subcommittee, Senator Thomas was a strong voice for opening new markets and opportunities for U.S. exports. He went above and beyond and engaged himself fully in efforts to achieve ambitious outcomes from trade negotiations. He demonstrated his commitment time and again with his own personal time and his personal resolve.

Senator Thomas was a true representative for his Wyoming constituents. He worked hard and sincerely for their good and for the good of our Nation every day. He will be missed so very much. Barbara and I extend our sincere and deep sympathies to his family and his staff.

Mr. SPECTER. Mr. President, I seek recognition to honor the life of my colleague, Senator Craig Thomas.

Craig, a real outdoorsman, would say he enjoyed nothing more than a horseback ride through Wyoming's spectacular wilderness area. Despite that, he found himself here in Washington, DC, working for the betterment of his Home State and the Nation. He was outspoken on government's need to provide adequate funding for national parks, a subject he knew well as chairman and ranking member of the National Parks Subcommittee on the Energy and Natural Resources Committee.

Senator Thomas was also a strong defender of his State's cattle industry and was a firm believer in the virtues of rural America. This passion stems back to his time at the University of Wyoming, where he received a degree in animal husbandry. Senator Thomas also served as an officer in the U.S. Marine Corps from 1955 to 1959, achieving the rank of captain, an experience that taught discipline and reinforced his commitment to the United States.

Before Craig came to Congress, he served as vice president of the Wyoming Farm Bureau, and once headed the rural electric trade association of Wyoming. After 5 years in the Wyoming House, Thomas won a special election to replace DICK CHENEY, who was appointed to be Secretary of Defense. As Wyoming's lone Member in the U.S. House of Representatives, he had the responsibility of representing over 450,000 constituents. Craig was reelected to that seat in 1990 and 1992, a testament to his ability to serve the people of Wyoming effectively. In 1994, he ran for the U.S. Senate and won, defeating popular Democratic Governor Mike Sullivan by 20 percentage points. He was elected to a second term in 2000 with a 74 percent majority, one of the largest margins in Wyoming election history. He was reelected to a third term in 2006 with 70 percent of the vote.

Senator Thomas had no doubts about who he was or what he represented. He was not one to pick a fight, but if asked how he felt about a given issue, he would be sure to give his typically candid and honest response. When it came to issues he was passionate about, such as public lands and private property, he left little doubt as to his priorities. As a member of the Senate Energy Committee, and particularly in his leadership of the National Parks Subcommittee, Craig asked tough questions and made strong statements about the responsibility of the Federal Government to care for the land it already owned; the fundamental nature of private property rights; and Congress's need to consider the interplay between these principles when contemplating new national parks or historic sites. He was always a fair broker, and I found on many occasions that he would give my priorities fair consideration and due process.

I very much regret that Senator Thomas lost his battle to cancer. In 1970, President Nixon declared war on cancer. Had that war been prosecuted with the same diligence as other wars, my former chief of staff, Carey Lackman, a beautiful young lady of 48, would not have died of breast cancer. One of my very best friends, a very distinguished Federal judge, Chief Judge Edward R. Becker, would not have died of prostate cancer. All of us know people who have been stricken by cancer, who have been incapacitated with Parkinson's or Alzheimer's, who have been victims of heart disease, or many other maladies. I sustained an episode with Hodgkin's lymphoma cancer 2 years ago. That trauma, that illness, I think, could have been prevented had that war on cancer declared by the President of the United States in 1970 been prosecuted with sufficient intensity.

On a personal level, Senator Thomas had an extraordinary relationship with his wife Susan. As many of my colleagues can attest, Craig and Susan were quite inseparable and quick with humor. Even as Craig battled with acute myeloid leukemia he continued to serve in the Senate with extreme vigor and a smile. He leaves behind many friends and admirers, who have tried to emulate his courage, his tenacity, and his integrity.

I extend my deepest condolences to Susan, their four children, the whole Thomas family, and his very able staff.

Mrs. DOLE. Mr. President, it is with a heavy heart that I join so many Americans in mourning the passing of my dear friend and esteemed colleague, Senator Craig Thomas. Craig served the people of Wyoming with great integrity, honesty, and common sense. He was a true American patriot and dedicated public servant who never failed to put the best interests of his beloved state and country above personal ambitions.

Craig came from humble beginnings, working summers on his family's dude ranch near Yellowstone National Park. He earned a degree from the University of Wyoming, where he was a respected student and accomplished athlete, and from there he went on to serve in the U.S. Marine Corps. It was these life experiences that taught Craig the values of hard work, perseverance, and personal responsibility. These principles guided him throughout his remarkable career, during which he worked for the Wyoming Farm Bureau, the American Farm Bureau, and the Wyoming Rural Electric Association before winning a special election to the U.S. House of Representatives.

In 1994, Craig was elected to the U.S. Senate, and went on to make his mark in a number of areas. He served with distinction on the Energy, Finance, and Agriculture Committees—posts he used to promote issues important to his constituents in the rural west and their quality of life. As the chairman of the National Parks Subcommittee, Craig worked tirelessly to protect America's natural treasures, and as the co-chairman of the Senate Rural Health Caucus, he made significant strides in improving rural health care infrastructure. No question, Craig's numerous accomplishments truly speak volumes about his commitment to the people of Wyoming and our entire Nation.

Craig's greatest commitment, however, was to his family. He was unwavering in his devotion to his dear wife Susan and his children Peter, Patrick, Greg, and Lexie. My husband Bob and I are blessed to have known and worked with Craig, and we keep Susan and the entire Thomas family in our thoughts and prayers.

Craig's memory and legacy indeed live on, across Wyoming, throughout the halls of Congress, in the countless lives he touched, and in the public servants who follow in his footsteps. Our Nation is grateful for his many years of service and positive contributions. May God bless the entire Thomas family in this time of sorrow, and may God continue to bless his beloved Wyoming and this great land of the free—America.

CELEBRATING INDEPENDENCE DAY

Mr. DOMENICI. Mr. President, I would like to take a few moments to commemorate the 231st birthday of our Nation, on this coming Fourth of July.

On the 4th of July, 1776, the Second Continental Congress adopted the Declaration of Independence and our Nation was born. However, our forefathers would have to fight 7 more years and draft and ratify the Constitution before the principles laid down in the Declaration of Independence could truly begin to be realized.

That was just the beginning of our Nation's story. It has taken the hard work and dedication of countless Americans to build the great and free Nation we know today. On this day we should pay tribute to the pioneers who struck out across the frontier to build new lives, the individuals who built the

roads and bridges that connect the country, the teachers who have ensured our youth reached their full potential and all Americans who in their own way have contributed to this Nation.

We cannot forget the brave Americans of our armed services who throughout our history have fought and died to preserve the freedom we all enjoy, nor those currently serving. On the Fourth of July we must also honor the sacrifice of these men and women.

As New Mexicans gather with family and friends to barbecue and watch fireworks, I hope they will take a moment to remember the greatness of this Nation and pay tribute to all those who have made it so.

ADDITIONAL STATEMENTS

60TH ANNIVERSARY OF THE ROSWELL UFO FESTIVAL

• Mr. DOMENICI. Mr. President, today I would like to commemorate the 60th anniversary of the Roswell UFO incident.

On July 8, 1947, the Roswell Army Air Field, RAAF, issued a statement announcing they had recovered a ''flying disk'' from a nearby ranch. This news release, concerning the landing of a mysterious object, was quickly changed. The next day, the RAAF issued a retraction and stated the mysterious object was in fact a downed weather balloon. Although Roswell Army Air Field officials had retracted their original statement within 24 hours, the controversy, which has endured for 60 years, had already begun.

The interest ignited by the original ''flying disk'' statement continues to spark debate for many, not just in the great State of New Mexico but around the world. Supposed witnesses of the event and UFO theorists to this day claim that the mysterious object was an actual alien aircraft. Others hold steadfast in the Air Force's latest classification of the object being a U.S. Government spy balloon. Regardless of what was recovered 60 years ago, this notable event has become part of Roswell and the history of our State.

For the past 12 years, the city of Roswell has celebrated this well-known event by holding the Roswell UFO Festival on the town's main street. Skeptics and alien-enthusiasts alike gather from around the globe to commemorate the incident by partaking in numerous activities and programs during a 4-day festival. The people who converge in Roswell this year for the festival, July 5—8, are in for an exciting weekend, as it promises to be the best in the festival's history. Lectures, parades, concerts, hot air balloon rides and air shows are only a few of the items on this year's program.

I have no doubt the controversy and debate surrounding the events of 60 years ago will continue. However, as long as we are able to enjoy and commemorate such events in our country's history, I look forward to many more festivals such as these that bring people together from across the globe.•

RECOGNIZING SINAI, SOUTH DAKOTA

• Mr. THUNE. Mr. President, today I recognize Sinai, SD. The town of Sinai will celebrate the 100th anniversary of its founding this year.

Since its beginning in 1907, Sinai has been a strong reflection of South Dakota's values and traditions. As they celebrate this milestone anniversary, I am confident that Sinai will continue to thrive and succeed for the next 100 years.

I would like to offer my congratulations to the citizens of Sinai on their anniversary and wish them continued prosperity in the years to come.•

RECOGNIZING NUNDA, SOUTH DAKOTA

• Mr. THUNE. Mr. President, today I recognize Nunda, SD. The town of Nunda will celebrate the 100th anniversary of its founding this year.

Nunda was founded in 1907 with the arrival of the South Dakota Central Railroad. Since its beginning, Nunda has been a strong reflection of South Dakota's values and traditions. As they celebrate this milestone anniversary, I am confident that Nunda will continue to thrive and succeed for the next 100 years.

I would like to offer my congratulations to the citizens of Nunda on their anniversary and wish them continued prosperity in the years to come.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, 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 9:33 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, passed the following bill, in which it requests the concurrence of the Senate:

H.R.1830. An act to extend the authorities of the Andean Trade Preference Act until February 29, 2008.

The message also announced that the House has passed the following bill, without amendment:

S. 277. An act to modify the boundaries of Grand Teton National Park to include certain land within the GT Park Subdivision, and for other purposes.

ENROLLED BILLS SIGNED

The message further announced that the Speaker has signed the following enrolled bills:

S. 229. An act to redesignate a Federal building in Albuquerque, New Mexico, as the ''Raymond G. Murphy Department of Veterans Affairs Medical Center''.

S. 801. An act to designate a United States courthouse located in Fresno, California, as the ''Robert E. Coyle United States Courthouse''.

The enrolled bills were subsequently signed by the President pro tempore (Mr. BYRD).

At 12:18 p.m., a message from the House of Representatives, delivered by Mr. Hanrahan, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 1704. An act to temporarily extend the programs under the Higher Education Act of 1965, and for other purposes.

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2643. An act making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 172. Concurrent resolution honoring the life of each of the 9 fallen City of Charleston firefighters who lost their lives in Charleston, South Carolina, on June 18, 2007.

At 6:13 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has agreed to the following concurrent resolution:

H. Con. Res. 179. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess of adjournment of the Senate.

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. 2643. An act making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

The following concurrent resolution was read, and placed on the calendar:

H. Con. Res. 172. Concurrent resolution honoring the life of each of the 9 fallen City of Charleston firefighters who lost their lives in Charleston, South Carolina, on June 18, 2007.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, June 28, 2007, she had

presented to the President of the United States the following enrolled bills:

S. 229. An act to redesignate a Federal building in Albuquerque, New Mexico, as the ''Raymond G. Murphy Department of Veterans Affairs Medical Center''.

S. 801. An act to designate a United States courthouse located in Fresno, California, as the ''Robert E. Coyle United States Courthouse''.

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–2378. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, the report of a violation of the Antideficiency Act by the Department of the Air Force, case number 04–02; to the Committee on Appropriations.

EC–2379. A communication from the Directors of Defense Research and Engineering and the Joint IED Defeat Organization, transmitting, pursuant to law, a report relative to the results of the survey of research and technology that would be supportive of the combating IED mission; to the Committee on Armed Services.

EC–2380. A communication from the Director, Education Activity, Department of Defense, transmitting, pursuant to law, notification of a decision to implement performance by contract for the Logistics Support in the Domestic Dependent Elementary and Secondary Schools at Fort Campbell, Kentucky; to the Committee on Armed Services.

EC–2381. A communication from the Assistant Secretary of Defense (Reserve Affairs), transmitting, pursuant to law, the 2006 Annual Report for the Department's STARBASE Program; to the Committee on Armed Services.

EC–2382. A communication from the Secretary of Defense, transmitting, a report on the approved retirement of Lieutenant General Dennis R. Larsen, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–2383. A communication from the Assistant Inspector General (Communications and Congressional Liaison), Department of Defense, transmitting, pursuant to law, a report relative to the inventory of commercial and inherently governmental activities for fiscal year 2006; to the Committee on Armed Services.

EC–2384. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Revisions and Clarification of Export and Reexport Controls for the People's Republic of China; New Authorization Validated End-User; Revision of Import Certificate and PRC End-User Statement Requirement'' (RIN0694–AD75) received on June 26, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2385. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Final Rule to Implement the Pacific Tuna Fisheries 2007 Restrictions in the Eastern Tropical Pacific Ocean for Purse Seine and Longline'' (RIN0648–AU79) received on June 26, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2386. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Economic Exclusive Zone Off Alaska; Pacific Cod in the Bering Sea and Aleutian Islands'' (RIN0648–XA45) received on June 26, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2387. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Economic Exclusive Zone Off Alaska; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska'' (RIN0648–XA68) received on June 26, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2388. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Allocation of Trips to the Closed Area II Yellowtail Flounder Special Access Program'' (RIN0648–AV50) received on June 26, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2389. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Final Rule to Modify Swordfish Retention Limits and HMS Limited Access Vessel Upgrading Restrictions'' ((RIN0648–AU86)(I.D. 110206A)) received on June 26, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2390. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Highly Migratory Species Fisheries'' (RIN0648–AS89) received on June 26, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2391. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Closure of Tilefish Permit Category B to Directed Tilefish Fishing'' (RIN0648–XA54) received on June 26, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2392. A communication from the Assistant Secretary for Administration, Department of Transportation, transmitting, pursuant to law, the Department's annual report relative to its use of Category Rating; to the Committee on Commerce, Science, and Transportation.

EC–2393. A communication from the Secretary of the Interior, transmitting, pursuant to law, the Department's Strategic Plan for fiscal year 2007–2012; to the Committee on Energy and Natural Resources.

EC–2394. A communication from the Fiscal Assistant Secretary, Department of the Treasury, transmitting, pursuant to law, annual reports relative to several of the Department's programs; to the Committee on Finance.

EC–2395. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''United States–Jordan Free Trade Agreement'' (RIN1505–AB75) received on June 25, 2007; to the Committee on Finance.

EC–2396. A communication from the Acting Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development, transmitting, pursuant to law, the report of a rule entitled ''Mentor-Protege Program'' (RIN0412–AA58) received on June 26, 2007; to the Committee on Foreign Relations.

EC–2397. A communication from the Acting Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development, transmitting, pursuant to law, the report of a rule entitled ''Various Administrative Changes to the USAID Acquisition Regulations'' (RIN0412–AA60) received on June 26, 2007; to the Committee on Foreign Relations.

EC–2398. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, certification of a proposed license for the export of defense articles and defense services associated with the production of tactical computers, data processing, and communications systems for Israel; to the Committee on Foreign Relations.

EC–2399. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to post-liberation Iraq; to the Committee on Foreign Relations.

EC–2400. A communication from the Acting Assistant Secretary, Office of Planning, Evaluation and Policy Development, Department of Education, transmitting, pursuant to law, a report relative to the articles, materials, or supplies manufactured outside the United States that were purchased by the Department during fiscal year 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–2401. A communication from the Acting Administrator, U.S. Agency for International Development, transmitting, pursuant to law, the Semiannual Report of the Organization's Inspector General for the period ended March 31, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–2402. A communication from the Federal Co-Chair, Appalachian Regional Commission, transmitting, pursuant to law, the Semiannual Report of the Commission's Inspector General for the period of October 1, 2006, through March 31, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–2403. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the Semiannual Reports of two of the Department's Inspector Generals for the period ended March 31, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–2404. A communication from the Chairman and General Counsel, National Labor Relations Board, transmitting, pursuant to law, the Semiannual Report of the Board's Inspector General for the period of October 1, 2006, through March 31, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–2405. A communication from the Inspector General, Small Business Administration, transmitting, pursuant to law, the Inspector's Semiannual Report for the period of October 1, 2006, through March 31, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–2406. A communication from the Administrator, Small Business Administration, transmitting, pursuant to law, the Semiannual Report of the Administration's Inspector General for the period of October 1, 2006, through March 31, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–2407. A communication from the Chair, Equal Employment Opportunity Commission, transmitting, pursuant to law, the Semiannual Report of the Commission's Inspector General for the period ended March 31, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–2408. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report entitled

''Report to Congress on the Social and Economic Conditions of Native Americans: Fiscal Years 1995–2000''; to the Committee on Indian Affairs.

EC–2409. A communication from the Rules Administrator, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Searching and Detaining or Arresting Non-Inmates'' (RIN1120–AB28) received on June 26, 2007; to the Committee on the Judiciary.

EC–2410. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled ''Exclusions from Gross Income of Foreign Corporations'' ((RIN1545–BG00)(TD 9332)) received on June 25, 2007; to the Committee on Finance.

EC–2411. A communication from the Chairman and President, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Brazil including the sale of up to twenty-eight (28) Boeing 737–800 aircraft; to the Committee on Banking, Housing, and Urban Affairs.

EC–2412. A communication from the Chairman and President, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Ireland including the sale of up to sixty (60) Boeing 737–800 aircraft; to the Committee on Banking, Housing, and Urban Affairs.

EC–2413. A communication from the General Counsel, Department of the Treasury, transmitting, the report of two draft bills that seek to reduce the loss of public funds associated with improper Federal payments and collections, and increase the collection of delinquent Federal debt; to the Committee on Banking, Housing, and Urban Affairs.

EC–2414. A communication from the Deputy General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Standards for Business Practices of Interstate Natural Gas Pipelines; Standards for Business Practices for Public Utilities'' (Docket Nos. RM96–1–027 and RM05–5–001) received on June 27, 2007; to the Committee on Energy and Natural Resources.

EC–2415. A communication from the Acting Director, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report relative to the Royalty in Kind Operation for fiscal year 2006; to the Committee on Energy and Natural Resources.

EC–2416. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to a review of previous findings by the Chief of Engineers in a study of the Mississippi River between Coons Rapids Dam, Minnesota and the mouth of the Ohio River; to the Committee on Environment and Public Works.

EC–2417. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''United States-Morocco Free Trade Agreement'' (RIN1505–AB76) received on June 27, 2007; to the Committee on Finance.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–142. A resolution adopted by the Senate of the State of Louisiana urging Congress to fulfill the commitment to the citizens of Louisiana to fully fund recovery from damages resulting from hurricanes Katrina and Rita; to the Committee on Banking, Housing, and Urban Affairs.

SENATE RESOLUTION NO. 53

Whereas, as a result of these devastating events, the President's Office of Gulf Coast Rebuilding estimated that over one hundred twenty-seven thousand owner-occupied homes received major or severe damage based on the criteria used by the Federal Emergency Management Agency; and

Whereas, in the aftermath of Hurricane Katrina, President George W. Bush made a commitment to the people of Louisiana, in a nationally-covered statement that the federal government would do what was necessary to provide for the recovery of the state and its citizens; and

Whereas, the state of Louisiana has always proposed that the Road Home Program pay for owner-occupied uninsured or underinsured wind damage as well as flood damage within the parameters of the program; and

Whereas, in Action Plan Amendment No.1 proposed by the Louisiana Recovery Authority, captioned Action Plan Amendment for Disaster Recovery Funds for the Road Home Housing Programs, which, according to news releases, was approved by the U.S. Department of Housing and Urban Affairs in May 2006, it was clearly stated the program proposed to provide ''the full proposed assistance to all of the Louisiana homeowners who suffered major or severe damage'' and stated that ''It is the State's policy that participants in the Homeowner Assistance Program deserve a fair and independent estimate or projection of damages from the storm, regardless of the cause of damage''; and

Whereas, according to federal sources, 43,298 homeowners experienced no major flooding but major or severe wind damage; and

Whereas, since the adoption of Action Plan Amendment No. 1, the state has experienced increased costs in the program, resulting in a current three billion dollar shortfall, duly from a combination of factors, including an increase in the number of eligible claimants from the original estimates by approximately eleven thousand, more homes severely damaged than originally estimated, increased costs per eligible claimant than originally estimated, lower than anticipated homeowner property insurance claim benefits received from private insurers, and higher than estimated costs of repair and construction. Therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States and urges and requests the federal administration to fulfill the commitment to the citizens of Louisiana to fully fund recovery from damages resulting from hurricanes Katrina and Rita. Be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives, to each member of the Louisiana delegation to the United States Congress, and to the President of the United States.

POM–143. A concurrent resolution adopted by the Senate of the State of Louisiana urging Congress to take such actions as are necessary to prevent the taxation of rebuilding grants from the state's Road Home program; to the Committee on Finance.

SENATE CONCURRENT RESOLUTION NO. 25

Whereas, Louisiana taxpayers have spent countless hours coping with paperwork and bureaucracy that has inconvenienced them since hurricanes Katrina and Rita devastated southern Louisiana in 2005; and

Whereas, while the grants themselves are not taxable, the Internal Revenue Service says grant recipients who claimed a storm-related casualty loss would be required to consider all or part of the grant as income; and

Whereas, the average Road Home grant is sixty-five thousand dollars; therefore, some recipients would find themselves bumped up to higher tax brackets and would likely have a higher federal income tax liability; and

Whereas, the Louisiana Department of Revenue has determined that grants would not constitute income for state purposes. Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorializes the Congress of the United States and the Internal Revenue Service to take such actions as are necessary to prevent the taxation of rebuilding grants from the state's Road Home program. Be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America, to the Commissioner of the Internal Revenue Service, and to each member of the Louisiana congressional delegation.

POM–144. A joint resolution adopted by the Senate of the State of Colorado urging Congress to pass the federal ''Gestational Diabetes Act of 2006''; to the Committee on Health, Education, Labor, and Pensions.

SENATE JOINT MEMORIAL 07–005

Whereas, gestational diabetes is one of the most common issues facing pregnant women and their health care providers, and the prevalence of gestational diabetes is increasing; and

Whereas, according to the American Diabetes Association, gestational diabetes affects approximately 4–8% of all pregnant women, which is about 135,000 women in the United States each year; and

Whereas, according to the Colorado Pregnancy Risk Assessment Monitoring System, gestational diabetes affects approximately 7.5% of all pregnant women in Colorado, which is about 5,000 women in Colorado each year; and

Whereas, women who are overweight or obese are at an increased risk for developing gestational diabetes, and other risk factors include genetics, ethnicity, and maternal age; and

Whereas, gestational diabetes is associated with more health problems for the mother and child, including an increased risk for birth trauma, induction, and caesarean section; extreme increases in birth weight for children of women who developed gestational diabetes; an increased risk for developing childhood obesity; and putting the mothers and their children at a higher risk of developing Type 2 diabetes; and

Whereas, greater understanding is needed by both patients and health care providers on treating and preventing gestational diabetes, especially as there is disagreement among health care providers about how to treat gestational diabetes and the effectiveness of treatments; and

Whereas, United States Senator Hillary Rodham Clinton introduced the federal ''Gestational Diabetes Act of 2006'' (GEDI act), which is aimed at lowering the incidence of gestational diabetes, providing funding for research and community education, and preventing women who developed gestational diabetes and their children from developing Type 2 diabetes; and

Whereas, the GEDI act:

Creates a research advisory committee with representatives from federal agencies and health organizations to develop standardizing procedures for gestational diabetes

data collection, to set up a method to track mothers who had gestational diabetes and develop methods to prevent these mothers and their children from developing Type 2 diabetes, and to address factors that influence risks for gestational diabetes; and

Provides grants to nonprofit organizations and state health agencies to be used for expanding state-based and community-based prevention activities and training for health care providers in helping to prevent gestational diabetes; and

Expands basic, clinical, and public health research on gestational diabetes, including therapies for detecting and treating gestational diabetes, facilitating enrollment in clinical trials for populations that disproportionately suffer from gestational diabetes, developing diagnostics, and understanding factors that influence gestational diabetes; and

Whereas, the GEDI act is an important step toward a better understanding of gestational diabetes and in lowering the incidence of gestational diabetes in pregnant women. Now, therefore, be it

Resolved by the Senate of the Sixty-sixth General Assembly of the State of Colorado, the House of Representatives concurring herein, That we, the members of the Colorado General Assembly, respectfully request the Congress of the United States, including the members of Colorado's Congressional delegation, to support the proposed ''Gestational Diabetes Act of 2006''. Be it further

Resolved, That copies of this Joint Memorial be sent to the Colorado Chapter of the American Diabetes Association, the Colorado Diabetes Prevention Control Program, Senator Hillary Rodham Clinton, the President of the United States Senate, the Speaker of the United States House of Representatives, and each member of Colorado's Congressional delegation.

POM–145. A resolution adopted by the Senate of the State of Louisiana urging Congress to support efforts, programs, services and advocacy of organizations, such as the American Stroke Association, that work to enhance public awareness of childhood stroke; to the Committee on Health, Education, Labor, and Pensions.

SENATE RESOLUTION NO. 87

Whereas, a stroke, also known as a ''cerebrovascular accident,'' is an acute neurologic injury that occurs when a blood vessel that carries oxygen and nutrients to the brain is either blocked by a clot or bursts; and

Whereas, a stroke is a medical emergency that can cause permanent neurologic damage or death if not promptly diagnosed and treated; and

Whereas, twenty-six out of every one hundred thousand newborns and almost three out of every one hundred thousand children have a stroke each year; and

Whereas, an individual can have a stroke before birth; and

Whereas, stroke is among the top ten causes of death for children in Louisiana, and twelve percent of all children who experience a stroke die as a result; and

Whereas, the death rate for children who experience a stroke before the age of one year is the highest out of all age groups; and

Whereas, many children who experience a stroke will suffer serious, long-term neurological disabilities, including hemiplegia, which is paralysis of one side of the body, seizures, speech and vision problems, and learning difficulties; and

Whereas, those disabilities may require ongoing physical therapy and surgeries; and

Whereas, the permanent health concerns and treatments resulting from strokes that occur during childhood and young adulthood have a considerable impact on children, families, and society; and

Whereas, very little is known about the cause, treatment, and prevention of childhood stroke; and

Whereas, medical research is the only means by which the citizens of the United States and Louisiana can identify and develop effective treatment and prevention strategies for childhood stroke; and

Whereas, early diagnosis and treatment of childhood stroke greatly improves the chances that the affected child will recover and not experience a recurrence; and

Whereas, all citizens of Louisiana are encouraged to learn more about the impact of childhood stroke on our state. Therefore, be it

Resolved, That the Senate of the Legislature of Louisiana does hereby urge and request the Congress of the United States to support the efforts, programs, services and advocacy of organizations, such as the American Stroke Association, that work to enhance public awareness of childhood stroke. Be it further

Resolved, That a copy of this Resolution be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM–146. A joint resolution adopted by the Legislature of the State of Montana repealing, rescinding, canceling, voiding, and superseding any and all extant applications by the Legislature of the State of Montana previously made during any legislative session to the Congress to call a convention pursuant to the terms of Article V of the U.S. Constitution for proposing one or more amendments to it; to the Committee on the Judiciary.

HOUSE JOINT RESOLUTION NO. 38

Whereas, the Legislature of the State of Montana, acting with the best of intentions, has, at various times and during various sessions, previously made applications to the Congress of the United States of America to call one or more conventions to propose either a single amendment concerning a specific subject or to call a general convention to propose an unspecified and unlimited number of amendments to the United States Constitution, pursuant to the provisions of Article V of the United States Constitution; and

Whereas, former Chief Justice of the United States of America Warren E. Burger, former Associate Justice of the United States Supreme Court Arthur J. Goldberg, and other leading constitutional scholars agree that such a convention may propose sweeping changes to the Constitution, any limitations or restrictions purportedly imposed by the states in applying for a convention or conventions to the contrary notwithstanding, thereby creating an imminent peril to the well-established rights of the citizens and the duties of various levels of government; and

Whereas, the Constitution of the United States of America has been amended many times in the history of this nation and may be amended many more times, without the need to resort to a constitutional convention, and has been interpreted for more than 200 years and has been found to be a sound document that protects the lives and liberties of the citizens; and

Whereas, there is no need for, and rather there is great danger in, a new Constitution or in opening the Constitution to sweeping changes, the adoption of which would only create legal chaos in this nation and only begin the process of another 2 centuries of litigation over its meaning and interpretation. Now, therefore, be it

Resolved by the Senate and the House of Representatives of the State of Montana, That the Legislature does hereby repeal, rescind, cancel, nullify, and supersede to the same effect as if they had never been passed any and all extant applications by the Legislature of the State of Montana to the Congress of the United States of America to call a convention to propose amendments to the Constitution of the United States of America, pursuant to the terms of Article V of the Constitution, regardless of when or by which session or sessions of the Montana Legislature the applications were made and regardless of whether the applications were for a limited convention to propose one or more amendments regarding one or more specific subjects and purposes or for a general convention to propose an unlimited number of amendments upon an unlimited number of subjects. Be it further

Resolved, That the following resolutions and memorials are specifically repealed, rescinded, canceled, nullified, and superseded: Joint Concurrent Resolution No. 2, 1901; House Joint Resolution No. 1, 1905; Senate Joint Resolution No. 1, 1907; House Joint Memorial No. 7, 1911; House Joint Resolution No. 13, 1963; and Senate Joint Resolution No. 5, 1965. Be it further

Resolved, That the Legislature of the State of Montana urges the Legislatures of each and every state that has applied to Congress to call a convention for either a general or a limited constitutional convention to repeal and rescind the applications. Be it further

Resolved, That the Secretary of State is directed to send copies of this resolution to the Secretary of State of each state in the Union, to the presiding officers of both houses of the Legislatures of each state in the Union, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to the Montana Congressional Delegation.

POM–147. A concurrent resolution adopted by the Legislature of the State of Ohio urging Congress to appropriate full funding for the Adam Walsh Act; to the Committee on the Judiciary.

SENATE CONCURRENT RESOLUTION NO. 7

Whereas, the Congress of the United States passed the Adam Walsh Child Protection and Safety Act of 2006 (the ''Adam Walsh Act'') on July 25, 2006, to protect the public from sex offenders and offenders against children, and President George W. Bush signed the Adam Walsh Act into law on July 27, 2006; and

Whereas, the Adam Walsh Act establishes a comprehensive national system for the registration of sex offenders and offenders against children that requires the State of Ohio to amend its Sexual Offender Registration and Notification Act; and

Whereas, the Adam Walsh Act requires the U.S. Attorney General to implement a Sex Offender Management Assistance program through which the U.S. Attorney General may award grants to states to offset the costs of implementing the Adam Walsh Act and may give bonus payments to states that implement the Adam Walsh Act in a specified period of time. Now, therefore, be it

Resolved, That we, the members of the 127th General Assembly of the State of Ohio, urge the Congress to appropriate full funding for the Adam Walsh Act; and be it further

Resolved, That the Clerk of the Senate transmit duly authenticated copies of this resolution to the President of the United States, to the members of the Ohio Congressional delegation, to the Speaker and the

Clerk of the United States House of Representatives, and to the President Pro Tempore and Secretary of the United States Senate.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KENNEDY, from the Committee on Health, Education, Labor, and Pensions:

Report to accompany S. 845, a bill to direct the Secretary of Health and Human Services to expand and intensify programs with respect to research and related activities concerning elder falls (Rept. No. 110–110).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 175. A bill 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 (Rept. No. 110–111).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

S. 324. A bill to direct the Secretary of the Interior to conduct a study of water resources in the State of New Mexico (Rept. No. 110–112).

S. 542. A bill 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, and for other purposes (Rept. No. 110–113).

S. 1037. A bill 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 (Rept. No. 110–114).

S. 1110. A bill 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 (Rept. No. 110–115).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1139. A bill to establish the National Landscape Conservation System, and for other purposes (Rept. No. 110–116).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

H.R. 235. A bill to allow for the renegotiation of the payment schedule of contracts between the Secretary of the Interior and the Redwood Valley County Water District, and for other purposes (Rept. No. 110–117).

H.R. 276. A bill 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, and for other purposes (Rept. No. 110–118).

H.R. 482. A bill to direct the Secretary of the Interior to transfer ownership of the American River Pump Station Project, and for other purposes (Rept. No. 110–119).

H.R. 839. A bill 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 (Rept. No. 110–120).

H.R. 886. A bill 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, and for other purposes (Rept. No. 110–121).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

H.R. 902. A bill to facilitate the use for irrigation and other purposes of water produced in connection with development of energy resources (Rept. No. 110–122).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with amendments:

S. 1257. A bill to provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives (Rept. No. 110–123).

By Ms. LANDRIEU, from the Committee on Appropriations, without recommendation without amendment:

H.R. 2771. A bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2008, and for other purposes.

By Mr. BIDEN, from the Committee on Foreign Relations, with an amendment and with an amended preamble:

H. Con. Res. 7. Calling on the League of Arab States and each Member State individually to acknowledge the genocide in the Darfur region of Sudan and to step up their efforts to stop the genocide in Darfur.

By Mr. BIDEN, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

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.

By Mr. BIDEN, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 253. A resolution expressing the sense of the Senate that the establishment of a Museum of the History of American Diplomacy through private donations is a worthy endeavor.

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 Mrs. McCASKILL:

S. 1723. A bill to amend the Inspector General Act of 1978 to enhance the independence of the Inspectors General, to create a Council of the Inspectors General on Integrity and Efficiency, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ENSIGN (for himself and Mr. REID):

S. 1724. A bill to provide for the conveyance of certain Bureau of Land Management land in the State of Nevada to the Las Vegas Motor Speedway, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HARKIN:

S. 1725. A bill to amend the Employee Retirement Income Security Act of 1974, the Internal Revenue Code of 1986, and title 5, United States Code, to improve the protection of pension benefits, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER (for himself and Mr. CRAPO):

S. 1726. A bill to regulate certain State taxation of interstate commerce, and for other purposes; to the Committee on Finance.

By Ms. COLLINS (for herself, Mr. WARNER, Mr. CHAMBLISS, Ms. SNOWE, Mr. ISAKSON, Mr. LUGAR, Mr. CORNYN, Mr. COLEMAN, and Mr. VOINOVICH):

S. 1727. A bill to amend the Internal Revenue Code of 1986 to provide for a credit against income tax for certain educator expenses, and for other purposes; to the Committee on Finance.

By Mr. AKAKA:

S. 1728. A bill to amend the National Parks and Recreation Act of 1978 to reauthorize the Na Hoa Pili O Kaloko-Honokohau Advisory Commission; to the Committee on Energy and Natural Resources.

By Mr. LEAHY (for himself and Mr. COCHRAN):

S. 1729. A bill to amend titles 18 and 28 of the United States Code to provide incentives for the prompt payments of debts owed to the United States and the victims of crime by imposing surcharges on unpaid judgments owed to the United States and to the victims of crime, to provide for offsets on amounts collected by the Department of Justice for Federal agencies, to increase the amount of special assessments imposed upon convicted persons, to establish an Enhanced Financial Recovery Fund to enhance, supplement, and improve the debt collection activities of the Department of Justice, to amend title 5, United States Code, to provide to assistant United States attorneys the same retirement benefits as are afforded to Federal law enforcement officers, and for authorized purposes; to the Committee on the Judiciary.

By Mr. SMITH (for himself, Mr. CONRAD, Ms. STABENOW, Ms. SNOWE, and Ms. COLLINS):

S. 1730. A bill to amend part A of title IV of the Social Security Act, to reward States for engaging individuals with disabilities in work activities, and for other purposes; to the Committee on Finance.

By Mr. CORNYN (for himself, Mr. VOINOVICH, and Mr. CHAMBLISS):

S. 1731. A bill to provide for the continuing review of unauthorized Federal programs and agencies and to establish a bipartisan commission for the purposes of improving oversight and eliminating wasteful Government spending; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ALLARD (for himself and Mr. SALAZAR):

S. 1732. A bill to designate the facility of the United States Postal Service located at 301 Boardwalk Drive in Fort Collins, Colorado, as the ''Dr. Karl E. Carson Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DURBIN (for himself, Mr. SCHUMER, Ms. STABENOW, and Mr. BROWN):

S. 1733. A bill to authorize funds to prevent housing discrimination through the use of nationwide testing, to increase funds for the Fair Housing Initiatives Program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. BOXER (for herself, Mr. LAUTENBERG, and Mr. KERRY):

S. 1734. A bill to provide for prostate cancer imaging research and education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER:

S. 1735. A bill to amend title 49, United States Code, to improve dispute resolution provisions related to the Federal Aviation Administration personnel management system; to the Committee on Commerce, Science, and Transportation.

By Mr. DODD:

S. 1736. A bill to amend title II of the Social Security Act to provide that the eligibility requirement for disability insurance benefits under which an individual must have 20 quarters of Social Security coverage in the 40 quarters preceding a disability shall not be applicable in the case of a disabled individual suffering from a covered terminal disease; to the Committee on Finance.

By Mr. SESSIONS:

S. 1737. A bill to amend title XVIII of the Social Security Act to provide for a waiver

of the 35-mile drive requirement for designations of critical access hospitals; to the Committee on Finance.

By Mr. BIDEN (for himself and Mrs. BOXER):

S. 1738. A bill to establish a Special Counsel for Child Exploitation Prevention and Interdiction within the Office of the Deputy Attorney General, to improve the Internet Crimes Against Children Task Force, to increase resources for regional computer forensic labs, and to make other improvements to increase the ability law enforcement agencies to investigate and prosecute predators; to the Committee on the Judiciary.

By Mr. ROCKEFELLER (for himself and Mr. BROWN):

S. 1739. A bill to amend section 35 of the Internal Revenue Code of 1986 to improve the health coverage tax credit, and for other purposes; to the Committee on Finance.

By Mr. CONRAD (for himself and Mr. DORGAN):

S. 1740. A bill to amend the Act of February 22, 1889, and the Act of July 2, 1862, to provide for the management of public land trust funds in the State of North Dakota; to the Committee on Energy and Natural Resources.

By Mr. BAYH (for himself and Mr. ALLARD):

S. 1741. A bill to modernize the manufactured housing loan insurance program under title I of the National Housing Act; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. THUNE:

S. 1742. A bill to prevent the Federal Communications Commission from repromulgating the fairness doctrine; to the Committee on Commerce, Science, and Transportation.

By Mr. HATCH (for himself, Mr. KOHL, Mr. SPECTER, and Mr. CRAPO):

S. 1743. A bill to amend the Internal Revenue Code of 1986 to repeal the dollar limitation on contributions to funeral trusts; to the Committee on Finance.

By Mrs. BOXER (for herself and Ms. SNOWE):

S. 1744. A bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DEMINT:

S. Res. 260. A resolution strengthening the point of order against matters out of scope in conference reports; to the Committee on Rules and Administration.

By Mr. COLEMAN (for himself, Mr. DOMENICI, Mr. ALEXANDER, Ms. KLOBUCHAR, Mr. FEINGOLD, and Mr. DURBIN):

S. Res. 261. A resolution expressing appreciation for the profound public service and educational contributions of Donald Jeffry Herbert, fondly known as ''Mr. Wizard''; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 38

At the request of Mr. DOMENICI, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of 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.

S. 216

At the request of Mr. BINGAMAN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 216, a bill to provide for the exchange of certain Federal land in the Santa Fe National Forest and certain non-Federal land in the Pecos National Historical Park in the State of New Mexico.

S. 218

At the request of Ms. SNOWE, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 218, a bill to amend the Internal Revenue Code of 1986 to modify the income threshold used to calculate the refundable portion of the child tax credit.

S. 367

At the request of Mr. DORGAN, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 367, a bill to amend the Tariff Act of 1930 to prohibit the import, export, and sale of goods made with sweatshop labor, and for other purposes.

S. 651

At the request of Mr. HARKIN, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 651, a bill to help promote the national recommendation of physical activity to kids, families, and communities across the United States.

S. 661

At the request of Mrs. CLINTON, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 661, a bill to establish kinship navigator programs, to establish guardianship assistance payments for children, and for other purposes.

S. 691

At the request of Mr. CONRAD, the name of the Senator from Hawaii (Mr. INOUYE) 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. 725

At the request of Mr. LEVIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 725, a bill to amend the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to reauthorize and improve that Act.

S. 866

At the request of Mr. LUGAR, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 866, a bill to provide for increased planning and funding for health promotion programs of the Department of Health and Human Services.

S. 881

At the request of Mrs. LINCOLN, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 881, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 911

At the request of Mr. REED, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Vermont (Mr. SANDERS), the Senator from Hawaii (Mr. AKAKA), the Senator from New Mexico (Mr. BINGAMAN), the Senator from New York (Mr. SCHUMER) and the Senator from Hawaii (Mr. INOUYE) were added as cosponsors 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. 968

At the request of Mrs. BOXER, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 968, a bill to amend the Foreign Assistance Act of 1961 to provide increased assistance for the prevention, treatment, and control of tuberculosis, and for other purposes.

S. 970

At the request of Mr. SMITH, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor 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. 1026

At the request of Mr. CHAMBLISS, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 1026, a bill to designate the Department of Veterans Affairs Medical Center in Augusta, Georgia, as the ''Charlie Norwood Department of Veterans Affairs Medical Center''.

S. 1060

At the request of Mr. BIDEN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1060, a bill to reauthorize the grant program for reentry of offenders into the community in the Omnibus Crime Control and Safe Streets Act of 1968, to improve reentry planning and implementation, and for other purposes.

S. 1107

At the request of Mr. SMITH, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1107, a bill to amend title XVIII of the Social Security Act to reduce cost-sharing under part D of such title for certain non-institutionalized full-benefit dual eligible individuals.

S. 1146

At the request of Mr. SALAZAR, the names of the Senator from Virginia (Mr. WEBB) and the Senator from Texas (Mr. CORNYN) were added as cosponsors

of S. 1146, a bill to amend title 38, United States Code, to improve health care for veterans who live in rural areas, and for other purposes.

S. 1147

At the request of Mrs. MURRAY, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 1147, a bill to amend title 38, United States Code, to terminate the administrative freeze on the enrollment into the health care system of the Department of Veterans Affairs of veterans in the lowest priority category for enrollment (referred to as ''Priority 8'').

S. 1219

At the request of Mr. BINGAMAN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 1219, a bill to amend the Internal Revenue Code of 1986 to provide taxpayer protection and assistance, and for other purposes.

S. 1233

At the request of Mr. CRAIG, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 1233, a bill to provide and enhance intervention, rehabilitative treatment, and services to veterans with traumatic brain injury, and for other purposes.

S. 1353

At the request of Mr. WYDEN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1353, a bill to nullify the determinations of the Copyright Royalty Judges with respect to webcasting, to modify the basis for making such a determination, and for other purposes.

S. 1356

At the request of Mr. BROWN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1356, a bill to amend the Federal Deposit Insurance Act to establish industrial bank holding company regulation, and for other purposes.

S. 1382

At the request of Mr. REID, the names of the Senator from Mississippi (Mr. LOTT) and the Senator from South Carolina (Mr. DEMINT) were added as cosponsors of S. 1382, a bill to amend the Public Health Service Act to provide the establishment of an Amyotrophic Lateral Sclerosis Registry.

S. 1398

At the request of Mr. REID, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1398, a bill to expand the research and prevention activities of the National Institute of Diabetes and Digestive and Kidney Diseases, and the Centers for Disease Control and Prevention with respect to inflammatory bowel disease.

S. 1545

At the request of Mr. SALAZAR, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1545, a bill to implement the recommendations of the Iraq Study Group.

S. 1553

At the request of Mrs. FEINSTEIN, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 1553, a bill to provide additional assistance to combat HIV/AIDS among young people, and for other purposes.

S. 1603

At the request of Mr. MENENDEZ, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1603, a bill to authorize Congress to award a gold medal to Jerry Lewis, in recognition of his outstanding service to the Nation.

S. 1607

At the request of Mr. BAUCUS, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 1607, a bill to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes.

S. 1624

At the request of Mr. BAUCUS, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1624, a bill to amend the Internal Revenue Code of 1986 to provide that the exception from the treatment of publicly traded partnerships as corporations for partnerships with passive-type income shall not apply to partnerships directly or indirectly deriving income from providing investment adviser and related asset management services.

S. 1661

At the request of Mr. DORGAN, the names of the Senator from Arkansas (Mr. PRYOR) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 1661, a bill to communicate United States travel policies and improve marketing and other activities designed to increase travel in the United States from abroad.

S. 1711

At the request of Mr. BIDEN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1711, a bill to target cocaine kingpins and address sentencing disparity between crack and powder cocaine.

S. 1713

At the request of Mr. OBAMA, the names of the Senator from Oregon (Mr. WYDEN), the Senator from New York (Mrs. CLINTON), the Senator from California (Mrs. FEINSTEIN), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Connecticut (Mr. DODD) and the Senator from Oklahoma (Mr. COBURN) were added as cosponsors of S. 1713, a bill to provide for the issuance of a commemorative postage stamp in honor of Rosa Parks.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. MCCASKILL:

S. 1723. A bill to amend the Inspector General Act of 1978 to enhance the independence of the Inspectors General, to create a Council of the Inspectors General on Integrity and Efficiency, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mrs. MCCASKILL. Mr. President, I rise to talk about something great Congress did 30 years ago. They passed the Inspector General Act. That act has provided a layer of accountability in our Government that is very important. Unfortunately, there are still times that the inspector generals in our Government are not given the respect and deference they deserve. That is why today I am introducing the Improving Government Accountability Act.

If one thinks about the inspector generals, what they are is a first line of defense on behalf of taxpayers and against Government waste and inefficiency. They are the first line of defense because they are inside Federal agencies. Let's be honest, inspector generals inside Federal agencies are facing mountains of waste and inefficiency. If they are to do their jobs the way Congress intended, they must be independent, and their work must be immediately accessible to the public.

We have had some troubling incidents over the last several years as it relates to the independence, the qualifications and, frankly, the integrity of our inspector generals. That is why this legislation is necessary. That is why this legislation is so important.

The legislation will do several things. First, all inspector generals will be appointed for terms of 7 years. That will make sure they cannot arbitrarily be removed from their position by a department head who is getting nervous about information they are providing to the public in terms of accountability.

Second, Congress must be notified of the removal of any inspector general and, very importantly, the reasons for the removal before they can be removed from office.

Third, all inspector generals will have their own legal counsel to avoid using the agency counsel. This is important because if they are going to have independence, they must have independent legal advice about their ability to do their job.

Fourth, no inspector general can accept a bonus. The bonuses are given by the heads of the agencies. That is an inherent conflict. If you know that you please the head of your agency and you get more money, what kind of shortcuts are you going to take? What are you going to be willing to gloss over in order not to embarrass the head of that agency with information you have discovered about waste and inefficiency?

Fifth, in the event of a vacancy, the Council on Integrity and Efficiency will recommend to the appointing authority three possible replacements. They will not have the ability to dictate the replacement for the IG, but it will provide the appointing authority with three qualified people to take

over the important function of inspector general.

Also key in this legislation is that instead of making their annual budget requests to the agencies they oversee, the IG budget requests will go straight to the Office of Management and Budget, or OMB, that sends the President's budget request to Congress.

Next, all inspector general Web sites must be directly accessible from the home page of the agency. I asked my staff to take a tour through Government agency Web sites to see how easy it was to find out what the IGs had been up to in those agencies. It was remarkably difficult. In many instances we couldn't even find the inspector general's information on the home page of that agency. The public ought to be able to go on the page of any Federal agency and immediately click on the last inspector general report, find out what that inspector general found and, frankly, ought to be able to ask the question, what has been done about it. There will be a way for the public to anonymously send allegations of waste, fraud, and abuse directly to the IG offices.

Our office found that only three of 27 sampled Federal agencies have an obvious direct link from their home page to the IG's Web site. Clearly, we are not focused on making this information available to the public. Frankly, all the auditors in the world, all the inspector generals in the world do no good if the public can't learn the information. Because if the public doesn't know about it, it isn't going to have the cleansing effect it should. Only six of the 27 sampled IGs have an obvious direct link on their home page to report waste, fraud, and abuse. That is very important.

I give credit to Representative JIM COOPER of Tennessee who has been working on this legislation in the House. I am excited to join him in this effort. Senator COLLINS and Senator LIEBERMAN have some of these provisions in their Accountability in Government Contracting Act, of which I am also proud to be a cosponsor.

There have been specific examples that have occurred recently. I won't go into them other than to say, we had one Commerce IG who refused to resign after an investigation showed that he had committed malfeasance in office. However, after much pressure from Congress, he finally did step down. We have another inspector general who has been accused of trying to block the serving of a search warrant at NASA. Think about that, trying to block the serving of a search warrant that had been issued by a court of law. We have another IG who was not reappointed by President Bush and said publicly it was because at the Department of Homeland Security, he was seen as a traitor, and he was intimidated about not issuing reports that might reflect badly on the agency.

Bottom line, we should protect inspector generals. They are precious. They are important to what we do. We can talk all we want about oversight, but if we can't get the information from inside these agencies, frankly, we are not going to be effective in Congress with any kind of oversight. The information the inspector generals provide is crucial to Congress and crucial to the public. This legislation would make sure that they are qualified, protected, independent, and the public knows what they are up to.

I urge my colleagues to get excited about this legislation and maybe, uncharacteristically, move it quickly through the Senate.

By Mr. SCHUMER (for himself and Mr. CRAPO):

S. 1726. A bill to regulate certain State taxation of interstate commerce, and for other purposes; to the Committee on Finance.

Mr. SCHUMER. Mr. President, I want to speak about the bill I am introducing today with Senator CRAPO, the Business Activity Tax Simplification Act of 2007. Our bill tries to address a very important question: How should States tax businesses that locate their operations in a few States, but have customers and earn income in many States? This issue has grown in importance in recent years, and the Supreme Court's decision last week not to get involved in the issue raises the stakes even further.

The crux of the issue is this: A majority of States impose corporate income and other so-called ''business activity taxes'' only when companies have ''physical presence,'' such as employees or property, in their States. However, some States contend that the mere presence of a business's customers, or an ''economic presence,'' is all that is necessary to impose a business activity tax. These companies are facing a confusing and costly assortment of State and local tax rules, some enacted by legislatures and others imposed upon them by State revenue authorities and upheld by State courts.

Senator CRAPO and I introduced similar legislation in the 109th Congress to try to address this problem of double taxation and tax practices that vary from State to State. That bill came close to passing the House, but some last-minute objections were raised. Now, the need for legislation and congressional action has taken on new urgency, and we have revised the bill to address many of the concerns expressed last year.

Just last week, the U.S. Supreme Court denied certiorari in two cases that challenged the constitutionality of State taxation of out-of-State companies with no physical presence in a State. The States involved in these cases, West Virginia and New Jersey, asserted theories of economic nexus to tax out-of-State corporations. They claimed that because some customers of such corporations reside in the State, even though the corporation is not physically present, they are subject to business activity taxes.

The first case involves a credit card company headquartered in Delaware. The bank issued credit cards nationwide, including credit cards issued to West Virginia customers. The bank had no property or employees, no office or any other physical presence, in the State. The second case involves a Delaware holding company that licensed intellectual property trademarks and trade names to a customer that does business in New Jersey. The holding company itself had no offices, employees, or property in New Jersey, and did not otherwise have a physical presence in the State. In both cases, the State courts ruled that the out-of-State corporation was taxable.

What is so disappointing about the Supreme Court's silence on this issue is the fact that these State court decisions conflict with an earlier Supreme Court ruling. In 1992, in Quill Corp. v. North Dakota, the Supreme Court prohibited States from forcing out-of-State corporations from collecting sales and use tax, unless the corporation has a physical presence in the taxing State. However, some State courts have held that the physical presence test established by Quill creates no such limitations on the imposition of business activity taxes.

Currently, 19 States take the position that a State has the right to tax a business merely because it has a customer within the State, even if the business has no physical presence in the State whatsoever.

These States' actions in pursuing these taxes have caused uncertainty and widespread litigation, so much so that it has created a chilling effect on foreign and interstate commerce. I have spoken out against double taxation on many issues in the past, and the double tax in these cases, while not as large, is just as wrong.

Let me be clear about this: I know that several Governors and State revenue commissioners have spoken out against the legislation because they don't like the Federal Government telling them what they can and cannot tax. They are also concerned about any revenue they might lose as a result. But if the States are collecting a tax they shouldn't be collecting in the first place, the fact that they might lose a small amount of revenue is not the most persuasive argument, in my view.

I believe Congress has a responsibility to create a uniform nexus standard for tax purposes so that goods and services can flow freely between the States. Firm guidance on what activities can be conducted within a State will provide certainty to tax administrators and businesses, reduce multiple taxation or the same income, and will reduce compliance and enforcement costs for States and businesses alike.

The last time Congress acted on this issue was in 1959, when Public Law 86–272 was enacted to prohibit States from imposing ''income taxes'' on sales of ''tangible personal property'' by a business whose sole activity within a State

was soliciting sales. No one can deny that in the almost 50 years since, interstate commerce has taken on a whole new character. New technologies allow companies headquartered in one State to provide services to consumers across the country. The Internet is replacing bricks-and-mortar stores. Companies and consumers are increasingly linked across State lines.

The Business Activity Tax Simplification Act of 2007 addresses these changes over the last 48 years both modernizing Public Law 86–272 and codifying the physical presence standard. Our bill extends the protections of the 1959 law to include solicitation activities performed in connection with all sales and transactions, not just sales of tangible personal property. The bill protects the free flow of information, including broadcast signals from outside the State, from becoming the basis for taxation of out-of-State businesses.

BATSA also protects activities where the business is a consumer in the State. It makes little sense to impose tax on out-of-State businesses that purchases goods or services from an in-State company. Obviously, in this very common scenario, the out-of-State business is not using these goods or services to generate any revenue in the State. Why should they be subject to tax?

Most importantly, BATSA codifies the physical presence standard. States and localities can only impose business activity taxes on businesses within their jurisdiction that have employees in the State, or real or tangible personal property that is either leased or owned. It is consistent with current law and sound tax policy, which holds that a tax should not be imposed by a State unless that State provides benefits or protections to the taxpayer. Further, the physical presence standard is the basis for each and every one of our treaties with foreign nations—adoption of a more nebulous standard by the States undermines these international treaties.

We need to act now. Already, State legislatures are interpreting the court's denial of cert as an affirmation of their position that they are free to enact whatever policies affecting interstate commerce that are beneficial to their particular State revenue needs, regardless of the national impact. Because the court will not review their nexus standard and Congress has not acted, States now have an ideal opportunity to raise revenues from out-of-State corporations regardless of the national impact.

Only 3 days after the Supreme Court denied cert, the New Hampshire Assembly added an amendment to the State budget at 3:40 a.m. to allow the State to collect revenue from out-of-State businesses. The denial of cert thereby resulted almost immediately in a $10 million to $100 million windfall for New Hampshire. No one can deny that this was an extremely aggressive action; why else would the legislature have taken such drastic measures to tack on this amendment it? the wee hours of the morning?

States are clearly overreaching in their efforts to collect these taxes, and it creates a difficult situation for businesses. It is laughable to think that a company would decide to cut off all transactions with individuals within a certain State to avoid similar laws. And so they will have to start paying taxes to States where they start generating no revenue, hiring no employees, and contributing nothing to the State's economy from their phantom presence aside from these taxes. But these companies are not going to stand idly by and be double-taxed; they will simply declare less income in their home States as a result.

I know that my legislation with Senator CRAPO has raised concerns in the past. The States have argued that BAT legislation represents an intrusion into their authority to govern. But I believe the contrary: A fundamental aspect of American federalism is that Congress has the authority and responsibility under the commerce clause to ensure that interstate commerce is not burdened by State actions.

In fact, the exercise of such congressional power is necessary in order to prevent excessive burdens from being placed on businesses engaged on interstate activity by virtue of their customer's residing in a particular State. Congress must act to ensure certainty, predictability, and fairness of taxation of multistate corporations. The lack of a bright-line physical presence standard encourages each State to act in its own self interest by taking action to maximize its revenues, regardless of the potential double taxation that results.

Let me address a few concerns that have been raised about the bill. Opponents claim that BATSA includes so many exceptions to the physical presence standard that large, multistate companies will utilize the legislation to ensure they pay minimum State tax nationwide. But our bill explicitly States that it preserves States' authority to adopt or continue to use their own tax compliance tools.

In response to those who say that this legislation will be a huge hit to State budgets, the figures just don't add up. There have been a number of studies done, but even the highest revenue estimate represents only a very small percentage of the total amount of business activity taxes collected by the States. The studies leave out one important fact, however: Companies affected by double-taxation are going to declare less income in their home States, if they have to pay taxes on that same income to another State.

Let me cite just one example from a company in my State. In 2005, Citigroup paid 63 percent of all it State and local taxes to New York State and New York City, all based on physical presence in the State and the city. As more States follow the lead of New Hampshire, the city and State of New York will be getting less from Citibank, one way or another, as they won't want to be double taxed, once by New York because of our physical presence and again in New Hampshire and other States because they have customers in those States. This is why any revenue loss estimates from any city or State are overblown.

In short, this is no longer a theoretical discussion. Federal legislation is required to stop this food fight.

I believe that Congress has a duty to prevent some States from impeding the free flow and development of interstate commerce and to prevent double taxation. That is why I am asking my colleagues on both sides of the aisle, including the chairman and ranking member of the Finance Committee, to carefully consider this legislation.

Mr. CRAPO. Mr. President, I would like to thank my colleague from New York, Senator SCHUMER, for the work he has done on this bill. He shares my grave concerns about the devastating impact that legal interpretations of Public Law 86–272 are having on foreign and interstate commerce. I'm pleased that we can work together in a bipartisan effort to make changes to a law that is in serious need of updating and clarification in view of the more service-oriented economy we have today driven in large part by modern technology's profound transformation of business transactions. This is why we are introducing the Business Activity Tax Simplification Act of 2007, or BATSA, today.

Congress has a Constitutional responsibility to ensure that interstate commerce is not unduly burdened by State actions, including unfair and burdensome taxation of such commerce. Public Law 86–272 was enacted almost 50 years ago, for just these purposes. Ways of conducting multi-state business have changed, and, in the absence of any clarifying legislation, some state courts have interpreted taxation activity under an ''economic presence'' approach. This approach does not reflect the intent or spirit of the Commerce Clause of the Constitution; furthermore, it creates a climate of uncertainty that inhibits business expansion and innovation. Businesses have to take into account the very real possibility that they will be taxed multiple times for the same business activity. These ''business activity taxes'' are certainly appropriate when a business has a physical presence in a State; these taxes are inappropriate when imposed by a State where that business's customer happens to reside, but in which the business has no physical presence.

States' efforts to impose improper business activity taxes have been furthered by the Supreme Court's recent silence on this issue. Recent State court rulings are in conflict with the high Court's ruling in Quill Corp. v. North Dakota in 1992. In that ruling,

the Supreme Court prohibited States from forcing out-of-state corporations to collect sales and use taxes unless such corporation had a physical presence in the taxing State. As my colleague from New York pointed out a few minutes ago, State courts in both New Jersey and West Virginia have held that the physical presence test in Quill only applies to sales and use taxes, not business activity taxes. I share my colleague's deep concern with the fact that the appeals of these two cases to the Supreme Court were denied certiorari just last week. This denial underscores the urgency of BATSA.

This effort by a large number of States to impose business activity taxes based on economic presence has the potential to open a Pandora's Box of negative implications for businesses. Without clarification by Congress, States will be free to enact revenue-raising nexus legislation and policies that, by definition, will not and cannot take into account the national impact of such activities. The eleventh-hour enactment of economic nexus legislation by the New Hampshire State Legislature just days after the Supreme Court denial of certiorari in the New Jersey and West Virginia cases is a sign of things to come. For many businesses, this will serve as a death knell for growth and expansion.

BATSA will help clarify the intent of Public Law 86–272. BATSA codifies the ''physical presence'' standard and will eliminate confusion for State tax administrators and businesses alike. It's consistent with current law and the notion that a tax should not be imposed by a State unless that State provides benefits or protections to the taxpayer. BATSA clarifies that an out-of-state business must have nexus under both the Due Process Clause and the Commerce Clause. This standard is also consistent with the standards we have in place with regard to our trading partners abroad.

BATSA modernizes Public Law 86–272 by extending the protections under that law to include solicitation activities performed in connection with all sales and transactions, not just tangible personal property. BATSA applies to all business activity taxes, not just net income taxes. This includes gross receipts taxes, gross profits taxes, single business taxes, franchise taxes, capital stock taxes and business and occupation taxes. It does not apply to transaction taxes such as sales and use taxes.

BATSA protects the free flow of information, critical in our modern era of Internet business and protects the activities where the business is a consumer in that State. And, as my colleague, Senator SCHUMER, rightly pointed out, it is counterintuitive to impose taxes on an out-of-state company purchasing goods or services from an in-State company, since the out-of-state company isn't generating any revenue for the State.

BATSA upholds the approach of disregarding certain de minimus activities codified in Public Law 86–272.

States have argued that BATSA will result in substantial lost State tax revenue. In fact, according to the Congressional Budget Office, the projected total loss of revenue to states from BATSA in year one of enactment represents just 0.2 percent of all State and local taxes paid by businesses in 2005. And the CBO cost estimate is actually less than the cost claimed by the National Governor's Association in its own revenue estimates.

I will tell you what BATSA does not do. BATSA does not help large companies avoid paying their fair share of State taxes, stating explicitly that States retain the authority to adopt or continue to use anti-tax avoidance compliance tools. It expressly endorses statutory and regulatory tools at States' disposal to combat tax abuse. Industry and activity-specific safe harbors included in prior bills do not exist in this legislation.

In the glaring absence of Supreme Court clarification on Quill Corp. v. North Dakota, and in the presence of confusing state court interpretations of that decision and ongoing, and legally-creative revenue-raising schemes by States, it's imperative that Congress act now to preserve the free flow of commerce between States. The Business Activity Tax Simplification Act of 2007 provides that clarification. BATSA ensures that one standard of taxation applies for taxing multi-state companies, so that companies are not unjustly taxed multiple times by different States on the same income. I hope that our colleagues here in the Senate will support this important legislation that will protect the business expansion in our country that keeps our economy competitive and thriving.

By Ms. COLLINS (for herself, Mr. WARNER, Mr. CHAMBLISS, Ms. SNOWE, Mr. ISAKSON, Mr. LUGAR, Mr. CORNYN, Mr. COLEMAN, and Mr. VOINOVICH):

S. 1727. A bill to amend the Internal Revenue Code of 1986 to provide for a credit against income tax for certain educator expenses, and for other purposes; to the Committee on Finance.

Ms. COLLINS. Mr. President, I rise today, along with my good friends, Senators WARNER, CHAMBLISS, SNOWE, ISAKSON, LUGAR, CORNYN, COLEMAN, and VOINOVICH, to introduce the Teacher Tax Credit Act of 2007.

As we approach the end of the school year, it is appropriate once again to consider tax relief to help cover the out-of-pocket expenses our Nation's teachers incur to improve the education of our children.

Many times in the past, we have come to the floor to offer legislation on this subject. In 2001, Senator WARNER and I offered legislation which resulted in the enactment of the existing $250 teacher tax deduction. That deduction expires at the end of this year. Earlier this session, Senator WARNER and I offered legislation to make that deduction permanent, raise it to $400, and expand it to cover professional development expenses.

Today, we introduce legislation that would provide teachers with an alternative tax credit for books, supplies, and equipment they purchase for their students, as well as for professional development expenses. The tax credit would be set at 50 percent of such expenditures so that teachers would receive 50 cents of tax relief for every dollar of their own money they spend, up to $300.

Our rationale in proposing a tax credit as an alternative to the existing deduction is simple, deductions only reduce tax liability indirectly, by reducing taxable income. The value of the deduction is equal to the taxpayer's marginal tax rate, or what we call their tax ''bracket.'' For example, for teachers in the 25 percent tax bracket, a $100 deduction would reduce their tax liability by 25 percent, or $25.

By contrast, the tax credit we are proposing would reduce the amount of taxes paid by a teacher by 50 percent for each dollar that a teacher spends on school supplies or professional development expenses, regardless of the tax bracket the teacher is in. A teacher who took the maximum credit amount of $300 would save 50 percent of that amount—$150—in taxes.

We have made an effort to ensure that the tax benefit we are proposing will make all teachers who use it better off, relative to the current deduction. Let me take a moment to explain how we have done this: first, the tax credit is structured as an alternative teachers can choose either the deduction or the credit, whichever works best for their tax situation. Second, the level of the credit, if adopted in its present form, would provide a net after-tax benefit of $150. This is significantly higher than the net after-tax benefit that most teachers can receive using the current $250 deduction.

It is even higher than the net after-tax benefit that would result from the $400 deduction Senator WARNER and I proposed earlier this year. Teachers in the 25 percent tax bracket would get a net after-tax benefit of $100 from a $400 deduction, so they will see an increase of $50 under the credit system that we are proposing today. Even teachers in the highest tax bracket, which is currently set at 35 percent, would see a small increase in the net benefit they would receive under this credit, compared to a $400 deduction.

I should also note that some teachers make so little they do not even have the tax liability to offset this credit. To make sure these teachers are also compensated for the money they spend on classroom supplies and professional development, the credit Senator WARNER and I are proposing is fully refundable.

It is remarkable how much the average teacher spends every year out of

his or her own pocket to buy supplies and other materials for their students. Many of us are familiar with a survey of the National Education Association that found that teachers spend, on average, $443 a year on classroom supplies. Other surveys show that they are spending even more than that.

The NEA's data also shows that the average teacher in the U.S. still does not make $50,000, and in many States, including Maine, they average less than $40,000. When you realize that the average teacher is not particularly well paid, it speaks volumes about their dedication that they are willing to make that kind of investment to support the teaching they provide to their students.

Indeed, I have spoken to dozens of teachers in my home State who tell me they routinely spend far in excess of the $300 credit limit on materials they use in their classrooms. At every school I visit, I find teachers who are spending their own money to improve the educational experiences of their students by supplementing classroom supplies. Year after year, these teachers spend hundreds of dollars on books, bulletin boards, computer software, crayons, construction paper, tissue paper, stamps and inkpads. For example, Anita Hopkins and Kathi Toothaker, elementary school teachers from Augusta, Maine, purchase books for their students to have as a classroom library as well as workbooks and sight cards. They also purchase special prizes for positive reinforcement for students. Mrs. Hopkins estimates that she spends $800 to $1,000 of her own money on extra materials to make learning fun and to create a stimulating learning experience.

It is important that this credit also be available to teachers who incur expenses for professional development. While this tax relief provides modest assistance to educators, it is my view that students are its ultimate beneficiaries. Studies consistently show that well-qualified teachers, and involved parents, are the most important contributors to student success. Educators themselves understand just how important professional development is to their ability to make a positive impact in the classroom. Teachers in Maine repeatedly tell me that they need, and want, more professional development. But tight school budgets often make funds to support this development impossible to get. By providing a credit for professional development expenses, this amendment will help teachers take that additional course or pursue that advanced degree that will make them even better at what they love to do.

Our bill makes it a priority to reimburse educators for just a small part of what they invest in our children's future. It is both sound education policy and sensible tax policy. I hope our colleagues will join us in support of this important initiative.

I ask unanimous consent that a letter of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL EDUCATION ASSOCIATION,
Washington, DC, June 27, 2007.

Senator SUSAN COLLINS,
Senator JOHN WARNER,
U.S. Senate,
Washington, DC.

DEAR SENATORS COLLINS AND WARNER: On behalf of the National Education Association's (NEA) 3.2 million members, we would like to express our strong support for your proposal to create a tax credit for educators' classroom supply and professional development expenses. We thank you for your continued leadership and advocacy on this important issue.

As you know, educators across the country make considerable financial sacrifices as they reach into their own pockets to purchase classroom supplies. Studies show that teachers spend more of their own funds each year to supply their classrooms, including purchasing essential items such as pencils, glue, scissors, and facial tissues. For example, NEA's 2003 report Status of the American Public School Teacher, 2000–2001 found that teachers spent an average of $443 a year on classroom supplies. More recently, the National School Supply and Equipment Association found that in 2005–2006, educators spent out of their own pockets an average of $826.00 for supplies and an additional $926 for instructional materials, for a total of $1,752.

By creating a tax credit, your legislation would reduce the amount of taxes paid by a teacher by 50 percent for each dollar he or she spends on school supplies. Thus, a teacher taking the maximum credit of $300 would save $150 in taxes, regardless of his or her tax bracket. As a result, your bill will make a real difference for many educators, who often must sacrifice other personal needs in order to pay for classroom supplies.

NEA also strongly supports your proposal to cover out-of-pocket professional development expenses under the tax credit. Teacher quality is the single most critical factor in maximizing student achievement. Ongoing professional development is essential to ensure that educators stay up-to-date on the skills and knowledge necessary to prepare students for the challenges of the 21st century. Your bill will make a critical difference in helping educators access quality training.

We thank you again for your work on this important legislation and look forward to continuing to work with you to support our nation's educators.

Sincerely,

DIANE SHUST,
Director of Government Relations.
RANDALL MOODY,
Manager of Federal Advocacy.

Mr. WARNER. Mr. President, I rise today in support, once again, of America's teachers by joining with Senator COLLINS in introducing the Teacher Tax Credit Act of 2007. Other original cosponsors of this bill include Senators CHAMBLISS, COLEMAN, CORNYN, ISAKSON, LUGAR, SNOWE, and VOINOVICH.

Senator COLLINS and I have worked closely for some time now in support of legislation to provide our teachers with tax relief in recognition of the many out-of-pocket expenses they incur as part of their profession. In the 107th Congress, we were successful in providing much needed tax relief for our Nations' teachers with passage of H.R. 3090, the Job Creation and Worker Assistance Act of 2002.

This legislation, which was signed into law by President Bush, included the Collins/Warner Teacher Tax Relief Act of 2001 provisions that provided a $250 above-the-line deduction for educators who incur out-of-pocket expenses for supplies they bring into the classroom to better the education of their students. These important provisions provided almost half a billion dollars worth of tax relief to teachers all across America in 2002 and 2003.

In the 108th Congress we were able to successfully extend the provisions of the Teacher Tax Relief Act for 2004 and 2005. In the 109th Congress we were able to successfully extend the provisions for 2006 and 2007.

While these provisions will provide substantial relief to America's teachers, our work is not yet complete.

It is now estimated that the average teacher spends $826 out of their own pocket each year on classroom materials—materials such as pens, pencils, and books. First-year teachers spend even more. Why do they do this? Simply because school budgets are not adequate to meet the costs of education. Our teachers dip into their own pocket to better the education of America's youth.

Moreover, in addition to spending substantial money on classroom supplies, many teachers spend even more money out of their own pocket on professional development. Such expenses include tuition, fees, books, and supplies associated with courses that help our teachers become even better instructors.

The fact is that these out-of-pocket costs place lasting financial burdens on our teachers. This is one reason our teachers are leaving the profession. Little wonder that our country is in the midst of a teacher shortage.

Accordingly, Senator COLLINS and I have joined together to take another step forward by introducing legislation today that creates a refundable tax credit for teachers. The Teacher Tax Credit Act of 2007 will simply provide a refundable tax credit up to $150 for classroom expenses and professional development expenses.

I ask unanimous consent to have printed in the RECORD at the end of my statement the attached letter from the National Education Association endorsing the Collins-Warner Teacher Tax Credit Act of 2007. I will also ask unanimous consent to have printed in the RECORD at the end of my statement the attached letter from the Virginia Education Association endorsing the Collins-Warner Teacher Tax Credit Act of 2007.

Mr. President, our teachers have made a personal commitment to educate the next generation and to strengthen America. In my view, the Federal Government should recognize

the many sacrifices our teachers make in their career.

In addition to the refundable tax credit legislation that we are introducing today, earlier this year Senator COLLINS and I introduced S. 505, The Teacher Tax Relief Act of 2007. S. 505 will build upon current law by increasing the above-the-line deduction, as President Bush has called for, from $250 allowed under current law to $400; allowing educators to include professional development costs within that $400 deduction; and making the teacher tax relief provisions in the law permanent.

The Teacher Tax Credit Act of 2007 is another step forward in providing our educators with the recognition they deserve.

Mr. President, I ask unanimous consent that the letters to which I referred be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL EDUCATION ASSOCIATION,
Washington, DC, June 27, 2007

Senator SUSAN COLLINS,
Senator JOHN WARNER,
U.S. Senate,
Washington, DC.

DEAR SENATORS COLLINS AND WARNER: On behalf of the National Education Association's (NEA) 3.2 million members, we would like to express our strong support for your proposal to create a tax credit for educators' classroom supply and professional development expenses. We thank you for your continued leadership and advocacy on this important issue.

As you know, educators across the country make considerable financial sacrifices as they reach into their own pockets to purchase classroom supplies. Studies show that teachers spend more of their own funds each year to supply their classrooms, including purchasing essential items such as pencils, glue, scissors, and facial tissues. For example, NEA's 2003 report Status of the American Public School Teacher, 2000–2001 found that teachers spent an average of $443 a year on classroom supplies. More recently, the National School Supply and Equipment Association found that in 2005–2006, educators spent out of their own pockets an average of $826.00 for supplies and an additional $926 for instructional materials, for a total of $1,752.

By creating a tax credit, your legislation would reduce the amount of taxes paid by a teacher by 50 percent for each dollar he or she spends on school supplies. Thus, a teacher taking the maximum credit of $300 would save $150 in taxes, regardless of his or her tax bracket. As a result, your bill will make a real difference for many educators, who often must sacrifice other personal needs in order to pay for classroom supplies.

NEA also strongly supports your proposal to cover out-of-pocket professional development expenses under the tax credit. Teacher quality is the single most critical factor in maximizing student achievement. Ongoing professional development is essential to ensure that educators stay up-to-date on the skills and knowledge necessary to prepare students for the challenges of the 21st century. Your bill will make a critical difference in helping educators access quality training.

We thank you again for your work on this important legislation and look forward to continuing to work with you to support our nation's educators.

Sincerely,

DIANE SHUST,
Director of Government Relations.
RANDALL MOODY,
Manager of Federal Advocacy.

VIRGINIA EDUCATION ASSOCIATION,
Richmond, VA, June 28, 2007.

Senator JOHN WARNER,
U.S. Senate,
Washington, DC.

DEAR SENATOR WARNER: On behalf of the members of the Virginia Education Association, I am delighted and proud that you are again proposing to create a tax credit for educators' classroom supply and professional development expenses. Virginia teachers and I appreciate your continued leadership on this matter because it obviously affects Virginia educators—and educators around the nation—directly in the pocketbook.

As I'm sure you are aware, the National Education Association reported in a study entitled the Status of the American Public School Teacher, 2000–2001 that teachers spent an average of $443 a year on classroom supplies. Since that time, the average spending for supplies and materials is estimated to have increased to over $1,750 annually. Add to that the out of pocket expense of professional development and you realize the sacrifice and commitment of our nation's teachers to a quality education for their classrooms and the professional commitment they have for themselves.

The bill you are sponsoring with Senator Collins recognizes teachers' dedication and will make a significance difference for many educators. Again, I thank you.

Sincerely,

PRINCESS MOSS,
President,
Virginia Education Association.

By Mr. LEAHY (for himself and Mr. COCHRAN):

S. 1729. A bill to amend titles 18 and 28 of the United States Code to provide incentives for the prompt payments of debts owed to the United States and the victims of crime by imposing surcharges on unpaid judgments owed to the United States and to the victims of crime, to provide for offsets on amounts collected by the Department of Justice for Federal agencies, to increase the amount of special assessments imposed upon convicted persons, to establish an Enhanced Financial Recovery Fund to enhance, supplement, and improve the debt collection activities of the Department of Justice, to amend title 5, United States Code, to provide to assistant United States attorneys the same retirement benefits as are afforded to Federal law enforcement officers, and for authorized purposes; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today I join with Senator COCHRAN to introduce a bill that will provide parity between the retirement benefits granted to assistant U.S. attorneys and those granted to other Federal law enforcement officers.

There are 5,500 assistant U.S. attorneys in 93 offices throughout the United States, all of whom are serving on the front lines to uphold the rule of law. Having served as a prosecutor for many years in Vermont, I know well the integral role prosecutors play in the administration of justice. Prosecutors are a crucial component of our justice system, and should be recognized as such when they reach the end of their careers.

Probation officers, deputy marshals, corrections officers, and even corrections employees not serving in a law enforcement role receive enhanced benefits greater than those received by assistant U.S. attorneys. This is an inequity that should be remedied. By correcting this disparity, Congress would also help the Federal justice system retain experienced prosecutors. Of all the prosecutors who leave the government for the private sector, 60 to 70 percent do so with experience of between 6 and 15 years. With the Department of Justice's rapidly expanding role in combating terrorism, we cannot afford to lose the experienced men and women who serve in this vital role.

This legislation also addresses concerns about the cost to the Federal Government of providing enhanced retirement benefits to assistant U.S. attorneys. Proponents of the bill have helped craft provisions that would assist the Department of Justice in recovering money owed to the Federal Government as a result of judgments and other fines. By bolstering the Department's ability to collect the funds it is owed, resources would be freed up to provide the parity in retirement benefits sought by assistant U.S. attorneys. The result of the creative efforts to fund these benefits in an alternative manner is that the Department of Justice will, through its duties as the Nation's law enforcement agency, be able to provide the benefits its employees deserve at little or no cost to the taxpayer.

By passing this legislation, we will signal the Federal Government's recognition that prosecutors in our society fulfill a critical role. Congress can send the message that the service of these prosecutors is a valued and indispensable component of our Federal justice system. I hope all Senators will join us in supporting this legislation to ensure that Federal policy equally respects the contributions of all members of the law enforcement community in keeping our society safe and secure.

I ask unanimous 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. 1729

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 ''Enhanced Financial Recovery and Equitable Retirement Treatment Act of 2007''.

TITLE I—ENHANCED FINANCIAL RECOVERY

SEC. 101. IMPOSITION OF CRIMINAL SURCHARGE.

(a) IN GENERAL.—Section 3612 of title 18, United States Code, is amended by striking subsection (g) and inserting the following:

''(g) IMPOSITION OF SURCHARGE.—

''(1) IN GENERAL.—A surcharge shall be imposed upon a defendant if there are any unpaid criminal monetary penalties as of the date specified in subsection (f)(1).

''(2) AMOUNT OF SURCHARGE.—The surcharge imposed under paragraph (1) shall be—

''(A) 5 percent of the unpaid principal balance; or

''(B) $50, if the unpaid balance is less than $1,000.

''(3) ALLOCATION OF PAYMENTS.—

''(A) FINE OR SPECIAL ASSESSMENT.—If a surcharge is imposed under paragraph (1) for a fine or special assessment—

''(i) an amount equal to 95 percent of each principal payment made by a defendant shall be credited to the Crime Victims Fund established under section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601); and

''(ii) an amount equal to 5 percent of each principal payment shall be credited to the Department of Justice Enhanced Financial Recovery Fund established under section 104 of the Enhanced Financial Recovery and Equitable Retirement Treatment Act of 2007.

''(B) RESTITUTION.—If a surcharge is imposed under paragraph (1) for a restitution obligation—

''(i) an amount equal to 95 percent of each principal payment shall be paid to any victim identified by the court; and

''(ii) an amount equal to 5 percent of each principal payment shall be credited to the Department of Justice Enhanced Financial Recovery Fund established under section 104 of the Enhanced Financial Recovery and Equitable Retirement Treatment Act of 2007.

''(C) SURCHARGES.—For any payment made by a defendant after the full amount of a surcharge imposed under paragraph (1) has been satisfied, the full amount of such payment shall be credited to the principal amount due or accrued interest, as the case may be.

''(4) DEFINITIONS.—In this section—

''(A) the term 'criminal monetary penalties' includes the principal amount of any amount imposed as a fine, restitution obligation, or special assessment, regardless of whether any payment schedule has been imposed; and

''(B) the term 'principal payment' does not include any amount that is imposed as interest, penalty, or a surcharge.''.

(b) CONFORMING AMENDMENTS.—Section 3612 of title 18, United States Code, is amended—

(1) by striking subsections (d) and (e); and

(2) by redesignating subsections (f) through (i), as amended by this Act, as subsection (d) through (g), respectively.

SEC. 102. IMPOSITION OF CIVIL SURCHARGE.

(a) IN GENERAL.—Section 3011 of title 28, United States Code, is amended to read as follows:

''§ 3011. Imposition of surcharge

''(a) IN GENERAL.—A surcharge shall be imposed on a defendant if there is an unpaid balance due to the United States on any money judgment in a civil matter recovered in a district court as of—

''(1) the fifteenth day after the date of the judgment; or

''(2) if the day described in paragraph (1) is a Saturday, Sunday, or legal public holiday, the next day that is not a Saturday, Sunday, or legal holiday.

''(b) AMOUNT OF SURCHARGE.—A surcharge imposed under subsection (a) shall be—

''(1) 5 percent of the unpaid principal balance; or

''(2) $50, if the unpaid balance is less than $1,000.

''(c) ALLOCATION OF PAYMENTS.—If a surcharge is imposed under subsection (a)—

''(1) an amount equal to 95 percent of each principal payment made by a defendant shall be credited as otherwise provided by law; and

''(2) an amount equal to 5 percent of each principal payment shall be credited to the Department of Justice Enhanced Financial Recovery Fund established under section 104 of the Enhanced Financial Recovery and Equitable Retirement Treatment Act of 2007.

''(d) SURCHARGES.—For any payment made by a defendant after the full amount of a surcharge imposed under subsection(a) has been satisfied, the full amount of such payment shall be credited to the principal amount due or accrued interest, as the case may be.

''(e) DEFINITIONS.—In this section—

''(1) the term 'principal payment' does not include any amount that is imposed as interest, penalty, or a surcharge; and - included in title 18, but not here?

''(2) the term 'unpaid balance due to the United States' includes any unpaid balance due to a person that was represented by the Department of Justice in the civil matter in which the money judgment was entered.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections at the beginning of subchapter A of chapter 176 of title 28, United States Code, is amended by striking the item relating to section 3011 and inserting the following:

''3011. Imposition of surcharge.''.

SEC. 103. INCREASE IN THE AMOUNT OF SPECIAL ASSESSMENTS.

Section 3013 of title 18, United States Code, is amended by striking subsection (a) and inserting the following:

''(a) The court shall assess on any person convicted of an offense against the United States—

''(1) in the case of an infraction or a misdemeanor—

''(A) if the defendant is an individual—

''(i) the amount of $10 in the case of an infraction or a class C misdemeanor;

''(ii) the amount of $25 in the case of a class B misdemeanor; and

''(iii) the amount of $100 in the case of a class A misdemeanor; and

''(B) if the defendant is a person other than an individual—

''(i) the amount of $100 in the case of an infraction or a class C misdemeanor;

''(ii) the amount of $200 in the case of a class B misdemeanor; and

''(iii) the amount of $500 in the case of a class A misdemeanor; and

''(2) in the case of a felony—

''(A) the amount of $200 if the defendant is an individual; and

''(B) the amount of $1,000 if the defendant is a person other than an individual.''.

SEC. 104. ENHANCED FINANCIAL RECOVERY FUND.

(a) ESTABLISHMENT.—There is established in the Treasury a separate account known as the Department of Justice Enhanced Financial Recovery Fund (in this section referred to as the ''Fund'').

(b) DEPOSITS.—Notwithstanding section 3302 of title 31, United States Code, or any other law regarding the crediting of collections, there shall be credited as an offsetting collection to the Fund an amount equal to—

(1) 2 percent of any amount collected pursuant to civil debt collection litigation activities of the Department of Justice (in addition to any amount credited under section 11013 of the 21st Century Department of Justice Appropriations Authorization Act (28 U.S.C. 527 note));

(2) 5 percent of all amounts collected as restitution due to the United States pursuant to the criminal debt collection litigation activities of the Department of Justice;

(3) any surcharge collected under section 3612(g) of title 18, United States Code, as amended by this Act, or section 3011 of title 28, United States Code, as amended by this Act; and

(4) 50 percent of any special assessment collected under section 3013(a) of title 18, United States Code, as amended by this Act.

(c) AVAILABILITY.—The amounts credited to the Fund shall remain available until expended.

(d) PAYMENTS FROM THE FUND.—

(1) AMOUNT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Attorney General shall use not less than $20,000,000 of the Fund in each fiscal year, to the extent that funds are available, for the civil and criminal debt collection activities of the Department of Justice, including restitution judgments where the beneficiaries are the victims of crime.

(B) EXCEPTIONS.—

(i) ADJUSTMENT OF AMOUNT.—In each fiscal year following the first fiscal year in which deposits into the Fund are greater than $20,000,000, the amount to be used under paragraph (1) shall be increased by a percentage equal to the change in the Consumer Price Index for the calendar year preceding that fiscal year.

(ii) LIMITATION.—In any fiscal year, amounts in the Fund shall be available to the extent that the amount appropriated in that fiscal year for the purposes described in subparagraph (A) is not less than an amount equal to the amount appropriated for such activities in fiscal year 2006, adjusted annually in the same proportion as increases reflected in the amount of aggregate level of appropriations for the Executive Office of United States Attorneys and United States Attorneys.

(2) USE OF FUNDS.—

(A) IN GENERAL.—Funds used under paragraph (1) shall be used to enhance, supplement, and improve civil and criminal debt collection litigation activities of the Department of Justice, primarily such activities by United States attorneys' offices. A portion of such sums may be used by the Department of Justice to provide legal, investigative, accounting, and training support to the United States attorneys' offices.

(B) LIMITATION ON USE.—Funds used under paragraph (1) may not be used to determine whether a defendant is guilty of an offense or liability to the United States (except incidentally for the provision of assistance necessary or desirable in a case to ensure the preservation of assets or the imposition of a judgment which assists in the enforcement of a judgment or in a proceeding directly related to the failure of a defendant to satisfy the monetary portion of a judgment).

(e) OTHER USE OF FUNDS.—After using funds under subsection (d), the Attorney General may use amounts remaining in the Fund for additional civil or criminal debt collection activities, for personnel expenses, for personnel benefit expenses incurred as a result of this Act or the amendments made by this Act, or for other prosecution and litigation expenses. The availability of amounts from the Fund shall have no effect on the implementation of title II or the amendments made by title II.

(f) DEFINITION.—In this section, the term ''United States''—

(1) includes—

(A) the executive departments, the judicial and legislative branches, the military departments, and independent establishments of the United States; and

(B) corporations primarily acting as instrumentalities or agencies of the United States; and

(2) except as provided in paragraph (1), does not include any contractor of the United States.

SEC. 105. EFFECTIVE DATES.

(a) IN GENERAL.—The amendments made by section 101 and section 103 shall apply to any offense committed on or after the date of enactment of this Act, including any offense involving conduct that continued on or after the date of enactment of this Act.

(b) FUND AND SURCHARGES.—

(1) IN GENERAL.—Section 104 and the amendments made by section 102 shall take effect 30 days after the date of enactment of this Act.

(2) PENDING CASES.—The amendments made by section 102 shall apply to any case pending on or after the date of enactment of this Act.

TITLE II—EQUITABLE RETIREMENT TREATMENT OF ASSISTANT UNITED STATES ATTORNEYS

SEC. 201. RETIREMENT TREATMENT OF ASSISTANT UNITED STATES ATTORNEYS.

(a) CIVIL SERVICE RETIREMENT SYSTEM.—

(1) ASSISTANT UNITED STATES ATTORNEY DEFINED.—Section 8331 of title 5, United States Code, is amended—

(A) in paragraph (28), by striking ''and'' at the end;

(B) in paragraph (29) relating to dynamic assumptions, by striking the period and inserting a semicolon;

(C) by redesignating paragraph (29) relating to air traffic controllers as paragraph (30);

(D) in paragraph (30), as so redesignated, by striking the period and inserting ''; and''; and

(E) by adding at the end the following:

''(31) 'assistant United States attorney' means an assistant United States attorney appointed under section 542 of title 28.''.

(2) RETIREMENT TREATMENT.—Chapter 83 of title 5, United States Code, is amended by adding after section 8351 the following:

''§ 8352. Assistant United States attorneys

''Except as provided under the Enhanced Financial Recovery and Equitable Retirement Treatment Act of 2007 (including the provisions relating to the non-applicability of mandatory separation requirements under section 8335(b) and 8425(b) of this title), an assistant United States attorney shall be treated in the same manner and to the same extent as a law enforcement officer for purposes of this chapter.''.

(3) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) TABLE OF SECTIONS.—The table of sections for chapter 83 of title 5, United States Code, is amended by inserting after the item relating to section 8351 the following:

''8352. Assistant United States attorneys.''.

(B) MANDATORY SEPARATION.—Section 8335(a) of title 5, United States Code, is amended by striking ''8331(29)(A)'' and inserting ''8331(30)(A)''.

(b) FEDERAL EMPLOYEES' RETIREMENT SYSTEM.—

(1) ASSISTANT UNITED STATES ATTORNEY DEFINED.—Section 8401 of title 5, United States Code, is amended—

(A) in paragraph (34), by striking ''and'' at the end;

(B) in paragraph (35), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(36) 'assistant United States attorney' means an assistant United States attorney appointed under section 542 of title 28.''.

(2) RETIREMENT TREATMENT.—Section 8402 of title 5, United States Code, is amended by adding at the end the following:

''(h) Except as provided under the Enhanced Financial Recovery and Equitable Treatment Act of 2006 (including the provisions relating to the non-applicability of mandatory separation requirements under section 8335(b) and 8425(b) of this title), an assistant United States attorney shall be treated in the same manner and to the same extent as a law enforcement officer for purposes of this chapter.''.

(c) MANDATORY SEPARATION.—Sections 8335(b)(1) and 8425(b)(1) of title 5, United States Code, are each amended by adding at the end the following: ''This subsection shall not apply in the case of an assistant United States attorney.''.

SEC. 202. PROVISIONS RELATING TO INCUMBENTS.

(a) DEFINITIONS.—In this section—

(1) the term ''assistant United States attorney'' means an assistant United States attorney appointed under section 542 of title 28, United States Code.

(2) the term ''incumbent'' means an individual who is serving as an assistant United States attorney on the effective date of this section.

(b) NOTICE REQUIREMENT.—Not later than 9 months after the date of enactment of this Act, the Department of Justice shall take measures reasonably designed to provide notice to incumbents on—

(1) their election rights under this title; and

(2) the effects of making or not making a timely election under this title.

(c) ELECTION AVAILABLE TO INCUMBENTS.—

(1) IN GENERAL.—An incumbent may elect, for all purposes, to be treated—

(A) in accordance with the amendments made by this title; or

(B) as if this title had never been enacted.

(2) FAILURE TO ELECT.—Failure to make a timely election under this subsection shall be treated in the same way as an election under paragraph (1)(A), made on the last day allowable under paragraph (3).

(3) TIME LIMITATION.—An election under this subsection shall not be effective unless the election is made not later than the earlier of—

(A) 120 days after the date on which the notice under subsection (b) is provided; or

(B) the date on which the incumbent involved separates from service.

(d) LIMITED RETROACTIVE EFFECT.—

(1) EFFECT ON RETIREMENT.—In the case of an incumbent who elects (or is deemed to have elected) the option under subsection (c)(1)(A), all service performed by that individual as an assistant United States attorney (and, with respect to subparagraph (B) of this paragraph, any service performed by such individual pursuant to an appointment under sections 515, 541, 543, and 546 of title 28, United States Code) shall—

(A) to the extent performed on or after the effective date of that election, be treated in accordance with applicable provisions of subchapter III of chapter 83 or chapter 84 of title 5, United States Code, as amended by this title; and

(B) to the extent performed before the effective date of that election, be treated in accordance with applicable provisions of subchapter III of chapter 83 or chapter 84 of title 5, United States Code, as if the amendments made by this title had then been in effect.

(2) NO OTHER RETROACTIVE EFFECT.—Nothing in this title (including the amendments made by this title) shall affect any of the terms or conditions of an individual's employment (apart from those governed by subchapter III of chapter 83 or chapter 84 of title 5, United States Code) with respect to any period of service preceding the date on which such individual's election under subsection (c) is made (or is deemed to have been made).

(e) INDIVIDUAL CONTRIBUTIONS FOR PRIOR SERVICE.—

(1) IN GENERAL.—An individual who makes an election under subsection (c)(1)(A) shall, with respect to prior service performed by such individual, deposit, with interest, to the Civil Service Retirement and Disability Fund the difference between the individual contributions that were actually made for such service and the individual contributions that would have been made for such service if the amendments made by section 202 of this title had then been in effect.

(2) EFFECT OF NOT CONTRIBUTING.—If the deposit required under paragraph (1) is not paid, all prior service of the incumbent shall remain fully creditable as law enforcement officer service, but the resulting annuity shall be reduced in a manner similar to that described in section 8334(d)(2)(B) of title 5, United States Code.

(3) PRIOR SERVICE DEFINED.—In this subsection, the term ''prior service'' means, with respect to any individual who makes an election (or is deemed to have made an election) under subsection (c)(1)(A), all service performed as an assistant United States attorney, but not exceeding 20 years, performed by such individual before the date as of which applicable retirement deductions begin to be made in accordance with such election.

(f) REGULATIONS.—The Office of Personnel Management shall prescribe regulations necessary to carry out this title, including provisions under which any interest due on the amount described under subsection (e) shall be determined.

SEC. 203. EFFECTIVE DATES.

(a) IN GENERAL.—The amendments made by section 201 shall take effect on the first day of the first applicable pay period beginning on or after 120 days after the date of enactment of this Act.

(b) INCUMBENTS.—Section 202 of this title shall take effect 120 days after the date of enactment of this Act.

By Mr. SMITH (for himself, Mr. CONRAD, Ms. STABENOW, Ms. SNOWE, and Ms. COLLINS):

S. 1730. A bill to amend part A of title IV of the Social Security Act, to reward States for engaging individuals with disabilities in work activities, and for other purposes; to the Committee on Finance.

Mr. SMITH. Mr. President, I rise today to introduce Pathways to Independence Act of 2007, along with Senators CONRAD, STABENOW, SNOWE, and COLLINS. This legislation includes two important provisions that will help States transition Temporary Assistance for Needy Families, TANF, recipients who have disabilities into work.

States currently face a conflict between the new Federal TANF requirements, as reauthorized by the Deficit Reduction Act of 2006, DRA, and the nondiscrimination requirements of the Americans with Disabilities Act. In order to comply with the ADA, States must make modifications to the work requirements they impose on TANF recipients with disabilities to ensure that they can participate in the program and move toward gainful employment. However, under new Federal TANF rules, States only get credit when recipients participate in a narrow set of activities for a specific number of hours each week, with limited flexibility for people with disabilities.

Our legislation would allow States to create modified employability plans for people with disabilities and get credit toward the TANF participation rate if

recipients comply with the requirements in those plans. This would encourage States to engage people with disabilities in appropriate employment-focused activities without fear of facing Federal penalties for not meeting their TANF work rates. The bill also would allow states To exclude people with pending SSI applications and severe temporary disabilities from the work rates.

This legislation allows states to receive full credit when a modified employability plan is developed for a family that includes a person with a disability. The bill requires States that receive credit for families on their caseload with modified employability plans to submit annual reports to the Department of Health and Human Services, HHS, on the types of modifications made and disabled populations served. It also requires HHS to compile this information and send an annual report to Congress.

This approach is appealing to States for many reasons. It allows States to design a system and receive credit for moving a person progressively over time from rehabilitation toward work. It also creates a more realistic work structure for individuals with disabilities and/or addictions who otherwise may fall out of the system either through sanction or discouragement, despite their need for financial assistance.

In July 2002, the General Accounting Office reported that as many as 44 percent of TANF families have a parent or child with a physical or mental impairment. This is almost three times higher than the rate among the non-TANF population in the United States. In 8 percent of TANF families, there is both a parent and a child with a disability; among non-TANF families, this figure is 1 percent. The GAO's work confirmed the findings of earlier studies, including work by the Urban Institute and the HHS Inspector General.

These figures mean that we need to make sure that the TANF program gives States the ability and incentives to serve families in their TANF programs and help them to move from welfare to work. This is the lesson that Oregon and many other States already have learned when they developed and refined their TANF programs.

Most individuals with disabilities who receive TANF are able to engage in work activities and move toward employment, and many will either need no modifications to standard work activities or only minor modifications. Those with more serious conditions may need more intensive services and more significant adjustment to the basic work requirements. Under the bill, a qualified professional must make a determination that an individual has a disability and the state must document the types of modifications, if any, that the individual needs to succeed in moving toward employment.

Our bill proposes the creation of a more appropriate path for those who have disabling conditions, both short- and long-term, recognizing the barriers many of these families face both financially and emotionally. The current strategy of rapid employment for all TANF recipients is not always feasible. This bill will help families with disabilities achieve and maintain stability during the transition from welfare to becoming more financially secure and independent of Government assistance.

Over 20 individual States, including Oregon, and the National Governors Association, representing all 50 States and five territories have identified problems with how the current rules affect their ability to serve individuals with disabilities appropriately and meet the TANF work requirements. They have asked for modifications to the new TANF requirements like the ones proposed in our bill.

I look forward to working with my cosponsors, Senators CONRAD, STABENOW, SNOWE, and COLLINS on these important provisions, and I urge my colleagues to join us in support of this legislation.

I ask unanimous consent that the text of the bill and letters of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

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 ''Pathways to Independence Act of 2007''.

SEC. 2. AUTHORIZATION OF MODIFIED EMPLOYABILITY PLAN FOR INDIVIDUALS WITH DISABILITIES.

(a) IN GENERAL.—Section 407(c)(2) of the Social Security Act (42 U.S.C. 607(c)(2)) is amended by adding at the end the following new subparagraph:

''(E) INDIVIDUALS WITH DISABILITIES COMPLYING WITH A MODIFIED EMPLOYABILITY PLAN DEEMED TO BE MEETING WORK PARTICIPATION REQUIREMENTS.—

''(i) MODIFIED EMPLOYABILITY PLAN.—A State may develop a modified employability plan for an adult or minor child head of household recipient of assistance who has been determined by a qualified medical, mental health, addiction, or social services professional (as determined by the State) to have a disability, or who is caring for a family member with a disability (as so determined). The modified employability plan shall—

''(I) include a determination that, because of the disability of the recipient or the individual for whom the recipient is caring, reasonable modification of work activities, hourly participation requirements, or both, is needed in order for the recipient to participate in work activities;

''(II) set forth the modified work activities in which the recipient is required to participate;

''(III) set forth the number of hours per week for which the recipient is required to participate in such modified work activities based on the State's evaluation of the family's circumstances;

''(IV) set forth the services, supports, and modifications that the State will provide to the recipient or the recipient's family;

''(V) be developed in cooperation with the recipient; and

''(VI) be reviewed not less than every 6 months.

''(ii) INCLUSION IN MONTHLY PARTICIPATION RATES.—For the purpose of determining monthly participation rates under subsection (b)(1)(B)(i), and notwithstanding paragraphs (1), (2)(A), (2)(B), (2)(C), and (2)(D) of this subsection and subsection (d) of this section, a recipient is deemed to be engaged in work for a month in a fiscal year if—

''(I) the State has determined that the recipient is in substantial compliance with activities and hourly participation requirements set forth in a modified employability plan that meets the requirements set forth in clause (i); and

''(II) the State complies with the reporting requirement set forth in clause (iii) for the fiscal year in which the month occurs.

''(iii) REPORTS.—

''(I) REPORT BY STATE.—With respect to any fiscal year for which a State counts a recipient as engaged in work pursuant to a modified employability plan, the State shall submit a report entitled 'Annual State Report on TANF Recipients Participating in Work Activities Pursuant to Modified Employability Plans Due to Disability' to the Secretary not later than March 31 of the succeeding fiscal year. The report shall provide the following information:

''(aa) The aggregate number of recipients with modified employability plans due to a disability.

''(bb) The percentage of all recipients with modified employability plans who substantially complied with activities set forth in the plans each month of the fiscal year.

''(cc) Information regarding the most prevalent types of physical and mental impairments that provided the basis for the disability determinations.

''(dd) The percentage of cases with a modified employability plan in which the recipient had a disability, was caring for a child with a disability, or was caring for another family member with a disability.

''(ee) A description of the most prevalent types of modification in work activities or hours of participation that were included in the modified employability plans.

''(ff) A description of the qualifications of the staff who determined whether individuals had a disability, of the staff who determined that individuals needed modifications to their work requirements, and of the staff who developed the modified employability plans.

''(II) REPORT BY SECRETARY.—The Secretary shall submit an annual report to Congress entitled 'Efforts in State TANF Programs to Promote and Support Employment for Individuals with Disabilities' not later than July 31 of each fiscal year that includes information on State efforts to engage individuals with disabilities in work activities for the preceding fiscal year. The report shall include the following:

''(aa) The number of individuals for whom each State has developed a modified employability plan.

''(bb) The types of physical and mental impairments that provided the basis for the disability determination, and whether the individual with the disability was an adult recipient or minor child head of household, a child, or a non-recipient family member.

''(cc) The types of modifications that States have included in modified employability plans.

''(dd) The extent to which individuals with a modified employability plan are participating in work activities.

''(ee) An analysis of the extent to which the option to establish such modified employability plans was a factor in States' achieving or not achieving the minimum participation rates under subsection (a) for the fiscal year.

''(iv) DEFINITIONS.—

''(I) DISABILITY.—For purposes of this subparagraph, the term 'disability' means a mental or physical impairment, including substance abuse or addiction, that—

''(aa) constitutes or results in a substantial impediment to employment; or

''(bb) substantially limits 1 or more major life activities.

''(II) MODIFIED WORK ACTIVITIES.—For purposes of this subparagraph, the term 'modified work activities' means activities the State has determined will help the recipient become employable and which are not subject to and do not count against the limitations and requirements under the preceding provisions of this subsection and of subsection (d).''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2007.

SEC. 3. STATE OPTION TO EXCLUDE SSI APPLICANTS IN WORK PARTICIPATION RATE.

(a) IN GENERAL.—Section 407(b)(5) of the Social Security Act (42 U.S.C. 607(b)(5)) is amended by striking ''at its option, not require an individual'' and all that follows and inserting ''at its option—

''(A) not require an individual who is a single custodial parent caring for a child who has not attained 12 months of age to engage in work, and may disregard such an individual in determining the participation rates under subsection (a) of this section for not more than 12 months;

''(B) disregard for purposes of determining such rates for any month, on a case-by-case basis, an individual who is an applicant for or a recipient of supplemental security income benefits under title XVI or of social security disability insurance benefits under title II, if—

''(i) the State has determined that an application for such benefits has been filed by or on behalf of the individual;

''(ii) the State has determined that there is a reasonable basis to conclude that the individual meets the disability or blindness criteria applied under title II or XVI;

''(iii) there has been no final decision (including a decision for which no appeal is pending at the administrative or judicial level or for which the time period for filing such an appeal has expired) denying benefits; and

''(iv) not less than every 6 months, the State reviews the status of such application and determines that there is a reasonable basis to conclude that the individual continues to meet the disability or blindness criteria under title II or XVI; and

''(C) disregard for purposes of determining such rates for any month, on a case-by-case basis, an individual who the State has determined would meet the disability criteria for supplemental security income benefits under title XVI or social security disability insurance benefits under title II but for the requirement that the disability has lasted or is expected to last for a continuous period of not less than 12 months.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2007.

MENTAL HEALTH AMERICA,
Alexandria, VA, June 28, 2007.

Hon. GORDON SMITH,
Hon. DEBBIE STABENOW,
Hon. SUSAN COLLINS,
Hon. KENT CONRAD,
Hon. OLYMPIA SNOWE,
U.S. Senate,
Washington, DC.

DEAR SENATORS SMITH, CONRAD, STABENOW, SNOWE, AND COLLINS: I am writing to commend you for introducing the ''Pathways to Independence Act of 2007''. This legislation will enable States to engage individuals with mental health and substance use conditions in programs to help them successfully move from welfare to work.

Mental Health America is dedicated to helping all people live mentally healthier lives. Our network of over 320 State and local affiliates nationwide includes advocates, consumers of mental health services, family members of consumers, providers of mental health care, and other concerned citizens—all dedicated to improving mental health care and promoting mental wellness.

A large percentage of individuals who need and rely on the Temporary Assistance for Needy Families (TANF) program have significant mental health conditions and substance use disorders. Studies indicate that one-fourth to one-third of TANF recipients has serious mental health conditions, and some studies show that up to one-fifth of TANF recipients have substance use disorders. Moreover, more than one-fifth have learning disabilities and more than one-fifth have physical impairments. As you know, these rates are well above those for the general population and indicate a pressing need for access to care.

We are very concerned about changes made to the TANF program in reauthorizing legislation included in the Deficit Reduction Act (DRA). Individuals with mental health conditions, substance use disorders, or other disabling conditions will need assistance meeting the work requirements of the TANF program that were significantly tightened by the DRA. However, the regulations issued by the Department of Health and Human Services implementing the new DRA requirements provide such narrow definitions of the types of activities that can count toward a state's work participation rate (which determines Federal funding), we fear States will be discouraged from providing the services these individuals need in order to be engaged in the program and able to work. We are particularly alarmed that States are only allowed to count individuals receiving mental health or substance abuse treatment or rehabilitation activities as job readiness activities for 4 consecutive weeks and 6 weeks total per year before requiring that these individuals be engaged in full-time employment.

States are required under the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 (Rehab Act) to make modifications to Federal programs, including TANF, to enable individuals with disabilities to participate. However, if States provide ADA-required modifications to the work requirements for individuals with disabilities, including those with serious mental health conditions, they may not meet their work participation rates even if these TANF recipients are actively engaged in activities designed to help them secure full-time jobs.

Your bill would give States the flexibility they need in order to fully engage individuals with serious mental health conditions or substance use disorders in activities designed to move them successfully into employment. Specifically, your bill would allow States to develop ''modified employability plans'' for TANF recipients who are determined by qualified medical, mental health, or social services professionals either to have a disability or to be caring for a family member with a disability. These provisions would also enable States to meet the ADA and Rehab Act requirements to provide reasonable accommodations to these families without losing Federal TANF funds.

We greatly appreciate your on-going leadership in working to ensure that individuals with mental health conditions, substance use disorders, and other disabling conditions are able to fully participate in and benefit from the TANF program. We look forward to working with you toward swift enactment of the ''Pathways to Independence Act of 2007''.

Sincerely,

DAVID SHERN,
President & CEO.

CONSORTIUM FOR CITIZENS WITH DISABILITIES,
Washington, DC, June 28, 2007.

Hon. GORDON SMITH,
Hon. DEBBIE STABENOW,
Hon. SUSAN COLLINS,
Hon. KENT CONRAD,
Hon. OLYMPIA SNOWE,
U.S. Senate,
Washington, DC.

DEAR SENATORS SMITH, CONRAD, STABENOW, SNOWE, AND COLLINS: We are writing to thank you for introducing legislation that will allow States to more effectively serve families that include a person with a disability in the Temporary Assistance to Needy Families (TANF) program. We believe this legislation, if enacted, will significantly improve the ability of States to help families successfully move from welfare toward work while also ensuring that the needs of family members with disabilities are met. The undersigned organizations enthusiastically support this legislation.

The Consortium for Citizens with Disabilities (CCD) is a coalition of national consumer, advocacy, provider and professional organizations headquartered in Washington, DC. We work together to advocate for national public policy that ensures the self determination, independence, empowerment, integration, and inclusion of children and adults with disabilities in all aspects of society. The CCD TANF Task Force seeks to ensure that families that include persons with disabilities are afforded equal opportunities and appropriate accommodations under the TANF block grant.

Congress explicitly stated in the Personal Responsibility and Work Opportunity Reconciliation Act that, in implementing TANF, States are to comply with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitative Services Act of 1973. The expectation, therefore, is that States will provide individualized treatment and an effective and meaningful opportunity to fully participate in the program. To achieve this, States must provide appropriate services, modify as necessary policies, practices, and procedures, and adopt non-discriminatory methods of administering the program. This expectation is also conveyed in guidance to the States issued by the Office of Civil Rights in the Department of Health and Human Services.

Under the Deficit Reduction Act (DRA), Congress reauthorized the TANF block grant program. The legislation retained States' obligation to comply fully with the ADA and Section 504 of the Rehabilitation Act of 1973, as amended while hindering States' ability to fully engage families that include a person with a disability. The DRA effectively increases the work participation rate for the TANF program and imposes penalties on States that fail to meet the participation rates. It does not allow States to receive credit toward the work participation rate for families whose employability plan has been modified to accommodate a person with a disability. It fails to ensure that States receive adequate credit for providing rehabilitative services to parents with disabilities to help them prepare for a successful transition to work. In short, existing policies do not provide States with credit for offering appropriate accommodation and services to families that include a person with a disability. Instead it increases the likelihood States offering such accommodations and services that ''do not count'' will face financial penalties.

HHS received comments from TANF administrators across the country who argued that the TANF provisions adopted under the DRA and reflected in HHS interim regulations severely impedes their ability to appropriately serve families that include a person with a disability. In a letter to Secretary Leavitt in response to the interim proposed regulations, the National Governor's Association stated that:

Governors continue to believe that States should have maximum flexibility in receiving credit for key rehabilitative and supportive services such as substance abuse, behavioral/mental health and domestic violence treatments in one or more work activity. These services are an imperative part of moving recipients, with barriers, to work and retaining employment. States need credit for these services in work activities that are fully countable for all hours of participation without time limit.

We believe your legislation provides appropriate flexibility for families who require accommodation due to a disability. Under this bill, States will receive credit, not face penalties, for investing in the supports necessary to help individuals with disabilities succeed in the labor market and achieve a higher degree of self-reliance. The flexibility provided in this bill can improve the overall performance of the TANF program by helping families at greatest risk move toward employment. To date, studies have demonstrated that a disproportionate number of families who exit the program without employment or other sources of financial assistance include a person with a disability. States can and must serve these families better and Congress should provide them with the tools to do so by supporting this legislation.

Thank you again for introducing this legislation and your leadership on this very important issue. We are grateful for your leadership on behalf of families that include an adult or child with a disability. We look forward to working with you and your staffs to ensure that this provision becomes law.

Sincerely,

American Dance Therapy Association.
American Music Therapy Association.
American Association on Intellectual & Developmental Disabilities.
American Psychological Association.
Association of University Centers on Disabilities (AUCD).
Bazelon Center for Mental Health Law.
Easter Seals, Inc.
Epilepsy Foundation.
Goodwill Industries International, Inc.
Learning Disabilities Association of America.
Mental Health America.
National Alliance on Mental Illness.
National Alliance to End Homelessness.
National Association of Councils on Developmental Disabilities.
National Association of County Behavioral Health and Developmental Disability Directors.
National Association of State Directors of Special Education.
National Association of State Head Injury Administrators.
National Association of State Mental Health Program Directors.
National Council for Community Behavioral Healthcare.
National Disability Rights Network.
The Arc of the United States.
United Cerebral Palsy.
United Spinal Association.

By Mr. CORNYN (for himself, Mr. VOINOVICH, and Mr. CHAMBLISS):

S. 1731. A bill to provide for the continuing review of unauthorized Federal programs and agencies and to establish a bipartisan commission for the purposes of improving oversight and eliminating wasteful Government spending; to the Committee on Homeland Security and Governmental Affairs.

Mr. CORNYN. Mr. President, I rise to introduce the United States Authorization and Sunset Commission Act of 2007. I am very pleased to be joined by my colleagues and good friends, Senator GEORGE VOINOVICH and Senator SAXBY CHAMBLISS, who share my commitment that every dime sent by taxpayers to Washington, DC, is spent wisely.

The United States Authorization and Sunset Commission Act of 2007 creates an eight member bipartisan Commission, made up of four Senators and four Representatives. The Commission will look at the effectiveness and efficiency of all Federal programs, but will especially focus on unauthorized and ineffective programs. The bill is modeled after the sunset process that the State of Texas instituted in 1977 to identify and eliminate waste, duplication, and inefficiency in government agencies. This process has led to the elimination of dozens of agencies that have outlived their usefulness and has saved Texas taxpayers hundreds of millions of dollars.

The job of the Commission is to ask the fundamental question: ''Is an agency or program still needed?''

The Commission has two major responsibilities. First, the Commission must submit a legislative proposal to Congress at least once every 10 years that includes a review schedule of at least 25 percent of unauthorized Federal programs and at least 25 percent of ineffective Federal programs or where effectiveness cannot be shown by the Office of Management and Budget's, OMB, Performance Assessment Rating Tool, PART. The Commission's schedule will abolish each program if Congress fails to either reauthorize the program or consider the Commission's recommendations within 2 years.

Second, the Commission must conduct a review of each program identified in its review schedule and send its recommendations for congressional review. Congress will then have 2 years to consider and pass the Commission's recommendations or to reauthorize the program before it is abolished.

Congress has two bites of the apple when it comes to evaluating Federal spending. First, when it authorizes a program and second when it appropriates the money for it. Yet a study by the Congressional Budget Office found that Congress spent just under $160 billion in 2006 on agencies and programs despite the fact that their authorization had expired. The list included hundreds of accounts, big and small, ranging from the Coast Guard, $8 billion, to the Administration on Aging, $1.5 billion, to section 8 tenant-based housing, $15.6 billion, to foreign relations programs, $9.5 billion. Many of these expired programs and agencies, perhaps most, deserve reauthorization. Nonetheless, Congress should aggressively determine whether these programs and agencies are working as intended and the Commission will help serve this purpose.

In addition, the Commission will use OMB's PART, which is a tool to assess and improve program performance. PART looks at all factors that affect and reflect program performance including program purpose and design, performance measurement, evaluations, and strategic planning, program management, and program results. Using PART, OMB has scored 793 Government programs and found that 4 percent are ineffective and the results for 24 percent could not be shown. Programs rated as ''ineffective'' or ''results not demonstrated'' account for $152 billion in budget authority.

The Commission's work will be guided by 10 criteria, including the program's effectiveness and efficiency, achievement of performance goals, and whether the program has fulfilled its legislative intent.

Unfortunately Congress has a tendency to create commissions and then ignore their work and continue on with business as usual. This bill solves this problem. It requires Congress to consider, debate, and vote on the Commission's report under expedited procedures.

The United States Authorization and Sunset Commission Act of 2007 is an important step to getting our fiscal house in order and to making sure that Congress gets back to the hard work of oversight to determine if programs actually fulfill their stated purpose or yield some unintended or counterproductive results. Periodic assessments are essential to good Government and this is what the Commission will provide to Congress and to taxpayers across the country. For this reason, I ask that my colleagues join me in cosponsoring the United States Authorization and Sunset Commission Act of 2007.

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 printed in the RECORD, as follows:

S. 1731

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 ''United States Authorization and Sunset Commission Act of 2007''.

SEC. 2. DEFINITIONS.

In this Act—

(1) the term ''agency'' means an Executive agency as defined under section 105 of title 5, United States Code;

(2) the term ''Commission'' means the United States Authorization and Sunset Commission established under section 3; and

(3) the term ''Commission Schedule and Review bill'' means the proposed legislation submitted to Congress under section 4(b).

SEC. 3. ESTABLISHMENT OF COMMISSION.

(a) ESTABLISHMENT.—There is established the United States Authorization and Sunset Commission.

(b) COMPOSITION.—The Commission shall be composed of 8 members (in this Act referred to as the ''members''), as follows:

(1) Four members appointed by the majority leader of the Senate, 1 of whom may include the majority leader of the Senate, with minority members appointed with the consent of the minority leader of the Senate.

(2) Four members appointed by the Speaker of the House of Representatives, 1 of whom may include the Speaker of the House of Representatives, with minority members appointed with the consent of the minority leader of the House of Representatives.

(3) The Director of the Congressional Budget Office and the Comptroller of the Government Accountability Office shall be non-voting ex officio members of the Commission.

(c) QUALIFICATIONS OF MEMBERS.—

(1) IN GENERAL.—

(A) SENATE MEMBERS.—Of the members appointed under subsection (b)(1), 4 shall be members of the Senate (not more than 2 of whom may be of the same political party).

(B) HOUSE OF REPRESENTATIVE MEMBERS.—Of the members appointed under subsection (b)(2), 4 shall be members of the House of Representatives, not more than 2 of whom may be of the same political party.

(2) CONTINUATION OF MEMBERSHIP.—

(A) IN GENERAL.—If a member was appointed to the Commission as a Member of Congress and the member ceases to be a Member of Congress, that member shall cease to be a member of the Commission.

(B) ACTIONS OF COMMISSION UNAFFECTED.—Any action of the Commission shall not be affected as a result of a member becoming ineligible under subparagraph (A).

(d) INITIAL APPOINTMENTS.—Not later than 90 days after the date of enactment of this Act, all initial appointments to the Commission shall be made.

(e) CHAIRPERSON; VICE CHAIRPERSON.—

(1) INITIAL CHAIRPERSON.—An individual shall be designated by the Speaker of the House of Representatives from among the members initially appointed under subsection (b)(2) to serve as chairperson of the Commission for a period of 2 years.

(2) INITIAL VICE CHAIRPERSON.—An individual shall be designated by the majority leader of the Senate from among the individuals initially appointed under subsection (b)(1) to serve as vice-chairperson of the Commission for a period of 2 years.

(3) ALTERNATE APPOINTMENTS OF CHAIRMEN AND VICE CHAIRMEN.—Following the termination of the 2-year period described under paragraphs (1) and (2), the Speaker and the majority leader of the Senate shall alternate every 2 years in appointing the chairperson and vice-chairperson of the Commission.

(f) TERMS OF MEMBERS.—

(1) MEMBERS OF CONGRESS.—Each member appointed to the Commission shall serve for a term of 6 years, except that, of the members first appointed under paragraphs (1) and (2) of subsection (b), 2 members shall be appointed to serve a term of 3 years.

(2) TERM LIMIT.—A member of the Commission who serves more than 3 years of a term may not be appointed to another term as a member.

(g) INITIAL MEETING.—If, after 90 days after the date of enactment of this Act, 5 or more members of the Commission have been appointed—

(1) members who have been appointed may—

(A) meet; and

(B) select a chairperson from among the members (if a chairperson has not been appointed) who may serve as chairperson until the appointment of a chairperson; and

(2) the chairperson shall have the authority to begin the operations of the Commission, including the hiring of staff.

(h) MEETING; VACANCIES.—After its initial meeting, the Commission shall meet upon the call of the chairperson or a majority of its members. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(i) POWERS OF THE COMMISSION.—

(1) IN GENERAL.—

(A) HEARINGS, TESTIMONY, AND EVIDENCE.—The Commission may, for the purpose of carrying out the provisions of this Act—

(i) hold such hearings and sit and act at such times and places, take such testimony, receive such evidence, administer such oaths; and

(ii) require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, that the Commission or such designated subcommittee or designated member may determine advisable.

(B) SUBPOENAS.—Subpoenas issued under subparagraph (A)(ii) may be issued to require attendance and testimony of witnesses and the production of evidence relating to any matter under investigation by the Commission.

(C) ENFORCEMENT.—The provisions of sections 102 through 104 of the Revised Statutes of the United States (2 U.S.C. 192 through 194) shall apply in the case of any failure of any witness to comply with any subpoena or to testify when summoned under authority of this paragraph.

(2) CONTRACTING.—The Commission may contract with and compensate government and private agencies or persons for services without regard to section 3709 of the Revised Statutes (41 U.S.C. 5) to enable the Commission to discharge its duties under this Act.

(3) INFORMATION FROM FEDERAL AGENCIES.—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government, information, suggestions, estimates, and statistics for the purposes of this section. Each such department, bureau, agency, board, commission, office, establishment, or instrumentality shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the chairperson.

(4) SUPPORT SERVICES.—

(A) GOVERNMENT ACCOUNTABILITY OFFICE.—The Government Accountability Office is authorized on a nonreimbursable basis to provide the Commission with administrative services, funds, facilities, staff, and other support services for the performance of the functions of the Commission.

(B) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Commission on a nonreimbursable basis such administrative support services as the Commission may request.

(C) AGENCIES.—In addition to the assistance under subparagraphs (A) and (B), departments and agencies of the United States are authorized to provide to the Commission such services, funds, facilities, staff, and other support services as the Commission may determine advisable as may be authorized by law.

(5) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as departments and agencies of the United States.

(6) IMMUNITY.—The Commission is an agency of the United States for purposes of part V of title 18, United States Code (relating to immunity of witnesses).

(7) DIRECTOR AND STAFF OF THE COMMISSION.—

(A) DIRECTOR.—The chairperson of the Commission may appoint a staff director and such other personnel as may be necessary to enable the Commission to carry out its functions, 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 that title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable to a person occupying a position at level II of the Executive Schedule. Any Federal Government employee may be detailed to the Commission without reimbursement from the Commission, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

(B) PERSONNEL AS FEDERAL EMPLOYEES.—

(i) IN GENERAL.—The executive director and any personnel of the Commission who are employees shall be employees under section 2105 of title 5, United States Code, for purposes of chapters 63, 81, 83, 84, 85, 87, 89, 89A, 89B, and 90 of that title.

(ii) MEMBERS OF COMMISSION.—Clause (i) shall not be construed to apply to members of the Commission.

(C) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—With the approval of the majority of the Commission, the chairperson of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(8) COMPENSATION AND TRAVEL EXPENSES.—

(A) COMPENSATION.—Members shall not be paid by reason of their service as members.

(B) TRAVEL EXPENSES.—Each member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703(b) of title 5, United States Code.

(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as necessary for the purposes of carrying out the duties of the Commission.

(k) TERMINATION.—The Commission shall terminate on December 31, 2037.

SEC. 4. DUTIES AND RECOMMENDATIONS OF THE UNITED STATES AUTHORIZATION AND SUNSET COMMISSION.

(a) SCHEDULE AND REVIEW.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act and at least once every 10 years thereafter, the Commission shall submit to Congress a legislative proposal that includes the schedule of review and abolishment of agencies and programs (in this section referred to as the ''Commission Schedule and Review bill'').

(2) SCHEDULE.—The schedule of the Commission shall provide a timeline for the Commission's review and proposed abolishment of—

(A) at least 25 percent of unauthorized agencies or programs as measured in dollars, including those identified by the Congressional Budget Office under section 602(e)(3) of title 2, United States Code; and

(B) if applicable, at least 25 percent of the programs as measured in dollars identified by the Office of Management and Budget through its Program Assessment Rating

Tool program or other similar review program established by the Office of Management and Budget as ineffective or results not demonstrated.

(3) REVIEW OF AGENCIES.—In determining the schedule for review and abolishment of agencies under paragraph (1), the Commission shall provide that any agency that performs similar or related functions be reviewed concurrently.

(4) CRITERIA AND REVIEW.—The Commission shall review each agency and program identified under paragraph (1) in accordance with the following criteria as applicable:

(A) The effectiveness and the efficiency of the program or agency.

(B) The achievement of performance goals (as defined under section 1115(g)(4) of title 31, United States Code).

(C) The management of the financial and personnel issues of the program or agency.

(D) Whether the program or agency has fulfilled the legislative intent surrounding its creation, taking into account any change in legislative intent during the existence of the program or agency.

(E) Ways the agency or program could be less burdensome but still efficient in protecting the public.

(F) Whether reorganization, consolidation, abolishment, expansion, or transfer of agencies or programs would better enable the Federal Government to accomplish its missions and goals.

(G) The promptness and effectiveness of an agency in handling complaints and requests made under section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act).

(H) The extent that the agency encourages and uses public participation when making rules and decisions.

(I) The record of the agency in complying with requirements for equal employment opportunity, the rights and privacy of individuals, and purchasing products from historically underutilized businesses.

(J) The extent to which the program or agency duplicates or conflicts with other Federal agencies, State or local government, or the private sector and if consolidation or streamlining into a single agency or program is feasible.

(b) SCHEDULE AND ABOLISHMENT OF AGENCIES AND PROGRAMS.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act and at least once every 10 years thereafter, the Commission shall submit to the Congress a Commission Schedule and Review bill that—

(A) includes a schedule for review of agencies and programs; and

(B) abolishes any agency or program 2 years after the date the Commission completes its review of the agency or program, unless the agency or program is reauthorized by Congress.

(2) EXPEDITED CONGRESSIONAL CONSIDERATION PROCEDURES.—In reviewing the Commission Schedule and Review bill, Congress shall follow the expedited procedures under section 6.

(c) RECOMMENDATIONS AND LEGISLATIVE PROPOSALS.—

(1) REPORT.—Not later than 2 years after the date of enactment of this Act, the Commission shall submit to Congress and the President—

(A) a report that reviews and analyzes according to the criteria established under subsection (a)(4) for each agency and program to be reviewed in the year in which the report is submitted under the schedule submitted to Congress under subsection (a)(1);

(B) a proposal, if appropriate, to reauthorize, reorganize, consolidate, expand, or transfer the Federal programs and agencies to be reviewed in the year in which the report is submitted under the schedule submitted to Congress under subsection (a)(1); and

(C) legislative provisions necessary to implement the Commission's proposal and recommendations.

(2) ADDITIONAL REPORTS.—The Commission shall submit to Congress and the President additional reports as prescribed under paragraph (1) on or before June 30 of every other year.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the power of the Commission to review any Federal program or agency.

(e) APPROVAL OF REPORTS.—The Commission Schedule and Review bill and all other legislative proposals and reports submitted under this section shall require the approval of not less than 5 members of the Commission.

SEC. 5. EXPEDITED CONSIDERATION OF COMMISSION RECOMMENDATIONS.

(a) INTRODUCTION AND COMMITTEE CONSIDERATION.—

(1) INTRODUCTION.—If any legislative proposal with provisions is submitted to Congress under section 4(c), a bill with that proposal and provisions shall be introduced in the Senate by the majority leader, and in the House of Representatives, by the Speaker. Upon introduction, the bill shall be referred to the appropriate committees of Congress under paragraph (2). If the bill is not introduced in accordance with the preceding sentence, then any Member of Congress may introduce that bill in their respective House of Congress beginning on the date that is the 5th calendar day that such House is in session following the date of the submission of such proposal with provisions.

(2) COMMITTEE CONSIDERATION.—

(A) REFERRAL.—A bill introduced under paragraph (1) shall be referred to any appropriate committee of jurisdiction in the Senate, any appropriate committee of jurisdiction in the House of Representatives, the Committee on the Budget and the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on the Budget and the Committee on Homeland Security and Governmental Affairs of the House of Representatives.

(B) REPORTING.—Not later than 30 calendar days after the introduction of the bill, each committee of Congress to which the bill was referred shall report the bill or a committee amendment thereto.

(C) DISCHARGE OF COMMITTEE.—If a committee to which is referred a bill has not reported such bill at the end of 30 calendar days after its introduction or at the end of the first day after there has been reported to the House involved a bill, whichever is earlier, such committee shall be deemed to be discharged from further consideration of such bill, and such bill shall be placed on the appropriate calendar of the House involved.

(b) EXPEDITED PROCEDURE.—

(1) CONSIDERATION.—

(A) IN GENERAL.—Not later than 5 calendar days after the date on which a committee has been discharged from consideration of a bill, the majority leader of the Senate, or the majority leader's designee, or the Speaker of the House of Representatives, or the Speaker's designee, shall move to proceed to the consideration of the committee amendment to the bill, and if there is no such amendment, to the bill. It shall also be in order for any member of the Senate or the House of Representatives, respectively, to move to proceed to the consideration of the bill at any time after the conclusion of such 5-day period.

(B) MOTION TO PROCEED.—A motion to proceed to the consideration of a bill is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, to a motion to postpone consideration of the bill, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion to proceed is agreed to or not agreed to shall not be in order. If the motion to proceed is agreed to, the Senate or the House of Representatives, as the case may be, shall immediately proceed to consideration of the bill without intervening motion, order, or other business, and the bill shall remain the unfinished business of the Senate or the House of Representatives, as the case may be, until disposed of.

(C) LIMITED DEBATE.—Debate on the bill and all amendments thereto and on all debatable motions and appeals in connection therewith shall be limited to not more than 50 hours, which shall be divided equally between those favoring and those opposing the bill. A motion further to limit debate on the bill is in order and is not debatable. All time used for consideration of the bill, including time used for quorum calls (except quorum calls immediately preceding a vote) and voting, shall come from the 50 hours of debate.

(D) AMENDMENTS.—No amendment that is not germane to the provisions of the bill shall be in order in the Senate. In the Senate, an amendment, any amendment to an amendment, or any debatable motion or appeal is debatable for not to exceed 1 hour to be divided equally between those favoring and those opposing the amendment, motion, or appeal.

(E) VOTE ON FINAL PASSAGE.—Immediately following the conclusion of the debate on the bill, and the disposition of any pending amendments under subparagraph (D), the vote on final passage of the bill shall occur.

(F) OTHER MOTIONS NOT IN ORDER.—A motion to postpone consideration of the bill, a motion to proceed to the consideration of other business, or a motion to recommit the bill is not in order. A motion to reconsider the vote by which the bill is agreed to or not agreed to is not in order.

(2) CONSIDERATION BY OTHER HOUSE.—If, before the passage by one House of the bill that was introduced in such House, such House receives from the other House a bill as passed by such other House—

(A) the bill of the other House shall not be referred to a committee and may only be considered for final passage in the House that receives it under subparagraph (C);

(B) the procedure in the House in receipt of the bill of the other House, with respect to the bill that was introduced in the House in receipt of the bill of the other House, shall be the same as if no bill had been received from the other House; and

(C) notwithstanding subparagraph (B), the vote on final passage shall be on the bill of the other House.

Upon disposition of a bill that is received by one House from the other House, it shall no longer be in order to consider the bill that was introduced in the receiving House.

(3) CONSIDERATION IN CONFERENCE.—

(A) CONVENING OF CONFERENCE.—Immediately upon final passage of a bill that results in a disagreement between the 2 Houses of Congress with respect to a bill, conferees shall be appointed and a conference convened.

(B) ACTION ON CONFERENCE REPORTS IN THE SENATE.—

(i) MOTION TO PROCEED.—The motion to proceed to consideration in the Senate of the conference report on a bill may be made even though a previous motion to the same effect has been disagreed to.

(ii) DEBATE.—Consideration in the Senate of the conference report (including a message between Houses) on a bill, and all

amendments in disagreement, including all amendments thereto, and debatable motions and appeals in connection therewith, shall be limited to 20 hours, equally divided and controlled by the majority leader and the minority leader or their designees. Debate on any debatable motion or appeal related to the conference report (or a message between Houses) shall be limited to 1 hour, to be equally divided between, and controlled by, the mover and the manager of the conference report (or a message between Houses).

(iii) CONFERENCE REPORT DEFEATED.—Should the conference report be defeated, debate on any request for a new conference and the appointment of conferrees shall be limited to 1 hour, to be equally divided between, and controlled by, the manager of the conference report and the minority leader or the minority leader's designee, and should any motion be made to instruct the conferees before the conferees are named, debate on such motion shall be limited to ½ hour, to be equally divided between, and controlled by, the mover and the manager of the conference report. Debate on any amendment to any such instructions shall be limited to 20 minutes, to be equally divided between and controlled by the mover and the manager of the conference report. In all cases when the manager of the conference report is in favor of any motion, appeal, or amendment, the time in opposition shall be under the control of the minority leader or the minority leader's designee.

(iv) AMENDMENTS IN DISAGREEMENT.—In any case in which there are amendments in disagreement, time on each amendment shall be limited to 30 minutes, to be equally divided between, and controlled by, the manager of the conference report and the minority leader or the minority leader's designee. No amendment that is not germane to the provisions of such amendments shall be received.

(v) LIMITATION ON MOTION TO RECOMMIT.—A motion to recommit the conference report is not in order.

(c) RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a bill, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 6. EXPEDITED CONSIDERATION OF COMMISSION SCHEDULE AND REVIEW BILL.

(a) INTRODUCTION AND COMMITTEE CONSIDERATION.—

(1) INTRODUCTION.—The Commission Schedule and Review bill submitted under section 4(b) shall be introduced in the Senate by the majority leader, or the majority leader's designee, and in the House of Representatives, by the Speaker, or the Speaker's designee. Upon such introduction, the Commission Schedule and Review bill shall be referred to the appropriate committees of Congress under paragraph (2). If the Commission Schedule and Review bill is not introduced in accordance with the preceding sentence, then any member of Congress may introduce the Commission Schedule and Review bill in their respective House of Congress beginning on the date that is the 5th calendar day that such House is in session following the date of the submission of such aggregate legislative language provisions.

(2) COMMITTEE CONSIDERATION.—

(A) REFERRAL.—A Commission Schedule and Review bill introduced under paragraph (1) shall be referred to any appropriate committee of jurisdiction in the Senate, any appropriate committee of jurisdiction in the House of Representatives, the Committee on the Budget and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on the Budget and the Committee on Oversight and Government Reform of the House of Representatives. A committee to which a Commission Schedule and Review bill is referred under this paragraph may review and comment on such bill, may report such bill to the respective House, and may not amend such bill.

(B) REPORTING.—Not later than 30 calendar days after the introduction of the Commission Schedule and Review bill, each Committee of Congress to which the Commission Schedule and Review bill was referred shall report the bill.

(C) DISCHARGE OF COMMITTEE.—If a committee to which is referred a Commission Schedule and Review bill has not reported such Commission Schedule and Review bill at the end of 30 calendar days after its introduction or at the end of the first day after there has been reported to the House involved a Commission Schedule and Review bill, whichever is earlier, such committee shall be deemed to be discharged from further consideration of such Commission Schedule and Review bill, and such Commission Schedule and Review bill shall be placed on the appropriate calendar of the House involved.

(b) EXPEDITED PROCEDURE.—

(1) CONSIDERATION.—

(A) IN GENERAL.—Not later than 5 calendar days after the date on which a committee has been discharged from consideration of a Commission Schedule and Review bill, the majority leader of the Senate, or the majority leader's designee, or the Speaker of the House of Representatives, or the Speaker's designee, shall move to proceed to the consideration of the Commission Schedule and Review bill. It shall also be in order for any member of the Senate or the House of Representatives, respectively, to move to proceed to the consideration of the Commission Schedule and Review bill at any time after the conclusion of such 5-day period.

(B) MOTION TO PROCEED.—A motion to proceed to the consideration of a Commission Schedule and Review bill is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, to a motion to postpone consideration of the Commission Schedule and Review bill, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion to proceed is agreed to or not agreed to shall not be in order. If the motion to proceed is agreed to, the Senate or the House of Representatives, as the case may be, shall immediately proceed to consideration of the Commission Schedule and Review bill without intervening motion, order, or other business, and the Commission Schedule and Review bill shall remain the unfinished business of the Senate or the House of Representatives, as the case may be, until disposed of.

(C) LIMITED DEBATE.—Debate on the Commission Schedule and Review bill and on all debatable motions and appeals in connection therewith shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the Commission Schedule and Review bill. A motion further to limit debate on the Commission Schedule and Review bill is in order and is not debatable. All time used for consideration of the Commission Schedule and Review bill, including time used for quorum calls (except quorum calls immediately preceding a vote) and voting, shall come from the 10 hours of debate.

(D) AMENDMENTS.—No amendment to the Commission Schedule and Review bill shall be in order in the Senate and the House of Representatives.

(E) VOTE ON FINAL PASSAGE.—Immediately following the conclusion of the debate on the Commission Schedule and Review bill, the vote on final passage of the Commission Schedule and Review bill shall occur.

(F) OTHER MOTIONS NOT IN ORDER.—A motion to postpone consideration of the Commission Schedule and Review bill, a motion to proceed to the consideration of other business, or a motion to recommit the Commission Schedule and Review bill is not in order. A motion to reconsider the vote by which the Commission Schedule and Review bill is agreed to or not agreed to is not in order.

(2) CONSIDERATION BY OTHER HOUSE.—If, before the passage by one House of the Commission Schedule and Review bill that was introduced in such House, such House receives from the other House a Commission Schedule and Review bill as passed by such other House—

(A) the Commission Schedule and Review bill of the other House shall not be referred to a committee and may only be considered for final passage in the House that receives it under subparagraph (C);

(B) the procedure in the House in receipt of the Commission Schedule and Review bill of the other House, with respect to the Commission Schedule and Review bill that was introduced in the House in receipt of the Commission Schedule and Review bill of the other House, shall be the same as if no Commission Schedule and Review bill had been received from the other House; and

(C) notwithstanding subparagraph (B), the vote on final passage shall be on the Commission Schedule and Review bill of the other House. Upon disposition of a Commission Schedule and Review bill that is received by one House from the other House, it shall no longer be in order to consider the Commission Schedule and Review bill that was introduced in the receiving House.

(c) RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a Commission Schedule and Review bill, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

Mr. VOINOVICH. Mr. President, I am pleased to join my good friend and colleague Senator CORNYN in introducing the United States Authorization and Sunset Commission Act of 2007. This legislation would create a bipartisan commission to make recommendations to Congress on whether to reauthorize, reorganize, or terminate Federal programs. It would establish a systematic process to review unauthorized programs and agencies, and, if applicable, programs that are rated as ineffective or results not demonstrated under the

Program Assessment Rating Tool, PART. The Comptroller General and the Director of the Congressional Budget Office, CBO, would serve as ex-officio members, bringing their knowledge and experience and that of their organizations to the process.

Earlier this year, as it does every year, the CBO reported on programs that at one time had an explicit authorization that has either expired or will expire during the current session. This is always a lengthy report that runs 75 pages or more. In recent years, the total amount of unauthorized programs receiving appropriations reported by CBO has ranged between $160 billion and $170 billion annually.

I make this point, not to criticize or to imply that all unauthorized programs should be eliminated. Instead, it is to point out that what we are doing now is not working for us. We know that oversight is an important part of our job, but oversight takes time. How do we explain to our constituents that we do not have the time to distinguish between worthwhile programs and those that have outlived their purpose, are poorly targeted, operate inefficiently, or simply are not producing results?

As a sponsor of The Stop Over-Spending Act of 2007, ''S.O.S.,'' legislation, which includes several provisions from bills I introduced earlier this year, I want to work with my colleagues to pass legislation that allows us to convert some of the time spent on the annual budget cycle into time spent on oversight. A biennial budget cycle plus commissions such as this one and others that I have proposed to examine entitlement programs and increase program accountability all have a similar goal—to provide the time and the tools to reinvigorate congressional oversight.

This legislation does not take away our obligation to make difficult decisions about what programs to continue and those that we can no longer afford to support. What it does do is provide an opportunity to work smarter. I believe by establishing this Commission to do a thorough examination of programs and agencies, using established criteria, and a transparent reporting process, that we can carry out our responsibilities more efficiently and effectively.

I urge my colleagues to support The United States Authorization and Sunset Commission Act of 2007.

By Mr. DURBIN (for himself, Mr. SCHUMER, Ms. STABENOW, and Mr. BROWN):

S. 1733. A bill to authorize funds to prevent housing discrimination through the use of nationwide testing, to increase funds for the Fair Housing Initiatives Program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DURBIN. Mr. President, today, I introduce the Housing Fairness Act of 2007, legislation that would strengthen efforts to detect discrimination and enforce equal housing opportunities. This legislation is especially timely given that June is National Homeownership Month.

The Housing Fairness Act promotes equal housing opportunities for all people by authorizing funds to process complaints, investigate cases of housing discrimination, and develop and operate education and outreach programs to inform the general public of fair housing rights. The legislation also creates a competitive matching grant program for private nonprofit organizations to examine the causes of housing discrimination and segregation and their effects on education, poverty and economic development.

Despite the passage of the Fair Housing Act almost 40 years ago, more than 4 million fair housing violations still occur each year. When the Department of Housing and Urban Development designated certain real estate companies for investigation, studies uncovered an 87 percent rate of racial steering and a 20 percent denial rate for African-Americans and Latinos. In part due to fair housing violations, the homeownership gap between people of different racial and ethnic groups is larger than it was in 1940. These facts confirm that we need to be doing more to promote fair housing.

I invite my colleagues to cosponsor this legislation and work with me to find solutions to further detect discrimination and enforce the Fair Housing 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. 1733

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 ''Housing Fairness Act of 2007''.

SEC. 2. TESTING FOR DISCRIMINATION.

(a) IN GENERAL.—The Secretary of Housing and Urban Development shall conduct a nationwide program of testing to—

(1) detect and document differences in the treatment of persons seeking to rent or purchase housing or obtain or refinance a home mortgage loan, and measure patterns of adverse treatment because of the race, color, religion, sex, familial status, disability status, or national origin of a renter, home buyer, or borrower; and

(2) measure the prevalence of such discriminatory practices across the housing and mortgage lending markets as a whole.

(b) ADMINISTRATION.—The Secretary of Housing and Urban Development shall enter into agreements with qualified fair housing enforcement organizations, as such organizations are defined under subsection (h) of section 561 of the Housing and Community Development Act of 1987 (42 U.S.C. 3616a(h)), for the purpose of conducting the testing required under subsection (a) .

(c) REPORT.—The Secretary of Housing and Urban Development shall report to Congress—

(1) on a biennial basis, the results of each round of testing required under subsection (a) along with any recommendations or proposals for legislative or administrative action to address any issues raised by such testing; and

(2) on an annual basis, a detailed summary of the calls received by the Fair Housing Administration's 24-hour toll-free telephone hotline.

(d) USE OF RESULTS.—The results of any testing required under subsection (a) may be used as the basis for the Secretary, or any State or local government or agency, public or private nonprofit organization or institution, or other public or private entity that the Secretary has entered into a contract or cooperative agreement with under section 561 of the Housing and Community Development Act of 1987 (42 U.S.C. 3616a) to commence, undertake, or pursue any investigation or enforcement action to remedy any discrimination uncovered as a result of such testing.

(e) DEFINITIONS.—As used in this section:

(1) DISABILITY STATUS.—The term ''disability status'' has the same meaning given the term ''handicap'' in section 802 of the Civil Rights Act of 1968 (42 U.S.C. 3602).

(2) FAMILIAL STATUS.—The term ''familial status'' has the same meaning given that term in section 802 of the Civil Rights Act of 1968 (42 U.S.C. 3602).

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out the provisions of this section $20,000,000 for fiscal year 2008 and each fiscal year thereafter.

SEC. 3. INCREASE IN FUNDING FOR THE FAIR HOUSING INITIATIVES PROGRAM.

Section 561 of the Housing and Community Development Act of 1987 (42 U.S.C. 3616a) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting ''qualified'' before ''private nonprofit fair housing enforcement organizations,''; and

(B) in paragraph (2), by inserting ''qualified'' before ''private nonprofit fair housing enforcement organizations,'';

(2) by striking subsection (g) and inserting the following:

''(g) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated to carry out the provisions of this section $52,000,000 for each of fiscal years 2008 through 2012, of which—

''(A) not less than 75 percent of such amounts shall be for private enforcement initiatives authorized under subsection (b);

''(B) not more than 10 percent of such amounts shall be for education and outreach programs under subsection (d); and

''(C) any remaining amounts shall be used for program activities authorized under this section.

''(2) AVAILABILITY.—Any amount appropriated under this section shall remain available until expended.'';

(3) in subsection (h), in the matter following subparagraph (C), by inserting ''and meets the criteria described in subparagraphs (A) and (C)'' after ''subparagraph (B)''; and

(4) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (C), by striking ''; and'' and inserting a semicolon;

(ii) in subparagraph (D), by striking the period and inserting ''; and''; and

(iii) by adding at the end the following new subparagraph:

''(E) websites and other media outlets.'';

(B) in paragraph (2), by striking ''or other public or private entities'' and inserting ''or other public or private nonprofit entities''; and

(C) in paragraph (3), by striking ''or other public or private entities'' and inserting ''or other public or private nonprofit entities''.

SEC. 4. SENSE OF CONGRESS.

It is the sense of Congress that the Secretary of Housing and Urban Development should—

(1) fully comply with the requirements of section 561(d) of the Housing and Community Development Act of 1987 (42 U.S.C. 3616a(d)) to establish, design, and maintain a national education and outreach program to provide a centralized, coordinated effort for the development and dissemination of the fair housing rights of individuals who seek to rent, purchase, sell, or facilitate the sale of a home;

(2) utilize all amounts appropriated for such education and outreach program under section 561(g) of such Act; and

(3) promulgate regulations regarding the fair housing obligations of each recipient of Federal housing funds to affirmatively further fair housing, as that term is defined under title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.).

SEC. 5. GRANTS TO PRIVATE ENTITIES TO STUDY HOUSING DISCRIMINATION.

(a) GRANT PROGRAM.—The Secretary of Housing and Urban Development shall carry out a competitive matching grant program to assist private nonprofit organizations in—

(1) conducting comprehensive studies that examine—

(A) the causes of housing discrimination and segregation; and

(B) the effects of housing discrimination and segregation on education, poverty, and economic development; and

(2) implementing pilot projects that test solutions that will help prevent or alleviate housing discrimination and segregation.

(b) ELIGIBILITY.—To be eligible to receive a grant under this section, a private nonprofit organization shall—

(1) submit an application to the Secretary of Housing and Urban Development, containing such information as the Secretary shall require; and

(2) agree to provide matching non-Federal funds for 25 percent of the total amount of the grant, such funds may include items donated on an in-kind contribution basis.

(c) PREFERENCE.—In awarding any grant under this section, the Secretary of Housing and Urban Development shall give preference to any applicant who is—

(1) a qualified fair housing enforcement organization, as such organization is defined under subsection (h) of section 561 of the Housing and Community Development Act of 1987 (42 U.S.C. 3616a(h)); or

(2) a partner of any such organization.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out the provisions of this section $5,000,000 for each of fiscal years 2008 through 2012.

By Mrs. BOXER (for herself, Mr. LAUTENBERG, and Mr. KERRY):

S. 1734. A bill to provide for prostate cancer imaging research and education; to the Committee on Health, Education, Labor, and Pensions.

Mrs. BOXER. Mr. President, today I rise to introduce the Prostate Research, Imaging, and Men's Education Act. This important legislation addresses the urgent need for the development of new technologies to detect and diagnose prostate cancer, and for the education of the dangers of this deadly disease.

I thank my colleagues, Senator FRANK LAUTENBERG and Senator JOHN KERRY, for joining me as original cosponsors of this important legislation.

Prostate cancer is the second most common cancer in the United States, and the second leading cause of cancer related deaths in men. This cancer strikes one in every six men, making it even more prevalent than breast cancer, which strikes one in every seven women.

In 2007, more than 218,000 men will be diagnosed with prostate cancer, and more than 27,000 men will die from the disease. One new case occurs every 2.5 minutes and a man dies from prostate cancer every 19 minutes.

The Prostate Research, Imaging, and Men's Education Act, also known as the PRIME Act, will mirror the investment the Federal Government made in advanced imaging technologies, which led to life-saving breakthroughs in detection, diagnosis and treatment of breast cancer. This bill directs the Secretary of the Department of Health and Human Services, HHS, to expand research on prostate cancer, and provides the resources to develop innovative advanced imaging technologies for prostate cancer detection, diagnosis, and treatment.

The Prostate Research, Imaging, and Men's Education Act would also create a national campaign conducted through HHS to increase awareness about the need for prostate cancer screening, and the development of better screening techniques. Since African American men are 56 percent more likely to develop prostate cancer compared with Caucasian men and nearly 2.5 times as likely to die from the disease, this campaign will work with the Offices of Minority Health at HHS and the Centers for Disease Control and Prevention to ensure that this effort will reach the men most at risk from this disease.

The Prostate Research, Imaging and Men's Education Act will also promote research that improves prostate cancer screening blood tests. According to a recent National Cancer Institute study, current blood tests result in false-negative reassurances and numerous false-positive alarms. Some 15 percent of men with normal blood test levels actually have prostate cancer. Even when levels are abnormal, some 88 percent of men end up not having prostate cancer but undergoing unnecessary biopsies. Furthermore, the prostate is one of the last organs in a human body where biopsies are performed blindly, which can miss cancer even when multiple samples are taken.

Government initiative in research and education can be the key to diagnosing prostate cancer earlier and more accurately. This legislation would strengthen our efforts to fight this disease.

As June is Men's Health Month, this is an ideal time to draw attention to the issue affecting so many men across the Nation. I ask all my fellow Senators to join with me in ensuring the health of our husbands, brothers, sons, and friends against this disease.

By Mr. DODD:

S. 1736. A bill to amend title II of the Social Security Act to provide that the eligibility requirements for disability insurance benefits under which an individual must have 20 quarters of Social Security coverage in the 40 quarters preceding a disability shall not be applicable in the case of a disabled individual suffering from a covered terminal disease; to the Committee on Finance.

Mr. DODD. Mr. President, today I am introducing the Claire Collier Social Security Disability Insurance Fairness Act. This legislation will ensure that individuals suffering from certain terminal diseases are entitled to receive Social Security disability benefits. Under current law, an individual who contracts a covered terminal illness, and who has not been part of the workforce for a period of time, may not qualify for Social Security disability benefits they would otherwise be entitled to.

This bill is named after Claire Collier, a Stamford, Connecticut mother of three, who I first met a few years ago after she was diagnosed with amyotrophic lateral sclerosis, ALS, in 2003. ALS, commonly known as Lou Gehrig's disease, first strikes the nerve cells, then weakens the muscles, causes paralysis and tragically leads to death.

Three years ago, Claire applied for Social Security disability benefits. However, she was denied the benefits because she did not have enough work credits. Ms. Collier, who worked for more than 15 years as an events planner, does not qualify for Social Security disability benefits, even though she paid Social Security and Medicare taxes for more than 15 years. The reason is the Social Security Act mandates that an individual earn 20 quarters of Social Security earnings during the 10 years preceding a disability to collect benefits. This discriminates against people who have earned the required number of credits outside of the time period prescribed under current law.

Under the present system, hardworking Americans, such as Claire Collier, are being denied benefits at a time when they need them most. In Claire's case, the rules are especially unfair since she has been penalized for choosing to stay at home with her children prior to being diagnosed with ALS.

The bill I am sponsoring will change the eligibility standard. The Claire Collier legislation will amend the Social Security Act to provide that the eligibility standard for disability insurance benefits not be applicable in the case of a disabled individual suffering from a terminal illness.

Passage of this important legislation will simply ensure fairness. We should reward individuals who contribute to Social Security, not punish them. The Claire Collier Social Security Disability Insurance Fairness Act will eliminate inequity in the current system. I look forward to working with

my colleagues to see that this legislation is not only passed by this body soon, but that it is signed into law.

By Mr. BIDEN (for himself and Mrs. BOXER)

S. 1738. A bill to establish a Special Counsel for Child Exploitation Prevention and Interdiction within the Office of the Deputy Attorney General, to improve the Internet Crimes Against Children Task Force, to increase resources for regional computer forensic labs, and to make other improvements to increase the ability of law enforcement agencies to investigate and prosecute predators; to the Committee on the Judiciary.

Mr. BIDEN. Mr. President, I rise today to introduce the Combating Child Exploitation Act of 2007. This legislation takes a bold step forward in addressing child exploitation.

And, Mr. President, let me assure you, we need bold action. We have taken some important steps here in the Senate, including passing the Jacob Weterling Act, the Pam Lyncher Act, the Amber Alert program, and last year's Adam Walsh Act.

But, this is a problem that keeps growing and growing, and we need bold action to address this problem. If we do not act, we will probably be back here naming a new bill after another unfortunate child victim.

The bottom line is that the Internet has facilitated an exploding, multi-billion dollar market for child pornography, with 20,000 new images posted every week. This is a market that can only be supplied by the continued sexual assault and exploitation of more children and the research shows that victims are getting younger and they are being exposed to more sadistic abuse.

The FBI and the Department of Justice have testified before Congress that there are hundreds of thousands of people trafficking child pornography in this country and millions around the world.

We are not making a dent in this problem.

Don't get me wrong, there are many Federal, State and local investigators and prosecutors out there working tirelessly, but need to do much more.

We have not dedicated enough Federal agents to this problem and we have not provided enough support for States and local government.

The most troubling aspect, one that led to the drafting of this legislation is that we know where many of these people are and if we set the right priorities we can go pick them up.

Let me repeat that, we have new investigative techniques that will allow us to identify many of the people who are trafficking child pornography and we can go pick them up.

A very conservative estimate is that there are more than 400,000 people who we know who are trafficking child pornography on the Internet in the U.S. right now.

We can, with minimal effort, take these people down. But, due to lack of resources we are investigating less than 2 percent of these cases. Again, we are only investigating 2 percent of the known child pornography traffickers.

We also know that when law enforcement agents do investigate these cases, there is a local abused child in 30 percent off the cases. And, research shows that at least 55 percent of child pornography possessors have previously sexually assaulted children or attempted to do so. So, by picking up these known offenders, we are saving children.

Finally, it is important to note that every time one of these images or videos are shared, the child is victimized again and again.

So, to help ensure that law enforcement has the capacity to get the job done, I am introducing the Combating Child Exploitation Act of 2007.

First, this legislation will establish a Special Counsel in the Deputy Attorney General's Office to coordinate all activities related to preventing child exploitation. This will be one person who will be held accountable for results.

We will also congressionally require that there be at least one Internet Crimes Against Children Task Force, CAC, in each State. This program is poised to become the backbone for our investigative efforts here in the U.S. by forming a network of highly trained investigators to focus exclusively on combating child exploitation. Under this bill, we will triple the funding for the ICAC program to help with hiring, training, and investigative resources to form this Nation-wide network.

In addition, we will authorize over 250 new Federal agents to focus exclusively on this problem, including 125 new FBI agents, which will double the number of agents under the Innocent Images Program at the FBI, 95 new agents for the Immigration and Customs Enforcement Agency, ICE, and 31 new postal inspectors.

This bill will help us form a coordinated effort to go after child predators. As stated previously, we know where many of these people are and we need to go get them.

In my view, it is inexcusable that we are not putting the resources toward tracking the ones down who we know about and doing much more to find the others who are lurking in the shadows.

This legislation will get us on the right track and I urge my colleagues to support this effort.

By Mr. ROCKEFELLER (for himself and Mr. BROWN):

S. 1739. A bill to amend section 35 of the Internal Revenue Code of 1986 to improve the health coverage tax credit, and for other purposes; to the Committee on Finance.

Mr. ROCKEFELLER. Mr. President, last month, the Government Accountability Office, GAO, released yet another report about the Trade Adjustment Assistance, TAA, health coverage tax credit, HCTC. The report confirms what many in Congress have been saying since the HCTC program began, the credit is not enough, the program has several barriers to enrollment, the premiums are prohibitively high for some workers because of medical underwriting, and the program is very confusing and expensive to administer. Although the GAO reported a $19 million decrease in costs of administration between 2003 and the end of fiscal year 2006, administrative costs still make up approximately 34 percent of the total spending for the HCTC.

The Trade Adjustment Assistance Act is up for reauthorization this year. It is long past time for Congress to focus on the problems with the TAA health coverage tax credit and reauthorization presents us with that opportunity. That is why I am introducing legislation today that will make much-needed improvements to the HCTC program. And, I am proud that the distinguished Senator from Ohio, Mr. BROWN, is joining me in introducing this important bill. The TAA Health Coverage Improvement Act of 2007 offers solutions to many of the problems with the HCTC identified by the GAO. This legislation will go a long way to make the TAA health care tax credit a realistic option for displaced workers and their families.

When Congress passed the Trade Act of 2002, we made a promise to American workers that the potential loss of jobs will not equal the loss of health care coverage. Unfortunately, Congress has failed to make good on that promise. Since we passed this bill, I have heard from steel retirees and widows in my State about how unaffordable the TAA health care tax credit is. And I have been very frustrated, just as I was when this bill passed, that we were not able to make the credit more affordable and accessible for people who need it the most—laid-off workers and retirees with very limited income. We can fix these problems by including provisions from the TAA Health Coverage Improvement Act in the TAA reauthorization bill.

For a good number of supporters of the Trade Act of 2002, the health insurance tax credit was the single most important factor in overcoming their concerns about giving the President fast-track authority to move trade agreements through Congress. In my own judgment, the fast-track would not have passed Congress without the health care tax credit. The TAA health credit was the trade-off to balance the President's authority.

Yet, the success many of us envisioned for the health care tax credit has not been realized through implementation. The number of people who have been able to access the health care tax credit over the last 2 years is extremely disappointing. As of January 31, 2007, only 15,506 out of 252,280 who are eligible for the credit are enrolled

in the program. That is just over 6 percent, which means that almost 94 percent of those eligible are not participating.

In my home State of West Virginia, we have worked hard to promote the HCTC for trade-displaced workers. When Weirton Steel instituted significant layoffs, thousands of employees lost their jobs. In the aftermath, State and national officials, health plan staff, and representatives of the Independent Steelworkers Union and United Steel Workers worked collaboratively to provide continuous health care coverage for HCTC-eligible workers and retirees. The community really came together and worked around the clock to educate workers and retirees about their coverage options and to ensure they were enrolled in the HCTC.

Loss of employment is absolutely devastating to workers and their families. While health care coverage alone cannot replace job loss, it does help to ease the burden on displaced workers and their dependents. West Virginia is a model example of how HCTC can work. However, with only 6 percent of those eligible for HCTC enrolled across the country, there is still much more that needs to be done.

I must say to my colleagues that Congress has had a hand in these disappointing enrollment figures. We have ignored every opportunity to improve the health coverage tax credit and enhance the lives of workers displaced by trade. Members of this body have previously voted against TAA bills that would have extended Trade Adjustment Assistance to service workers and also addressed some of the problems the GAO has identified with the health coverage credit.

The TAA Health Coverage Improvement Act makes long overdue improvements to the TAA health care tax credit. First, this legislation addresses the issue of affordability. In addition to the GAO, several consumer advocacy groups and research organizations, including the Commonwealth Fund, the Center on Budget and Policy Priorities, and Families USA, have cited affordability of the credit as the primary reason for low participation in the HCTC program. The bottom line is that a 65 percent subsidy is not enough. With a 65 percent credit, an eligible individual still has to pay an average of $2,104 in annual premium costs for single coverage plus additional amounts for deductibles and co-payments. This figure is particularly astounding given the fact that the average worker, while actively employed and earning a paycheck, paid just $627 annually in 2006 for single employer-sponsored health insurance coverage. In other words, if you lose your job, you have to pay more than three times as much for health insurance, even if you get the HCTC. The TAA Health Coverage Improvement Act makes the credit more affordable by increasing the subsidy amount to 95 percent.

This legislation also addresses the issue of affordability by placing limits on the use of the individual market, as Congress intended under the original law. The Trade Act of 2002 specified that the health insurance credit could not be used for the purchase of health insurance coverage in the individual market except for HCTC-eligible workers who previously had a private, nongroup coverage policy 30 days prior to separation from employment. However, States have been allowed by this Administration to create State-based coverage options in the individual market for any HCTC beneficiaries, including those who did not have individual market coverage one month prior to separation from employment.

Because of the Administration's interpretation of the law, there are people who had employer-based coverage prior to separation from employment who are now being covered in the individual market. This was not the intent of the law. To make matters worse, this interpretation undermines the consumer protections set forth in the law because individual market plans are allowed to vary premiums based on age and medical status. In one state that GAG reviewed for a previous report, because of medical underwriting, HCTC recipients in less-than-perfect health were charged almost 6 times the premiums charged to recipients rated in the healthiest category. The legislation I am introducing today addresses this problem by clarifying that States can only designate individual market coverage within guidelines of 30-day restriction and by requiring individual market plans to be community-rated.

Second, this legislation guarantees that eligible workers will have access to comprehensive group health coverage. Group coverage is what people know. The vast majority of laid-off workers and PBGC retirees had employer-sponsored group coverage prior to losing their jobs or pension benefits. The TAA Health Coverage Improvement Act designates the Federal Employees Health Benefit Plan, FEHBP, as a qualified group option in every State, so that displaced workers Nationwide will have access to the same type of affordable, comprehensive coverage they were used to when they were employed.

Third, the TAA Health Coverage Act clarifies the 3 month continuous coverage requirement. Under the original TAA statute, displaced workers are required to maintain 3 months of continuous health insurance coverage in order to qualify for certain consumer protections. Those protections are guaranteed issue, no preexisting condition exclusion, comparable premiums, and comparable benefits. Congress intended this 3 month period to be counted as the 3 months prior to separation from employment. However, the administration has interpreted the 3 month requirement as 3 months of health insurance coverage prior to enrollment in the new health plan, which usually is after separation from employment and after certification of TAA eligibility. Many laid-off workers and PBGC recipients cannot afford to maintain health coverage in the months between losing their jobs and TAA certification and, therefore, lose eligibility for the statutorily-provided consumer protections. This legislation corrects this problem by clarifying that three months of continuous coverage means 3 months prior to separation from employment.

Fourth, this bill allows spouses and dependents to receive the health coverage tax credit. Over the last 2 years, younger spouses and dependents of Medicare-eligible individuals have not been able to receive the subsidy because eligibility runs through the worker or retiree. This technicality is unfair to individuals who rely on health coverage through their spouses or parents. The TAA Health Coverage Improvement Act allows younger spouses and dependent children to retain eligibility for the health coverage tax credit in the event the qualified beneficiary becomes eligible for Medicare.

Finally, this legislation streamlines the HCTC enrollment process and makes it easier for trade-displaced workers to access health insurance coverage. According to GAO, two of the factors contributing to low participation include the complex nature of the HCTC program and the inability of workers to pay 100 percent of the premium during the up to 3 months before they begin to receive advance payments. The TAA Health Coverage Improvement Act improves consumer information about the HCTC by requiring that the Treasury Secretary's eligibility notice include a description of the HCTC program; specific contact information for state offices responsible for determining eligibility and providing enrollment assistance; a list of the HCTC coverage options in the sate; and a statement informing eligible individuals of the deadline to enroll in HCTC in order to avoid lapses in coverage. Additionally, our legislation includes a presumptive eligibility provision that allows displaced workers to enroll in a qualified health plan and receive the HCTC immediately upon application to the Department of Labor for certification. There is also a provision which directs the Treasury Secretary to pay 100 percent of the cost of premiums directly to the health plans during the months TAA-eligible workers are waiting for advance payment to begin.

As a former Governor, I know how important Trade Adjustment Assistance is to individuals who have lost their jobs due to trade. In West Virginia, thousands of workers have lost their jobs as a result of trade policy. While adjusting to the loss of employment, these individuals still have to pay mortgages, put food on the table, and care for their families. Finding affordable health care adds a significant burden to their worries. The TAA health coverage tax credit is designed

to help American workers retain health insurance coverage during this very difficult transition.

Unfortunately, the HCTC program is not living up to its potential. The Government Accountability Office has given us a very specific diagnosis of the problems. Now, it is up to us to fix them. I look forward to working with my colleagues to pass this important legislation in conjunction with reauthorization of the Trade Adjustment Assistance program.

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 printed in the RECORD, as follows:

S. 1739

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''TAA Health Coverage Improvement Act of 2007''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Improvement of the affordability of the credit.
Sec. 3. 100 percent credit and payment for monthly premiums paid prior to certification of eligibility for the credit.
Sec. 4. Eligibility for certain pension plan participants; presumptive eligibility.
Sec. 5. Clarification of 3-month creditable coverage requirement.
Sec. 6. TAA pre-certification period rule for purposes of determining whether there is a 63-day lapse in creditable coverage.
Sec. 7. Continued qualification of family members after certain events.
Sec. 8. Offering of Federal group coverage.
Sec. 9. Additional requirements for individual health insurance costs.
Sec. 10. Alignment of COBRA coverage with TAA period for TAA-eligible individuals.
Sec. 11. Notice requirements.
Sec. 12. Annual report on enhanced TAA benefits.
Sec. 13. Extension of national emergency grants.

SEC. 2. IMPROVEMENT OF THE AFFORDABILITY OF THE CREDIT.

(a) IMPROVEMENT OF AFFORDABILITY.—

(1) IN GENERAL.—Section 35(a) of the Internal Revenue Code of 1986 (relating to credit for health insurance costs of eligible individuals) is amended by striking ''65'' and inserting ''95''.

(2) CONFORMING AMENDMENT.—Section 7527(b) of such Code (relating to advance payment of credit for health insurance costs of eligible individuals) is amended by striking ''65'' and inserting ''95''.

(b) EFFECTIVE DATE.—The amendments made by this section apply to taxable years beginning after December 31, 2007.

SEC. 3. 100 PERCENT CREDIT AND PAYMENT FOR MONTHLY PREMIUMS PAID PRIOR TO CERTIFICATION OF ELIGIBILITY FOR THE CREDIT.

(a) IN GENERAL.—Subsection (a) of section 35 of the Internal Revenue Code of 1986, as amended by section 2(a)(1), is amended—

(1) by striking the subsection heading and all that follows through ''In case'' and inserting ''AMOUNT OF CREDIT.—

''(1) IN GENERAL.—In case''; and

(2) by adding at the end the following new paragraph:

''(2) 100 PERCENT CREDIT FOR MONTHS PRIOR TO ISSUANCE OF ELIGIBILITY CERTIFICATE.—The amount allowed as a credit against the tax imposed by subtitle A shall be equal to 100 percent in the case of the taxpayer's first eligible coverage months occurring prior to the issuance of a qualified health insurance costs credit eligibility certificate.''.

(b) PAYMENT FOR PREMIUMS DUE PRIOR TO CERTIFICATION OF ELIGIBILITY FOR THE CREDIT.—Section 7527 of the Internal Revenue Code of 1986 (relating to advance payment of credit for health insurance costs of eligible individuals) is amended by adding at the end the following new subsection:

''(e) PAYMENT FOR PREMIUMS DUE PRIOR TO ISSUANCE OF CERTIFICATE.—The program established under subsection (a) shall provide—

''(1) that the Secretary shall make payments on behalf of a certified individual of an amount equal to 100 percent of the premiums for coverage of the taxpayer and qualifying family members under qualified health insurance for eligible coverage months (as defined in section 35(b)) occurring prior to the issuance of a qualified health insurance costs credit eligibility certificate; and

''(2) that any payments made under paragraph (1) shall not be included in the gross income of the taxpayer on whose behalf such payments were made.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after the date of the enactment of this Act in taxable years ending after such date.

SEC. 4. ELIGIBILITY FOR CERTAIN PENSION PLAN RECIPIENTS; PRESUMPTIVE ELIGIBILITY.

(a) ELIGIBILITY FOR CERTAIN PENSION PLAN RECIPIENTS.—Subsection (c) of section 35 of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by striking the period and inserting '', and''; and

(C) by adding at the end the following:

''(D) an eligible multiemployer pension participant.''; and

(2) by adding at the end the following new paragraph:

''(5) ELIGIBLE MULTIEMPLOYER PENSION RECIPIENT.—The term 'eligible multiemployer pension recipient' means, with respect to any month, any individual—

''(A) who has attained age 55 as of the first day of such month,

''(B) who is receiving a benefit from a multiemployer plan (as defined in section 3(37)(A) of the Employee Retirement Income Security Act of 1974), and

''(C) whose former employer has withdrawn from such multiemployer plan pursuant to section 4203(a) of such Act.''.

(b) PRESUMPTIVE ELIGIBILITY FOR PETITIONERS FOR TRADE ADJUSTMENT ASSISTANCE.—Subsection (c) of section 35 of the Internal Revenue Code of 1986, as amended by subsection (a), is amended by adding at the end the following new paragraph:

''(6) PRESUMPTIVE STATUS AS A TAA RECIPIENT.—The term 'eligible individual' shall include any individual who is covered by a petition filed with the Secretary of Labor under section 221 of the Trade Act of 1974. This paragraph shall apply to any individual only with respect to months which—

''(A) end after the date that such petition is so filed, and

''(B) begin before the earlier of—

''(i) the 90th day after the date of filing of such petition, or

''(ii) the date on which the Secretary of Labor makes a final determination with respect to such petition.''.

(c) CONFORMING AMENDMENTS.—

(1) Paragraph (1) of section 7527(d) of such Code is amended by striking ''or an eligible alternative TAA recipient (as defined in section 35(c)(3))'' and inserting '', an eligible alternative TAA recipient (as defined in section 35(c)(3)), an eligible multiemployer pension recipient (as defined in section 35(c)(5), or an individual who is an eligible individual by reason of section 35(c)(6)''.

(2) Section 173(f)(4) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(f)(4)) is amended—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by striking the period and inserting a comma; and

(C) by inserting after subparagraph (C), the following new subparagraphs:

''(D) an eligible multiemployer pension recipient (as defined in section 35(c)(5) of the Internal Revenue Code of 1986), and

''(E) an individual who is an eligible individual by reason of section 35(c)(6) of the Internal Revenue Code of 1986.''.

(d) TECHNICAL AMENDMENT CLARIFYING ELIGIBILITY OF CERTAIN DISPLACED WORKERS RECEIVING A BENEFIT UNDER A DEFINED BENEFIT PENSION PLAN.—The first sentence of section 35(c)(2) of the Internal Revenue Code of 1986 is amended by inserting before the period the following: '', and shall include any such individual who would be eligible to receive such an allowance but for the fact that the individual is receiving a benefit under a defined benefit plan (as defined in section 3(35) of the Employee Retirement Income Security Act of 1974).''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after the date of the enactment of this Act in taxable years ending after such date.

SEC. 5. CLARIFICATION OF 3-MONTH CREDITABLE COVERAGE REQUIREMENT.

(a) IN GENERAL.—Clause (i) of section 35(e)(2)(B) of the Internal Revenue Code of 1986 (defining qualifying individual) is amended by inserting ''(prior to the employment separation necessary to attain the status of an eligible individual)'' after ''9801(c)''.

(b) CONFORMING AMENDMENT.—Section 173(f)(2)(B)(ii)(I) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(f)(2)(B)(ii)(I)) is amended by inserting ''(prior to the employment separation necessary to attain the status of an eligible individual)'' after ''1986''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after the date of the enactment of this Act in taxable years ending after such date.

SEC. 6. TAA PRE-CERTIFICATION PERIOD RULE FOR PURPOSES OF DETERMINING WHETHER THERE IS A 63-DAY LAPSE IN CREDITABLE COVERAGE.

(a) ERISA AMENDMENT.—Section 701(c)(2) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1181(c)(2)) is amended by adding at the end the following new subparagraph:

''(C) TAA-ELIGIBLE INDIVIDUALS.—

''(i) TAA PRE-CERTIFICATION PERIOD RULE.—In the case of a TAA-eligible individual, the period beginning on the date the individual has a TAA-related loss of coverage and ending on the date that is 5 days after the postmark date of the notice by the Secretary (or by any person or entity designated by the Secretary) that the individual is eligible for a qualified health insurance costs credit eligibility certificate for purposes of section 7527 of the Internal Revenue Code of 1986 shall not be taken into account in determining the continuous period under subparagraph (A).

''(ii) DEFINITIONS.—The terms 'TAA-eligible individual', and 'TAA-related loss of coverage' have the meanings given such terms in section 605(b)(4)(C).''.

(b) PHSA AMENDMENT.—Section 2701(c)(2) of the Public Health Service Act (42 U.S.C. 300gg(c)(2)) is amended by adding at the end the following new subparagraph:

''(C) TAA-ELIGIBLE INDIVIDUALS.—

''(i) TAA PRE-CERTIFICATION PERIOD RULE.—In the case of a TAA-eligible individual, the period beginning on the date the individual has a TAA-related loss of coverage and ending on the date that is 5 days after the postmark date of the notice by the Secretary (or by any person or entity designated by the Secretary) that the individual is eligible for a qualified health insurance costs credit eligibility certificate for purposes of section 7527 of the Internal Revenue Code of 1986 shall not be taken into account in determining the continuous period under subparagraph (A).

''(ii) DEFINITIONS.—The terms 'TAA-eligible individual', and 'TAA-related loss of coverage' have the meanings given such terms in section 2205(b)(4)(C).''.

(c) IRC AMENDMENT.—Section 9801(c)(2) of the Internal Revenue Code of 1986 (relating to not counting periods before significant breaks in creditable coverage) is amended by adding at the end the following new subparagraph:

''(D) TAA-ELIGIBLE INDIVIDUALS.—

''(i) TAA PRE-CERTIFICATION PERIOD RULE.—In the case of a TAA-eligible individual, the period beginning on the date the individual has a TAA-related loss of coverage and ending on the date which is 5 days after the postmark date of the notice by the Secretary (or by any person or entity designated by the Secretary) that the individual is eligible for a qualified health insurance costs credit eligibility certificate for purposes of section 7527 shall not be taken into account in determining the continuous period under subparagraph (A).

''(ii) DEFINITIONS.—The terms 'TAA-eligible individual', and 'TAA-related loss of coverage' have the meanings given such terms in section 4980B(f)(5)(C)(iv).''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after the date of the enactment of this Act in taxable years ending after such date.

SEC. 7. CONTINUED QUALIFICATION OF FAMILY MEMBERS AFTER CERTAIN EVENTS.

(a) IN GENERAL.—Subsection (g) of section 35 of the Internal Revenue Code of 1986 is amended by redesignating paragraph (9) as paragraph (10) and inserting after paragraph (8) the following new paragraph:

''(9) CONTINUED QUALIFICATION OF FAMILY MEMBERS AFTER CERTAIN EVENTS.—

''(A) ELIGIBLE INDIVIDUAL BECOMES MEDICARE ELIGIBLE.—In the case of a month which would be an eligible coverage month with respect to an eligible individual but for subsection (f)(2)(A), such month shall be treated as an eligible coverage month with respect to any qualifying family member of such eligible individual (but not with respect to such eligible individual).

''(B) DIVORCE.—In the case of a month which would be an eligible coverage month with respect to a former spouse of a taxpayer but for the finalization of a divorce between the spouse and the taxpayer that occurs during the period in which the taxpayer is an eligible individual, such month shall be treated as an eligible coverage month with respect to such former spouse.

''(C) DEATH.—In the case of a month which would be an eligible coverage month with respect to an eligible individual but for the death of such individual, such month shall be treated as an eligible coverage month with respect to any qualifying family of such eligible individual.''.

(b) CONFORMING AMENDMENT.—Section 173(f) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(f)) is amended by adding at the end the following:

''(8) CONTINUED QUALIFICATION OF FAMILY MEMBERS AFTER CERTAIN EVENTS.—

''(A) ELIGIBLE INDIVIDUAL BECOMES MEDICARE ELIGIBLE.—In the case of a month which would be an eligible coverage month with respect to an eligible individual but for subsection (f)(2)(A), such month shall be treated as an eligible coverage month with respect to any qualifying family member of such eligible individual (but not with respect to such eligible individual).

''(B) DIVORCE.—In the case of a month which would be an eligible coverage month with respect to a former spouse of a taxpayer but for the finalization of a divorce between the spouse and the taxpayer that occurs during the period in which the taxpayer is an eligible individual, such month shall be treated as an eligible coverage month with respect to such former spouse.

''(C) DEATH.—In the case of a month which would be an eligible coverage month with respect to an eligible individual but for the death of such individual, such month shall be treated as an eligible coverage month with respect to any qualifying family of such eligible individual.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after the date of the enactment of this Act in taxable years ending after such date.

SEC. 8. OFFERING OF FEDERAL GROUP COVERAGE.

(a) PROVISION OF GROUP COVERAGE.—

(1) IN GENERAL.—The Director of the Office of Personnel Management jointly with the Secretary of the Treasury shall establish a program under which eligible individuals (as defined in section 35(c) of the Internal Revenue Code of 1986) are offered enrollment under health benefit plans that are made available under FEHBP.

(2) TERMS AND CONDITIONS.—The terms and conditions of health benefits plans offered under paragraph (1) shall be the same as the terms and coverage offered under FEHBP, except that the percentage of the premium charged to eligible individuals (as so defined) for such health benefit plans shall be equal to 5 percent.

(3) STUDY.—The Director of the Office of Personnel Management jointly with the Secretary of the Treasury shall conduct a study of the impact of the offering of health benefit plans under this subsection on the terms and conditions, including premiums, for health benefit plans offered under FEHBP and shall submit to Congress, not later than 2 years after the date of the enactment of this Act, a report on such study. Such report may contain such recommendations regarding the establishment of separate risk pools for individuals covered under FEHBP and eligible individuals covered under health benefit plans offered under paragraph (1) as may be appropriate to protect the interests of individuals covered under FEHBP and alleviate any adverse impact on FEHBP that may result from the offering of such health benefit plans.

(4) FEHBP DEFINED.—In this section, the term ''FEHBP'' means the Federal Employees Health Benefits Program offered under chapter 89 of title 5, United States Code.

(b) CONFORMING AMENDMENTS.—

(1) Paragraph (1) of section 35(e) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(K) Coverage under a health benefits plan offered under section 8(a)(1) of the TAA Health Coverage Improvement Act of 2007.''.

(2) Section 173(f)(2)(A) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(f)(2)(A)) is amended by adding at the end the following new clause:

''(xi) Coverage under a health benefits plan offered under section 8(a)(1) of the TAA Health Coverage Improvement Act of 2007.''.

SEC. 9. ADDITIONAL REQUIREMENTS FOR INDIVIDUAL HEALTH INSURANCE COSTS.

(a) IN GENERAL.—Subparagraph (A) of section 35(e)(2) of such Code is amended by striking ''subparagraphs (B) through (H) of paragraph (1)'' and inserting ''paragraph (1) (other than subparagraphs (A), (I), and (K) thereof)''.

(b) RATING SYSTEM REQUIREMENT.—Subparagraph (J) of section 35(e)(1) of such Code is amended by adding at the end the following: ''For purposes of this subparagraph and clauses (ii), (iii), and (iv) of subparagraph (F), such term does not include any insurance unless the premiums for such insurance are restricted based on a community rating system (determined other than on the basis of age).''.

(c) CLARIFICATION OF CONGRESSIONAL INTENT TO LIMIT USE OF INDIVIDUAL HEALTH INSURANCE COVERAGE OPTION.—Section 35(e)(1)(J) (relating to qualified health insurance) is amended in the matter preceding clause (i), by inserting '', but only'' after ''under individual health insurance''.

(d) CONFORMING AMENDMENTS.—Section 173(f)(2) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(f)(2)) is amended—

(1) in subparagraph (A)(x), by adding at the end the following: ''Such term does not include any insurance unless the premiums for such insurance are restricted based on a community rating system (determined other than on the basis of age).''; and

(2) in subparagraph (B)—

(A) in the matter preceding subclause (I), by inserting '', but only'' after ''under individual health insurance''; and

(B) in clause (i), by striking ''clauses (ii) through (viii) of subparagraph (A)'' and inserting ''subparagraph (A) (other than clauses (i), (x), and (xi) thereof)''.

SEC. 10. ALIGNMENT OF COBRA COVERAGE WITH TAA PERIOD FOR TAA-ELIGIBLE INDIVIDUALS.

(a) ERISA.—Section 605(b) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1165(b)) is amended—

(1) in the subsection heading, by inserting ''AND COVERAGE'' after ''ELECTION''; and

(2) in paragraph (2)—

(A) in the paragraph heading, by inserting ''AND PERIOD'' after ''COMMENCEMENT'';

(B) by striking ''and shall'' and inserting '', shall''; and

(C) by inserting '', and in no event shall the maximum period required under section 602(2)(A) be less than the period during which the individual is a TAA-eligible individual'' before the period at the end.

(b) INTERNAL REVENUE CODE OF 1986.—Section 4980B(f)(5)(C) of the Internal Revenue Code of 1986 is amended—

(1) in the subparagraph heading, by inserting ''AND COVERAGE'' after ''ELECTION''; and

(2) in clause (ii)—

(A) in the clause heading, by inserting ''AND PERIOD'' after ''COMMENCEMENT'';

(B) by striking ''and shall'' and inserting '', shall''; and

(C) by inserting '', and in no event shall the maximum period required under paragraph (2)(B)(i) be less than the period during which the individual is a TAA-eligible individual'' before the period at the end.

(c) PUBLIC HEALTH SERVICE ACT.—Section 2205(b) of the Public Health Service Act (42 U.S.C. 300bb–5(b)) is amended—

(1) in the subsection heading, by inserting ''AND COVERAGE'' after ''ELECTION''; and

(2) in paragraph (2)—

(A) in the paragraph heading, by inserting ''AND PERIOD'' after ''COMMENCEMENT'';

(B) by striking ''and shall'' and inserting '', shall''; and

(C) by inserting '', and in no event shall the maximum period required under section 2202(2)(A) be less than the period during which the individual is a TAA-eligible individual'' before the period at the end.

SEC. 11. NOTICE REQUIREMENTS.

Section 7527 of the Internal Revenue Code of 1986 (relating to advance payment of credit for health insurance costs of eligible individuals), as amended by section 3(b), is amended by adding at the end the following new subsection:

''(f) INCLUSION OF CERTAIN INFORMATION.—The notice by the Secretary (or by any person or entity designated by the Secretary) that an individual is eligible for a qualified health insurance costs credit eligibility certificate shall include—

''(1) information explaining how the program established under subsection (a) works with the credit established under section 35,

''(2) the name, address, and telephone number of the State office or offices responsible for determining that the individual is eligible for such certificate and for providing the individual with assistance with enrollment in qualified health insurance (as defined in section 35(e)),

''(3) a list of the coverage options that are treated as qualified health insurance (as so defined) by the State in which the individual resides, and

''(4) in the case of a TAA-eligible individual (as defined in section 4980B(f)(5)(C)(iv)(II)), a statement informing the individual that the individual has 63 days from the date that is 5 days after the postmark date of such notice to enroll in such insurance without a lapse in creditable coverage (as defined in section 9801(c)).''.

SEC. 12. ANNUAL REPORT ON ENHANCED TAA BENEFITS.

Not later than October 1 of each year (beginning in 2008) the Secretary of the Treasury, after consultation with the Secretary of Labor, shall report to the Committee on Finance and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Ways and Means and the Committee on Education and the Workforce of the House of Representatives the following information with respect to the most recent taxable year ending before such date:

(1) The total number of participants utilizing the health insurance tax credit under section 35 of the Internal Revenue Code of 1986, including a measurement of such participants identified—

(A) by State, and

(B) by coverage under COBRA continuation provisions (as defined in section 9832(d)(1) of such Code) and by non-COBRA coverage (further identified by group and individual market).

(2) The range of monthly health insurance premiums offered and the average and median monthly health insurance premiums offered to TAA-eligible individuals (as defined in section 4980B(f)(5)(C)(iv)(II) of such Code) under COBRA continuation provisions (as defined in section 9832(d)(1) of such Code), State-based continuation coverage provided under a State law that requires such coverage, and each category of coverage described in section 35(e)(1) of such Code, identified by State and by the actuarial value of such coverage and the specific benefits provided and cost-sharing imposed under such coverage.

(3) The number of States applying for and receiving national emergency grants under section 173(f) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(f)) and the time necessary for application approval of such grants.

(4) The cost of administering the health credit program under section 35 of such Code, by function, including the cost of subcontractors.

SEC. 13. EXTENSION OF NATIONAL EMERGENCY GRANTS.

(a) IN GENERAL.—Section 173(f) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(f)) is amended—

(1) by striking paragraph (1) and inserting the following new paragraph:

''(1) USE OF FUNDS.—

''(A) HEALTH INSURANCE COVERAGE FOR ELIGIBLE INDIVIDUALS IN ORDER TO OBTAIN QUALIFIED HEALTH INSURANCE THAT HAS GUARANTEED ISSUE AND OTHER CONSUMER PROTECTIONS.—Funds made available to a State or entity under paragraph (4)(A) of subsection (a) shall be used to provide an eligible individual described in paragraph (4)(C) and such individual's qualifying family members with health insurance coverage for the 3-month period that immediately precedes the first eligible coverage month (as defined in section 35(b) of the Internal Revenue Code of 1986) in which such eligible individual and such individual's qualifying family members are covered by qualified health insurance that meets the requirements described in clauses (i) through (iv) of section 35(e)(2)(A) of the Internal Revenue Code of 1986 (or such longer minimum period as is necessary in order for such eligible individual and such individual's qualifying family members to be covered by qualified health insurance that meets such requirements).

''(B) ADDITIONAL USES.—Funds made available to a State or entity under paragraph (4)(A) of subsection (a) may be used by the State or entity for the following:

''(i) HEALTH INSURANCE COVERAGE.—To assist an eligible individual and such individual's qualifying family members with enrolling in health insurance coverage and qualified health insurance or paying premiums for such coverage or insurance.

''(ii) ADMINISTRATIVE EXPENSES AND START-UP EXPENSES TO ESTABLISH GROUP HEALTH PLAN COVERAGE OPTIONS FOR QUALIFIED HEALTH INSURANCE.—To pay the administrative expenses related to the enrollment of eligible individuals and such individuals' qualifying family members in health insurance coverage and qualified health insurance, including—

''(I) eligibility verification activities;

''(II) the notification of eligible individuals of available health insurance and qualified health insurance options;

''(III) processing qualified health insurance costs credit eligibility certificates provided for under section 7527 of the Internal Revenue Code of 1986;

''(IV) providing assistance to eligible individuals in enrolling in health insurance coverage and qualified health insurance;

''(V) the development or installation of necessary data management systems; and

''(VI) any other expenses determined appropriate by the Secretary, including start-up costs and on going administrative expenses, in order for the State to treat the coverage described in subparagraph (C), (D), (E), or (F)(i) of section 35(e)(1) of the Internal Revenue Code of 1986, or, only if the coverage is under a group health plan, the coverage described in subparagraph (F)(ii), (F)(iii), (F)(iv), (G), or (H) of such section, as qualified health insurance under that section.

''(iii) OUTREACH.—To pay for outreach to eligible individuals to inform such individuals of available health insurance and qualified health insurance options, including outreach consisting of notice to eligible individuals of such options made available after the date of enactment of this clause and direct assistance to help potentially eligible individuals and such individual's qualifying family members qualify and remain eligible for the credit established under section 35 of the Internal Revenue Code of 1986 and advance payment of such credit under section 7527 of such Code.

''(iv) BRIDGE FUNDING.—To assist potentially eligible individuals purchase qualified health insurance coverage prior to issuance of a qualified health insurance costs credit eligibility certificate under section 7527 of the Internal Revenue Code of 1986 and commencement of advance payment, and receipt of expedited payment, under subsections (a) and (e), respectively, of that section.

''(C) RULE OF CONSTRUCTION.—The inclusion of a permitted use under this paragraph shall not be construed as prohibiting a similar use of funds permitted under subsection (g).''; and

(2) by striking paragraph (2) and inserting the following new paragraph:

''(2) QUALIFIED HEALTH INSURANCE.—For purposes of this subsection and subsection (g), the term 'qualified health insurance' has the meaning given that term in section 35(e) of the Internal Revenue Code of 1986.''.

(b) FUNDING.—Section 174(c)(1) of the Workforce Investment Act of 1998 (29 U.S.C. 2919(c)(1)) is amended—

(1) in the paragraph heading, by striking ''AUTHORIZATION AND APPROPRIATION FOR FISCAL YEAR 2002'' and inserting ''APPROPRIATIONS''; and

(2) by striking subparagraph (A) and inserting the following new subparagraph:

''(A) to carry out subsection (a)(4)(A) of section 173—

''(i) $10,000,000 for fiscal year 2002; and

''(ii) $300,000,000 for the period of fiscal years 2008 through 2010; and''.

(c) REPORT REGARDING FAILURE TO COMPLY WITH REQUIREMENTS FOR EXPEDITED APPROVAL PROCEDURES.—Section 173(f) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(f)) is amended by adding at the end the following new paragraph:

''(8) REPORT FOR FAILURE TO COMPLY WITH REQUIREMENTS FOR EXPEDITED APPROVAL PROCEDURES.—If the Secretary fails to make the notification required under clause (i) of paragraph (3)(A) within the 15-day period required under that clause, or fails to provide the technical assistance required under clause (ii) of such paragraph within a timely manner so that a State or entity may submit an approved application within 2 months of the date on which the State or entity's previous application was disapproved, the Secretary shall submit a report to Congress explaining such failure.''.

(d) TECHNICAL AMENDMENT.—Effective as if included in the enactment of the Trade Act of 2002 (Public Law 107–210; 116 Stat. 933), subsection (f) of section 203 of that Act is repealed.

By Mr. HATCH (for himself, Mr. KOHL, Mr. SPECTER, and Mr. CRAPO):

S. 1743. A bill to amend the Internal Revenue Code of 1986 to repeal the dollar limitation on contributions to funeral trusts; to the Committee on Finance.

Mr. HATCH. Mr. President, I rise today to introduce a bill to eliminate the current dollar limitation on Qualified Funeral Trusts, QFTs. Congress created these savings vehicles in 1997 to assist individuals and families who wanted to plan for, and prepay, funeral expenses. Yet, funeral costs are rising

rapidly, and the arbitrary cap that Congress imposed on QFTs makes planning more difficult. Today I am proud to introduce this bipartisan legislation, along with my colleague from Wisconsin, the chairman of the Special Committee on Aging, Senator KOHL. We are also joined by two of our distinguished colleagues, Senators SPECTER and CRAPO. The change would have a positive impact on the lives of older Americans and on their families. In addition, according to the Joint Committee on Taxation, it would have a slight, but positive, impact on the Federal treasury.

When Congress created QFTs, it did so as a tax simplification measure. Unfortunately, it capped the size of these trusts at $7,000, adjusted regularly for inflation. This year, the inflation-adjusted cap is $8,800, but in many instances, this amount is no longer sufficient to cover a family's funeral expenses. In Utah, the average cost of a full funeral and burial is $12,685. I am sure that in many other states it is even higher. Because of this contribution limit, even those who preplan their own funerals too often leave their heirs with substantial expenses. Even those who attempt to cover the entire expense may not have enough money to cover all costs after administrative fees and taxes are deducted.

This proposal would make Qualified Funeral Trusts more effective. The principal reason individuals set up Qualified Funeral Trust plans is to lift a financial burden from their children. Ordinarily, trusts for funeral expenses are grantor trusts, and the beneficiary is responsible for paying any tax on income generated by the trust. Congress recognized, however, that this result created an administrative burden for the beneficiary or the funeral director trustee. As a result, Congress enacted Section 685 of the Internal Revenue Code, allowing funeral director trustees to elect to pay the tax on income earned by funeral trusts. This tax simplification measure eased the paperwork burden and administrative costs on funeral director trustees, who were previously required to issue hundreds of 1099 forms to their elderly customers. It also eliminated the tax liability and confusion of many elderly Americans who previously received these forms. Unfortunately, only those trusts under the cap are currently eligible for designation as QFTs. By removing this restrictive cap, our legislation will eliminate unnecessary administrative burdens on beneficiaries and trustees.

Let me give you an example of how the current cap creates unnecessary confusion for families. I have used this example before. It remains worth telling. Four years ago, a constituent of mine wrote me about this situation. He was suffering from Parkinson's disease. So he began planning his own funeral in order that these decisions and this burden would be lifted from his children. Because of the cap on QFTs, however, which at the time was $7,800, this Utahn was not able to fully fund the funeral services he desired. It became necessary to have one of his sons complete this planning for him by opening up his own, separate trust that would help to cover the remaining expenses. We should not be making it hard for families to do the right thing. We should not be making families jump through extra hoops when all they are trying to do is make these responsible decisions, well in advance of need.

For older Americans, the primary benefits of this legislation are the ability to have all the money they have saved in the trust be applied to final expenses, instead of taxes, and the incentive to increase the amount of their contribution. Sixty percent of prefunded funerals were funded by trusts and elimination of the cap should raise this percentage. For funeral directors, this change would eliminate the burden and expense of issuing information documents to report income earned from the trust.

The National Funeral Directors Association supports this legislation. So too do numerous funeral homes that serve the people of Utah.

I have no doubt that many more of these funeral businesses, many of which are family-owned and family-run, that serve local communities from coast to coast support this legislation as well.

I think we can all agree that we should make it easier for those who are willing to provide for these necessary expenses in advance. Today, I ask my colleagues to join me in an effort to enact this important measure.

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. 1743

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

SECTION 1. REPEAL OF DOLLAR LIMITATION ON CONTRIBUTIONS TO FUNERAL TRUSTS.

(a) IN GENERAL.—Subsection (c) of section 685 of the Internal Revenue Code of 1986 (relating to treatment of funeral trusts) is repealed.

(b) CONFORMING AMENDMENT.—Subsections (d), (e), and (f) of such section are redesignated as subsections (c), (d), and (e), respectively.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 260—STRENGTHENING THE POINT OF ORDER AGAINST MATTERS OUT OF SCOPE IN CONFERENCE REPORTS

Mr. DEMINT submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 260

Resolved,

SECTION 1. OUT OF SCOPE MATTERS IN CONFERENCE REPORTS.

(a) IN GENERAL.—A point of order may be made by any Senator against any item contained in a conference report that includes or consists of any matter not committed to the conferees by either House. The point of order may be made and disposed of separately for each item in violation of this section.

(b) DISPOSITION.—If the point of order raised against an item in a conference report under subsection (a) is sustained—

(1) the matter in such conference report shall be stricken; and

(2) when all other points of order under this section have been disposed of—

(A) the Senate shall proceed to consider the question of whether the Senate should recede from its amendment to the House bill, or its disagreement to the amendment of the House, and concur with a further amendment, which further amendment shall consist of only that portion of the conference report that has not been stricken (any modification of total amounts appropriated necessary to reflect the deletion of the matter struck from the conference report shall be made);

(B) the question shall be debatable; and

(C) no further amendment shall be in order.

(c) LIMITATION.—

(1) IN GENERAL.—In this section, the term ''matter not committed to the conferees by either House'' shall include any item which consists of a specific provision containing a specific level of funding for any specific account, specific program, specific project, or specific activity, when no such specific funding was provided for such specific account, specific program, specific project, or specific activity in the measure originally committed to the conferees by either House.

(2) RULE XXVIII.—For the purpose of rule XXVIII of the Standing Rules of the Senate, the term ''matter not committed'' shall include any item which consists of a specific provision containing a specific level of funding for any specific account, specific program, specific project, or specific activity, when no such specific funding was provided for such specific account, specific program, specific project, or specific activity in the measure originally committed to the conferees by either House.

(d) SUPERMAJORITY WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of ⅗ of the Members, duly chosen and sworn. An affirmative vote of ⅗ of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SENATE RESOLUTION 261—EXPRESSING APPRECIATION FOR THE PROFOUND PUBLIC SERVICE AND EDUCATIONAL CONTRIBUTIONS OF DONALD JEFFRY HERBERT, FONDLY KNOWN AS ''MR. WIZARD''

Mr. COLEMAN (for himself, Mr. DOMENICI, Mr. ALEXANDER, Ms. KLOBUCHAR, Mr. FEINGOLD, and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 261

Whereas many citizens of the United States remember Donald Jeffry Herbert as ''Mr. Wizard'' and mourn his passing;

Whereas Don Herbert was born in Waconia, Minnesota and graduated from the La Crosse State Teacher's College in Wisconsin in 1940 where he trained to be a science teacher;

Whereas Don Herbert volunteered for the United States Army Air Corps and served our country in the Atlantic theater and earned the Distinguished Flying Cross and the Air Medal with 3 oak leaf clusters;

Whereas Don Herbert developed the idea for science programming culminating in ''Watch Mr. Wizard'', a live television show produced from 1951 to 1964 and honored by a Peabody Award in 1954;

Whereas the National Science Foundation and the American Chemical Society lauded Don Herbert and his show for promoting interest in science and his contributions to science education;

Whereas ''Watch Mr. Wizard'' has been recognized by numerous awards;

Whereas an additional educational program, ''Mr. Wizard's World'', inspired children from 1983 to 1990 on cable television;

Whereas ''Mr. Wizard'' continued to serve as an ambassador for science education by authoring multiple books and programs, and by traveling to schools and providing classroom demonstrations;

Whereas educational research indicates that young children make decisions about future careers at a very early age and are influenced greatly by positive contacts with science and technology;

Whereas a strong education in science and technology is one of the building blocks of a productive, competitive, and healthy society;

Whereas ''Mr. Wizard'' encouraged children to duplicate his experiments at home, driving independent inquiry into science with simple household equipment;

Whereas ''Mr. Wizard's'' dynamic and energetic science experiments attracted unprecedented numbers of children to educational programming, even those who were disinterested or unmotivated in science;

Whereas Mr. Wizard Science Clubs were started across the United States and had more than 100,000 children enrolled in 5,000 clubs by the mid-1950s; and

Whereas Don Herbert will be remembered as a pioneer of commercial educational programming and instrumental in making science education exciting and approachable for millions of children across the United States: Now, therefore, be it

Resolved, That the Senate—

(1) expresses appreciation for the profound public service and educational contributions of Donald Jeffry Herbert;

(2) recognizes the profound impact of higher educational institutions that train teachers;

(3) encourages students to honor the heritage of Don Herbert by exploring our world through science, technology, engineering, and mathematics fields; and

(4) tenders condolences to the family of Don Herbert and thanks them for their strong familial support of him.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1979. Mrs. CLINTON (for herself and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

SA 1980. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1981. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1982. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1983. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1984. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1985. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1986. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1987. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1988. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1989. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1990. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1991. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1992. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1993. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1994. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1995. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1996. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1997. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1998. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1999. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, supra; which was ordered to lie on the table.

SA 2000. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1979. Mrs. CLINTON (for herself and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

SEC. ___. RECLASSIFYING THE SPOUSES AND MINOR CHILDREN OF LAWFUL PERMANENT RESIDENTS WHO FILED PETITIONS BEFORE JANUARY 1, 2007 AS IMMEDIATE RELATIVES.

Section 201(b)(2) of the Immigration and Nationality Act, as amended by section 503(b)(1) of this Act, is further amended by inserting '', or a child or spouse of a lawful permanent resident for whom a family-based visa petition was filed on or before January 1, 2007,'' after ''United States''.

SA 1980. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of division XI, add the following:

SEC. ___. FAMILY-SPONSORED IMMIGRANTS.

Section 203(a)(2) of the Immigration and Nationality Act, as amended by section 503(c)(2) of this Act, is further amended by striking ''87,000'' and inserting the following: ''137,000 (for each of the fiscal years 2008 through 2013) and 112,000 (for fiscal year 2014 and each subsequent fiscal year)''.

SA 1981. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of division XII, add the following:

SEC. ___. FAMILY-SPONSORED IMMIGRANTS.

Section 203(a)(2) of the Immigration and Nationality Act, as amended by section 503(c)(2) of this Act, is further amended by striking ''87,000'' and inserting the following: ''137,000 (for each of the fiscal years 2008 through 2013) and 112,000 (for fiscal year 2014 and each subsequent fiscal year)''.

SA 1982. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of division XIII, add the following:

SEC. ___. FAMILY-SPONSORED IMMIGRANTS.

Section 203(a)(2) of the Immigration and Nationality Act, as amended by section 503(c)(2) of this Act, is further amended by striking ''87,000'' and inserting the following: ''137,000 (for each of the fiscal years 2008 through 2013) and 112,000 (for fiscal year 2014 and each subsequent fiscal year)''.

SA 1983. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of division XXII, add the following:

SEC. ___. FAMILY-SPONSORED IMMIGRANTS.

Section 203(a)(2) of the Immigration and Nationality Act, as amended by section 503(c)(2) of this Act, is further amended by striking ''87,000'' and inserting the following: ''137,000 (for each of the fiscal years 2008 through 2013) and 112,000 (for fiscal year 2014 and each subsequent fiscal year)''.

SA 1984. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of division XXVII, add the following:

SEC. ___. FAMILY-SPONSORED IMMIGRANTS.

Section 203(a)(2) of the Immigration and Nationality Act, as amended by section 503(c)(2) of this Act, is further amended by striking ''87,000'' and inserting the following: ''137,000 (for each of the fiscal years 2008 through 2013) and 112,000 (for fiscal year 2014 and each subsequent fiscal year)''.

SA 1985. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes, which was ordered to lie on the table; as follows:

SEC. ___. RECLASSIFYING THE SPOUSES AND MINOR CHILDREN OF LAWFUL PERMANENT RESIDENTS WHO FILED PETITIONS BEFORE JANUARY 1, 2007 AS IMMEDIATE RELATIVES.

Section 201(b)(2) of the Immigration and Nationality Act, as amended by section 503(b)(1) of this Act, is further amended by inserting '',or a child or spouse of a lawful permanent resident for whom a family-based visa petition was filed on or before January 1, 2007,'' after ''United States''.

SEC. ___. PRECLUSION OF SOCIAL SECURITY CREDITS PRIOR TO ENUMERATION OR FOR ANY PERIOD WITHOUT WORK AUTHORIZATION.

(a) REPEAL.—Section 607 of this Act is repealed and the amendments made by such section are null and void.

(b) INSURED STATUS.—Section 214 of the Social Security Act (42 U.S.C. 414) is amended by adding at the end the following:

''(d)(1) Except as provided in paragraph (2)—

''(A) no quarter of coverage shall be credited for purposes of this section if, with respect to any individual who is assigned a social security account number on or after the date of enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, such quarter of coverage is earned prior to the year in which such social security account number is assigned; and

''(B) no quarter of coverage shall be credited for purposes of this section for any calendar year, with respect to an individual who is not a natural-born United States citizen, unless the Commissioner of Social Security determines, on the basis of information provided to the Commissioner in accordance with an agreement entered into under subsection (e) or otherwise, that the individual was authorized to be employed in the United States during such quarter.

''(2) Paragraph (1) shall not apply with respect to any quarter of coverage earned by an individual who, at such time such quarter of coverage is earned, satisfies the criterion specified in subsection (c)(2).

''(e) Not later than 180 days after the date of the enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, the Secretary of Homeland Security shall enter into an agreement with the Commissioner of Social Security to provide such information as the Commissioner determines necessary to carry out the limitations on crediting quarters of coverage under subsection (d). Nothing in this subsection may be construed as establishing an effective date for purposes of this section.''.

(c) BENEFIT COMPUTATION.—Section 215(e) of such Act (42 U.S.C. 415(e)) is amended—

(1) by striking ''and'' at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting ''; and''; and

(3) by adding at the end the following:

''(3) in computing the average indexed monthly earnings of an individual who is assigned a social security account number on or after the date of enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, there shall not be counted any wages or self-employment income for which no quarter of coverage may be credited to such individual as a result of the application of section 214(d).''.

(d) EFFECTIVE DATE.—The amendments made by this section shall be effective as of the date of the enactment of this Act.

SA 1986. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of division __, add the following:

SEC. ___. FAMILY-SPONSORED IMMIGRANTS.

Section 203(a)(2) of the Immigration and Nationality Act, as amended by section 503(c)(2) of this Act, is further amended by striking ''87,000'' and inserting the following: ''137,000 (for each of the fiscal years 2008 through 2013) and 112,000 (for fiscal year 2014 and each subsequent fiscal year)''.

SEC. ___. NUMERICAL LIMITATIONS.

Section 214(g) of the Immigration and Nationality Act, as amended by section 409 of this Act, is further amended—

(1) in paragraph (1)(D)—

(A) in the matter preceding clause (i), by striking ''(II)''; and

(B) in clause (iii), by striking ''200,000'' and inserting ''300,000'';

(2) in paragraph (10), as redesignated by section 409(2) of this Act, by amending subparagraph (A) to read as follows:

''(A) Subject to subparagraphs (B) and (C), an alien who has already been counted toward the numerical limitation under paragraph (1)(D) during any 1 of the 3 fiscal years immediately preceding the fiscal year of the approved start date of a petition for a nonimmigrant worker described in section 101(a)(15)(H)(ii)(b) shall not be counted toward the limitations under clauses (i) and (ii) of paragraph (1)(D) for the fiscal year in which the petition is approved. Such alien shall be considered a returning worker.''; and

(3) in paragraph (11), as redesignated by section 409(2) of this Act—

(A) by inserting ''(A)'' after ''(11)''; and

(B) by adding at the end the following:

''(B) The numerical limitations under paragraph (1)(D) shall be allocated for each fiscal year to ensure that the total number of aliens subject to such numerical limits who enter the United States pursuant to a visa or are accorded nonimmigrant status under section 101(a)(15)(Y)(ii) during the first 6 months of such fiscal year is not greater than 50 percent of the total number of such visas available for that fiscal year.''.

SEC. ___. PRECLUSION OF SOCIAL SECURITY CREDITS PRIOR TO ENUMERATION OR FOR ANY PERIOD WITHOUT WORK AUTHORIZATION.

(a) REPEAL.—Section 607 of this Act is repealed and the amendments made by such section are null and void.

(b) INSURED STATUS.—Section 214 of the Social Security Act (42 U.S.C. 414) is amended by adding at the end the following:

''(d)(1) Except as provided in paragraph (2)—

''(A) no quarter of coverage shall be credited for purposes of this section if, with respect to any individual who is assigned a social security account number on or after the date of enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, such quarter of coverage is earned prior to the year in which such social security account number is assigned; and

''(B) no quarter of coverage shall be credited for purposes of this section for any calendar year, with respect to an individual who is not a natural-born United States citizen, unless the Commissioner of Social Security determines, on the basis of information provided to the Commissioner in accordance with an agreement entered into under subsection (e) or otherwise, that the individual was authorized to be employed in the United States during such quarter.

''(2) Paragraph (1) shall not apply with respect to any quarter of coverage earned by an individual who, at such time such quarter of coverage is earned, satisfies the criterion specified in subsection (c)(2).

''(e) Not later than 180 days after the date of the enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, the Secretary of Homeland Security shall enter into an agreement with the Commissioner of Social Security to provide such information as the Commissioner determines necessary to carry out the limitations on crediting quarters of coverage under subsection (d). Nothing in this subsection may be construed as establishing an effective date for purposes of this section.''.

(c) BENEFIT COMPUTATION.—Section 215(e) of such Act (42 U.S.C. 415(e)) is amended—

(1) by striking ''and'' at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting ''; and''; and

(3) by adding at the end the following:

''(3) in computing the average indexed monthly earnings of an individual who is assigned a social security account number on or after the date of enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, there shall not be counted any wages or self-employment income for which no quarter of coverage may be credited to such individual as a result of the application of section 214(d).''.

(d) EFFECTIVE DATE.—The amendments made by this section shall be effective as of the date of the enactment of this Act.

SA 1987. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of division 11, add the following:

SEC. ___. FAMILY-SPONSORED IMMIGRANTS.

Section 203(a)(2) of the Immigration and Nationality Act, as amended by section 503(c)(2) of this Act, is further amended by striking ''87,000'' and inserting the following: ''137,000 (for each of the fiscal years 2008 through 2013) and 112,000 (for fiscal year 2014 and each subsequent fiscal year)''.

SEC. ___. NUMERICAL LIMITATIONS.

Section 214(g) of the Immigration and Nationality Act, as amended by section 409 of this Act, is further amended—

(1) in paragraph (1)(D)—

(A) in the matter preceding clause (i), by striking ''(II)''; and

(B) in clause (iii), by striking ''200,000'' and inserting ''300,000'';

(2) in paragraph (10), as redesignated by section 409(2) of this Act, by amending subparagraph (A) to read as follows:

''(A) Subject to subparagraphs (B) and (C), an alien who has already been counted toward the numerical limitation under paragraph (1)(D) during any 1 of the 3 fiscal years immediately preceding the fiscal year of the approved start date of a petition for a nonimmigrant worker described in section 101(a)(15)(H)(ii)(b) shall not be counted toward the limitations under clauses (i) and (ii) of paragraph (1)(D) for the fiscal year in which the petition is approved. Such alien shall be considered a returning worker.''; and

(3) in paragraph (11), as redesignated by section 409(2) of this Act—

(A) by inserting ''(A)'' after ''(11)''; and

(B) by adding at the end the following:

''(B) The numerical limitations under paragraph (1)(D) shall be allocated for each fiscal year to ensure that the total number of aliens subject to such numerical limits who enter the United States pursuant to a visa or are accorded nonimmigrant status under section 101(a)(15)(Y)(ii) during the first 6 months of such fiscal year is not greater than 50 percent of the total number of such visas available for that fiscal year.''.

SEC. ___. PRECLUSION OF SOCIAL SECURITY CREDITS PRIOR TO ENUMERATION OR FOR ANY PERIOD WITHOUT WORK AUTHORIZATION.

(a) REPEAL.—Section 607 of this Act is repealed and the amendments made by such section are null and void.

(b) INSURED STATUS.—Section 214 of the Social Security Act (42 U.S.C. 414) is amended by adding at the end the following:

''(d)(1) Except as provided in paragraph (2)—

''(A) no quarter of coverage shall be credited for purposes of this section if, with respect to any individual who is assigned a social security account number on or after the date of enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, such quarter of coverage is earned prior to the year in which such social security account number is assigned; and

''(B) no quarter of coverage shall be credited for purposes of this section for any calendar year, with respect to an individual who is not a natural-born United States citizen, unless the Commissioner of Social Security determines, on the basis of information provided to the Commissioner in accordance with an agreement entered into under subsection (e) or otherwise, that the individual was authorized to be employed in the United States during such quarter.

''(2) Paragraph (1) shall not apply with respect to any quarter of coverage earned by an individual who, at such time such quarter of coverage is earned, satisfies the criterion specified in subsection (c)(2).

''(e) Not later than 180 days after the date of the enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, the Secretary of Homeland Security shall enter into an agreement with the Commissioner of Social Security to provide such information as the Commissioner determines necessary to carry out the limitations on crediting quarters of coverage under subsection (d). Nothing in this subsection may be construed as establishing an effective date for purposes of this section.''.

(c) BENEFIT COMPUTATION.—Section 215(e) of such Act (42 U.S.C. 415(e)) is amended—

(1) by striking ''and'' at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting ''; and''; and

(3) by adding at the end the following:

''(3) in computing the average indexed monthly earnings of an individual who is assigned a social security account number on or after the date of enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, there shall not be counted any wages or self-employment income for which no quarter of coverage may be credited to such individual as a result of the application of section 214(d).''.

(d) EFFECTIVE DATE.—The amendments made by this section shall be effective as of the date of the enactment of this Act.

SA 1988. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

SEC. ___. PRECLUSION OF SOCIAL SECURITY CREDITS PRIOR TO ENUMERATION OR FOR ANY PERIOD WITHOUT WORK AUTHORIZATION.

(a) REPEAL.—Section 607 of this Act is repealed and the amendments made by such section are null and void.

(b) INSURED STATUS.—Section 214 of the Social Security Act (42 U.S.C. 414) is amended by adding at the end the following:

''(d)(1) Except as provided in paragraph (2)—

''(A) no quarter of coverage shall be credited for purposes of this section if, with respect to any individual who is assigned a social security account number on or after the date of enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, such quarter of coverage is earned prior to the year in which such social security account number is assigned; and

''(B) no quarter of coverage shall be credited for purposes of this section for any calendar year, with respect to an individual who is not a natural-born United States citizen, if the Commissioner of Social Security determines, on the basis of information provided to the Commissioner in accordance with an agreement entered into under subsection (e) or otherwise, that the individual was not authorized to be employed in the United States during such quarter.

''(2) Paragraph (1) shall not apply with respect to any quarter of coverage earned by an individual who, at such time such quarter of coverage is earned, satisfies the criterion specified in subsection (c)(2).

''(e) Not later than 180 days after the date of the enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, the Secretary of Homeland Security shall enter into an agreement with the Commissioner of Social Security to provide such information as the Commissioner determines necessary to carry out the limitations on crediting quarters of coverage under subsection (d). Nothing in this subsection may be construed as establishing an effective date for purposes of this section.''.

(c) BENEFIT COMPUTATION.—Section 215(e) of such Act (42 U.S.C. 415(e)) is amended—

(1) by striking ''and'' at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting ''; and''; and

(3) by adding at the end the following:

''(3) in computing the average indexed monthly earnings of an individual who is assigned a social security account number on or after the date of enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, there shall not be counted any wages or self-employment income for which no quarter of coverage may be credited to such individual as a result of the application of section 214(d).''.

(d) EFFECTIVE DATE.—The amendments made by this section shall be effective as of the date of the enactment of this Act.

SA 1989. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

SEC. ___. RECLASSIFYING THE SPOUSES AND MINOR CHILDREN OF LAWFUL PERMANENT RESIDENTS WHO FILED PETITIONS BEFORE JANUARY 1, 2007 AS IMMEDIATE RELATIVES.

Section 201(b)(2) of the Immigration and Nationality Act, as amended by section 503(b)(1) of this Act, is further amended by inserting ''\, or a child or spouse of a lawful permanent resident for whom a family-based visa petition was filed on or before January 1, 2007,'' after ''United States''.

SEC. ___. PRECLUSION OF SOCIAL SECURITY CREDITS PRIOR TO ENUMERATION OR FOR ANY PERIOD WITHOUT WORK AUTHORIZATION.

(a) REPEAL.—Section 607 of this Act is repealed and the amendments made by such section are null and void.

(b) INSURED STATUS.—Section 214 of the Social Security Act (42 U.S.C. 414) is amended by adding at the end the following:

''(d)(1) Except as provided in paragraph (2)—

''(A) no quarter of coverage shall be credited for purposes of this section if, with respect to any individual who is assigned a social security account number on or after the date of enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, such quarter of coverage is earned prior to the year in which such social security account number is assigned; and

''(B) no quarter of coverage shall be credited for purposes of this section for any calendar year, with respect to an individual who is not a natural-born United States citizen, if the Commissioner of Social Security determines, on the basis of information provided to the Commissioner in accordance with an agreement entered into under subsection (e) or otherwise, that the individual was not authorized to be employed in the United States during such quarter.

''(2) Paragraph (1) shall not apply with respect to any quarter of coverage earned by an individual who, at such time such quarter of coverage is earned, satisfies the criterion specified in subsection (c)(2).

''(e) Not later than 180 days after the date of the enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, the Secretary of Homeland Security shall enter into an agreement with the Commissioner of Social Security to provide such information as the Commissioner determines necessary to carry out the limitations on crediting quarters of coverage under subsection (d). Nothing in this subsection may be construed as establishing an effective date for purposes of this section.''.

(c) BENEFIT COMPUTATION.—Section 215(e) of such Act (42 U.S.C. 415(e)) is amended—

(1) by striking ''and'' at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting ''; and''; and

(3) by adding at the end the following:

''(3) in computing the average indexed monthly earnings of an individual who is assigned a social security account number on or after the date of enactment of the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007, there shall not be counted any wages or self-employment income for which no quarter of coverage may be credited to such individual as a result of the application of section 214(d).''.

(d) EFFECTIVE DATE.—The amendments made by this section shall be effective as of the date of the enactment of this Act.

SA 1990. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

This section shall take effect one day after the date of enactment.

SA 1991. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

This section shall take effect one day after the date of enactment.

SA 1992. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

This section shall take effect one day after the date of enactment.

SA 1993. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

This section shall take effect one day after the date of enactment.

SA 1994. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

This section shall take effect one day after the date of enactment.

SA 1995. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

This section shall take effect one day after the date of enactment.

SA 1996. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

This section shall take effect one day after the date of enactment.

SA 1997. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

This section shall take effect one day after the date of enactment.

SA 1998. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

This section shall take effect one day after the date of enactment.

SA 1999. Mr. REID submitted an amendment intended to be proposed to amendment SA 1934 proposed by Mr. REID (for Mr. KENNEDY (for himself and Mr. SPECTER)) to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

This section shall take effect one day after the date of enactment.

SA 2000. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

SEC. 656. REPEAL OF REQUIREMENT OF REDUCTION OF SURVIVOR BENEFIT PLAN SURVIVOR ANNUITIES BY DEPENDENCY AND INDEMNITY COMPENSATION.

(a) REPEAL.—

(1) IN GENERAL.—Subchapter II of chapter 73 of title 10, United States Code, is amended as follows:

(A) In section 1450, by striking subsection (c).

(B) In section 1451(c)—

(i) by striking paragraph (2); and

(ii) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(2) CONFORMING AMENDMENTS.—Such subchapter is further amended as follows:

(A) In section 1450—

(i) by striking subsection (e); and

(ii) by striking subsection (k).

(B) In section 1451(g)(1), by striking subparagraph (C).

(C) In section 1452—

(i) in subsection (f)(2), by striking ''does not apply—'' and all that follows and inserting ''does not apply in the case of a deduction made through administrative error.''; and

(ii) by striking subsection (g).

(D) In section 1455(c), by striking '', 1450(k)(2),''.

(b) PROHIBITION ON RETROACTIVE BENEFITS.—No benefits may be paid to any person for any period before the effective date provided under subsection (f) by reason of the amendments made by subsection (a).

(c) PROHIBITION ON RECOUPMENT OF CERTAIN AMOUNTS PREVIOUSLY REFUNDED TO SBP RECIPIENTS.—A surviving spouse who is or has been in receipt of an annuity under the Survivor Benefit Plan under subchapter II of chapter 73 of title 10, United States Code, that is in effect before the effective date provided under subsection (f) and that is adjusted by reason of the amendments made by subsection (a) and who has received a refund of retired pay under section 1450(e) of title 10, United States Code, shall not be required to repay such refund to the United States.

(d) REPEAL OF AUTHORITY FOR OPTIONAL ANNUITY FOR DEPENDENT CHILDREN.—Section 1448(d)(2) of such title is amended—

(1) by striking ''DEPENDENT CHILDREN.—'' and all that follows through ''In the case of a member described in paragraph (1),'' and inserting ''DEPENDENT CHILDREN.—In the case of a member described in paragraph (1),''; and

(2) by striking subparagraph (B).

(e) RESTORATION OF ELIGIBILITY FOR PREVIOUSLY ELIGIBLE SPOUSES.—The Secretary of the military department concerned shall restore annuity eligibility to any eligible surviving spouse who, in consultation with the Secretary, previously elected to transfer payment of such annuity to a surviving child or children under the provisions of section 1448(d)(2)(B) of title 10, United States Code, as in effect on the day before the effective date provided under subsection (f). Such eligibility shall be restored whether or not payment to such child or children subsequently was terminated due to loss of dependent status or death. For the purposes of this subsection, an eligible spouse includes a spouse who was previously eligible for payment of such annuity and is not remarried, or remarried after having attained age 55, or whose second or subsequent marriage has been terminated by death, divorce or annulment.

(f) EFFECTIVE DATE.—The sections and the amendments made by this section shall take effect on the later of—

(1) the first day of the first month that begins after the date of the enactment of this Act; or

(2) the first day of the fiscal year that begins in the calendar year in which this Act is enacted.

SEC. 657. EFFECTIVE DATE OF PAID-UP COVERAGE UNDER SURVIVOR BENEFIT PLAN.

(a) SURVIVOR BENEFIT PLAN.—Section 1452(j) of title 10, United States Code, is amended by striking ''October 1, 2008'' and inserting ''October 1, 2007''.

(b) RETIRED SERVICEMAN'S FAMILY PROTECTION PLAN.—Section 1436a of such title is amended by striking ''October 1, 2008'' and inserting ''October 1, 2007''.

NOTICE OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, July 12, 2007, at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of this hearing is to consider the nominations of Clarence H. Albright, of South Carolina, to be Under Secretary of Energy; Lisa E. Epifani, of Texas, to be an Assistant Secretary of Energy for Congressional and Intergovernmental Affairs; and, James L. Caswell, of Idaho, to be Director of the Bureau of Land Management.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by e-mail to amanda_kelly@energy.senate.gov.

For further information, please contact Sam Fowler at (202) 224–7571 or Amanda Kelly at (202) 224–6836.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before Committee on Energy and Natural Resources Subcommittee on National Parks.

The hearing will be held on July 12, 2007, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills: S. 488 and H.R. 1100, to revise the boundary of the Carl Sandburg Home National Historic Site in the State of North Carolina; S. 617, to make the National Parks and Federal Recreational Lands Pass available at a discount to certain veterans; S. 824 and H.R. 995, to amend Public Law 106–348 to extend the authorization for establishing a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States; S. 955, to establish the Abraham Lincoln National Heritage Area; S. 1148, to establish the Champlain Quadricentennial Commemoration Commission and the Hudson-Fulton 400th Commemoration Commission; S. 1182, to amend the Quinebaug and Shetucket Rivers Valley National Heritage Corridor Act of 1994 to increase the authorization of appropriations and modify the date on which the authority of the Secretary of the Interior terminates under the act; S. 1380, to designate as wilderness certain land within the Rocky Mountain National Park and to adjust the boundaries of the Indian Peaks Wilderness and the Arapaho National Recreation Area of the Arapaho National Forest in the State of Colorado; and S. 1728, to amend the National Parks and Recreation Act of 1978 to reauthorize the Na Hoa Pili O Kaloko-Honokohau Advisory Commission Reauthorization Act of 2007.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by e-mail to rachel_pasternack@energy.senate.gov.

For further information, please contact David Brooks at (202) 224–9863 or Rachel Pasternack at (202) 224–0883.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. MCCASKILL. 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 Thursday, June 28, 2007, at 10 a.m. in room 253 of the Russell Senate Office Building.

The hearing will examine the National Oceanic and Atmospheric Administration's existing programs, proposed initiatives, and review the agency's fiscal year 2008 budget request.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mrs. MCCASKILL. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Thursday, June 28, 2007, at 10 a.m. in room 406 of the Dirksen Senate Office Building in order to conduct a hearing entitled, ''Examining Global Warming Issues in the Power Plant Sector.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mrs. MCCASKILL. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Thursday, June 28, 2007, at 9:30 a.m. in room 485 of the Russell Senate Office Building to conduct a hearing on discussion draft legislation regarding the regulation of Class III gaming.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mrs. MCCASKILL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet in order to conduct a markup on Thursday, June 28, 2007, at 10 a.m. in Dirksen room 226.

Agenda

I. Bills: S. 1145, Patent Reform Act of 2007 (Leahy, Hatch, Schumer, Cornyn,

Whitehouse) and S. 1060, Recidivism Reduction & Second Chance Act of 2007 (Biden, Leahy, Brownback, Specter, Kennedy, Schumer, Whitehouse, Durbin).

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mrs. McCASKILL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 28, 2007, at 2:30 p.m. to hold a closed hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

Mrs. McCASKILL. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet on Thursday, June 28, 2007, at 3 p.m. in order to conduct a hearing entitled, ''Financial Management Systems Modernization at the Department of Homeland Security: Are Missed Opportunities Costing Us Money?''

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar Nos. 115, 153, 164, 166 through 205 and 207 through 229; and all nominations on the Secretary's desk; that the nominations be confirmed; the motions to reconsider be laid upon the table; the President be immediately notified of the Senate's action and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

OFFICE OF PERSONNEL MANAGEMENT

Howard Charles Weizmann, of Maryland, to be Deputy Director of the Office of Personnel Management.

EXPORT-IMPORT BANK OF THE UNITED STATES

Michael W. Tankersley, of Texas, to be Inspector General, Export-Import Bank.

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be admiral

Vice Adm. Eric T. Olson, 0000

IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Rex C. McMillian, 0000

IN THE NAVY

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Michael J. Browne, 0000

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Thomas F. Kendziorski, 0000

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Lothrop S. Little, 0000

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Kenneth J. Braithwaite, 0000

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Joseph D. Stinson, 0000

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Jerry R. Kelley, 0000

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Cynthia A Dullea, 0000

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Patricia E. Wolfe, 0000

The following named officers for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Garry J. Bonelli, 0000
Capt. Robin R. Braun, 0000
Capt. Sandy L. Daniels, 0000
Capt. Scott E. Sanders, 0000
Capt. Robert O. Wray, Jr., 0000

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) Gregory A Timberlake, 0000

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) Albert Garcia, III, 0000

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Anthony L. Winns, 0000

IN THE AIR FORCE

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Colonel Mark A. Atkinson, 0000
Colonel Mark A. Barrett, 0000
Colonel Brian T.Bishop, 0000
Colonel Michael R. Boera, 0000
Colonel Norman J. Brozenick, Jr., 0000
Colonel Cathy C. Clothier, 0000
Colonel David A. Cotton, 0000
Colonel Sharon K. G. Dunbar, 0000
Colonel Barbara J. Faulkenberry, 0000
Colonel Larry K. Grundhauser, 0000
Colonel Garrett Harencak, 0000
Colonel James M. Holmes, 0000
Colonel Dave C. Howe, 0000
Colonel James J. Jones, 0000
Colonel Michael A. Keltz, 0000
Colonel Frederick H. Martin, 0000
Colonel Wendy M. Masiello, 0000
Colonel Robert P. Otto, 0000
Colonel Leonard A. Patrick, 0000
Colonel Bradley R. Pray, 0000
Colonel Lori J. Robinson, 0000
Colonel Anthony J. Rock, 0000
Colonel Jay G. Santee, 0000
Colonel Rowayne A. Schatz, Jr., 0000
Colonel Steven J. Spano, 0000
Colonel Thomas L. Tinsley, 0000
Colonel Jack Weinstein, 0000
Colonel Stephen W. Wilson, 0000
Colonel Margaret H. Woodward, 0000

IN THE ARMY

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Michael D. Devine, 0000

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. David W. Titley, 0000

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Michael S. Rogers, 0000

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. David A. Dunaway, 0000

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Samuel J. Cox, 0000

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. David G. Simpson, 0000

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Edward H. Deets, III, 0000

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Jeffrey A. Wieringa, 0000

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Charles H. Goddard, 0000
Rear Adm. (lh) Kevin M. McCoy, 0000

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Terry J. Benedict, 0000
Capt. Michael E. McMahon, 0000

IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Kenneth F. McKenzie, Jr., 0000

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

Maj. Gen. Richard P. Zahner, 0000

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Joseph Maguire, 0000

IN THE ARMY

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

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

Maj. Gen. Francis H. Kearney, III, 0000

The following Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Jonathan E. Farnham, 0000
Col. Hugo E. Salazar, 0000

IN THE NAVY

The following named officer for appointment in the United States Naval Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) Carol M. Pottenger, 0000

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.G., section 601:

To be vice admiral

Rear Adm. (lh) Jeffrey A Wieringa, 0000

The following named officers for appointment in the United States Navy Reserve to the grade. indicated under title 10, U.S. C., section 12203:

To be rear admiral

Rear Adm. (lh) Jeffrey A Lemmons, 0000
Rear Adm. (lh) Frank F. Rennie, IV, 0000
Rear Adm. (lh) Robin M. Watters, 0000

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S. C., section 8081:

To be major general

Brig. Gen. Garbeth S. Graham, 0000

IN THE ARMY

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Jimmie J. Wells, 0000

IN THE MARINE CORPS

The following ed officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Emerson N. Gardner, Jr., 0000

IN THE NAVY

The following named officer for appomtment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Christine M. Bruzek-Kohler,

IN THE AIR FORCE

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grades indicated under title 10, U.S.C., section 12203:

To be major general

Brigadier General Michael D. Akey, 0000
Brigadier General Michael G. Brandt, 0000
Brigadier General Richard H. Clevenger, 0000
Brigadier General Cynthia N. Kirkland, 0000
Brigadier General Duane Lodrige, 0000
Brigadier General Patrick J. Moisio, 0000
Brigadier General Charles A. Morgan, III, 0000
Brigadier General Daniel B. O'Hollaren, 0000
Brigadier General Peter S. Pawling, 0000
Brigadier General William M. Schuessler, 0000
Brigadier General Haywood R. Starling, Jr.,
Brigadier General Raymond L. Webster, 0000

To be brigadier general

Colonel Maurice T. Brock, 0000
Colonel Jim C. Chow, 0000
Colonel Michael G. Colangelo, 0000
Colonel Barry K. Coin, 0000
Colonel Steven A. Cray, 0000
Colonel James D. Demeritt, 0000
Colonel Matthew J. Dzialo, 0000
Colonel Trulan A. Eyre, 0000
Colonel Jon F. Fago, 0000
Colonel William S. Hadaway, III, 0000
Colonel Samuel C. Heady, 0000
Colonel John P. Hughes, 0000
Colonel Mark R. Johnson, 0000
Colonel Patrick L. Martin, 0000
Colonel Richard A Mitchell, 0000
Colonel John F. Nichols, 0000
Colonel Grady L. Patterson, III, 0000
Colonel George E. Pigeon, 0000
Colonel William N. Reddell, III, 0000
Colonel Harold E. Reed, 0000
Colonel Leon S. Rice, 0000
Colonel Alphonse J. Stephenson, 0000
Colonel Eric W. Vollmecke, 0000
Colonel Eric G. Weller, 0000

IN THE ARMY

The following named officer for appointment to the grade of lieutenant general in the United States Army while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. John D. Gardner, 0000

DEPARTMENT OF STATE

Reuben Jeffery III, of the District of Columbia, to be United States AJternate Governor of the International Bank for Reconstruction and Development for a term of five years; United States Alternate Governor of the Inter-American Development Bank for a term of five years; United States Alternate Governor of the African Development Bank for a term of five years; United States Alternate Governor of the African Development Fund; United States Alternate Governor of the Asian Development Bank; and United States Alternate Governor of the European Bank for Reconstruction and Development, vice Josette Sheeran Shiner.

DEPARTMENT OF STATE

June Carter Perry, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Sierra Leone.

Wanda L. Nesbitt, of Pennsylvania, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Cote D'Ivoire.

Frederick B. Cook, of Florida, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Central African Republic.

Robert B. Nolan, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Lesotho.

Maurice S. Parker, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Swaziland.

William John Garvelink, of Michigan, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Republic of the Congo.

William R. Brownfield, of Texas, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Colombia.

Peter Michael McKinley, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Peru.

Patrick Dennis Duddy, of Maine, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Bolivarian Republic of Venezuela.

Anne Woods Patterson, of Virginia, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Islamic Republic of Pakistan.

Nancy J. Powell, of Iowa, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Nepal.

Joseph Adam Ereli, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Bahrain.

Richard Boyce Norland, of Iowa, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Uzbekistan.

Stephen A. Seche, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Yemen.

John L. Withers II, of Maryland, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Albania.

Charles Lewis English, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Bosnia and Herzegovina.

Cameron Munter, of California, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Serbia.

Roderick W. Moore, of Rhode Island, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Montenegro.

J. Christian Kennedy, of Indiana, a Career Member of the Senior Foreign Service, Class of Counselor, for the rank of Ambassador during his tenure of service as Special Envoy for Holocaust Issues.

INTER-AMERICAN FOUNDATION

Hector E. Morales, of Texas, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring September 20, 2010, vice Jose A. Fourquet, resigned.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Richard Allan Hill, of Montana, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring June 10, 2009, vice Juanita Sims Doty, term expired.

Stan Z. Soloway, of the District of Columbia, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2011, vice Carol Kinsley, term expired.

James Palmer, of California, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2011, vice Donna N. Williams, term expired.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN167 AIR FORCE nominations (21) beginning RICHARD G. ANDERSON, and ending MITCHELL ZYGADLO, which nominations were received by the Senate and appeared in the Congressional Record of January 11, 2007.

PN373 AIR FORCE nominations (1250) beginning CHRISTOPHER R. ABRAMSON, and ending ANNAMARIE ZURLINDEN, which nominations were received by the Senate and appeared in the Congressional Record of March 19, 2007.

PN665 AIR FORCE nominations (2) beginning ALICE A. HALE, and ending NATALIE A. JAGIELLA, which nominations were received by the Senate and appeared in the Congressional Record of June 18, 2007.

PN666 AIR FORCE nominations (6) beginning ANNE M. BEAUDOIN, and ending JUSTINA U. PAULINO, which nominations were received by the Senate and appeared in the Congressional Record of June 18, 2007.

IN THE ARMY

PN202 ARMY nominations (78) beginning ERIC D. ADAMS, and ending DAVID S. ZUMBRO, which nominations were received by the Senate and appeared in the Congressional Record of January 18, 2007.

PN203 ARMY nominations (34) beginning JEFFREY S. ALMONY, and ending DANIEL A. ZELESKI, which nominations were received by the Senate and appeared in the Congressional Record of January 18, 2007.

PN585 ARMY nomination of Kenneth C. Simpkiss, which was received by the Senate and appeared in the Congressional Record of May 21, 2007.

PN586 ARMY nominations (2) beginning ANTHONY G. HOFFMAN, and ending PATRICIA L. WOOD, which nominations were received by the Senate and ap'peared in the Congressional Record of May 21, 2007.

PN587 ARMY nominations (3) beginning ROY V. MCCARTY, and ending HUNG Q. VU, which nominations were received by the Senate and appeared in the Congressional Record of May 21, 2007.

PN624 ARMY nomination of Karen L. Ware, which was received by the Senate and appeared in the Congressional Record of June 4, 2007.

PN625 ARMY nomination of Jeanetta Corcoran, which was received by the Senate and appeared in the Congressional Record of June 4, 2007.

PN626 ARMY nominations (4) beginning RICHARD L. KLINGLER, and ending CARLOS M. GARCIA, which nominations were received by the Senate and appeared in the Congressional Record of June 4, 2007.

PN627 ARMY nominations (20) beginning DEEPTI S. CHITNIS, and ending GIA K. YI, which nominations were received by the Senate and appeared in the Congressional Record of June 4, 2007.

PN629 ARMY nominations (154) beginning JACOB W. AARONSON, and ending DAVID W. WOLKEN, which nominations were received by the Senate and appeared in the Congressional Record of June 4, 2007.

PN667 ARMY nomination of Birget Batiste, which was received by the Senate and appeared in the Congressional Record of June 18, 2007.

PN668 ARMY nomination of James P. Houston, which was received by the Senate and appeared in the Congressional Record of June 18, 2007.

PN669 ARMY nomination of John C. Loose Jr., which was received by the Senate and appeared in the Congressional Record of June 18, 2007.

PN670 ARMY nominations (2) beginning BRUCE BUBLICK, and ending JAMES MADDEN, which nominations were received by the Senate and appeared in the Congressional Record of June 18, 2007.

PN671 ARMY nominations (2) beginning JACKIE L. BYAS, and ending WILLIAM R. CLARK, which nominations were received by the Senate and appeared in the Congressional Record of June 18, 2007.

PN672 ARMY nominations (3) beginning JEFFREY R. KEIM, and ending STAN ROWICKI, which nominations were received by the Senate and appeared in the Congressional Record of June 18, 2007.

PN673 ARMY nominations (9) beginning PHILIP A HORTON, and ending PATRICIA YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of June 18, 2007.

PN674 ARMY nominations (3) beginning BERNADINE F. PELETZFOX, and ending SUSAN P. STATTMILLER, which nominations were received by the Senate and appeared in the Congressional Record of June 18, 2007.

PN675 ARMY nominations (16) beginning JEFFERY H. ALLEN, and ending BOBBY C. THORNTON, which nominations were received by the Senate and appeared in the Congressional Record of June 18, 2007.

PN676 ARMY nominations (4) beginning DIRK R. KLOSS, and ending MARK C. STRONG, which nominations were received by the Senate and appeared in the Congressional Record of June 18, 2007.

PN677 ARMY nominations (173) beginning DAVID M. GRIFFITH, and ending BRIAN N. WITCHER, which nominations were received by the Senate and appeared in the Congressional Record of June 18, 2007.

IN THE FOREIGN SERVICE

PN523 FOREIGN SERVICE nominations (8) beginning John E. Peters, and ending Andrew P. Wylegala, which nominations were received by the Senate and appeared in the Congressional Record of May 7, 2007.

PN594 FOREIGN SERVICE nominations (4) beginning Daniel K. Berman, and ending Scott S. Sindelar, which nominations were received by the Senate and appeared in the Congressional Record of May 22, 2007.

PN595 FOREIGN SERVICE nominations (317) beginning Linda Thompson Topping Gonzalez, and ending Karen Sliter, which nominations were received by the Senate and appeared in the Congressional Record of May 22, 2007.

IN THE MARINE CORPS

PN588 MARINE CORPS nominations (14) beginning ERIC M. ARBOGAST, and ending JAMES L. WETZEL IV, which nominations were received by the Senate and appeared in the Congressional Record of May 21, 2007.

IN THE NAVY

PN503 NAVY nomination of Michael R. Murray, which was received by the Senate and appeared in the Congressional Record of May 3, 2007.

PN504 NAVY nomination of Curt W. Dodges, which was received by the Senate

and appeared in the Congressional Record of May 3, 2007.

PN505 NAVY nomination of Michael L. Incze, which was received by the Senate and appeared in the Congressional Record of May 3, 2007.

PN506 NAVY nomination of Sandra C. Irwin, which was received by the Senate and appeared in the Congressional Record of May 3, 2007.

PN507 NAVY nominations (3) beginning WILLIAM R. FENICK, and ending ISAAC N. SKELTON, which nominations were received by the Senate and appeared in the Congressional Record of May 3, 2007.

PN508 NAVY nominations (5) beginning ROBERT B. CALDWELL JR., and ending ELLEN E. MOORE, which nominations were received by the Senate and appeared in the Congressional Record of May 3, 2007.

PN509 NAVY nominations (6) beginning DAWN H. DRIESBACH, and ending GLENN S. ROSEN, which nominations were received by the Senate and appeared in the Congressional Record of May 3, 2007.

PN510 NAVY nominations (8) beginning NICHOLAS J. CIPRIANO III, and ending STEPHEN C. WOLL, which nominations were received by the Senate and appeared in the Congressional Record of May 3, 2007.

PN511 NAVY nominations (9) beginning RHETTA R. BAILEY, and ending KELLY J. WILD, which nominations were received by the Senate and appeared in the Congressional Record of May 3, 2007.

PN512 NAVY nominations (9) beginning JEFFREY S. COLE, and ending TIMOTHY J. WHITE, which nominations were received by the Senate and appeared in the Congressional Record of May 3, 2007.

PN513 NAVY nominations (7) beginning BRUCE A. BASSETT, and ending MICHAEL A. YUKISH, which nominations were received by the Senate and appeared in the Congressional Record of May 3, 2007.

PN514 NAVY nominations (6) beginning JULIE S. CHALFANT, and ending PAUL J. VANBENTHEM, which nominations were received by the Senate and appeared in the Congressional Record of May 3, 2007.

PN515 NAVY nominations (5) beginning DANIEL J. MACDONNELL, and ending MICHAEL J. WILKINS, which nominations were received by the Senate and appeared in the Congressional Record of May 3, 2007.

PN516 NAVY nominations (4) beginning HARRY S. DELOACH, and ending MARK Q. SCHWARTZEL, which nominations were received by the Senate and app:ared in the Congressional Record of May 3, 2007.

PN517 NAVY nominations (4) beginning KENNETH BRANHAM, and ending KEVIN J. MCGOVERN, which nominations were received by the Senate and appeared in the Congressional Record of May 3, 2007.

PN518 NAVY nominations (3) beginning STEVEN P. CLANCY, and ending STEWART B. WHARTON III, which nominations were received by the Senate and appeared in the Congressional Record of May 3, 2007.

PN519 NAVY nominations (13) beginning JAMES A. ALBANI, and ending ROBERT R. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of May 3, 2007.

PN520 NAVY nominations (30) beginning PATRICK J. BARRETT, and ending JEANNINE E. SNOW, which nominations were received by the Senate and appeared in the Congressional Record of May 3, 2007.

PN521 NAVY nominations (31) beginning BETH Y. AHERN, and ending DANIEL E. ZIMBEROFF, which nominations were received by the Senate and appeared in the Congressional Record of May 3, 2007.

PN540 NAVY nominations (5) beginning STEVEN D. BROWN, and ending MARK G. STEINER, which nominations were received by the Senate and appeared in the Congressional Record of May 9, 2007.

PN541 NAVY nominations (8) beginning RICHARD K. GIROUX, and ending DENISE E. STICH, which nominations were received by the Senate and appeared in the Congressional Record of May 9, 2007.

PN542 NAVY nominations (15) beginning MARK A. ADMIRAL, and ending DANIEL F. VERHEUL, which nominations were received by the Senate and appeared in the Congressional Record of May 9, 2007.

PN543 NAVY nominations (21) beginning MICHAEL D. ANDERSON, and ending BRUCE C. URBON, which nominations were received by the Senate and appeared in the Congressional Record of May 9, 2007.

PN544 NAVY nominations (12) beginning SCOT K. ABEL, and ending LELAND D. TAYLOR, which nominations were received by the Senate and appeared in the Congressional Record of May 9, 2007.

PN545 NAVY nominations (11) beginning MICHAEL J. CERNECK, and ending MICHAEL L. PEOPLES, which nominations were received by the Senate and appeared in the Congressional Record of May 9, 2007.

PN546 NAVY nominations (10) beginning JOHN W. CHANDLER, and ending JAMES A. SULLIVAN, which nominations were received by the Senate and appeared in the Congressional Record of May 9, 2007.

PN547 NAVY nominations (70) beginning ARNE J. ANDERSON, and ending KEVIN E. ZAWACKI, which nominations were received by the Senate and appeared in the Congressional Record of May 9, 2007.

PN548 NAVY nominations (29) beginning LEIGH P. ACKART, and ending KURT E. WAYMIRE, which nominations were received by the Senate and appeared in the Congressional Record of May 9, 2007.

PN549 NAVY nominations (29) beginning PIUS A. AIYELAWO, and ending PENNY E. WALTER, which nominations were received by the Senate and appeared in the Congressional Record of May 9, 2007.

PN550 NAVY nominations (19) beginning WENDY M. BORUSZEWSKI, and ending PATRICIA A. TORDIK, which nominations were received by the Senate and appeared in the Congressional Record of May 9, 2007.

PN551 NAVY nominations (19) beginning CHERIE L. BARE, and ending KATHRYN A. SUMMERS, which nominations were received by the Senate and appeared in the Congressional Record of May 9, 2007.

PN552 NAVY nominations (15) beginning DARIUS BANAJI, and ending MICHAEL D. WILLIAMSON, which nominations were received by the Senate and appeared in the Congressional Record of May 9, 2007.

PN630 NAVY nominations (2) beginning CHARLES S. CLECKLER, and ending PATRICK P. WHITSELL, which nominations were received by the Senate and appeared in the Congressional Record of June 4, 2007.

PN631 NAVY nominations (2) beginning RANDY L. QUINN, and ending SMITH S. B. WALL, which nominations were received by the Senate and appeared in the Congressional Record of June 4, 2007.

PN632 NAVY nominations (21) beginning DAVID A. ARZOUMAN, and ending GREGG WOLFF, which nominations were received by the Senate and appeared in the Congressional Record of June 4, 2007.

PN633 NAVY nominations (16) beginning CHRISTINA M. ALVARADO, and ending JOHN ZDENCANOVIC, which nominations were received by the Senate and appeared in the Congressional Record of June 4, 2007.

PN634 NAVY nominations (15) beginning KENNETH W. BOWMAN, and ending GARY L. ULRICH, which nominations were received by the Senate and appeared in the Congressional Record of June 4, 2007.

PN635 NAVY nominations (9) beginning HSINGCHIEN J. CHENG, and ending BRADLEY S. TROTTER, which nominations were received by the Senate and appeared in the Congressional Record of June 4, 2007.

PN636 NAVY nominations (13) beginning NORMAN J. ARANDA, and ending SARAH E. SUPNICK, which nominations were received by the Senate and appeared in the Congressional Record of June 4, 2007.

PN637 NAVY nominations (8) beginning PATRICIA A. BRADY, and ending MELVIN D. SMITH, which nominations were received by the Senate and appeared in the Congressional Record of June 4, 2007.

PN638 NAVY nominations (8) beginning NATHAN L. AMMONS III, and ending DANIEL W. STEHLY, which nominations were received by the Senate and appeared in the Congressional Record of June 4, 2007.

PN678 NAVY nomination of Carlos E. Gomez-Sanchez, which was received by the Senate and appeared in the Congressional Record of June 18, 2007.

PN679 NAVY nominations (268) beginning SCOTT F. ADAMS, and ending WILLIAM A. ZIRZOW IV, which nominations were received by the Senate and appeared in the Congressional Record of June 18, 2007.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

LOBBYING REFORM AND 9/11 COMMISSION RECOMMENDATIONS

Mr. REID. Mr. President, it goes without saying I am disappointed that the two issues we have had to do—so important—ethics and lobbying reform and the 9/11 Commission recommendations implementation—that there have been objections. All kinds of reasons, but it seems to me it is an effort that is not in keeping with what is good for our country. I accept what has happened, and we will be back tomorrow with our request for the lobbying reform.

Mr. SCHUMER. Mr. President, I would ask one thing of my colleagues. We wouldn't want this—certainly, I wouldn't, and I believe most of my colleagues wouldn't—want to let this bill be delayed because of the cuts of a thousand deaths. We have dealt with the first objection—TSA. We did something many of us thought we shouldn't do in an effort to move the bill forward. The majority leader has said he will deal with Senator COBURN's objection. But if then tomorrow something else comes down and they make another objection and next week another objection and another objection, that would not be fair.

So I would ask my colleagues, anyone else who has objections, to bring them forward tomorrow so maybe we can try to resolve them and move this bill forward.

CONDITIONAL ADJOURNMENT OR RECESS OF THE HOUSE AND SENATE

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to H. Con. Res. 179, the adjournment resolution.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 179) providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 179) was agreed to, as follows:

H. CON. RES. 179

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Thursday, June 28, 2007, or Friday, June 29, 2007, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, July 10, 2007, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on Friday, June 29, 2007, Saturday, June 30, 2007, Sunday, July 1, 2007, or Monday, July 2, 2007, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, July 9, 2007, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

EXTENDING THE AUTHORITIES OF THE ANDEAN TRADE PREFERENCE ACT

Mr. REID. I ask unanimous consent the Senate proceed to H.R. 1830.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 1830) to extend the authorities of the Andean Trade Preference Act until February 29, 2008.

There being no objection, the Senate proceeded to consider the bill.

Mr. BAUCUS. Mr. President, today, the Senate has taken an important step in our relationship with Latin America. Following House action last night, the Senate unanimously approved an 8-month extension of the Andean Trade Preference Act, ATPA. Our action today prevents these key trade preferences from expiring abruptly this weekend. More importantly, it underscores the value that United States places on strong economic engagement with our partners in the Andean region.

The Andean Trade Preference Act provides duty-free access to certain products from Colombia, Peru, Ecuador, and Bolivia. These preferences ensure that hundreds of thousands of workers in these countries can find legal and meaningful employment in their own countries—workers who might otherwise find jobs in coca fields or in other illicit industries. By doing so, the Andean trade preferences enable the United States to continue to promote economic and political stability in a key region of Latin America.

ATPA and other preference programs are not a one-way street. I hear repeatedly from American businesses and consumers how these preference programs benefit the United States. Specifically, ATPA provides numerous U.S. companies with a source of high-quality, duty-free inputs for their products. American companies then pass these benefits on to American consumers in the form of lower costs and greater product diversity.

While I welcome this extension, I do not wish to minimize legitimate concerns that some of my colleagues have about the program, especially those relating to protection of U.S. investment. ATPA provides a framework for addressing these concerns and finding the solutions. To benefit from these preferences, beneficiary countries must protect foreign investment. They must afford worker rights. They must uphold key intellectual property rights. And they must meet counternarcotics requirements. Because of these provisions, ATPA is one of the best diplomatic tools America has in Latin America.

Today we took an important step in passing an 8-month extension of ATPA. But 8 months is not a lasting solution. Rather, it is a stepping stone toward a possible longer term extension for ATPA beneficiaries, as circumstances warrant. Eight months from now, some countries may still need these preferences; others may not. During the time, I will closely monitor whether ATPA beneficiary countries live up to their end of the bargain and abide by the requirements of the program. If they do, I will work hard to secure a longer extension. The United States and the Andean region will be better for it.

Mr. REID. Mr. President, before I ask this be completed, I am glad this is being done. I am disappointed it is only until the end of February.

I traveled to Bolivia, Peru, and Ecuador. This is so important to those countries. I am glad we will get it extended. It would have expired at the end of this month. It will not expire now. I hope by next February we can have a multiyear extension. I have spoken to Senators GRASSLEY and BAUCUS. I hope that is the case.

I ask unanimous consent the bill be read three times and passed, the motion to reconsider be laid on the table, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 1830) was ordered to be read a third time, was read the third time, and passed.

UNANIMOUS-CONSENT AGREEMENT—H.R. 1585

Mr. REID. I ask unanimous consent the cloture motion on the motion to proceed to H.R. 1585 be withdrawn, that the motion to proceed be agreed to, and the Senate resume consideration of the bill on Monday, July 9, after the conclusion of morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, this is the Defense authorization bill. I hope there will be a little conversation about this tomorrow. This will get us back and focusing on the intractable war that is taking place in Iraq.

I made a call a day or two ago to speak to Keith Modgling, the father of Josh. He just turned 22. He was in Iraq for less than a month. He was killed.

We are going to refocus on this. It is important we do that.

ORDERS FOR FRIDAY, JUNE 29, 2007

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9:45 a.m. Friday, June 29. On Friday, 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 be reserved for their use later in the day; that there then be a period for morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 7:04 p.m., adjourned until Friday, June 29, 2007, at 9:45 a.m.

NOMINATIONS

Executive nominations received by the Senate June 28, 2007:

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 152 AND 601:

To be admiral

ADM. MICHAEL G. MULLEN, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE VICE CHAIRMAN OF THE JOINT CHIEFS OF STAFF AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 154:

To be general

GEN. JAMES E. CARTWRIGHT, 0000

EXECUTIVE OFFICE OF THE PRESIDENT

DONALD B. MARRON, OF MARYLAND, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS, VICE MATTHEW SLAUGHTER, RESIGNED.

DEPARTMENT OF THE INTERIOR

BRENT T. WAHLQUIST, OF PENNSYLVANIA, TO BE DIRECTOR OF THE OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT, VICE JEFFREY D. JARRETT.

DEPARTMENT OF STATE

CHRISTOPHER EGAN, OF MASSACHUSETTS, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE ORGANIZATION FOR ECONOMIC COOPERATION AND DEVELOPMENT, WITH THE RANK OF AMBASSADOR.

DEPARTMENT OF JUSTICE

REED VERNE HILLMAN, OF MASSACHUSETTS, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF MASSACHUSETTS FOR THE TERM OF FOUR YEARS, VICE ANTHONY DICHIO.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE 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. FRANK G. KLOTZ, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

PETER J. OLDMIXON, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be captain

DAN L. AMMONS, 0000

To be commander

KEVIN G. AANDAHL, 0000
RAFAEL A. CABRERA, 0000
ALFRED H. DUNN, 0000
KRISTINE A. KNUTSON, 0000
MARK L. KREUSER, 0000
MARK T. LAGIER, 0000
STEPHEN P. NIELSEN, 0000
MARK E. OLDFIELD, 0000
JACK D. POOLE II, 0000

To be lieutenant commander

DANIEL D. BROWN, 0000
SHAMUS R. CARR, 0000
SOPHIA E. DEBEN, 0000
ROBERT D. ECKER, 0000
ALEXANDER N. EVANS, 0000
NATHANIAL FERNANDEZ, 0000
BRIAN P. FITZSIMMONS, 0000
JOSE E. GOMEZ, 0000
CHRISTIAN C. HALL, 0000
CLAYTON O. HILL, 0000
KARL C. KRONMANN, 0000
JAMES R. LEBAKKEN, 0000
MENG G. LEE, 0000
JORGE I. MADERAL, 0000
DWAYNE A. MAULTSBY, 0000
MICHAEL L. MCCLAM, 0000
JOHN S. MOREE, 0000
ANTHONY F. PERREAULT, 0000
ANGELA M. POWELL, 0000
LYNN J. PRIMEAUX, 0000
KELVIN L. REED, 0000
ANTHONY I. RICCIO, 0000
LAURA L. ROBERTS, 0000
MARIO A. ROSSI, 0000
SHANNON D. SCHANTZ, 0000
PAIGE A. SHERMAN, 0000
ERIC D. SHIRLEY, 0000
PATRICK J. SNIEZEK, 0000
STEVEN D. THOMPSON, 0000
STEVEN A. TOENJES, 0000
THOMAS E. VARNEY, 0000
CURTIS J. WOODS, 0000
ROBERT D. WOODS, 0000

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

GILBERT AYAN, 0000
ALEXANDER T. BAERG, 0000
HAROLD W. BOWMANTRAYFORD, 0000
JAMES A. BROWN, 0000
MICHEL C. FALZONE, 0000
THOMAS P. FLAHERTY II, 0000
MICHAEL C. GRUBB, 0000
JEFFREY T. HOLDSWORTH, 0000
JAMES E. MASON, 0000
ERNEST A. MATTA, 0000
THOMAS J. NIEBEL, 0000
THOMAS P. ODONNELL, 0000
DAVID L. PAYNE, JR., 0000
JEREMY A. PELSTRING, 0000
PAUL H. PLATTSMIER, 0000
ROBERT W. ROSE, 0000
WILLIAM L. ROSENBERRY, 0000
MICHAEL L. THOMPSON, 0000
COLIN D. XANDER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

SIMONIA R. BLASSINGAME, 0000
MICHELLE D. CARTER, 0000
LYN Y. HAMMER, 0000
SHANE G. HARRIS, 0000
RALITA S. HILDEBRAND, 0000
KATHLEEN A. KERRIGAN, 0000
SUSANNE M. MCNINCH, 0000
BRECKENRIDGE S. MORGAN, 0000
MELANIE R. NORTON, 0000
WISTAR L. RHODES, 0000
KATHRYN A. SCOTT, 0000
MELISSA M. SHORT, 0000
CHERYL R. STOLZE, 0000
MARY L. THOMPSON, 0000
DARRYL M. TOPPIN, 0000
JASON L. WEBB, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

JEFFREY A. BAYLESS, 0000
VITTERIO J. CRISP, 0000
KENNETH F. ELKERN, JR., 0000
GERRY M. FERNANDEZ, JR., 0000
MARY A. L. GIESE, 0000
ERIC R. JOHNSON, 0000
MATTHEW R. LEAR, 0000
TIMIKA B. LINDSAY, 0000
TODD A. MAUERHAN, 0000
BRYAN S. MCROBERTS, 0000
STEPHEN E. MILLS, 0000
DAVID W. SAMARA, 0000
TRACY J. SHAY, 0000
ROBERT R. STACHURA, 0000
BRITTON C. TALBERT, 0000
ANDREW S. THAELER, 0000
RAMBERTO A. TORRUELLA, 0000
SCOTT A. WALKER, 0000
MATTHEW H. WELSH, 0000
WARREN YU, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

CHRIS D. AGAR, 0000
JONATHAN J. BARTEL, 0000
BRYAN E. BRASWELL, 0000
TERRY B. CARWILE, 0000
ROBERT L. CHESSER, 0000
MATTHEW A. DEAN, 0000
MICHAEL L. DOUGLAS, 0000
WILLIAM J. EKBLAD, 0000
KAREN M. ERNEST, 0000
RICHARD G. FRODERMAN, 0000
TODD A. GAGNON, 0000
AMY L. HALIN, 0000
SEAN R. HERITAGE, 0000
EVAN A. HIPSLEY, JR., 0000
JOHN B. HUNTER, 0000
JOEY J. JOHNSON, 0000
CHARLES D. JONES, 0000
HANNELORE C. JONES, 0000
WILLIAM A. LINTZ, 0000
PATRICK L. MALLORY, 0000
ERLE MARION, 0000
DANIEL J. MILLER, 0000
NEAL M. NOTTROTT, 0000
RODNEY R. PURIFOY, 0000
DOUGLAS R. SCHELB, 0000
TYRONE L. WARD, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

PAUL B. ANDERSON, 0000
JEFFERY D. BARNES, 0000
ANTHONY T. BUTERA, 0000
JOHN M. DAHM, 0000
KENNETH D. DEHAN, 0000
JENNIFER K. EAVES, 0000
MARK A. GERSCHOFFER, 0000
JAMES M. GRIFFIN, 0000
JEREMY D. HAHN, 0000
MARY K. HALLERBERG, 0000
JOSHUA C. HIMES, 0000
JEFFREY T. HUBERT, 0000
GRAHAM K. JACKSON, 0000
DANIEL J. KENDA, 0000
SEAN R. KENTCH, 0000
MADELENE E. MEANS, 0000
FREDERICK W. MOSENFELDER, 0000
KELLY S. NICHOLS, 0000
MATTHEW J. PAWLIKOWSKI, 0000
DANIEL J. PERRON, 0000
MICHAEL S. PRATHER, 0000
CARRI A. ROBBINS, 0000
DAVID C. SCHNEEBERGER, 0000
CHRISTOPHER H. SHARMAN, 0000
STEVEN A. VOZZOLA, 0000
SCOTT R. WHALEY, 0000
DARREN S. WILLIAMS, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

CHRISTINA S. HAGEN, 0000
CHRISTOPHER B. LOUNDERMON, 0000
PATRICK W. MCNALLY, 0000
SCOTT M. MILLER, 0000
RON A. STEINER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

CHRISTOPHER J. ARENDS, 0000
ANTHONY W. COX, 0000
JOHN M. DAZIENS, 0000
ANTHONY F. GILLESS, 0000
GREGORY S. IRETON, 0000
JOSEPH S. MARTIN, 0000
SEAN P. MEMMEN, 0000
CYNTHIA V. MORGAN, 0000
ELIZABETH R. SANABIA, 0000
GREGORY J. SCHMEISER, 0000
RONALD R. SHAW, JR., 0000
CHRISTOPHER J. STERBIS, 0000
ANGELA H. WALKER, 0000
KEITH E. WILLIAMS, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

SARAH A. DACHOS, 0000
TERRENCE L. DUDLEY, 0000
GLENN C. GODBEY, 0000
ROBERT H. PALM, JR., 0000
RICHARD J. RYAN, 0000
RICHARD M. STACPOOLE, 0000
ERIK J. STOHLMANN, 0000
ELIZABETH A. THOMAS, 0000
PAULO B. VICENTE, 0000
CLAY G. WILLIAMS, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

BENITO E. BAYLOSIS, 0000
WILLIAM D. CARROLL, 0000
JOHN D. GERKEN, 0000
ANDREW S. GIBBONS, 0000
LYNN A. GISH, 0000
CHRISTOPHER J. HANSON, 0000
WILLIAM L. HARDMAN, 0000
JAY H. JOHNSON, 0000
JAMES A. KNOLL, 0000
RYAN J. KUCHLER, 0000
PATRICK B. LAFONTANT, 0000
JERRY W. LEGERE, 0000
JOHN L. LOWERY, 0000
PETER M. LUDWIG, 0000
HOWARD B. MARKLE, 0000
CHARLES R. MARSHALL, 0000
STEPHEN R. MEADE, 0000
MICHAEL A. PORTER, 0000
GERALD R. PRENDERGAST, 0000
CHRISTOPHER G. RILEY, 0000
JOHN P. ROBINSON II, 0000
TIMOTHY C. SPICER, 0000
DOUGLAS L. SWISHER, 0000
MICHAEL E. TAYLOR, 0000
KAI O. TORKELSON, 0000
JON E. WITHEE, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

DOUGLAS S. BELVIN, 0000
MATTHEW D. BOHLIN, 0000
THOMAS C. CECIL, 0000
STEVEN F. DESANTIS, 0000
JUAN G. FERNANDEZ II, 0000
ERIC J. HIGGINS, 0000
JOSEPH B. HORNBUCKLE, 0000
MARK P. KEMPF, 0000
JEFFERY T. KING, 0000
SCOTT H. LEDIG, 0000
ANDREW J. MCFARLAND, 0000
KURT W. MULLER, 0000
GREGORY A. OUELLETTE, 0000
DOUGLAS M. PHELAN, 0000
CHAD B. REED, 0000
JASON L. RIDER, 0000
WESLEY S. SANDERS, 0000
KYLE T. TURCO, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

FITZGERALD BRITTON, 0000
RUSSELL J. DICKISON, 0000
ELLEN M. EVANOFF, 0000

BRYANT E. HEPSTALL, 0000
CARL P. NOLTE, 0000
NORMAN C. OWEN, 0000
NATHAN D. SCHNEIDER, 0000
ERIC J. SIMON, 0000
JOHN F. ZREMBSKI, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

WILLIAM L. ABBOTT, 0000
MARTIN A. ANDERSON, JR., 0000
ARTHUR P. ARKO, 0000
PETER J. BACHAND, 0000
NONITO V. BLAS, 0000
BRIAN L. BODOH, 0000
ROGER J. BROUILLET, 0000
DENNIS L. CAMERON, 0000
JERRY T. CHAPMON, 0000
QUIRION CHRISTIAN, 0000
JOHN F. DEDITIUS, 0000
RICHARD C. DUNAWAY, 0000
KEVIN L. ECKMANN, 0000
DION J. EDON, 0000
JOHN K. FERGUSON, 0000
FARYLE G. FITCHUE, 0000
CLAY K. GLASHEEN, 0000
MARC D. GREGORY, 0000
MARK A. HOCHSTETLER, 0000
JEFFREY M. HORTON, 0000
DANNY J. JENSEN, 0000
WILLIAM R. JOHNSON, 0000
DONALD J. KOBIEC, 0000
KELVIN M. LEWIS, 0000
JOHN M. LOTH, 0000
SCOTT B. LYONS, 0000
GARY D. MARTIN, 0000
SEAN M. MERSH, 0000
MARK A. MESKIMEN, 0000
JOHN B. MORRISON, 0000
MARK C. NISBETT, 0000
SCOTT E. NORR, 0000
VINCENT ORTIZ, 0000
JEFFREY M. PAFFORD, 0000
CHARLES M. PHILLIP, 0000
WILLIAM M. PRESCOTT, 0000
THOMAS PRUSINOWSKI, 0000
KEITH W. RANSOM, 0000
JAMES D. RHOADS, 0000
DANIEL M. ROSSLER, 0000
MICHAEL A. SCOTT, 0000
GERALD A. SHEALEY, 0000
RICHARD T. SHELAR, 0000
VINCENT S. SIEVERT, 0000
SCOTT D. SILK, 0000
CLETUS STRAUSBAUGH, 0000
ROY A. TELLER, 0000
ROBERT K. TUCKER, 0000
JAMES P. TURNER, 0000
TIMOTHY P. WADLEY, 0000
DAVID S. WARNER, 0000
CARVILLE C. WEBB, 0000
CHARLES W. WEBB, 0000
SHAWN T. WHALEN, 0000
BARRY E. WISDOM, 0000
ALLEN W. WOOTEN, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

KEVIN T. AANESTAD, 0000
TODD A. ABRAHAMSON, 0000
DOUGLAS J. ADAMS, 0000
GEORGE R. AGUILAR, 0000
ELLER V. AIELLO, 0000
CHRISTOPHER D. ALEXANDER, 0000
KRISTINE E. ALEXANDER, 0000
BENJAMIN J. ALLBRITTON, 0000
GARY T. AMBROSE, 0000
ANDREW D. AMIDON, 0000
MICHAEL T. AMOS, 0000
MARK E. ANDERSON, 0000
WAYNE W. ANDERSON, JR., 0000
CHARLES H. ANDREWS, 0000
FERNANDO J. ARGELES, 0000
GEORGE R. ARNOLD II, 0000
MARK R. ASUNCION, 0000
THOMAS R. BAKER, 0000
THOMAS C. BALDWIN, 0000
THOMAS D. BARBER, 0000
JOSEPH W. BARNES, 0000
JOHN J. BARRY III, 0000
TROY D. BAUDER, 0000
JAMES W. BEAVER, 0000
KEITH M. BECK, 0000
CURTIS A. BECKER, JR., 0000
RODNEY T. BEHREND, 0000
SCOTT A. BELL, 0000
JAMES A. BELZ, 0000
JEFFREY A. BENNETT II, 0000
CHRISTOPHER BERGEN, 0000
BUDD E. BERGLOFF, 0000
PETER R. BERNING, 0000
PAUL N. BERTHELOTTE, 0000
KEVIN W. BILLINGS, 0000
JAMES M. BILOTTA, 0000
DAVID T. BITLER, 0000
ROBERT E. BOARDMAN, 0000
MICHAEL S. BOBULINSKI, 0000
TODD W. BOEHM, 0000
MARK J. BOLLONG, 0000
JOHN D. BOONE, 0000
MICHAEL J. BOONE, 0000
NATHAN P. BORCHERS, 0000
BRADLEY T. BORDEN, 0000
JEFFREY S. BOROS, 0000
JERRY R. BOSTER, 0000
MICHAEL S. BOUCHER, 0000
LESLIE W. BOYER III, 0000
CHRISTOPHER J. BOYLE, 0000
PETER C. BOZZO, 0000
KEVIN M. BRAND, 0000
JOHN P. BRAUN, 0000
NEIL M. BRENNAN, 0000
PETER J. BREWSTER, 0000
WILLIAM D. BREWSTER, JR., 0000
PATRICK T. BRITT, 0000
BRIAN B. BRONK, 0000
JOHN E. BROTEMARKLE, 0000
JAMES E. BROWN, 0000
ROBERT BROWN, 0000
ANTHONY M. BRUCE, 0000
THOMAS R. BUCHANAN, 0000
MICHAEL P. BUCKLEY, 0000
WILLIAM A. BUCKNER, 0000
ROSS S. BUDGE, 0000
NICHOLIE T. BUFKIN, 0000
DWAYNE E. BURBRIDGE, 0000
MICHAEL J. BURIANEK, 0000
VORRICE J. BURKS, 0000
JOSEPH F. CAHILL III, 0000
MARK A. CALDERON, 0000
PAUL F. CAMPAGNA, 0000
KYLE R. CAMPBELL, 0000
RONNIE M. CANDILORO, 0000
JOHN E. CAPIZZI, 0000
PAUL A. CARELLI, 0000
JOHN G. CARPENTIER, 0000
CURTIS C. CARROLL, 0000
DANIEL G. CASE, 0000
CHRISTOPHER J. CASSIDY, 0000
CHRISTOPHER J. CAVANAUGH, 0000
CHRISTOPHER A. CEGIELSKI, 0000
DAMIEN R. CHRISTOPHER, 0000
MAXIMILIAN CLARK, 0000
JEFFREY J. CLARKSON, 0000
PHILLIP Z. CLAY, 0000
BRYAN M. COCHRAN, 0000
BRETT W. COFFEY, 0000
BRAD J. COLLINS, 0000
TIMOTHY M. COOPER, 0000
FREDERICK D. COTTS, 0000
ROBERT COUGHLIN, 0000
WILLIAM T. COX, JR., 0000
JEFFREY A. CRAIG, 0000
SCOTT P. CRAIG, 0000
MICHAEL A. CRARY, 0000
LINDA E. CRAUGH, 0000
FREDERICK E. CRECELIUS, 0000
ROBERT D. CROXSON, 0000
BRETT E. CROZIER, 0000
PAUL A. CRUMP, 0000
DAVID C. CULPEPPER, 0000
CORY L. CULVER, 0000
DONALD S. CUNNINGHAM, 0000
SCOTT B. CURTIS, 0000
SEAN T. CUSHING, 0000
WILLIAM R. DALY, 0000
RODNEY D. DANIELS, 0000
ANDREW D. DANKO, 0000
HILLARY A. B. DARBY, 0000
TODD J. DARWIN, 0000
GEORGE A. DAVIS, 0000
STEPHEN C. DAVIS, 0000
TIMOTHY P. DAY, 0000
DENNIS A. DEBOBES, 0000
JEFFREY D. DEBRINE, 0000
ROBERT K. DEBUSE, 0000
ANTONIO DEFRIAS, JR., 0000
TERENCE P. DERMODY, 0000
BRIEN W. DICKSON, 0000
MICHAEL R. DICKSON, 0000
RODRIGO M. DILL, 0000
THUY H. DO, 0000
MICHAEL D. DOHERTY, 0000
PETER J. DONAHER III, 0000
LEE A. DONALDSON, 0000
DONALD J. DONEGAN, 0000
JOHN W. DOOLITTLE, 0000
DAVID H. DORN, 0000
BRIAN P. DOUGLASS, 0000
GEORGE B. DOYON, JR., 0000
JEFFREY J. DRAEGER, 0000
RAYMOND R. DRAKE, 0000
SEAN M. DRUMHELLER, 0000
CURTIS B. DUNCAN, 0000
NGAN H. DUONG, 0000
BRYAN W. DURKEE, 0000
JARED V. EAST, 0000
DAVID V. EDGARTON, 0000
PETER S. EGELI, 0000
JEFFREY W. EGGERS, 0000
JAMES J. ELIAS, 0000
CARLTON T. ELLIOTT, 0000
TONY L. ELLIS, 0000
JOHN K. ELLZEY, 0000
STEPHEN S. ERB, 0000
TIMOTHY D. ESH, 0000
ERIK J. ESLICH, 0000
DAVID C. ESTES, 0000
DANIEL T. EVANS, 0000
KEVIN W. EVANS, 0000
JEFFREY N. FARAH, 0000
SCOTT T. FARR, 0000
MICHAEL G. FARREN, 0000
KENNETH L. FERGUSON, 0000
RICHARD J. FIELD, 0000
BRIAN J. FINMAN, 0000
MATTHEW D. FINNEY, 0000
EDWARD J. FISCHER, 0000
ROBERT J. FLYNN, 0000
PATRICK V. FOEGE, 0000
JOSEPH C. FORAKER III, 0000
RONALD A. FOY, 0000
MICHAEL G. FRANTZ, 0000
ERIK L. FRANZEN, 0000
WARREN K. FRIDLEY, 0000
THOMAS A. FROSCH, 0000
STEPHEN F. FULLER, 0000
WARDELL C. FULLER, 0000
BRETT T. FULLERTON, 0000
DAVID O. GADDIS, 0000
MICHAEL P. GALLAGHER, 0000
JOHN N. GANDY, 0000
BRADLEY R. GARBER, 0000
JAMES P. GARDNER, 0000
JOHN A. GEARHART, 0000
BRIAN A. GEBO, 0000
THOMAS W. GELKER, 0000
MARC A. GENUALDI, 0000
MICHAEL J. GIANNETTI, 0000
DANIEL J. GILLEN, 0000
DARREN W. GLASER, 0000
LAWRENCE E. GONZALES, 0000
ISSAC N. GONZALEZ, 0000
KEITH H. GORDON, 0000
MICHAEL J. GRABOWSKI, 0000
GREGORY L. GRADY, 0000
WAYNE G. GRASDOCK, 0000
ERIK W. GREVE, 0000
EDWIN J. GROHE, JR., 0000
GUSTAVO GUTIERREZ, 0000
GREGORY J. HACKER, 0000
THOMAS D. HACKER, 0000
LEONARD M. HAIDL, 0000
KAVON HAKIMZADEH, 0000
SEAN P. HALEY, 0000
DAVID B. HALLORAN, 0000
JASON G. HAMMOND, 0000
ROBERT G. HANNA III, 0000
GERALD J. HANSEN, JR., 0000
KEVIN D. HARMS, 0000
MATTHEW J. HARRISON, 0000
ROGER A. HARTMAN, 0000
JASPER C. HARTSFIELD, 0000
MONTY L. HASENBANK, 0000
CHRISTOPHER D. HAYES, 0000
GREGORY T. HAYNES, 0000
ALBON O. HEAD III, 0000
KEVIN P. HEALY, 0000
WILLIAM A. HEARTHER, 0000
PHILLIP W. HEBERER, 0000
STEVEN T. HEJMANOWSKI, 0000
SCOTT A. HENDRIX, 0000
GERALD C. HENNESSEY, JR., 0000
JOHN C. HENSEL II, 0000
GERALD R. HERMANN, 0000
CHARLES W. HEWGLEY IV, 0000
SEAN P. HIGGINS, 0000
SEAN P. HIGGINS, 0000
TIMOTHY M. HILL, 0000
BERTRAM C. HODGE, 0000
DOYLE K. HODGES, 0000
TODD A. HOFSTEDT, 0000
AARON M. HOLDAWAY, 0000
JOHN C. HOWARD, 0000
CORY R. HOWES, 0000
JOHN L. HOWLAND, 0000
MICHAEL M. H. HSU, 0000
MICHAEL L. HUDSON, 0000
SCOTT A. G. HUFF, 0000
ANTONIO D. HULL, 0000
MICHAEL E. HUTCHENS, 0000
JOSEPH A. HUTCHINSON, 0000
ADOLFO H. IBARRA, 0000
DAVID M. IVEZIC, 0000
JONATHAN L. JACKSON, 0000
RONALD G. JACOBSON, 0000
DAVID G. JASSO, 0000
ROBERT J. JEZEK, JR., 0000
BRYON K. JOHNSON, 0000
HIRAM S. JOHNSON, 0000
MARK E. JOHNSON, 0000
MICHAEL D. JOHNSON, 0000
ROBERT G. JOHNSON, 0000
STEVIN S. JOHNSON, 0000
WILLIAM JOHNSON, 0000
ETTA C. JONES, 0000
JEFFREY E. JONES, 0000
SPENCER C. JONES, 0000
KRISTIN M. JUNGBLUTH, 0000
MARK W. KEKEISEN, 0000
STEPHEN A. KELLEY, 0000
KEVIN M. KENNEDY, 0000
LAWRENCE H. KENNEDY, 0000
ROBERT R. KENYON, 0000
GREGORY R. KERCHER, 0000
DAVID S. KERSEY, 0000
WILLIAM A. KETCHAM, 0000
TIMOTHY N. KETTER, 0000
LISA L. KETTERMAN, 0000
PAUL R. KEYES, 0000
STEVEN W. KIGGANS, 0000
KEITH R. KINTZLEY, 0000
BRIAN D. KIRK, 0000
LAWRENCE J. KISTLER, 0000
ROBERT A. KLASZKY, 0000
DENNIS J. KLEIN, 0000
KEVIN J. KLEIN, 0000
MITCHEL J. KLOEWER, 0000
GREGORY D. KNEPPER, 0000
MICHAEL J. KOEN, 0000
RICHARD W. KOENIG, 0000
ROBERT A. KOONCE, 0000
KENNETH G. KOPP, 0000
PHILIP J. KOTWICK, 0000
SCOTT H. KRAFT, 0000

STEVEN C. KROLL, 0000
PATRICK E. KULAKOWSKI, 0000
DOUGLAS W. KUNZMAN, 0000
SCOTT D. KUYKENDALL, 0000
JON P. R. LABRUZZO, 0000
EUGENE D. LACOSTE, 0000
ROBERT T. LACY, 0000
LANCE J. LAFOND, 0000
MARK A. LAKAMP, 0000
GEORGE M. LANDIS III, 0000
CHAD M. LARGES, 0000
JONATHAN B. LAUBACH, 0000
PAUL P. LAWLER, 0000
WILLIAM E. LAWRENCE, 0000
HUNG B. LE, 0000
MARK S. LEAVITT, 0000
JEAN M. LEBLANC, 0000
FITZHUGH S. LEE, 0000
MATTHEW J. LEHMAN, 0000
FREDERICK C. LENTZ III, 0000
LANCE L. LESHER, 0000
KURT A. LEWIS, 0000
MICHAEL LIBERATORE, 0000
ALVARO L. LIMA, 0000
ANTHONY J. LINARDI III, 0000
CHARLES E. LOISELLE, 0000
ROY LOVE, 0000
ANDREW C. LYNCH, 0000
LEONARD M. LYON, 0000
JOSEPH R. MACKAY, 0000
CHRISTOPHER D. MAJORS, 0000
MICHAEL D. MAKEE, 0000
EUGENE J. MALVEAUX, JR., 0000
CHRISTOPER T. MARTIN, 0000
NICOLAS A. MARUSICH, 0000
TODD R. MARZANO, 0000
MARK A. MARZONIE, 0000
RICHARD N. MASSIE, 0000
STEVEN J. MATHEWS, 0000
ROBERT W. MATHEWSON, 0000
JAMES E. MATTINGLY, 0000
JAMES J. MAUNE, 0000
SHAUN C. MCANDREW, 0000
EDWARD D. MCCABE, 0000
JAMES A. MCCALL III, 0000
LARRY G. MCCULLEN, 0000
RICHARD C. MCDANIEL, 0000
SEAN P. MCDERMOTT, 0000
EDWARD J. MCDONALD, 0000
KEVIN P. MCGEE, 0000
CHRISTOPHER F. MCHUGH, 0000
DOUGLAS R. MCLAREN, 0000
RICHARD A. MCMANUS, 0000
BOBBY D. MCPHERSON II, 0000
DARREN G. MCPHERSON, 0000
JAMES A. MCPHERSON, 0000
MICHAEL T. MCVAY, 0000
WILLIAM R. MELLEN, 0000
KEVIN A. MELODY, 0000
MARK A. MELSON, 0000
ROGER E. MEYER, 0000
CHRISTOPHER A. MIDDLETON, 0000
BRETT W. MIETUS, 0000
PETER A. MILNES, 0000
LUIS E. MOLINA, 0000
LEIF E. MOLLO, 0000
KURT A. MONDLAK, 0000
DAVID J. MONTGOMERY II, 0000
GEOFFREY C. MOORE, 0000
STEVEN A. MORGENFELD, 0000
KYLE S. MOSES, 0000
BRANDT A. MOSLENER, 0000
JOHN B. MOULTON, 0000
SHELBY A. MOUNTS, 0000
BRETT D. MOYES, 0000
THOMAS H. MULDROW, JR., 0000
SCOTT T. MULVEHILL, 0000
DAVID T. MUNDY, 0000
DEAN A. MURIANO, 0000
BRENDAN J. MURPHY, 0000
CHARLES G. MURPHY, 0000
THOMAS F. MURPHY III, 0000
JAMES M. MUSE, 0000
ROBERT C. MUSE, 0000
COLEY R. MYERS III, 0000
MICHAEL J. NADEAU, 0000
DANA A. NELSON, 0000
GREGORY D. NEWKIRK, 0000
STEPHEN L. NEWLUND, 0000
DAVID A. NORLEY, 0000
JOSEPH A. NOSSE, 0000
JEFFREY L. OAKEY, 0000
TERRY L. OBERMEYER, 0000
JOSEPH R. OBRIEN, 0000
DONALD C. ODEN, 0000
FRANK B. OGDEN II, 0000
NATHAN R. OGLE, 0000
ROBERT N. OLIVIER, 0000
LAWRENCE D. OLLICE, JR., 0000
LONNIE W. OLSON, 0000
JOHN F. H. OUELLETTE, 0000
DANIEL L. PACKER, JR., 0000
WILLIAM J. PALERMO, 0000
ADAM D. PALMER, 0000
MATTHEW C. PARADISE, 0000
ANTHONY L. PARTON, 0000
ROBERT W. PATRICK, JR., 0000
RODNEY M. PATTON, 0000
SIL A. PERRELLA, 0000
STEPHEN E. PETRAS, 0000
JAMES B. PFEIFFER, 0000
JOHN B. PICCO, 0000
MICHAEL E. PIETRYKA, 0000
ROBERT J. POLVINO, 0000
DARREN R. POORE, 0000
CAROL A. PRATHER, 0000
RICHARD W. PREST, 0000
CHRISTOPHER A. PRESZ, 0000
JOSHUA D. PRICE, 0000
KARL J. PUGH, 0000
WILLIAM C. PUGH, 0000
MICHAEL G. QUAN, 0000
KEVIN M. QUARDERER, 0000
KEVIN S. RAFFERTY, 0000
ROLANDO RAMIREZ, 0000
DAVID T. RAMSEY, JR., 0000
PAUL E. RASMUSSEN, 0000
ROSARIO M. RAUSA, 0000
CRAIG C. REINER, 0000
CRAIG M. REMALY, 0000
JOSHUA S. REYHER, 0000
BENJAMIN G. REYNOLDS, 0000
STEVEN M. RICHARDS, 0000
GLENN F. ROBBINS, 0000
STEVEN C. ROBERTO, JR., 0000
RICHARD K. ROSSETTI, 0000
DAVID M. ROWLAND, 0000
JOHN C. RUDELLA, 0000
ROME RUIZ, 0000
GAVAN M. SAGARA, 0000
TIMOTHY A. SALTER, 0000
KEVIN R. SANDLIN, 0000
MILTON J. SANDS III, 0000
DAVID M. SANFIELD, 0000
ERICH B. SCHMIDT, 0000
STEPHEN F. SCHMIDT, 0000
EDWARD A. SCHRADER, 0000
MARK A. SCHRAM, 0000
CHRISTOPHER A. SCOTT, 0000
DAVID M. SCOTT, 0000
RICHARD I. SCRITCHFIELD, 0000
JEFFREY L. SCUDDER, 0000
MATTHEW T. SECREST, 0000
ERIC O. SEIB, 0000
RICHARD E. SEIF, JR., 0000
OLIN M. SELL, 0000
DAVID K. SHAFFER, 0000
FRANK C. SHELLY, 0000
KENNETH W. SHICK, 0000
JUSTIN L. SHOGER, 0000
HANS E. SHOLLEY, 0000
JOHN J. SHRIVER, 0000
MAXWELL J. SHUMAN, 0000
LARRY A. SIDBURY, 0000
MICHAEL C. SIEPERT, 0000
TIMOTHY L. SIMONSON, 0000
THOMAS W. SINGLETON, 0000
LUKE SIRONI, 0000
WARREN E. SISSON, 0000
BRIAN L. SITTLOW, 0000
DARREN J. SKINNER, 0000
QUINN D. SKINNER, 0000
STEVEN J. SKRETKOWICZ, 0000
TIMOTHY J. SLENTZ, 0000
JAMES B. SMELLEY, 0000
CRAIG M. SNYDER, 0000
ERIC A. SODERBERG, 0000
ROBERT G. SODERHOLM, 0000
DAVID S. SOLDOW, 0000
JOHN D. SOWERS, 0000
STEPHEN O. SPRAGUE, 0000
JAMES A. STANLEY, 0000
THOMAS F. STANLEY, 0000
JOSEPH M. STAUD, 0000
MICHAEL A. STEEN, 0000
JAY M. STEINGOLD, 0000
KRISTIN L. STENGEL, 0000
HENRY P. STEWART, 0000
JAMES M. STEWART, 0000
TODD D. STLAURENT, 0000
CHRISTOPHER M. STOPYRA, 0000
GREGORY P. STPIERRE, 0000
KENNETH A. STRONG, 0000
DAVID J. SUCHYTA, 0000
DAVID D. SULLINS, 0000
DANIEL J. SULLIVAN IV, 0000
DANIEL D. SUNVOLD, 0000
WILLIAM S. SWITZER, 0000
SCOTT A. TAIT, 0000
MARK W. TANKERSLEY, 0000
CHARLES L. TAYLOR, 0000
KYLE W. M. TAYLOR, 0000
BENJAMIN J. TEICH, 0000
ANTONIO TELLADO, 0000
JASON A. TEMPLE, 0000
KARL R. TENNEY, 0000
MATTHEW D. TERWILLIGER, 0000
MATTHEW A. TESTERMAN, 0000
JOSEPH C. THOMAS, 0000
NICHOLAS R. TILBROOK, 0000
RICHARD V. TIMMS, 0000
RONALD W. TOLAND, JR., 0000
BRENT A. TRICKEL, 0000
DEREK A. TRINQUE, 0000
SCOTT S. TROYER, 0000
MICHAEL H. TSUTAGAWA, 0000
EDWARD D. TURCOTTE, 0000
BRADLEY W. UPTON, 0000
TODD D. VANDEGRIFT, 0000
STEPHEN J. VANLANDINGHAM, 0000
DAVID A. VARNER, 0000
DENNIS VELEZ, 0000
RAYMUNDO VILLARREAL, 0000
CHAD P. VINCELETTE, 0000
KEVIN S. VOAS, 0000
FRANK P. VOLPE, JR., 0000
JEFFREY M. VORCE, 0000
ROLANDO M. WADE, 0000
THOMAS R. WAGENER, 0000
PETER J. WALCZAK, 0000
DANIEL J. WALFORD, 0000
ANDREW R. WALTON, 0000
JASON D. WARTELL, 0000
MICHAEL S. WATHEN, 0000
KYLE C. WEAVER, 0000
BRUCE J. WEBB, 0000
ROBERT W. WEDERTZ, 0000
TODD S. WEEKS, 0000
DAVID B. WELLER, 0000
ADAM J. WELTER, 0000
MARC A. WENTZ, 0000
MICHAEL T. WESTBROOK, 0000
ROBERT D. WESTENDORFF, 0000
DAVID G. WHITEHEAD, 0000
DAVID J. WICKERSHAM, 0000
JEFFREY S. WILCOX, 0000
BRYAN D. WILLIAMS, 0000
MICHAEL B. WILLIAMS, 0000
THOMAS R. WILLIAMS II, 0000
EUGENE M. WOODRUFF, 0000
MICHAEL S. WOSJE, 0000
GARRY W. WRIGHT, 0000
GEORGE C. WRIGHT, 0000
WALTER C. WRYE IV, 0000
JAY D. WYLIE, 0000
TERRI A. YACKLE, 0000
NATHAN J. YARUSSO, 0000
MELVIN K. YOKOYAMA, 0000
LAURENCE M. YOUNG, 0000
PAUL D. YOUNG, 0000
WILLIAM A. ZIEGLER, 0000

FEDERAL LABOR RELATIONS AUTHORITY

THOMAS M. BECK, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL LABOR RELATIONS AUTHORITY FOR A TERM EXPIRING JULY 29, 2012, VICE DALE CABANISS, TERM EXPIRING.

DEPARTMENT OF VETERANS AFFAIRS

PAUL J. HUTTER, OF VIRGINIA, TO BE GENERAL COUNSEL, DEPARTMENT OF VETERANS AFFAIRS, VICE TIM S. MCCLAIN, RESIGNED.

CONFIRMATIONS

Executive nominations confirmed by the Senate Thursday, June 28, 2007:

OFFICE OF PERSONNEL MANAGEMENT

HOWARD CHARLES WEIZMANN, OF MARYLAND, TO BE DEPUTY DIRECTOR OF THE OFFICE OF PERSONNEL MANAGEMENT.

EXPORT-IMPORT BANK OF THE UNITED STATES

MICHAEL W. TANKERSLEY, OF TEXAS, TO BE INSPECTOR GENERAL, EXPORT-IMPORT BANK.

DEPARTMENT OF STATE

REUBEN JEFFERY III, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES ALTERNATE GOVERNOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT FOR A TERM OF FIVE YEARS; UNITED STATES ALTERNATE GOVERNOR OF THE INTER-AMERICAN DEVELOPMENT BANK FOR A TERM OF FIVE YEARS; UNITED STATES ALTERNATE GOVERNOR OF THE AFRICAN DEVELOPMENT BANK FOR A TERM OF FIVE YEARS; UNITED STATES ALTERNATE GOVERNOR OF THE AFRICAN DEVELOPMENT FUND; UNITED STATES ALTERNATE GOVERNOR OF THE ASIAN DEVELOPMENT BANK; AND UNITED STATES ALTERNATE GOVERNOR OF THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT.

JUNE CARTER PERRY, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SIERRA LEONE.

WANDA L. NESBITT, OF PENNSYLVANIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF COTE D'IVOIRE.

FREDERICK B. COOK, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE CENTRAL AFRICAN REPUBLIC.

ROBERT B. NOLAN, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF LESOTHO.

MAURICE S. PARKER, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF SWAZILAND.

WILLIAM JOHN GARVELINK, OF MICHIGAN, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DEMOCRATIC REPUBLIC OF THE CONGO.

WILLIAM R. BROWNFIELD, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF COLOMBIA.

PETER MICHAEL MCKINLEY, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PERU.

PATRICK DENNIS DUDDY, OF MAINE, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES

OF AMERICA TO THE BOLIVARIAN REPUBLIC OF VENEZUELA.

ANNE WOODS PATTERSON, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ISLAMIC REPUBLIC OF PAKISTAN.

NANCY J. POWELL, OF IOWA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO NEPAL.

JOSEPH ADAM ERELI, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF BAHRAIN.

RICHARD BOYCE NORLAND, OF IOWA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF UZBEKISTAN.

STEPHEN A. SECHE, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF YEMEN.

JOHN L. WITHERS II, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ALBANIA.

CHARLES LEWIS ENGLISH, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BOSNIA AND HERZEGOVINA.

CAMERON MUNTER, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SERBIA.

RODERICK W. MOORE, OF RHODE ISLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MONTENEGRO.

J. CHRISTIAN KENNEDY, OF INDIANA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS SPECIAL ENVOY FOR HOLOCAUST ISSUES.

INTER-AMERICAN FOUNDATION

HECTOR E. MORALES, OF TEXAS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE INTER-AMERICAN FOUNDATION FOR A TERM EXPIRING SEPTEMBER 20, 2010.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

RICHARD ALLAN HILL, OF MONTANA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING JUNE 10, 2009.

STAN Z. SOLOWAY, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2011.

JAMES PALMER, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2011.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

THE JUDICIARY

BENJAMIN HALE SETTLE, OF WASHINGTON, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF WASHINGTON.

RICHARD SULLIVAN, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK.

JOSEPH S. VAN BOKKELEN, OF INDIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF INDIANA.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

VICE ADM. ERIC T. OLSON, 0000

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

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. REX C. MCMILLIAN, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. MICHAEL J. BROWNE, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. THOMAS F. KENDZIORSKI, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. LOTHROP S. LITTLE, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. KENNETH J. BRAITHWAITE, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. JOSEPH D. STINSON, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. JERRY R. KELLEY, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. CYNTHIA A. DULLEA, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. PATRICIA E. WOLFE, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. GARRY J. BONELLI, 0000
CAPT. ROBIN R. BRAUN, 0000
CAPT. SANDY L. DANIELS, 0000
CAPT. SCOTT E. SANDERS, 0000
CAPT. ROBERT O. WRAY, JR., 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) GREGORY A. TIMBERLAKE, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) ALBERT GARCIA III, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. ANTHONY L. WINNS, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL MARK A. ATKINSON, 0000
COLONEL MARK A. BARRETT, 0000
COLONEL BRIAN T. BISHOP, 0000
COLONEL MICHAEL R. BOERA, 0000
COLONEL NORMAN J. BROZENICK, JR, 0000
COLONEL CATHY C. CLOTHIER, 0000
COLONEL DAVID A. COTTON, 0000
COLONEL SHARON K. G. DUNBAR, 0000
COLONEL BARBARA J. FAULKENBERRY, 0000
COLONEL LARRY K. GRUNDHAUSER, 0000
COLONEL GARRETT HARENCAK, 0000
COLONEL JAMES M. HOLMES, 0000
COLONEL DAVE C. HOWE, 0000
COLONEL JAMES J. JONES, 0000
COLONEL MICHAEL A. KELTZ, 0000
COLONEL FREDERICK H. MARTIN, 0000
COLONEL WENDY M. MASIELLO, 0000
COLONEL ROBERT P. OTTO, 0000
COLONEL LEONARD A. PATRICK, 0000
COLONEL BRADLEY R. PRAY, 0000
COLONEL LORI J. ROBINSON, 0000
COLONEL ANTHONY J. ROCK, 0000
COLONEL JAY G. SANTEE, 0000
COLONEL ROWAYNE A. SCHATZ, JR, 0000
COLONEL STEVEN J. SPANO, 0000
COLONEL THOMAS L. TINSLEY, 0000
COLONEL JACK WEINSTEIN, 0000
COLONEL STEPHEN W. WILSON, 0000
COLONEL MARGARET H. WOODWARD, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. MICHAEL D. DEVINE, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. DAVID W. TITLEY, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. MICHAEL S. ROGERS, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. DAVID A. DUNAWAY, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. SAMUEL J. COX, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. DAVID G. SIMPSON, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) EDWARD H. DEETS III, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) JEFFREY A. WIERINGA, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) CHARLES H. GODDARD, 0000
REAR ADM. (LH) KEVIN M. MCCOY, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. TERRY J. BENEDICT, 0000
CAPT. MICHAEL E. MCMAHON, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. KENNETH F. MCKENZIE, JR., 0000

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

MAJ. GEN. RICHARD P. ZAHNER, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. JOSEPH MAGUIRE, 0000

IN THE ARMY

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

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

MAJ. GEN. FRANCIS H. KEARNEY III, 0000

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. JONATHAN E. FARNHAM, 0000
COL. HUGO E. SALAZAR, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVAL RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) CAROL M. POTTENGER, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. (LH) JEFFREY A. WIERINGA, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) JEFFREY A. LEMMONS, 0000
REAR ADM. (LH) FRANK F. RENNIE IV, 0000
REAR ADM. (LH) ROBIN M. WATTERS, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 8081:

To be major general

BRIG. GEN. GARBETH S. GRAHAM, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. JIMMIE J. WELLS, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. EMERSON N. GARDNER, JR., 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) CHRISTINE M. BRUZEK-KOHLER, 0000

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIGADIER GENERAL MICHAEL D. AKEY, 0000
BRIGADIER GENERAL MICHAEL G. BRANDT, 0000
BRIGADIER GENERAL RICHARD H. CLEVENGER, 0000
BRIGADIER GENERAL CYNTHIA N. KIRKLAND, 0000
BRIGADIER GENERAL DUANE J. LODRIGE, 0000
BRIGADIER GENERAL PATRICK J. MOISIO, 0000
BRIGADIER GENERAL CHARLES A. MORGAN III, 0000
BRIGADIER GENERAL DANIEL B. O'HOLLAREN, 0000
BRIGADIER GENERAL PETER S. PAWLING, 0000
BRIGADIER GENERAL WILLIAM M. SCHUESSLER, 0000
BRIGADIER GENERAL HAYWOOD R. STARLING, JR., 0000
BRIGADIER GENERAL RAYMOND L. WEBSTER, 0000

To be brigadier general

COLONEL MAURICE T. BROCK, 0000
COLONEL JIM C. CHOW, 0000
COLONEL MICHAEL G. COLANGELO, 0000
COLONEL BARRY K. COLN, 0000
COLONEL STEVEN A. CRAY, 0000
COLONEL JAMES D. DEMERITT, 0000
COLONEL MATTHEW J. DZIALO, 0000
COLONEL TRULAN A. EYRE, 0000
COLONEL JON F. FAGO, 0000
COLONEL WILLIAM S. HADAWAY III, 0000
COLONEL SAMUEL C. HEADY, 0000
COLONEL JOHN P. HUGHES, 0000
COLONEL MARK R. JOHNSON, 0000
COLONEL PATRICK L. MARTIN, 0000
COLONEL RICHARD A. MITCHELL, 0000
COLONEL JOHN F. NICHOLS, 0000
COLONEL GRADY L. PATTERSON III, 0000
COLONEL GEORGE E. PIGEON, 0000
COLONEL WILLIAM N. REDDELL III, 0000
COLONEL HAROLD E. REED, 0000
COLONEL LEON S. RICE, 0000
COLONEL ALPHONSE J. STEPHENSON, 0000
COLONEL ERIC W. VOLLMECKE, 0000
COLONEL ERIC G. WELLER, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES ARMY WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOHN D. GARDNER, 0000

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH RICHARD G. ANDERSON AND ENDING WITH MITCHELL ZYGADLO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 11, 2007.

AIR FORCE NOMINATIONS BEGINNING WITH CHRISTOPHER R. ABRAMSON AND ENDING WITH ANNAMARIE ZURLINDEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 19, 2007.

AIR FORCE NOMINATIONS BEGINNING WITH ALICE A. HALE AND ENDING WITH NATALIE A. JAGIELLA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 18, 2007.

AIR FORCE NOMINATIONS BEGINNING WITH ANNE M. BEAUDOIN AND ENDING WITH JUSTINA U. PAULINO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 18, 2007.

IN THE ARMY

ARMY NOMINATIONS BEGINNING WITH ERIC D. ADAMS AND ENDING WITH DAVID S. ZUMBRO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 18, 2007.

ARMY NOMINATIONS BEGINNING WITH JEFFREY S. ALMONY AND ENDING WITH DANIEL A. ZELESKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 18, 2007.

ARMY NOMINATION OF KENNETH C. SIMPKISS, 0000, TO BE LIEUTENANT COLONEL.

ARMY NOMINATIONS BEGINNING WITH ANTHONY G. HOFFMAN AND ENDING WITH PATRICIA L. WOOD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 21, 2007.

ARMY NOMINATIONS BEGINNING WITH ROY V. MCCARTY AND ENDING WITH HUNG Q. VU, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 21, 2007.

ARMY NOMINATION OF KAREN L. WARE, 0000, TO BE MAJOR.

ARMY NOMINATION OF JEANETTA CORCORAN, 0000, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH RICHARD L. KLINGLER AND ENDING WITH CARLOS M. GARCIA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 4, 2007.

ARMY NOMINATIONS BEGINNING WITH DEEPTI S. CHITNIS AND ENDING WITH GIA K. YI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 4, 2007.

ARMY NOMINATIONS BEGINNING WITH JACOB W. AARONSON AND ENDING WITH DAVID W. WOLKEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 4, 2007.

ARMY NOMINATION OF BIRGET BATISTE, 0000, TO BE MAJOR.

ARMY NOMINATION OF JAMES P. HOUSTON, 0000, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF JOHN C. LOOSE, JR., 0000, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH BRUCE BUBLICK AND ENDING WITH JAMES MADDEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 18, 2007.

ARMY NOMINATIONS BEGINNING WITH JACKIE L. BYAS AND ENDING WITH WILLIAM R. CLARK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 18, 2007.

ARMY NOMINATIONS BEGINNING WITH JEFFREY R. KEIM AND ENDING WITH STAN ROWICKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 18, 2007.

ARMY NOMINATIONS BEGINNING WITH PHILIP A. HORTON AND ENDING WITH PATRICIA YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 18, 2007.

ARMY NOMINATIONS BEGINNING WITH BERNADINE F. PELETZFOX AND ENDING WITH SUSAN P. STATTMILLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 18, 2007.

ARMY NOMINATIONS BEGINNING WITH JEFFERY H. ALLEN AND ENDING WITH BOBBY C. THORNTON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 18, 2007.

ARMY NOMINATIONS BEGINNING WITH DIRK R. KLOSS AND ENDING WITH MARK C. STRONG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 18, 2007.

ARMY NOMINATIONS BEGINNING WITH DAVID M. GRIFFITH AND ENDING WITH BRIAN N. WITCHER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 18, 2007.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH JOHN E. PETERS AND ENDING WITH ANDREW P. WYLEGALA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 7, 2007.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH DANIEL K. BERMAN AND ENDING WITH SCOTT S. SINDELAR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 22, 2007.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH LINDA THOMPSON TOPPING GONZALEZ AND ENDING WITH KAREN SLITER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 22, 2007.

IN THE MARINE CORPS

MARINE CORPS NOMINATIONS BEGINNING WITH ERIC M. ARBOGAST AND ENDING WITH JAMES L. WETZEL IV, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 21, 2007.

IN THE NAVY

NAVY NOMINATION OF MICHAEL R. MURRAY, 0000, TO BE CAPTAIN.

NAVY NOMINATION OF CURT W. DODGES, 0000, TO BE CAPTAIN.

NAVY NOMINATION OF MICHAEL L. INCZE, 0000, TO BE CAPTAIN.

NAVY NOMINATION OF SANDRA C. IRWIN, 0000, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH WILLIAM R. FENICK AND ENDING WITH ISAAC N. SKELTON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 3, 2007.

NAVY NOMINATIONS BEGINNING WITH ROBERT B. CALDWELL, JR. AND ENDING WITH ELLEN E. MOORE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 3, 2007.

NAVY NOMINATIONS BEGINNING WITH DAWN H. DRIESBACH AND ENDING WITH GLENN S. ROSEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 3, 2007.

NAVY NOMINATIONS BEGINNING WITH NICHOLAS J. CIPRIANO III AND ENDING WITH STEPHEN C. WOLL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 3, 2007.

NAVY NOMINATIONS BEGINNING WITH RHETTA R. BAILEY AND ENDING WITH KELLY J. WILD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 3, 2007.

NAVY NOMINATIONS BEGINNING WITH JEFFREY S. COLE AND ENDING WITH TIMOTHY J. WHITE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 3, 2007.

NAVY NOMINATIONS BEGINNING WITH BRUCE A. BASSETT AND ENDING WITH MICHAEL A. YUKISH, WHICH

NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 3, 2007.

NAVY NOMINATIONS BEGINNING WITH JULIE S. CHALFANT AND ENDING WITH PAUL J. VANBENTHEM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 3, 2007.

NAVY NOMINATIONS BEGINNING WITH DANIEL J. MACDONNELL AND ENDING WITH MICHAEL J. WILKINS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 3, 2007.

NAVY NOMINATIONS BEGINNING WITH HARRY S. DELOACH AND ENDING WITH MARK Q. SCHWARTZEL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 3, 2007.

NAVY NOMINATIONS BEGINNING WITH KENNETH BRANHAM AND ENDING WITH KEVIN J. MCGOVERN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 3, 2007.

NAVY NOMINATIONS BEGINNING WITH STEVEN P. CLANCY AND ENDING WITH STEWART B. WHARTON III, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 3, 2007.

NAVY NOMINATIONS BEGINNING WITH JAMES A. ALBANI AND ENDING WITH ROBERT R. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 3, 2007.

NAVY NOMINATIONS BEGINNING WITH PATRICK J. BARRETT AND ENDING WITH JEANNINE E. SNOW, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 3, 2007.

NAVY NOMINATIONS BEGINNING WITH BETH Y. AHERN AND ENDING WITH DANIEL E. ZIMBEROFF, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 3, 2007.

NAVY NOMINATIONS BEGINNING WITH STEVEN D. BROWN AND ENDING WITH MARK G. STEINER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 9, 2007.

NAVY NOMINATIONS BEGINNING WITH RICHARD K. GIROUX AND ENDING WITH DENISE E. STICH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 9, 2007.

NAVY NOMINATIONS BEGINNING WITH MARK A. ADMIRAL AND ENDING WITH DANIEL F. VERHEUL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 9, 2007.

NAVY NOMINATIONS BEGINNING WITH MICHAEL D. ANDERSON AND ENDING WITH BRUCE C. URBON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 9, 2007.

NAVY NOMINATIONS BEGINNING WITH SCOT K. ABEL AND ENDING WITH LELAND D. TAYLOR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 9, 2007.

NAVY NOMINATIONS BEGINNING WITH MICHAEL J. CERNECK AND ENDING WITH MICHAEL L. PEOPLES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 9, 2007.

NAVY NOMINATIONS BEGINNING WITH JOHN W. CHANDLER AND ENDING WITH JAMES A. SULLIVAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 9, 2007.

NAVY NOMINATIONS BEGINNING WITH ARNE J. ANDERSON AND ENDING WITH KEVIN E. ZAWACKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 9, 2007.

NAVY NOMINATIONS BEGINNING WITH LEIGH P. ACKART AND ENDING WITH KURT E. WAYMIRE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 9, 2007.

NAVY NOMINATIONS BEGINNING WITH PIUS A. AIYELAWO AND ENDING WITH PENNY E. WALTER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 9, 2007.

NAVY NOMINATIONS BEGINNING WITH WENDY M. BORUSZEWSKI AND ENDING WITH PATRICIA A. TORDIK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 9, 2007.

NAVY NOMINATIONS BEGINNING WITH CHERIE L. BARE AND ENDING WITH KATHRYN A. SUMMERS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 9, 2007.

NAVY NOMINATIONS BEGINNING WITH DARIUS BANAJI AND ENDING WITH MICHAEL D. WILLIAMSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 9, 2007.

NAVY NOMINATIONS BEGINNING WITH CHARLES S. CLECKLER AND ENDING WITH PATRICK P. WHITSELL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 4, 2007.

NAVY NOMINATIONS BEGINNING WITH RANDY L. QUINN AND ENDING WITH SMITH S. B. WALL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 4, 2007.

NAVY NOMINATIONS BEGINNING WITH DAVID A. ARZOUMAN AND ENDING WITH GREGG WOLFF, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 4, 2007.

NAVY NOMINATIONS BEGINNING WITH CHRISTINA M. ALVARADO AND ENDING WITH JOHN ZDENCANOVIC, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 4, 2007.

NAVY NOMINATIONS BEGINNING WITH KENNETH W. BOWMAN AND ENDING WITH GARY L. ULRICH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 4, 2007.

NAVY NOMINATIONS BEGINNING WITH HSINGCHIEN J. CHENG AND ENDING WITH BRADLEY S. TROTTER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 4, 2007.

NAVY NOMINATIONS BEGINNING WITH NORMAN J. ARANDA AND ENDING WITH SARAH E. SUPNICK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 4, 2007.

NAVY NOMINATIONS BEGINNING WITH PATRICIA A. BRADY AND ENDING WITH MELVIN D. SMITH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 4, 2007.

NAVY NOMINATIONS BEGINNING WITH NATHAN L. AMMONS III AND ENDING WITH DANIEL W. STEHLY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 4, 2007.

NAVY NOMINATION OF CARLOS E. GOMEZ-SANCHEZ, 0000, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH SCOTT F. ADAMS AND ENDING WITH WILLIAM A. ZIRZOW IV, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 18, 2007.

WITHDRAWALS

Executive Message transmitted by the President to the Senate on June 28, 2007 withdrawing from further Senate consideration the following nominations:

JOHN RAY CORRELL, OF INDIANA, TO BE DIRECTOR OF THE OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT, VICE JEFFREY D. JARRETT, WHICH WAS SENT TO THE SENATE ON JANUARY 9, 2007.

DALE CABANISS, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL LABOR RELATIONS AUTHORITY FOR A TERM OF FIVE YEARS EXPIRING JULY 29, 2012. (REAPPOINTMENT), WHICH WAS SENT TO THE SENATE ON MARCH 12, 2007.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. SIMPSON. Madam Speaker, on rollcall No. 550, passage of H.R. 2546, to designate the "Charles George Department of Veterans Affairs Medical Center" in Asheville, NC, I was unavoidably detained and unable to vote. Had I been present, I would voted "yea."

RECOGNIZING JORDAN JOSEPH GOSS FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Jordan Joseph Goss, 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 447, and in earning the most prestigious award of Eagle Scout.

Jordan has been very active with his troop, participating in many Scout activities. Over the years Jordan 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 Jordan Joseph Goss for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING JENNY NEELEY

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. GRIJALVA. Madam Speaker, I rise today to take the opportunity to honor an environmental leader who has given southern Arizona many reasons to be proud. Arriving to Tucson after years split between Hawaii and Flagstaff, AZ, Jenny received her masters degree in public administration from the University of Arizona.

In Tucson, Jenny fell in love with the Sonoran Desert, and dedicated her professional career to protecting the native ecosystems of the Borderlands region.

Ten years ago, Jenny began working for a diverse coalition of neighborhoods, community groups, and environmental organizations called the Coalition for Sonoran Desert Protection. Focused on producing the best Multi-Species Habitat Conservation Plan ever assembled under the Endangered Species Act, Jenny became a leader in advocating for sound public policy, the incorporation of science, and public oversight in Pima County's Sonoran Desert Conservation Plan.

Her contributions to the southern Arizona community and the U.S.-Mexico borderlands go much further. In 2001, Jenny took a position with Defenders of Wildlife, a nationally respected wildlife and habitat protection organization, in their southwest regional office. Over the last 6 years, Jenny has become a national leader in speaking out for wildlife and public lands in the ongoing immigration debate. She has continually advocated for an open and fair process behind the construction of border infrastructure, while pointing out the impacts that fence and wall construction have on the natural ecosystems that sustain our quality of life and environment.

Jenny builds alliances, and through her border wildlife work at Defenders of Wildlife, she brought together a diverse coalition of human rights, indigenous rights, environmental, and labor representatives to call for comprehensive immigration reform and the reversal of decisions to build walls on our southern border. In 2007, Jenny was honored with Derechos Humanos' Corazon de Justicia award for her commitment to justice and social change.

Jenny Neeley leaves her post as a professional land and wildlife conservationist this month as she heads to University of Arizona law school. Whether she returns to environmental advocacy work or not, she will leave a legacy that cannot be adequately expressed in words, and gives all of us that have known and worked with her hope that we can truly achieve the goals that we set out to accomplish together. The Tucson community and the wildlife of the Sonoran Desert will sorely miss Ms. Neeley, but I have no doubt she will go on to accomplish great things in her future endeavors. I wish her the best of luck.

RECOGNIZING THE AMERICAN LIBRARY ASSOCIATION OF CALIFORNIA

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Ms. ZOE LOFGREN of California. Madam Speaker, I rise today to recognize the American Library Association for its annual conference being held this week in Washington, DC. I am also pleased to recognize Melinda Cervantes, County Librarian of Santa Clara County for representing our County librarians at this conference.

I have always supported America's public libraries and believe they are an essential part of building stronger and more educated communities. One of the basic tenets of democracy—equal access to opportunity—is played out every day in America's public libraries. Their doors are open and welcoming to anyone without having to show a diploma, a bank balance, proof of residency or any other qualifier. You can read, learn, think, create, analyze, research, and contemplate any topic that might improve your mind, your skills, your daily life, or your future. The wealth of knowledge and opportunity available at the fingertips of all who possess a library card is powerful.

IN RECOGNITION OF REBECCA LANIER

HON. STEPHANIE TUBBS JONES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mrs. JONES of Ohio. Madam Speaker, I rise today in celebration of Ms. Rebecca Lanier. Ms. Lanier was born on March 24, 1892, in Mississippi and just celebrated her 115th birthday.

Ms. Lanier lived in Eutaw, AL, where her family sharecropped for most of her life. She moved to Birmingham in 1994, where she resided until 2004 when she unfortunately lost both of her daughters within three weeks of each other. Although Ms. Lanier outlived her daughters, she still enjoys her 7 grandchildren and "about" 30 great-grandchildren.

Ms. Lanier now lives with her grandson and his wife in Warrensville Heights, OH, a municipality in my congressional district. She has led a very healthy life and had actually never been a patient in a hospital until she suffered a fall 4 years ago. Ms. Lanier is very active. She walks with a walker and participates in Tai Chi for Health Class at the local Warrensville Heights Civic and Senior Center.

Although one of the oldest people in the world, Ms. Lanier does not have a birth certificate. Her grandson attested that when she was born, the State did not issue them. Rather, the record of her birth is written in an old family Bible. Ms. Lanier's zest for life is an inspiration to us all. Therefore, it is thus my pleasure, on behalf of the people of the 11th Congressional District of Ohio to recognize Rebecca Lanier as she celebrates 115 years of a truly blessed life.

RECOGNIZING TYLER DON GUESS FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Tyler Don Guess, 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 447, and in earning the most prestigious award of Eagle Scout.

Tyler has been very active with his troop, participating in many scout activities. Over the

years Tyler 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 Tyler Don Guess for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

COMMENDING THE LEADERSHIP TRAINING INSTITUTE OF AMERICA

HON. JOHN BOOZMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. BOOZMAN. Madam Speaker, I wish to recognize and commend the outstanding contributions of the Leadership Training Institute of America toward the development of the young leaders of America.

The Leadership Institute of America is an educational organization providing training and opportunity in leadership development and cultural dynamics. This organization's mission is to identify, inspire, and instruct students for leadership in society by equipping them with skills to allow them to defend their beliefs, including and understanding of why traditional values are vital to a free and secure society. It is these values that have, and continue, to make America great.

LTIA students receive exposure to the major world views, issues, and philosophies of today. They are encouraged to pursue careers in influential sectors of our society by applying the leadership, critical thinking, scientific, and historic training they receive at LTIA, which is grounded in the Biblical traditions of America's forefathers.

LTIA students represent future leaders in government, education, media, and business. They will be the backbone of our Nation and vital in sustaining its position as a world leader.

With great pride, I salute the Leadership Training Institute of America for its unrelenting dedication and commitment in training and equipping young leaders for the challenges they will face tomorrow in our dynamic and ever changing world.

PERSONAL EXPLANATION

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. KIND. Madam Speaker, on Monday, June 25, 2007, I was detained in my district due to a canceled airline flight and was unable to have my votes recorded on the House floor for H. Res. 189 (Roll no. 549) and H.R. 2546 (Roll no. 550). Had I been present, I would have voted in favor of both measures.

TRIBUTE TO VANESSA BROWN

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. CROWLEY. Madam Speaker, I rise today to pay tribute to the great accomplishment of one of my constituents, Vanessa Brown of Co-Op City, the Bronx. I wish to recognize Ms. Brown for her outstanding achievement in being selected the district winner in the 26th Annual Congressional Art Competition for her inspiring and uplifting piece entitled "A New Starry Night."

Ms. Brown is currently a high school junior attending Lehman High School in the Bronx. She has demonstrated a commitment to pursuing her gift and to further developing her abilities, making her a deserving recipient of this honor. I am proud that this year my district is well-represented in this competition by Ms. Brown's work and I look forward to viewing it in these halls for the months to come.

Each year, Congress affords our Nation's most talented and budding artists the opportunity to have their work displayed in the Cannon Tunnel leading to the U.S. Capitol. This beautiful display is experienced daily by Members of Congress, their staff, our country's residents, and welcomed visitors from all around the world who are awarded the privilege of witnessing our young people's artistic endeavors and talents.

Madam Speaker, I salute the authentic, creative voice of Ms. Brown and I wish her continued success and all the very best in the future.

SUPPORT FUNDING FOR THE NATIONAL ENDOWMENT FOR THE ARTS

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. MITCHELL. Madam Speaker, I rise today in support of funding for the National Endowment for the Arts. Grants funding from the NEA reaches people of all races, classes and geographic areas.

I have been personally involved with Childsplay in Arizona for many years and have seen first-hand the impact the arts can have on the community and good work the NEA performs. Through NEA grants, the arts are shared with those at all income levels and in all communities.

I remember specifically the impact one Childsplay production had on the children who attended. Eric and Elliott, a play that received $23,000 in grant money from the NEA, dealt with teen depression and suicide. This play about hope shared the tools to recognize and cope with depression. It inspired young people to come forward to seek help.

Since its inception, Eric and Elliott has formed a unique partnership with the Mental Health Association of Arizona and a counselor now travels with the production to provide on-site counseling services to young people. The play earned the "Distinguished Play Award 2006" from the American Alliance for Theatre and Education.

This is just one example of many in which arts and arts education deeply impacts young people and adults.

Also, and importantly, where the Federal Government invests, the private sector and community follow. NEA funding from the Federal Government encourages the private sector and local communities to invest in arts organizations and signals that the arts are a worthy investment.

Millions of people have benefited greatly from NEA-funded programs over the last 40 years and I hope my colleagues will join me in supporting increased funding for this important organization.

PERSONAL EXPLANATION

HON. JULIA CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Ms. CARSON. Madam Speaker, on Monday, June 25, 2007, I was unable to vote on rollcall Nos. 549 and 550. Had I been present, I would have voted "yea" on these bills.

TRIBUTE TO COLONEL BILL GORDON

HON. MARILYN N. MUSGRAVE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mrs. MUSGRAVE. Madam Speaker, I rise today to honor Retired Army Col. Bill Gordon of Fort Collins, Colorado.

Later today Colonel Gordon will receive the National Order of the Legion of Honor from the Government of France in recognition of his distinguished record of military service in France during World War II. The Legion of Honor is the highest honor conferred upon French citizens and foreign nationals by the French Government.

After playing on UCLA's first football team to compete in the Rose Bowl, Bill Gordon was commissioned through UCLA's Army ROTC Program in 1943. Following the 1944 D-Day invasion, Lieutenant Gordon was assigned as a replacement platoon leader in B Company of the 82nd Airborne Division's 507th Regiment.

In December 1944, the 507th was assigned to an area along the Meuse River just east of Nouzonville, France, to meet the onslaught of a German surprise attack in the Ardennes. After the Battle of the Bulge, Lieutenant Gordon was seriously injured during a parachute jump near the important German industrial City of Essen.

After the war Lieutenant Gordon was placed on reserve status in 1946, but was reappointed to the regular Army in 1949. Over the course of his 30-year career in the Army, Colonel Gordon served in both Korea and Vietnam. Among his many decorations are the Distinguished Service Medal, two Silver Stars, the Legion of Merit, the Bronze Star with V, two Purple Hearts, 14 Air Medals with V, and the Defense Meritorious Service Medal.

Following his distinguished military career, Colonel Gordon and his family settled in Fort Collins, Colorado, where he served as Director of the Larimer County Emergency Management System and as Larimer County Administrator.

The sacrifices he made to ensure the liberty and freedom of future generations will never be forgotten.

Madam Speaker, like so many other young members of this Greatest Generation, Colonel Gordon set aside his ambitions and risked his life to ensure the continued freedom of our great nation. I am both humbled by his selflessness and incredibly proud of his heroic patriotism. As he receives recognition today from

the Government of France, I urge my colleagues in this House to join me in extending our gratitude to Colonel Bill Gordon.

RECOGNIZING THE ACCOMPLISHMENTS OF DERRICK BROOKS

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. MILLER of Florida. Madam Speaker, on behalf of the United States Congress, it is an honor for me to rise today to recognize the accomplishments of one of my constituents, Derrick Brooks of the National Football League's Tampa Bay Buccaneers. Derrick will be inducted to the City of Champions Wall of Fame exhibit at Pensacola Regional Airport. The Pensacola Sports Association will join Pensacola and Escambia County to honor the Pensacola native on Thursday evening at the Pensacola Civic Center.

At Booker T. Washington High School in Pensacola, Derrick excelled in both the classroom and on the field. By the end of his high school career he was named the USA Today High School Defensive Player of the Year, a Parade All-American, and was rated the best defensive player in the country by Super Prep magazine. Perhaps even more impressive for a football player of this stature, Derrick graduated with a 3.94 grade-point average.

Derrick was a 4-year letterman at Florida State University where he compiled 274 tackles, 5 interceptions, 8.5 sacks, 13 passes deflected, 4 forced fumbles, and 3 fumble recoveries. His senior honors included: First Team All-America by American Football Coaches, UPI and Walter Camp, GTE Academic All-America choice, First Team All-Atlantic Coast Conference, and Senior Bowl selection. Derrick was a finalist for the Vince Lombardi Award, symbolic of the Nation's top lineman/linebacker, for two straight years. As a junior, he was named First Team All-America by Football Writers' Association and Walter Camp, and he was a consensus First Team All-ACC choice and that conference's defensive player of the year. Derrick also earned Sophomore All-America honors from Football News and was a First Team All-ACC choice that year as well.

Derrick graduated from Florida State with a bachelor of arts degree in business communications and recently went back and earned his master's degree in the same subject.

Derrick is now the unquestioned leader of the Tampa Bay Buccaneers and arguably the most respected player in the NFL. Long considered the NFL's best linebacker, he has been selected to a team-record nine total Pro Bowls. Derrick was honored as the NFL's Defensive Player of the Year in 2002 and the 2006 Pro Bowl's Most Valuable Player.

Following the 2002 season, Derrick was the instrumental team captain that led the Buccaneers to their first Super Bowl championship, and he is ranked as the franchise's most prolific tackler with 1,775 stops.

Derrick has always given back to his community and he is considered one of the most philanthropic players in the NFL. In 2000 he was the co-recipient of the Walter Payton/NFL Man of the Year Award, and in 2004, was the winner of the prestigious 38th annual Byron ''Whizzer'' White Award for his dedication to serve his team, community, and country in the spirit of the late Supreme Court Justice. In March 2003 Derrick established his own foundation—Derrick Brooks Charities, Inc.—which focuses charitable endeavors on children and has done considerable work with March of Dimes, D.A.R.E., and the Belmont Heights, Ybor City, and Brandon Boys and Girls Clubs.

Derrick is constantly distinguishing himself with achievements that are unmatched by any other player in NFL history and the city of Pensacola is recognizing this great man by inducting him to the City of Champions Wall of Fame exhibit; an honor that is shared by only three other people: Don Sutton, Emmitt Smith, and Roy Jones Jr.

Madam Speaker, on behalf of the United States Congress, I am proud to recognize Derrick Brooks for his many outstanding accomplishments throughout his life, on and off the field, and wish him continued success throughout his career.

PERSONAL EXPLANATION

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Ms. LORETTA SANCHEZ of California. Madam Speaker, on Friday, June 22, 2007, I was unavoidably detained due to a prior obligation. Had I been present and voting, I would have voted as follows:

1. Rollcall No. 543: ''yes'' on ordering the previous question.
2. Rollcall No. 544: ''yes'' on agreeing to H. Res. 502.
3. Rollcall No. 545: ''no'' on agreeing to the Flake amendment to H.R. 2771.
4. Rollcall No. 546: ''no'' on agreeing to the Jordan amendment to H.R. 2771;
5. Rollcall No. 547: ''no'' on motion to recommit H.R. 2771 with instructions.
6. Rollcall No. 548: ''yes'' on passage of H.R. 2771.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

SPEECH OF

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 26, 2007

The House in the Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2643) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2008, and foe other purposes:

Mr. GENE GREEN of Texas. I rise today in strong support of the Conaway Amendment.

Supply and demand for energy is out of whack and our Nation needs more energy. Demand for natural gas is already building up across the economy, and proposals pushing cleaner energy will only accelerate this demand.

This amendment is a major opportunity for us to respond to today's energy crisis with a national solution. I feel justified in supporting this amendment because I am from a coastal district. My constituents feel the same way as I do on this issue.

Chemical production and oil and gas exploration, processing, and refining are Texas's top coastal industries. My colleagues from Florida and California think only they have beaches, but coastal tourism is Texas's second largest coastal industry.

That fact alone shows the argument that oil and gas production and coastal tourism are mutually exclusive is just plain wrong. They are acting like Chicken Little, and cannot point to one beach in Texas that has been ruined by oil or natural gas production.

There will be less need for LNG facilities and LNG tankers when we tap our own offshore resources so we can use the safest mode of transportation in the world—pipelines.

My point is not that we can drill our way to cheap oil or drill our way to energy independence. If we allow domestic production to die out, conservation and research will not save us, and we will have to pay a terrible economic price.

I urge my colleagues to support oil and gas production and support the Conaway Amendment.

INTRODUCTION OF THE ''ENHANCED FINANCIAL RECOVERY AND EQUITABLE RETIREMENT TREATMENT ACT OF 2007''

HON. ARTUR DAVIS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. DAVIS of Alabama. Madam Speaker, as a former assistant United States attorney, I am pleased to introduce the ''Enhanced Financial Recovery and Equitable Retirement Treatment Act of 2007.'' This bill will enhance the Federal Government's capacity to collect unpaid judgments and restitutionary obligations owed to the United States and victims of crime, as well as strengthen the retirement benefits of assistant United States attorneys.

Madam Speaker, as you are aware, United States Attorney Offices are responsible for criminal and civil debt collection efforts that result annually in billions of dollars that are turned over to Federal agencies and crime victims. Unfortunately, however, there remain billions of dollars that go uncollected due to the competing demands on our law enforcement officers. ''The Enhanced Financial Recovery and Equitable Treatment Act of 2007'' will address this problem by improving the process by which the Department of Justice collects criminal and civil debts owed to the United States and the victims of crime.

But Madam Speaker, that is not all. The ''Enhanced Financial Recovery and Equitable Treatment Act of 2007,'' in addition to improving debt collection, will also significantly aid our law enforcement efforts in another important way: it will ensure that assistant United States attorneys receive the same retirements benefits as all other Federal law enforcement officials, thereby increasing the retention of our career Federal prosecutors. Indeed, despite their vital role in prosecuting criminals, despite their vital role in defending the United States in litigation, despite their vital role in

keeping America safe, assistant United States attorneys are unfairly shortchanged in the retirement benefits they receive once their public service is complete. The retirement benefits of AUSAs are considerably lower than their law enforcement colleagues within the FBI, Secret Service, DEA, U.S. Marshals Service, and Bureau of Prisons. The ''Enhanced Financial Recovery and Equitable Treatment Act of 2007'' corrects this glaring inequality.

Madam Speaker, I think it is fair to say that our career Federal prosecutors have been under tremendous pressure these past several months and their morale has been tested like never before. But in spite of that, day after day, week after week, month after month, these men and women vigorously prosecute those that would seek to undermine our democracy and further weaken our rule of law. Our AUSAs deserve better, and we deserve better. Passing the ''Enhanced Financial Recovery and Equitable Treatment Act of 2007'' is the least we can do for those that work so hard to keep us safe.

U.S.S. BUNKER HILL RECIPIENT OF THE 2006 SPOKANE NAVAL TROPHY

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mrs. McMORRIS ROGERS. Madam Speaker, I rise today to honor the U.S.S. *Bunker Hill*, the winner of the 2006 Spokane Naval Trophy. The U.S.S. *Bunker Hill*, a guided-missile cruiser homeported in San Diego, CA, was recently awarded the trophy for being the most combat ready ship in the Pacific Fleet.

The U.S.S. *Bunker Hill* was commissioned on September 20, 1986, and holds the longest active streak of Battle ''E'' awards for a guided-missile cruiser. Also known as ''The Sword of the Fleet,'' the *Bunker Hill* is capable of maintaining herself at sea for months at a time. The mission of the ship is to conduct prompt and sustained combat operations at sea in support of U.S. national policy. Manned by nearly 400 officers and crew, *Bunker Hill* is readily equipped for immediate deployment in support of our national interests. The ship and its crew also provided humanitarian assistance and disaster relief to the victims of the December 2004 tsunami in Southeast Asia.

The trophy, which was commissioned by the citizens of Spokane in 1906 to embody the spirit of the Spokane community and their pride in the Navy, was originally presented to the first winning ship in 1907 by the city of Spokane and the Spokane Chamber of Commerce. At the time, the Spokane Naval Trophy was selected by the Secretary of the Navy to be awarded to the battleship or armored cruiser in the fleet that demonstrated the highest attributes in Naval gunnery marksmanship. Today, the Spokane Naval Trophy is stewarded by the Spokane Council of the Navy League of the United States. This year, as the Navy League celebrates the 100th anniversary of the Spokane Naval Trophy, they are proud of the excellence in combat systems readiness and warfare operations that the U.S.S. *Bunker Hill* has shown.

Madam Speaker, I invite my colleagues to join me in congratulating the U.S.S. *Bunker Hill* on receiving the Spokane Naval Trophy and thanking the Spokane community for their support of the Navy.

HONORING GARLAND MAYOR RONALD JONES

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. HENSARLING. Madam Speaker, today I would like to honor Mayor Ronald Jones of Garland, Texas, winner of the mayoral runoff election on Saturday, June 16.

Mr. Jones has served in public administration for 29 years. He has served as assistant city manager for more than 5 years and as city administrator before that, showing his devotion to the City of Garland.

Mayor Jones has served in Christian ministry and pastoral administration for over 40 years. He was an adjunct professor in the Dallas County Community College District, teaching business management courses, and is a published author. Working in the private sector, Mayor Jones directed several entrepreneurial endeavors. He is a certified mediator and a negotiator—a skill that will no doubt serve him well at City Hall.

Most importantly, however, Mayor Jones has been married to Peggy for forty years, and they are the proud parents of Ronald E. Jones, II, a practicing attorney, and Reverend Daryl L. Jones. They also have six grandchildren.

Mayor Jones recently described his own approach to public service: ''We are just stewards. . . We are here for a particular time, and then we are gone. All I want to do is to leave things better than I found them. That's what it means to me. And I think it means a lot for the Garland community.''

Madam Speaker, as a Representative of the City of Garland, it is my pleasure to congratulate Mayor Jones on his election victory.

DR. MURIEL PETIONI HONORED BY BARNARD COLLEGE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. RANGEL. Madam Speaker, I rise today to share with my colleagues here in the House, wonderful news about one of my constituents—one of Harlem's most beloved living legends—Dr. Muriel Petioni.

In addition to her many accomplishments and awards, Dr. Petioni—noted physician, community activist and educator—recently received Barnard College's highest honor when she received the Barnard College Medal of Distinction at the College's 115th Commencement Ceremony. Located in my 15th Congressional District in New York, Barnard College is an independent liberal arts college for women affiliated with Columbia University.

Dr. Petioni was recognized for her commitment and tireless service to the Harlem community where she has worked for almost six decades to ensure that the residents receive the best quality healthcare possible. This remarkable woman is a true public servant, an advocate for all people, and a woman whom I am proud and honored to call my friend.

Dr. Petioni—congratulations.

[From the New York Beacon]

DR. MURIEL PETIONI RECEIVES BARNARD COLLEGE'S HIGHEST HONOR

Dr. Muriel Petioni, physician, educator, community activist, and Harlem living legend, received the Barnard Medal of Distinction—Barnard College's highest honor—at the College's 115th Commencement ceremony May 15. The ceremony took place on Barnard's historic Lehman Lawn in upper Manhattan.

Dr. Petioni was honored for her almost six decades of service to the Harlem community, where she has worked diligently to ensure that the underprivileged and underserved, especially women and children, receive proper medical attention and equal access to health care.

Accompanying Dr. Petioni to Barnard's commencement were the Honorable David N. Dinkins, 106th Mayor of the City of New York; the Honorable Percy Sutton, former Manhattan Borough President; Dr. James E. Gunther, pastor emeritus of the Transfiguration Lutheran Church in Harlem; Dr. Conrad Graves, founder and president of Central Harlem Inter-Agency Programs; her son Charles (Mal) Woolfolk; Hanif Shabazz, executive producer of Light Action Production; and Nicola Barlow Licorish.

''It is hard to believe that Dr. Petrioni celebrated her 93rd birthday this past January. She has managed to do so much and touch so many in such a short time,'' Mayor Dinkins said. ''If asked, she will tell you that her secret lies in her ability to (as she says) 'go with the flow and ride with the tide.' ''

In addition to honoring Dr. Petioni, Barnard College celebrated the achievements of distinguished actor and playwright Anna Deavere Smith; acclaimed writer Joan Didion; Pulitzer Prize-winning journalist Nicholas Kristof; and vice president of The Andrew W. Mellon Foundation and former president of Bryn Mawr College Mary Patterson McPherson. All five honorees were awarded the Barnard Medal of Distinction, and Smith delivered a rousing keynote address on the importance of art and activities.

This year couldn't be more appropriate for Barnard, the historic liberal arts college for women, to honor Dr. Petioni. 2007 marks the 70th anniversary of her graduation from Howard University Medical School, where she was the only woman in the College of Medicine's Class of 1937. This trailblazing accomplishment became only the first of many in an illustrious career dedicated to community health care and the advancement of women in medicine that has spanned eight decades.

''Dr. Petioni's career is simply remarkable—not solely for her extraordinary accomplishments and the many barriers she's broken through, but for all that she has given back, to Harlem, to medicine, and to generations of women who've followed her,'' said Judith R. Shapiro, president of Barnard College. ''We at Barnard are honored and humbled to present Dr. Petioni with the Medal of Distinction.''

The Barnard Medal is just one of many honors that have recognized Dr. Petioni's achievements.

The Dr. Muriel Petioni Hospital in Yele, Sierra Leone, West Africa was established and named after her in May 2006, and in April 2007, plans were announced for the creation of the Dr. Muriel Petioni Charter School for health, scholarship and community leadership in New York City, for students from first grade to high school.

Born in Trinidad and raised in Harlem, Dr. Petioni knew from an early age that she

wanted to follow in the footsteps of her physician father. After graduating from medical school, interning at Harlem Hospital Center (one of the first white hospitals to integrate), and serving as a college physician at several universities around the country, Petioni returned to Harlem and set up a private practice in the same office her father had used on West 131st Street. She treated patients in the community for the next 40 years, sometimes making house calls, primarily to the poor, the underserved, mothers with small children, and the elderly.

In addition to her private practice, Dr. Petioni worked tirelessly to serve her community in other ways—serving for thirty years as school physician in Central Harlem for the New York City Department of Health, founding the Friends of Harlem Hospital Center in 1987 to raise funds and provide support for the 120-year-old hospital, and sitting on the boards of numerous worthy organizations, including the Harlem Upper Manhattan Empowerment Zone, the Columbia School of Social Work, the American Cancer Society, the Harlem Council of Elders, and the Handmaids of Mary.

Perhaps Dr. Petioni's greatest influence though has been felt by the generations of young female physicians she has mentored and encouraged. Dr. Petioni not only personally mentored countless individuals, but also built organizations dedicated to the advancement of women in medicine. In 1974, she founded the Susan Smith McKinney Steward Medical Society for Women, a professional association dedicated to the empowerment of black women physicians. In 1976, she established the Medical Women of the National Medical Association, now known as the Council for the Consensus of Women, and served as its first president. Dr. Petioni has also worked diligently with the Coalition of 100 Black Women for over 25 years, developing a mentorship program to guide young black women into careers in medicine.

The idea was bold for its time. Founded in 1889, Barnard was the only college in New York City, and one of the few in the nation, where women could receive the same rigorous and challenging education available to men. Today, Barnard is among the strongest liberal arts colleges in the country, and the most sought-after women's college.

INCREASING DIVERSITY IN HIGHER ED FACULTY REMAINS A CHALLENGE

(By Ami Burger)

Despite 30 years of affirmative action and hard work, the ranks of faculty of color in higher education remain frustratingly small.

In 2003 (the most recent year for which data are available), the Chronicle of Higher Education reported that less than 12 percent of full professors in America were people of color: six percent Asian, three percent African American, two percent Hispanic, and 0.3 percent Native American. For female faculty of color, the numbers are even more dismal: In 2003, only 1.2 percent of full professors were African American women, one percent were Asian women, 0.5 percent were Asian women, 0.5 were Hispanic women, and 0.1 percent were native American.

Closer to home, the outlook isn't much brighter. The University of Minnesota reported that four percent of its full-time tenured faculty were people of color that year, the same percentage as the University of Iowa, Purdue University, and the University of Chicago.

According to Nancy ''Rusty'' Barceló, the University of Minnesota's vice president and vice provost for equity and diversity, those low numbers reflect the academy's need for entirely new models in the faculty recruitment process. ''Our advertising, our position postings, our mission statements, our compacts—all of our institutional documents and actions need to reflect that diversity is a core value in everything we do,'' Barceló says.

Faculty diversity at the University of Minnesota is at the heart of the U's ''Keeping Our Faculties: Recruiting, Retaining, and Advancing Faculty of Color'' symposium. Held at the University four times since 1998, Keeping Our Faculties is the Nation's only conference focused entirely on increasing faculty of color in colleges and universities. The 2007 conference, held April 12–14, attracted over 300 participants and presenters from 115 different institutions.

''The idea of merit is so ingrained into the culture of higher education, but who's deciding what is 'meritorious'?'' asks Caroline Turner, who originated the idea of the faculty-of-color discussion while an assistant professor at the U of M and is now a professor at Arizona State University. ''If we're going to increase the numbers of faculty of color, we need to redefine merit to include more than just these academic journals or only those graduate schools,'' she says. ''The lens has to be widened.''

One notable success story in the effort to diversify the faculty is the McNair Post-Baccalaureate Achievement Program, nine-week summer research-apprenticeships for undergraduates who are first-generation, low-income, or part of groups who are underrepresented in graduate programs. These research apprenticeships, which are directed by a faculty mentor, are designed to increase the rate of doctoral program completion by these students.

Hundreds of colleges and universities, including the University of Minnesota, participate in the program, which has shown significant success in building a ''pipeline'' of students of color into graduate school. In 2003–04, more than 2,100 students participated in the program, and of those students, more than 56 percent enrolled in graduate school in the fall of 2004.

The importance of mentoring graduate students and junior faculty of color was a common concern of symposium attendees. ''If there was one theme I heard repeated throughout the conference, it was the need to provide mentoring for faculty of color,'' notes Barceló. A number of breakout sessions focused on mentoring programs at institutions including the University of Georgia, Creighton University, and Indiana University, which have found some measure of success in retaining faculty of color.

''I remember seeing a magazine ad years ago that said 'Great minds don't think alike,'" adds Turner, ''and I thought to myself, 'Wow, they've got it right!' Academia will not be able to keep up with the global economy and the educational needs of our students if we don't have all our minds—the minds of women, of racial and ethnic minorities, of all underrepresented groups—at the table and in the classroom.''

NATIONAL LIBRARY DAY

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. SARBANES. Madam Speaker, I rise to support National Library Day on the Hill and congratulate the Enoch Pratt Free Library on the grand opening of the new Southeast Anchor Library in the Highlandtown neighborhood of Baltimore, the first library to be built and open in the city in 35 years. I'm very proud to have attended the ribbon cutting ceremony recently and am thoroughly impressed by the depth of services that this new branch will offer our community. This 27,000-square-foot facility is state-of-the-art with an 80,000-volume collection. It will also have nearly 60 computers for public use, a self check-out counter, a drive-up window, a cafe, multi-purpose meeting rooms and a computer lab. To the community, the Southeast Anchor offers more than just a quiet place to read and learn. It offers a gathering place and an intellectual hub for the City of Baltimore.

In its annual State of American Libraries report last year, the American Library Association found that 92 percent of the population believed libraries were still needed despite technological advancements. It also found that 63 percent of all Americans have library cards and that public libraries are the primary point of online access for people without Internet connections at home, school or work. The Pratt system, now with a southeast presence, is indeed a reflection of Baltimore's thirst for learning. Through the Pratt, every Baltimorean has the opportunity to learn and gain knowledge otherwise not accessible.

The combined dedication of the staff and volunteer corps at the Enoch Pratt Free Library has made it possible for Baltimore's youth to truly believe that ''Your Journey Starts Here''. Madam Speaker, I know that the House of Representatives will join me in congratulating the library community on its tremendous accomplishment. It truly is the ''Year of the Pratt''.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

SPEECH OF

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 26, 2007

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2643) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2008, and for other purposes:

Mr. UDALL of Colorado. Mr. Chairman, while I am pleased that the Interior and Environment Appropriations bill contains funding for many programs important to Colorado, I am concerned, about the provision in the bill to create a Commission of Climate Change Mitigation and Adaptation.

As has been stated by Science and Technology Chairman BART GORDON and Ranking Member RALPH HALL during the floor debate, this commission replicates a bill that I introduced with my colleague, Mr. INGLIS, earlier this year—H.R. 906, the Global Change Research and Data Management Act of 2007. The bill updates and reorients the current U.S. Global Change Research Program, USGCRP, which coordinates all Federal climate change research and was established by law in 1990.

My bill would strengthen and streamline Federal global change research and make it more user-friendly for State and local governments, planners and researchers. My bill affirms the need for the continued strong Federal support for global change research, and it

does map out a new emphasis on production of information needed to inform these important policy debates.

Members of the Science and Technology Committee have been working on improving this legislation since I introduced it earlier this year. The committee received comments from experts on climate change research throughout the country and held a hearing on this issue on May 3, 2007. The bill was marked up in the Energy and Environment Subcommittee on June 6. It is scheduled to be marked up before the full Science and Technology Committee tomorrow.

We all agree that a interagency climate change working group is needed and that the current U.S. Global Change Research Program needs to be updated. My bill, H.R. 906, is the best way to address this issue. I was pleased to hear assurances from Interior and the Environment Appropriations Subcommittee Chairman DICKS to Chairman GORDON that we will address this issue in conference and that the final appropriations bill language will reflect both current law and H.R. 906. I look forward to working with Chairmen OBEY, DICKS and GORDON on the final legislation.

CENTENNIAL CELEBRATION OF LEE COUNTY, NORTH CAROLINA

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. ETHERIDGE. Madam Speaker, today I rise to honor the centennial celebration of Lee County, North Carolina, in my congressional district. Lee County was created from portions of Moore and Chatham Counties on March 6, 1907 and became an official county July 2, 1907.

Lee County was named for General Robert E. Lee commanding general of the Confederate forces during the American Civil War and it is North Carolina's 98th county. The city of Sanford, named in honor of railroad engineer Col. Charles Ogburn Sanford, is the county seat. The county's early economy centered on agriculture, naval stores, and an iron works. Just prior to the Civil War in about 1853, the first commercial exploration of the area's coal veins was begun in the community of Egypt, now Cumnock. During the war, the coal was transported to Fayetteville on the Western Railroad, which had been built by slaves and immigrant Irish laborers. Once in Fayetteville, the coal was taken by boat on the Cape Fear River to the port of Wilmington. The Western Railroad extended to the town of Jonesboro, named after Col. Leonidas Campbell Jones.

After the war, the Raleigh and Augusta Air Line Railroad built southward and crossed the Western Railroad tracks. At this junction and passenger point, the rail-born village of Sanford grew. The city was incorporated in Moore County in 1874, and its population in 1880 was 236 persons. The County of Lee was formed through a bill passed by the General Assembly in 1907. Wagon and buggy travel through the sands from Sanford to Carthage, the county seat of Moore, was too laborious and time consuming for the busy people of the railway junction. A new county with a convenient governmental seat needed to be formed. This was given overwhelming approval by a vote of area residents. Sanford's population in 1910 totaled 2,262 persons.

After 1907, with railroad and a new county government, Lee County began a period of rapid growth. The economy flourished with new industries including tobacco harvesting, brownstone quarrying, furniture making, brick works, and later textiles. By 1930 the county population numbered 13,400 people. After World War II, in 1947, the cities of Sanford and Jonesboro merged. The 1950 census of the city counted 10,013 residents while the population of Lee County was 23,522 persons. Like much of my Congressional District, Lee County has experienced rapid growth in recent years, and today some 56,908 North Carolinians live there.

Madam Speaker, Lee County has always been dear to my family since it is the birthplace of my lovely wife Faye Etheridge. It is fitting that we take a moment today to honor the centennial celebration of Lee County.

HONORING AMERICAN VETERANS

HON. BOBBY JINDAL

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. JINDAL. Madam Speaker, our sovereignty is dependent upon the brave individuals who fight to preserve American values. In World War II, Cpl John Reilly fought courageously alongside his fellow countrymen in order to safeguard the integrity of our great Nation. In the midst of battle, he risked his life to save the life of another. Cpl John Reilly's selfless actions reflect the wealth of his character; he exemplified bravery and deserves to be honored and recognized as a hero. The men that served alongside John Reilly speak of his heroics on the battlefield. Marine Cpl Roland Chiasson praises Corporal Reilly for carrying him to safety during a firefight on Iwo Jima, ultimately saving Marine Cpl Chiasson's life.

I am grateful for the sacrifices women and men like Cpl John Reilly have given in order to protect our country and the freedom it provides. As we celebrate our Nation's birth, I am honored to recognize and give thanks to Cpl John Reilly and the other men and women who have so selflessly served our country in the Armed Forces.

Madam Speaker and my colleagues in the House, please join me in honoring Cpl John Reilly for his dedication to our Nation.

TRIBUTE TO BRITISH PRIME MINISTER TONY BLAIR

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. WESTMORELAND. Madam Speaker, people throughout Western Civilization owe a debt of gratitude to British Prime Minister Tony Blair, a courageous statesman and world leader, who resigned his office today.

Oftentimes, leaders of courage fare much more favorably in the eyes of history than they do in the opinion polls of their day. Like President Harry Truman and Prime Minister Winston Churchill, Prime Minister Blair will be remembered for his wisdom, his forbearance and his foresight.

The United States and free peoples throughout the world have had no truer friend than Tony Blair. Since he won the keys to No. 10 Downing Street in May 1997, he has steadfastly fought to promote human rights and to battle the scourge of terrorism. He has strived for peace in the Middle East, promoted Western aid to battle the AIDS epidemic and poverty throughout Africa and successfully argued for intervention against mass killings in the Balkans in the late 1990s.

After the horrors of Sept. 11, Blair recognized more quickly than most world leaders that the global fight against terrorism was not a battle for the United States to wage alone. Blair knew that all civilized nations had to stand together as one to battle the medievalism, violence and hate preached by al-Qaida and other Islamist groups.

Blair stood with the forces of freedom not just in word, but in deed. He committed British forces to serve with the U.S. military and other coalition forces in Afghanistan and in Iraq, and he bravely stood his ground against a rising tide of opposition among the British people.

I am proud to be a part of this body which several years ago bestowed Blair with the Congressional Gold Medal. I can think of no one more deserving.

Prime Minister Blair's visionary leadership will be missed on the world stage, but I trust that his vast talents will be put to good use in the pursuit of peace, justice and human rights for many years to come.

Madam Speaker, I want to personally thank the Prime Minister and let him know how much I respect the tremendous work he has done over the past 10 years. He has had a positive impact on his nation and on the world. May God continue to bless him in all his endeavors.

TRIBUTE TO INDIVIDUALS WHO WILL BECOME CITIZENS OF THE UNITED STATES OF AMERICA ON JULY 4, 2007

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. VISCLOSKY. Madam Speaker, it is with great pleasure and sincerity that I take this time to congratulate the individuals who will take their oath of citizenship on July 4, 2007. In true patriotic fashion, on the day of our great Nation's celebration of independence, a naturalization ceremony will take place, welcoming new citizens of the United States of America. This memorable occasion, coordinated by the Hammond Public Library and presided over by Magistrate Judge Andrew Rodovich, will be held at Harrison Park in Hammond, Indiana.

America is a country founded by immigrants. From its beginning, settlers have come from countries around the globe to the United States in search of better lives for themselves and their families. The upcoming oath ceremony will be a shining example of what is so great about the United States of America—that people from all over the world can come

together and unite as members of a free, democratic Nation. These individuals realize the great things America has to offer. They realize that there is nowhere else in the world that offers a better opportunity for success and a good life than here in America.

On July 4, 2007, the following individuals, representing many countries throughout the world, will take their oath of citizenship in Hammond, Indiana: Daniela Gomez Alba, Vanhvilay Thongsawath, Fayez Ghaly Samaan, Sean David Sternfeldt, Maria Del Carmen Garcia, Khaled Abdullah Mohamed Alkadhi, Jovica Georgiev, Evica Jankovic, Khadija Nasreen, Muhammad Munawar Uddin, Ljubica Andonova, Yasser Yousof Hussein Alsalahi, Reina Ahmad Elabed, Heidemarie Nealon, Nidal Khaleel Bader, Rosa Navarro, Irma Guadalupe Gallegos, Victor Manuel Salas, Hildeberta Ignacio, Ivan Ignacio Esquival, Edgar Ignacio, Maria Gonzalez, Vassilka Ivanova Sokolova, Jose Ernesto Munoz Munoz, Margarita Lomeli, Rosalia Aguilar De Hernandez, Ramona Garcia, Hector Miguel Rivera Gallegos, Rafael Negrete Gentil, Stan Krzysztofiak, Juan Carlos Bustos, Angelina Rico De Becerra, Maria Teresa Paredes De Sanchez, Thomas William Fridel, Mirko Koceski, Zivka Koceski, Phuoc Hong Tran, Ramachandra Mukkamala, Cristina Chavez Melesio, Maureen Allyson Fridel, Omar Mehidi, Priya Venkata Vishnu Mukkamala, Kameswari Kalluri, Carlos Alberto Garcia Morales, Sonja Sabo-Djuric, Maria De Jesus Galvan Briseno, Paul Derek MacGregor, Layda Eunice Salazar, Mary Ortiz, and Nancy Takla.

Though each individual has sought to become a citizen of the United States for his or her own reasons, be it for education, occupation, or to offer their loved ones better lives, each is inspired by the fact that the United States of America is, as Abraham Lincoln described it, a country ". . . of the people, by the people, and for the people." They realize that the United States is truly a free Nation. By seeking American citizenship, they have made the decision that they want to live in a place where, as guaranteed by the First Amendment of the Bill of Rights, they can practice religion as they choose, speak their minds without fear of punishment, and assemble in peaceful protest should they choose to do so.

Madam Speaker, I ask you and my other distinguished colleagues to join me in congratulating these individuals, who will become citizens of the United States of America on July 4, 2007, the day of our Nation's independence. They, too, will be American citizens, and they, too, will be guaranteed the inalienable rights to life, liberty, and the pursuit of happiness. We, as a free and democratic society, congratulate them and welcome them.

NATIONAL HIV TESTING DAY

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. RUSH. Madam Speaker, today I rise in support of H. Con Res. 169, and in recognition of National HIV Testing Day. As I speak, it is estimated that 180,000 to 280,000 individuals nationwide are HIV-positive but unaware of their status.

Today we commemorate this day because the HIV/AIDS pandemic continues to plague our Nation. In Chicago, 22,000 people are living with HIV/AIDS, and more than 1,000 are infected annually.

And this disease is disproportionately impacting minorities. People of color account for 69 percent of the city's total population but represent 81 percent of recently diagnosed adult AIDS cases and 77 percent of recently diagnosed HIV cases.

Madam Speaker, these numbers continue to rise and we must do everything in our power to educate, prevent, treat and stop the spread of this deadly virus.

Madam Speaker, National HIV/AIDS Testing Day promotes awareness and empowers individuals to know their status, learn the facts about HIV and AIDS and take the proper steps to protect themselves and their communities.

In closing, I commend all of the organizations and individuals who participate in National HIV/AIDS Awareness day.

I encourage my constituents to get tested and I thank Fellowship Missionary Baptist Church, the AIDS Foundation of Chicago, Englewood Neighborhood Health Center, the South State Family Health Center, the Taylor Family Health Center and others for hosting confidential testing services today in Chicago.

RECOGNIZING THE 50TH ANNIVERSARY OF HURRICANE AUDREY

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. BOUSTANY. Madam Speaker, I rise today as a native of Southwest Louisiana to remember the lives that were lost 50 years ago today when Hurricane Audrey swept across the bayou. In the early morning hours of June 27, 1957, the Category 4 storm barreled ashore, claiming at least 500 lives in Cameron and Vermillion parishes. Two hundred of the storm's victims were children.

Hurricane Audrey is the seventh deadliest storm in the history of the United States. To date, Audrey remains the only storm of its size to make landfall in June. Too many of Southwest Louisiana's lifelong residents who had been seasoned by years of hurricanes did not heed the warnings to evacuate. Additionally, the storm struck the coast hours before its anticipated arrival, cutting off evacuation routes and trapping residents in the hurricane's path.

Unfortunately, we know that the kind of devastation and misery that Audrey brought to Louisiana are not isolated to that fateful day in 1957. Two years ago, when Hurricanes Rita and Katrina hit Louisiana, a new generation of Americans experienced first hand the destruction these storms can bring.

Powerful hurricanes continue to assault the shores of Louisiana. As we enter into the 2007 hurricane season, I urge Americans living along the Gulf Coast to take steps to protect their families and their property. Scientists predict that 17 named storms will develop in the Atlantic and Caribbean this year. Nine of these storms are expected to reach hurricane status.

Advanced preparation is key to weathering these storms. Let us take lessons from our past so we can minimize the potential for harm in the future.

PERSONAL EXPLANATION

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. CARTER. Madam Speaker, on rollcall No. 550, I was unavoidably detained and unable to be present to vote. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. SIMPSON. Madam Speaker, on rollcall No. 533 and 534, I was unavoidably detained and unable to vote. When submitting to the record how I would have voted, I inadvertently stated the rollcall numbers incorrectly as 553 and 554. Had I been present, I would have voted "no" on rollcall No. 533 and "aye" on rollcall No. 534.

RECOGNIZING CHARLES PAUL BUTLER JR., ON HIS EIGHTIETH BIRTHDAY

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. BONNER. Madam Speaker, I rise today to recognize and honor Mr. Charles Paul Butler Jr., on the occasion of his eightieth birthday. Charley Butler, a long time resident of Brundidge, Alabama, in Pike County, has been widely recognized for his community service, and I am honored to add my recognition on the floor of the House of Representatives today.

Charley Butler and his family relocated to Brundidge, Alabama, in 1961. There began what would become a lifetime commitment to the Boy Scouts of America, Troop 34. That troop had been languishing for a number of years, but Mr. Butler spearheaded an effort to restore its vitality. He recruited a superb bullpen of adult leaders and lined up important sponsors such as the local Army National Guard Armory. The troop became the pride of the Alabama-Florida Council as one of the best equipped, most active troops in the region. Troop 34 consistently spent more days encamped than any surrounding troop and was the envy of all when it showed up at Camp Ala-Flo in its custom-painted Troop 34 school bus. Of most significance, Scoutmaster Butler was constantly teaching and imparting the values that are so important to the development of young men. During Mr. Butler's tenure as scoutmaster of Troop 34, seventeen members of the community earned the rare rank of Eagle, a remarkable achievement for a small troop from a small town.

Mr. Butler's contributions to the Boy Scouts have been widely recognized. The Boy Scouts of America awarded him the prestigious "Silver Beaver Award," top recognition for an adult volunteer leader. And in 1988, at "Scout Day" at the Brundidge United Methodist

Church, he received a particularly fitting tribute. On that day, a group of his former Eagle Scouts gathered to present Mr. Butler with a statue of a scoutmaster as a simple expression of thanks for the important role he had played in each of their lives. Among the Eagle Scouts gathered that day were his own two sons, as well as several fatherless boys who considered him very much like a father.

Charley Butler has also been widely recognized by the broader community. He received the ''Civic Achievement Award'' for 2007 from the alumni association of Kettering University (formerly GMI Engineering and Management Institute) of Flint, Michigan. In 2003, he received the Brundidge Business Association ''Humanitarian Award.'' Active for many years in the Brundidge Rotary Club, he has been recognized frequently by that organization. He is a three time recipient of the group's ''Service above Self Award,'' a 2001 recipient of the ''Rotary Special Service Award,'' and in 1986, the recipient of Rotary's highest recognition, the ''Paul Harris Fellow Award.'' More recently, the Brundidge Rotary Club presented Mr. Butler a ''Lifetime of Service Award'' for his outstanding service from 1975 to 2007.

Madam Speaker, Charley Butler truly personifies the motto ''service above self.'' His sacrifices of time, effort and energy have truly made his community a better place. His legacy is well-established and will be long-lasting. I am proud to add my name to the list of those recognizing him, and I offer him best wishes on his eightieth birthday.

PERSONAL EXPLANATION

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. CARTER. Madam Speaker, on rollcall No. 549, I was unavoidably detained and unable to be present to vote. Had I been present, I would have voted ''yea.''

PERSONAL EXPLANATION

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. SIMPSON. Madam Speaker, on rollcall No. 284, passage of H.R. 1429, Head Start for School Readiness Act, I was unavoidably detained and unable to vote. Had I been present, I would have voted ''aye.''

CONGRATULATING BARBARA WHITNEY CARR ON HER RETIREMENT

HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. KIRK. Madam Speaker, I rise today to honor Barbara Whitney Carr, the president and CEO of the Chicago Botanic Garden for over a decade.

Barbara Carr presides over one of America's preeminent public gardens located in Glencoe, Illinois. For over a century, the Chicago Botanic Garden has been a sanctuary for over 2.2 million plants, including over 8,000 unique species. The 23 unique gardens spread over 385 acres include horticultural displays, natural habitats, and lakes that attract more than 750,000 visitors annually. By embracing its mission to promote the enjoyment, understanding, and conservation of plants and the natural world, the Garden has become one of the finest botanic displays in the country and one of the 10th District's most stunning features.

Barbara led a 10-year master plan for the garden and launched a capital campaign that saw 15,000 donors contribute a total of $148 million. This drive led to construction and renovation of eight new gardens and the restoration of nearly 6 miles of shoreline. She also oversaw completion of the Botanic Garden Center, Children's Learning Center and the renovation of the 100,000-square foot Regenstein Center.

Thanks to Barbara's leadership, the garden is now partnered with some of the leading academic institutions in Illinois. She created an academic affairs program that now offers a master of science in plant biology and conservation, a master of landscape architecture and a bachelor's degree in horticulture. Barbara spearheaded the effort to develop a partnership with the Royal Botanic Gardens in Kew, England, to preserve endangered prairie plant species and has launched a major science initiative including collaboration with leading organizations.

Madam Speaker, Barbara Whitney Carr is a remarkable woman whose dedication helped to make the Chicago Botanic Garden one of the finest institutions in the country and an essential place of tourism, education, and beauty within the 10th District. I wish her all the best in her retirement and thank her for her years of service.

RECOGNIZING THE OFFICIAL DEDICATION OF THE BETTY J. PULLUM FAMILY YMCA IN NAVARRE

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. MILLER of Florida. Madam Speaker, on behalf of the United States Congress, it is an honor for me to rise today to recognize the dedication of the Betty J. Pullum Family YMCA in Navarre, Florida.

This celebrated facility is named in remembrance of a tireless leader who devoted herself to improving her community and who saw the good in everyone. Ms. Betty J. Pullum was known to her family as ''Big Deal.'' It was her vision and desire to give back to the Navarre community that has made it the close-knit community that it is today. Because of her generosity, it is only fitting that the Navarre YMCA is named in honor of her.

On August 19, 2006, the newly constructed Betty J. Pullum Family YMCA building opened to serve the community of Navarre, Florida. The state-of-the art facility was conceived by Bart Pullum, President of the Navarre Beach Area Chamber of Commerce. As a Navarre native he believed that the youth of Navarre needed a YMCA of their own where they could come together to have fun in a safe environment.

He brought the idea to his friend Henry Loper and they presented it to the directors of the Pensacola YMCA. It was there that the project grew. Bill and Jeannie Pullum donated the land for the project and the Bill and Martha Pullum Family Foundation donated a lead gift of half a million dollars. The rest of the fundraising was organized by groups and individuals in the community who loved the idea of having a family-oriented facility that promotes active and healthy lifestyles.

The Betty J. Pullum Family YMCA is the perfect place for a family to balance a healthy lifestyle with fun and games. All the exercise equipment is new and free fitness assessments and personalized exercise programs are offered. There are also gymnasiums for shooting hoops and a children's playroom that allows parents to exercise while children are supervised by the attentive staff. The YMCA also offers classes such as aerobic kickboxing and kids' cardio for children ages 3–6 to make a healthy and active lifestyle a lifelong habit. The biggest draw for children is the outdoor pool which features lanes for lap swimming, water slides and a wading section for small children featuring baby slides and fountains.

The Navarre YMCA has about 700 membership units, which represents about 1,600 individuals. Now that we are into the heat of summer, the Navarre YMCA is expecting its membership to grow. This facility will allow families to build healthy lifestyles together and have fun at the same time. It is a safe place for children to play and is an enormous benefit to the community of Navarre, Florida.

Madam Speaker, on behalf of the United States Congress, I am proud to recognize the dedication of the Betty J. Pullum Family YMCA in Navarre, Florida.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

SPEECH OF

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 26, 2007

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2643) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2008, and for other purposes:

Mr. REYES. Madam Chairman, I rise today in strong support of an amendment by my friend and colleague, Chairman DICKS, to increase funding for the Border Environment Infrastructure Fund, or BEIF, under the U.S.-Mexico Border Program by $15 million.

I also want to thank Chairman DICKS for producing a good piece of legislation and for being so responsive to me and other concerned Members from border districts. His willingness to listen to and take into account new information regarding the program are true marking of a fine chairman. As my friend the chairman noted, BEIF has recently instituted measures to ensure that program funds are

disbursed more quickly. I am happy that his concerns regarding the balance of obligated but unspent funds have been resolved. It is an efficient program with strong fiduciary controls. I was pleased to work with Mr. DICKS on this amendment.

BEIF, which was created under the North American Free Trade Agreement (NAFTA), makes environmental infrastructure projects affordable for communities throughout the U.S.-Mexico border region by combining grant funds with loans or other forms of financing. It was created with the understanding that a healthy and economically strong border region is critical to a secure border and to the flow of commerce. Economic development rests on a foundation of strong infrastructure. In many poorer border communities, however, the capital does not often exist to build water and wastewater infrastructure. BEIF funds go toward increasing water and wastewater capacity—bringing services to people who have not previously had them, improving public health, supporting economic development in poor border communities, and ultimately strengthening our southern border.

Every million dollars in BEIF water and wastewater investment results in the following over 10 years: $11.1 million in private sector investment, 221 new jobs, $1.7 million in tax revenue, and $52.2 million in goods produced by the private sector. Generally, BEIF and accompanying efforts have aided 185 projects that have benefitted over 7.5 million residents.

In my own district of El Paso, Texas, water and wastewater projects have received about $65 million in funding under the U.S.-Mexico Border Program. That funding has gone toward innovative water planning for a growing city in the middle of the desert, toward technical assistance for smaller waterworks, and toward bringing water and wastewater infrastructure to unincorporated settlements, or colonias. This irreplaceable funding source for border communities must be maintained.

Let's bring water and wastewater to those who don't have it. Let's bring economic development to poor communities in the U.S.-Mexico border region. Let's invest in a strong and secure border. I urge my colleagues to join our chairman, Mr. DICKS, and me in supporting this critical amendment.

HONORING THE LIFE OF JOSEPH TORCASO

HON. PAUL RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. RYAN of Wisconsin. Madam Speaker, last week, Kenosha, Wisconsin, lost a longtime community leader—Joseph Torcaso, who has run Torcaso Shoe Repair shop on 52nd Street for over 60 years. A lifelong resident of Kenosha, he started learning the shoe repair business from his father in 1937, at the age of 9, and his shop is one of the touchstones of the Kenosha community. Joe passed away on Friday.

Everyone knew and liked Joe, and his lively wit and sense of humor brightened countless people's lives. He was known as the ''Mayor of 52nd Street'' or, by some, as the ''Oracle of 52nd Street'' for his knack at forecasting political victors.

More than just an exceptionally skilled craftsman and a small business owner, Joe was a man of great character. He helped give Kenosha its strong sense of community, and the city will sorely miss this devoted family man and friend who lifted so many customers' spirits. Joe was also a great friend of mine, and I will miss him deeply.

My thoughts and prayers are with his wife, children, and grandchildren during this difficult time.

PAYING TRIBUTE TO ALAN P. MINTZ, M.D.

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. PORTER. Madam Speaker, I rise today to honor the life of Alan P. Mintz, M.D. who passed away on June 3, 2007.

Born in Chicago, Alan P. Mintz graduated from the University of Chicago and earned a doctor of medicine degree from the University of Illinois—School of Medicine. Prior to his postgraduate training in radiology, in which he later specialized, Dr. Mintz served as a physician in the U.S. Navy. Dr. Mintz was a highly respected professional in the field of radiology and served as a Diplomate of the American Board of Radiology, was board certified in radiology, nuclear medicine and radiation therapy, and was also appointed chairman of the Department of Radiology for several Chicago-area hospitals.

Motivated by his passion for health and wellness, Dr. Mintz pioneered a new medical specialty with his work in age management medicine. He has become famous within the field for his controversial promotion in the use of steroids and human growth hormone as an anti-aging therapy for patients. Dr. Mintz confounded and served as CEO and President of Medicon, Inc., the world's largest radiology management company. His inventive thinking stimulated the creation of Cenegenics Medical Institute, the largest age management medicine organization in the world. Although headquartered in Las Vegas, Cenegenics Medical Institute has offices in South Carolina, Florida, Hong Kong, and South Korea with service reaching more than 12,000 patients.

Madam Speaker, I am proud to honor the life and memory of Alan P. Mintz, M.D. Dr. Mintz lived his life according to his favorite maxim by Henry David Thoreau, ''Go confidently in the direction of your dreams . . . Live the life you have imagined.'' Dr. Mintz clearly fulfilled this statement and will be missed by the many lives he touched.

CONGRATULATIONS TO STEPHEN PAUL POLLINGER, PHD

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Ms. WASSERMAN SCHULTZ. Madam Speaker, teaching is among the most noble and demanding of professions; and excellence in the delivery of education helps not only individuals, but the entire community, become more tolerant, knowledgeable, and strong. The effectiveness and efficiency of learning depends, in large measure, on those individuals who have dedicated their life to quality education, public service, and excellence. Recognizing one educator in particular, I would like to congratulate Dr. Stephen Paul Pollinger for his recent Law Teacher of the Year for Middle School Award, given to him by the American Bar Association. After receiving his doctorate in education from Fordham University in New York, he taught at several universities, most recently at Florida Atlantic University, while serving as the Middle School Administrator at Donna Klein Jewish Academy in Boca Raton, FL. Dr. Pollinger has also served as a staff developer for the Broward County School Board, curriculum designer in social science, principal at the elementary and middle school levels, and participated in creating Holocaust education that is now a part of the Florida curriculum.

After taking on the law program at Seminole Middle School in Plantation, FL, he involved the school in the Broward County Mock Trial program under the direction of Judge Robert Diaz. Seminole Middle School not only participated in the program, but they won the competition! It was the success of this program that led to Dr. Pollinger involving the students in the American Bar Association's mock trials competition. His participation and leadership in education led Dr. Pollinger to win the American Bar Association's Law Teacher of the Year for Middle Schools. He will travel to San Francisco in August to receive the award, while simultaneously representing Seminole Middle School, Broward County, the State of Florida, and of course my home district, Florida 20. With that said Madam Speaker, I am honored to recognize Dr. Stephen Paul Pollinger for his positive impact on the lives of others.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

SPEECH OF

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 26, 2007

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2643) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2008, and for other purposes:

Mrs. MALONEY of New York. Madam Chairman, I rise in strong opposition to the Lamborn Amendment, which would cut all funding in the underlying bill for the National Endowment for the Arts.

The NEA has been shortchanged for far too long, and it's time to ensure that it has the resources necessary to carry out its mission of supporting excellence in the arts, bringing the arts to all Americans, and providing leadership in arts education.

Since 1996, Congress has forced the NEA to meet the ever growing demands of our communities on a shoestring budget. Despite gross underfunding, the NEA has continued to promote arts and culture across the country.

With the able leadership of my good friends Rep. SLAUGHTER and Rep. SHAYS, co-chairs of the Congressional Arts Caucus, we've been making steady progress every year in getting back to the appropriate level of funding for the NEA. This amendment represents an enormous and simply unthinkable step backwards for the Arts in our country.

Madam Chairman, I strongly oppose the Lamborn Amendment and urge my colleagues to do the same.

REMEMBERING DR. HANS SENNHOLZ

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. PAUL. Madam Speaker, I rise to recognize the life and achievements of Hans F. Sennholz. Dr. Sennholz was one of the foremost free-market economists of his generation and an inspiration to tens of thousands of people around the world.

Dr. Sennholz was born on February 3, 1922 in Germany in the midst of the German hyperinflation crisis and experienced firsthand the Great Depression and the horrors of Hitler's dictatorship. After receiving his master's degree from the University of Marburg and a doctorate in political science from the University of Cologne, Dr. Sennholz received a Ph.D. in economics at New York University, where he studied under the Austrian economist Ludwig von Mises.

In his 37 years as a professor of economics at Grove City College, Dr. Sennholz was a formative influence for over 10,000 students. During an era in which Keynesianism was the dominant economic ideology, Dr. Sennholz's efforts played a major role in keeping alive the flame of classical liberalism and market-based economics. Dr. Sennholz and his free market ideas were a perfect fit for Grove City, which is one of only two colleges in the United States which eschews federal education funding.

Dr. Sennholz later became President of the Foundation for Economic Education, reviving the institution and renewing its mission to advancing the ideals of private property, individual liberty, the rule of law, and the free market. He also served as an adjunct scholar at the Ludwig von Mises Institute, from which he received the Gary G. Schlarbaum Prize in 2004 for his lifelong dedication to the cause of liberty.

I first met Dr. Sennholz in the early 1970s during the campaign to legalize the private ownership of gold. He was a tremendous influence on me and introduced me to other eminent economists of the Austrian School. Dr. Sennholz consistently taught the beneficial effects of the gold standard and was a tireless opponent of inflation. He never ceased to persist in pointing out the problems of fiat currency, the evils of inflation, and the perils of the Federal Reserve's loose monetary policy.

Dr. Sennholz passed away on Saturday, June 23, 2007 at the age of 85, having lived a full and rewarding life. Generations of free-market economists are indebted to him, his spirited teaching, and his lucid writing for keeping free-market economic teaching alive during trying times. Congress would do well to heed his advice on the importance of free markets and the folly of fiat currency.

PERSONAL EXPLANATION

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. COSTELLO. Madam Speaker, I rise today to clarify my position on two votes taken during consideration of the State and Foreign Operations Appropriations bill for fiscal year 2008 and to reiterate my strong support of pro-life issues.

During consideration of the bill, I inadvertently opposed the Pitts amendment, which would have restored equal funding and a balanced approach in the President's Emergency Plan for AIDS Relief (PEPFAR), and voted yes on final passage. While voting via electronic device during two minute votes, I thought I had voted correctly but was recorded otherwise. By the time I had realized what had happened, the votes had been closed.

Madam Speaker, since coming to Congress, I have been a strong supporter of pro-life policies. For these reasons, I want to reiterate my support for the Pitts amendment and my opposition to final passage of the bill.

2008 MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS BILL

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. HOLT. Madam Speaker, I'm pleased the House has acted on this important legislation.

I want to compliment my colleague, the chairman of this subcommittee, Mr. EDWARDS of Texas, for the work he and his colleagues put into this bill. The priorities in this bill send a strong message to our military servicemembers and our veterans that we are serious about honoring our obligations to them.

To help deal with the constant problem of medical inflation and the rising costs of health care, this bill provides $37,122,000,000 for the Veterans' Health Administration—an increase of $4,442,265,000 or 13.6 percent over the FY 2007 level and $2,509,329,000 more than the President requested. This increase is long overdue and vitally needed.

Since the attacks on 9/11, more than 1.5 million American military personnel have been deployed in support of Operations Enduring Freedom and Iraqi Freedom. When those men and women eventually separate from the service, a large number of them will require ongoing medical care for the wounds and injuries they've suffered in service to our country, particularly for mental health needs and traumatic brain injuries, TBI. This bill provides $604,325,858 to increase funding for treatment in these areas.

We all know that TBI has, tragically, become the signature injury of the conflicts in Iraq and Afghanistan. In addition to providing an overall higher level of funding for medical care for all veterans, this bill directs that all future budget requests include TBI as a Select Program—in other words, as a dedicated line item. That designation will help ensure that TBI treatment and rehabilitation programs receive the funding and focus required to meet the needs of veterans who are living with this life-altering injury.

This bill also recognizes that substance abuse and post-traumatic stress disorder, PTSD, are plaguing record numbers of veterans. The National Center for PTSD has reported that 58 percent of veterans who have substance abuse problems also have lifetime PTSD and are three times more likely to have PTSD than veterans who do not suffer from substance abuse disorders. To deal with this challenge, the bill provides $428,873,754 for the Substance Abuse Program, an increase of $70,880,754 over the President's request.

Finally, this bill contains an important accountability provision that the Bush administration opposed.

Specifically, the committee mandates in this bill that the Department of Veterans Affairs provide quarterly reports on the financial status and service level status of the VHA and each of its Veterans Integrated Service Networks, VISNs. The reports must contain the time required for new patients to get their first appointment, the time required for established patients to get their next appointment, the number of patients on wait lists for inpatient services or any mental health or substance abuse program, the number of staff shortages for mental health services, the planned and actual expenditure rates for contracted mental health care, and the number of unique veterans and patients being served. Specific reports on the blind rehabilitation service, OIF/OEF veterans, prosthetics, and substance abuse programs are also mandated in this bill.

I am pleased that Chairman EDWARDS and his colleagues are taking this approach to auditing the VA's programs. We all know that veterans are waiting longer to get their first or follow up appointments with their primary care providers. These provisions will help us establish just how serious the problem is and whether inadequate resources, poor management, or both are contributing to these delays in the delivery of vital health care services to our veterans. For these and the other reasons I've cited, I look forward to this bill's final passage by the Congress.

IN TRIBUTE TO COLONEL WARREN L. HENDERSON'S RETIREMENT FROM THE UNITED STATES AIR FORCE

HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. TURNER. Madam Speaker, on the occasion of his retirement from the United States Air Force, I want to recognize Colonel Warren Henderson for his 26 years of dedicated service to our country. In his most recent assignment, he serves as the Chief, Weapon Systems Division, Office of the Secretary of the Air Force, Legislative Liaison. Colonel Warren Henderson is responsible for Congressional liaison and annual authorization of over $50B for all Air Force weapon systems, munitions,

Science/Technology, Research and Development, and Special Access Programs. His Division is responsible for developing and executing strategies to best advocate for Air Force programs, and prepares AF senior leadership for testimony before House and Senate Armed Services Committees and Select Committees on Intelligence.

The colonel entered the Air Force in 1981 after receiving his commission from the U.S. Air Force Academy. He commanded the 23d Fighter Group ''Flying Tigers'' and the 494th Fighter Squadron, which, under his leadership, received the U.S. Air Forces in Europe Commander's Trophy as the top fighter squadron in the command. He is a command fighter pilot with approximately 4,000 flying hours and has flown combat missions over Iraq, Serbia, and Afghanistan.

I join my colleagues in expressing our sincere appreciation to Colonel Warren Henderson for his outstanding service to both the United States Air Force and our Legislative Branch. We wish him the best as he transitions into a new career. Colonel Henderson is a true professional and a credit to himself and the United States Air Force.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

SPEECH OF

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 26, 2007

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2643) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2008, and for other purposes:

Mrs. MALONEY of New York. Mr. Chairman, I rise in strong opposition to the Brown-Waite Amendment, which would cut funding for the National Endowment for the Arts by $32 million dollars, eliminating the much-needed funding increase for the NEA.

Since 1996, Congress has forced the NEA to meet the ever growing demands of our communities on a shoestring budget. Despite gross underfunding, the NEA has continued to promote arts and culture across the country.

With much-needed incremental increases since 2001, the NEA has developed widely-popular programs, including the Big Read and Shakespeare in American Communities, to encourage Americans to participate in cultural experiences.

In 2006, the NEA awarded 1,744 grants in 435 congressional districts—that's every single Congressional district in the nation.

In addition, because of the NEA's partnership with state and local art agencies, NEA grants are typically leveraged 7 to 1 for every dollar of federal investment.

Mr. Chairman, the cost of cutting funding to the NEA is so much more than the savings. I encourage my colleagues to support the NEA and oppose the Brown-Waite amendment.

PERSONAL EXPLANATION

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Ms. WASSERMAN SCHULTZ. Madam Speaker, I am listed as voting ''nay'' during rollcall vote number 529 on H.R. 2764, the ''Department of State, Foreign Operations and Related Programs Appropriations Act, 2008'' when it was before the House of Representatives on Thursday, June 21, 2007. This is an error. I support the Shays of Connecticut Amendment on the Iraq Study Group and want it noted that had my intention been properly expressed I would be recorded as having voted ''aye.''

INTRODUCING H.R. 2881, THE FAA REAUTHORIZATION ACT OF 2007

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

Mr. OBERSTAR. Madam Speaker, I rise to introduce H.R. 2881, the ''FAA Reauthorization Act of 2007'', a bill that provides historic funding levels for the Federal Aviation Administration's (''FAA'') capital Programs. Between fiscal year 2008 and fiscal year 2011, the bill provides $15.8 billion for the Airport Improvement Program (''AIP''), and nearly $13 billion for FAA Facilities & Equipment (''F&E''). These robust funding levels will enable the FAA to modernize our air traffic control (''ATC'') system and make capacity enhancing improvements at our nation's airports. In addition, the FAA Reauthorization Act of 2007 also provides $37.2 billion—one-half billion more than the FAA's recommendation—for FAA Operations over the next four years.

ATC MODERNIZATION

Modernizing our air transportation system is a national priority. The FAA forecasts that airlines are expected to carry more than one billion passengers by 2015, increasing from approximately 740 million in 2006. The Department of Transportation (''DOT'') predicts up to a tripling of passengers, operations and cargo by 2025. The FAA Reauthorization Act of 2007 applies a four-part approach to ATC modernization and the Next Generation Air Transportation System (NextGen), including more funding, authority, accountability, and oversight.

The historic funding levels authorized for the FAA's F&E account will: accelerate the implementation of NextGen; enable FAA to replace and repair existing facilities and equipment; and provide for the development and implementation of high-priority safety-related systems.

To increase the authority and visibility of the Joint Planning and Development Office (''JPDO''), which provides the plan for NextGen, the FAA Reauthorization Act of 2007 elevates the Director of the JPDO to the status of Associate Administrator for NextGen within the FAA. It also mandates that the JPDO develop a work plan that details, on a year-by-year basis, specific NextGen-related deliverables for the FAA and its partner agencies, and requires the Secretary of Transportation to report on the plan's progress each year. The FAA Reauthorization Act of 2007 contains provisions to hold the FAA's vendors accountable for providing safe, quality services to consumers and to protect the Government's interest in major NextGen-related acquisitions.

The FAA's ATC modernization program has historically experienced massive cost overruns and delays. The FAA Reauthorization Act of 2007 authorizes Government Accountability Office (''GAO''), Department of Transportation Inspector General (''DOT IG'') and National Research Council audits and reports related to NextGen that will help Congress exercise its oversight responsibilities.

FINANCING

Due to the projected growth of Airport and Airway Trust Fund (''Trust Fund'') revenue, I do not believe radical financing reform is necessary. I am recommending to the Committee on Ways and Means that the general aviation jet fuel tax rate be adjusted for inflation from 21.8 cents per gallon to 30.7 cents per gallon, and that the aviation gasoline tax rate be increased from 19.3 cents per gallon to 24.1 cents per gallon. I believe that the forecasted growth of Trust Fund revenues, coupled with additional revenue from the recommended general aviation fuel tax rate increases, will be sufficient to provide for the robust capital funding required to modernize the ATC system, as well as to stabilize and strengthen the Trust Fund.

AIRPORT FUNDING

Madam Speaker, in June, DOT reported that only 72.5 percent of domestic flights by the United States' 20 largest airlines arrived on-time in January, February, March, and April—the worst showing for those four months since DOT began reporting on-time performance in 1995. This is unacceptable. Robust investment in airport infrastructure is necessary to enhance capacity and combat delays.

According to the FAA, the majority of air traffic delays at the top 35 airports, which account for 73 percent of passenger enplanements, can be traced to inadequate throughput. To quote the FAA: ''The construction of new runways and runway extensions are the most effective method of increasing throughput.''

The FAA's 2007–2011 National Plan of Integrated Airport Systems (''NPIAS'') states that during the next five years, there will be $41.2 billion of AIP-eligible infrastructure development, an annual average of $8.2 billion. This $41.2 billion includes approximately $18 billion in runway-related needs, including new runway, taxiway and apron construction. However, in March 2007, the FAA testified that the current NPIAS report may understate the true cost of needed capital investment, as sharp increases in construction costs occurring in the last half of 2006 were not fully reflected. The 2007–2011 Airports Council International—North America Capital Needs Survey estimates total airport capital needs—including the cost of non-AIP-eligible projects—to be about $87.4 billion or $17.5 billion per year from 2007 through 2011.

In March 2007, the American Association of Airport Executives testified that according to the January 1, 2007 Means Construction Cost Indexes, the average construction costs for 30 major U.S. cities have risen more than 24 percent in the past three years—at an average annual rate of more than 7.5 percent.

To combat inflation and to help airports meet increased capital needs, the FAA Reauthorization Act of 2007 would increase the Passenger Facility Charge ("PFC") cap from $4.50 to $7.00. According to FAA, if every airport currently collecting a $4.00 or $4.50 PFC raised its PFC to $7.00, it would generate approximately $1.1 billion in additional revenue for airport development each year. H.R. 2881 also provides significant increases in AIP funding for smaller airports, which are particularly reliant on AIP for capital financing.

SMALL COMMUNITIES

The FAA Reauthorization Act of 2007 rejects the Administration's proposal to cut funding for the Essential Air Service ("EAS") program by more than one-half, to $50 million, and instead increases the total amount authorized for EAS each year from $127 million to $133 million (including $50 million derived from overflight fees).

To improve the quality of air service received by EAS communities, the bill authorizes the Secretary to incorporate financial incentives into EAS contracts based on specified performance goals. In addition, to encourage increased air carrier participation in the EAS program, the bill authorizes the Secretary of Transportation to enter into long-term EAS contracts that would provide more stability for participating air carriers.

In contrast to the Administration's proposal to sunset the Small Community Air Service Development program on September 30, 2008, the bill extends the Small Community program through FY 2011, at the current authorized funding level of $35 million per year.

ENVIRONMENT

Being ever mindful of the obstacles that the United States still faces in trying to expand our airport capacity through infrastructure improvements, and balancing the needs of airport neighborhoods, the FAA Reauthorization Act of 2007 contains several environmental-related provisions, including a phase out of noisy stage 2 aircraft over the next five years; a pilot program for the development, maturing and certification of continuous lower energy, emissions and noise engine and airframe technology; as well as a program to fund six projects at public-use airports to take promising environmental research concepts into the actual airport environment to demonstrate the reduction or mitigation of aviation impacts on noise, air quality or water quality in the airport environment. In addition, the FAA is directed in this bill to establish a pilot program at five public-use airports to design, develop, and test new air traffic flow management technologies to better manage the flow of aircraft on the ground and reduce ground holds and idling times for aircraft with the goal of reducing emissions and increase fuel savings.

SAFETY

As to safety, the bill authorizes $570 million over four years to increase the number of aviation safety inspectors by more than one-third. The bill also provides robust funding to address runway safety issues, including $42 million over four years for runway incursion reduction programs; $74 million over four years for runway status light acquisition and installation, as well as requires FAA to report to Congress on a plan for the installation and deployment of systems to alert controllers or flight crews to potential runway incursions. In addition, the bill would require twice a year inspections of foreign repair stations. The very serious issue of flight crew fatigue is addressed in the bill by requiring the FAA to contract with the National Academy of Sciences to conduct a study on pilot fatigue, and then to consider the findings of the academy and update, where appropriate, its regulations with regard to flight time limitations and rest requirements for pilots. Importantly, H.R. 2881 also directs the FAA to initiate long-overdue action to ensure crewmember safety by applying occupational health standards onboard aircraft.

Finally, two very important issues will be considered during the Committee markup as amendments to the bill: the first will address the ongoing dispute between the National Air Traffic Controllers Association ("NATCA") and the FAA over failed contract negotiations by establishing a new dispute resolution procedure and requiring the parties to go back to the negotiating table; the second will address the disparate treatment of employees of express delivery companies under our nation's labor laws. Adoption of these amendments will go a long way toward restoring collective bargaining rights to this critical workforce.

Madam Speaker, this is a bill that will keep our skies safe and our passengers moving well into the future.

THE U.S.-KOREA FREE TRADE AGREEMENT

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2007

Mr. TOWNS. Madam Speaker, on Saturday, June 30, the United States and the Republic of Korea are expected to sign a Free Trade Agreement, the result of months of negotiations between our two countries. After the agreement is signed, Congress will have an opportunity to comprehensively review it, an opportunity that I wholeheartedly welcome.

The U.S.-Korea Free Trade Agreement holds both substantive and symbolic importance. for nearly a million Korean Americans, a large number of whom are my constituents, New York is home to many businesses, large and small, which focus on trade between the United States and the Republic of Korea.

The governments of our two countries did not pursue this agreement without the encouragement and input of several important organizations. Among these were the U.S.-Korea FTA Business Coalition, the U.S.-Korea and Korea-U.S. Business Councils, the American Chamber of Commerce in Korea and the Federation of Korean Industries. I would also like to recognize the efforts of my good friends at the Korea International Trade Association with whom I had the pleasure of meeting its Chairman and representatives on several occasions.

Madam Speaker, barely a half century ago, the Republic of Korea was an impoverished casualty of imperialism and war; it has now grown to be the 11th-largest trading nation in the world. The Republic of Korea is also the seventh largest trading partner of the United States, with nearly $80 billion in trade volume between our counties each year.

Credit for such remarkable development belongs in large part to the efforts of private businesses that saw potential in what cynics initially saw as a war-torn "basket economy." These businesses today, and the many others that followed, create jobs, produce desirable goods and services, offer investment opportunities, and provide mutual benefits in both of our countries.

Let me emphasize that, for all the obvious benefits that a free trade agreement between the United States and the Republic of Korea will provide, however, the language of any agreement must be scrutinized carefully to assure that American and Korean labor standards are upheld, that our environment is safeguarded, and that consumers are fully protected. I am a strong proponent of these important considerations.

Madam Speaker, I look forward to examining the text of the proposed U.S.-Korea Free Trade Agreement and to a productive and informative discussion about it in the weeks and months to come. I welcome the anticipated signing of the U.S.-Korea Free Trade Agreement this Saturday and encourage my colleagues to offer their own expressions of welcome and support for this historic event.

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2008

SPEECH OF

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2829) making appropriations for financial services and general government for the fiscal year ending September 30, 2008, and for other purposes:

Mr. WAXMAN. Mr. Chairman, I support the Miller-Sanchez amendment to H.R. 2829, the Financial Services and General Government Appropriations Act for Fiscal Year 2008. The Miller-Sanchez amendment would prohibit OMB from using the funds appropriated in this bill to implement Executive Order 13422.

Executive Order 13422 was issued on January 18, 2007. The Administration's rationale for this Executive Order, which amends Executive Order 12866, is that it will improve the way the government does business. What this Executive Order really does is to create new opportunities for politicization and delay in the regulatory process and make it harder for agencies to take virtually any action.

This Executive Order makes a significant change in policy by giving OMB authority over agency guidance documents. Agencies issue guidance for a variety of reasons such as providing safety warnings or helping the public understand how to comply with a particular requirement. Agencies will now have to get OMB approval of any guidance document that is considered "significant." This means that OMB will have the opportunity to second-guess the decisions of agency experts and that agencies will be delayed in, or blocked from, getting important information out to the public.

Executive Order 13422 also requires agencies to designate a presidential appointee as a "Regulatory Policy Officer" who will have significant authority. Unless specifically authorized by the agency head, an agency cannot

"commence" a rulemaking without the approval of the Regulatory Policy Officer. This means that a political appointee will be in the powerful position of vetoing or indefinitely delaying a rule, even when the rule is needed to carry out Congress' directives. This will slow down agency action even further and invite the politicization of agency decisions.

Executive Order 13422 will make it harder for agencies to issue common sense safeguards to protect health, safety, and the environment. With the Miller-Sanchez amendment, Congress is sending the message that this is not a good way to govern. I urge my colleagues to support the Miller-Sanchez amendment÷.

INTRODUCTION OF THE OSTEOPOROSIS EARLY DETECTION AND PREVENTION ACT OF 2007

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2007

Mrs. MALONEY of New York. Madam Speaker, today I am reintroducing bipartisan legislation, the Osteoporosis Early Detection and Prevention Act of 2007, along with my friend and colleague from West Virginia.

This important bill will ensure that individuals at high risk for osteoporosis have access to screening tests for the disease. The Osteoporosis Early Detection and Prevention Act of 2007 will require private insurance plans to cover bone mass (bone density) measurement testing for those at risk for developing the disease.

Approximately 44 million Americans suffer from osteoporosis or are at risk of developing it, and 80 percent of those at risk are women. Every year, there are 1.5 million bone fractures caused by osteoporosis. Half of all women and one-fourth of all men, age 50 or older, will suffer a bone fracture due to osteoporosis.

Since there is no known cure for osteoporosis, the most effective way to reduce the prevalence and cost of the disease is through prevention and early diagnosis. As a result, bone mass measurement tests are crucial to early detection because ordinary x-rays do not detect osteoporosis until the disease is so advanced that 25 to 40 percent of bone mass has been lost.

Osteoporosis is a disease that has no symptoms and usually remains undiagnosed until a fracture occurs. I am pleased to introduce a bill that requires private health insurance plans to cover a bone mass measurement test for qualified men and women who are at risk for developing osteoporosis. Bone mass measurement is a non-invasive, painless and reliable way to diagnose osteoporosis before costly fractures occur. I believe this legislation will make a huge difference in defending men and women from osteoporosis.

HONORING MICHAEL J. CZOPKIEWICZ, EAGLE SCOUT

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2007

Mr. LIPINSKI. Madam Speaker, I rise today to honor an outstanding constituent of my district, Michael J. Czopkiewicz, who will achieve the high rank of Eagle Scout on July 7th. Michael, a senior at Brother Rice High School, has demonstrated great dedication and commitment in the pursuit of this admirable goal.

Joining the Boy Scouts in first grade, Michael has met every test and challenge to pass through the six ranks of the Boy Scouts. Those aspiring to be Eagle Scouts must fulfill requirements in the areas of leadership, service, and outdoor skills. To demonstrate proficiency in certain Scoutcraft skills, each Boy Scout must achieve merit badges in the areas of First Aid, Citizenship in the Community, Environmental Science, Personal Fitness, Family Life, and many more.

As Michael passed through the ranks, he learned the important life skill of self-evaluation through his participation in Scoutmaster conferences. At these conferences, Michael took time to evaluate his past performances and look to the future to create new goals. He also demonstrated the worthy qualities of responsibility and maturity by holding leadership positions within his troop and participating in service projects.

Michael's hardworking nature also extends outside the Boy Scouts. By working three jobs during the summer and one job during school, Michael has demonstrated his ability to successfully take on a variety of responsibilities. As a hardworking intern in my district office, Michael shows great interest in civic affairs and the betterment of his community.

It is my honor to commend Michael J. Czopkiewicz for his achievement of the high rank of Eagle Scout. As a new Eagle Scout, Michael will join the ranks of fellow Eagle Scouts like former President Gerald R. Ford. Michael's devotion to the Boy Scouts for over a decade is laudable, and I congratulate him on his achievement. I thank him for his dedication to the community, and I know we can expect great things from him in the future.

RECOGNIZING THE 57TH ANNIVERSARY OF THE KOREAN WAR

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2007

Mr. RANGEL. Madam Speaker, I rise today to recognize the 57th anniversary of the Korean War, also known as the "Forgotten War", which began on June 25, 1950. In honor of this event the Embassy of Korea held a wreath-laying ceremony at the Korean War Veterans Memorial in Washington, DC, on June 25, 2007.

As a decorated Korean War veteran I am proud that this ceremony has taken place to honor the brave soldiers that served and gave their lives while fighting this war. A conflict that started as a civil war became a war between 21 nations that served under the United Nations against communist North Korea. As a result of this 3-year war the United States lost about 33,741 casualties. But, this anniversary is not only about recognizing the American solders that were lost in this war, it is also a time to recognize the British, Australians, South Africans and the brave soldiers from other nations that served in this war, as well as, the families of these soldiers whose loved ones made the ultimate sacrifice.

I commend the organizers of this event for their efforts to coordinate this special ceremony. Although this war is known as the "Forgotten War" lets make sure that it is not forgotten. This wreath-laying ceremony and other events commemorating the anniversary of this war helps to ensure that our children and their children will not forget those that fought to protect our freedom and peace.

I ask my colleagues to join me in paying respect to the men and women who honorably served our nation in Korea and I urge you to also take a moment to honor the fallen heroes of the Iraq War as we celebrate our Independence Day next week.

EXPRESSING THE SENSE OF THE HOUSE REGARDING THE PUBLIC SERVICE OF PRIME MINISTER TONY BLAIR

SPEECH OF

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 25, 2007

Mr. DREIER. Mr. Speaker, I want to thank my friend and colleague Mr. PETER KING for introducing this important resolution, which I was proud to cosponsor. I can think of no one more deserving of being honored by this body than Prime Minister Blair. For over a decade, he has proven to be a tremendous friend and ally of the United States, and we simply cannot say anything today that would adequately honor the contribution he has made to his country, to our country and to the cause of freedom throughout the globe.

And we know he has not made this great contribution without significant sacrifice. We have watched him at times endure an enormous amount of criticism and personal attack for the principled positions he has taken. But Tony Blair has steadfastly demonstrated what true leadership is. It does not always entail easy or popular choices. It does not always elicit cheers of support. Leadership in the 21st century, as we have come to realize, will often mean taking a very difficult stand against the enemies of freedom.

I believe that history will regard this principled leadership very highly. And as Mr. KING's resolution highlights, this leadership has been exemplified throughout Tony Blair's entire tenure as Prime Minister. By brokering the Good Friday Agreement, he has ushered in a new, peaceful era in Northern Ireland, bringing together all parties and giving them a critical role in their own government. He has been our close ally in every major conflict that we have faced together—Bosnia, Kosovo, Afghanistan and Iraq.

He was the first foreign leader to visit Ground Zero after September 11, 2001, and attended President Bush's address to the joint session of Congress 9 days after those tragic

attacks. And no other ally has contributed more forces to the global war on terror. The United States owes a great debt of gratitude to Prime Minister Blair and to the great people of his nation. We honor their sacrifices and their deep friendship.

NEW THREAT TO FREEDOM OF SPEECH AND PRESS IN INDIA AS WARRANT IS ISSUED FOR SIKH EDITOR

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2007

Mr. TOWNS. Madam Speaker, recently an arrest warrant was issued by the government of Punjab for Dr. Sukhpreet Singh Udhoke, a practicing physician, International Secretary General of Dal Khalsa USA, and Editor-in-Chief of the Sikh publication Shamshir-e-Qaum. Warrants were also issued for two of his associates. This is a blatant violation of the basic rights of freedom of speech and freedom of the press. Freedom of speech and freedom of the press are two of the rights that are basic to democracy, yet they can be suppressed at will in ''the world's largest democracy.''

Dr. Udhoke's crime was to publish articles in his magazine that criticized the Chief Minister of Punjab, Parkash Singh Badal, and advocated freedom for the Sikhs. For this, he is under the cloud of an arrest warrant. He has had to go underground to avoid arrest.

Madam Speaker, this is frighteningly familiar. It is reminiscent of the tactics of the Soviet Union, Nazi Germany, or any of the other totalitarian police states around the world which America has always opposed. How can any Member of Congress support such a blatantly authoritarian country?

I would strongly advise the Indian government to withdraw the arrest warrant against Dr. Udhoke. If it does not, it will confirm that it is the tyrannical, authoritarian, repressive regime that the minorities charge that it is, rather than the democracy it proclaims itself to be.

This is unfortunately just the latest chapter in a long line of repression against minorities. We have detailed for many years the tens of thousands of Christians, Sikhs, Muslims, Dalits, and other minorities who have been murdered at the hands of the Indian government, as well as the tens of thousands of political prisoners who are held in India, according to Amnesty International. Laws have been passed that prohibit anyone from converting from Hinduism to any other religion. Booklets have been published on how to implicate Christians and other minorities in false criminal cases. Sikhs have been arrested for marches and speeches. A Christian priest was forced to drink his own urine. And the arrest warrant for Dr. Udhoke shows that the repression goes on.

Madam Speaker, India's Constitution, like ours, guarantees freedom of speech and the Indian courts have ruled that peacefully advocating independence for Khalistan (or any other minority nation) is not a crime. So what was the basis for Dr. Udhoke's arrest?

I thank Dr. Gurmit Singh Aulakh, President of the Council of Khalistan, for bringing the Udhoke case to my attention. The Council of Khalistan has issued a press release condemning the arrest warrant against Udhoke. I recommend it strongly to my colleagues. It shows the truth about how democracy is really practiced in India. The need for the Sikhs of Khalistan, the Christians of Nagaland, the Muslims of Kashmir, and the other minorities within India's artificial borders to claim their God-given right to be free could not be clearer. If they can be arrested for articles they publish, how can they count on the government to protect any of their rights?

It is time for us to speak up and take action. We can help by stopping aid and trade with India until the basic human rights and civil rights of all people are observed. India can start by withdrawing the arrest warrant for Dr. Udhoke and his associates. We should also put the United States Congress 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 on their status. Isn't that the democratic way?

ARREST WARRANT FOR UDHOKE MUST BE WITHDRAWN

WASHINGTON, DC, JUNE 28, 2007.—The Council of Khalistan today demanded that the arrest warrant for Dr. Sukhpreet Singh Udhoke, International Secretary General of Dal Khalsa USA and Editor-in-Chief of the periodical Shamshir-e-Qaum, and two of his associates be withdrawn. The arrest warrant was issued by the government of Punjab after Dr. Udhoke printed articles about the persecution of the Sikh Nation and how the Sikh religion is being attacked by the RSS and its political arm, the BJP. He criticized Chief Minister Parkash Singh Badal in his articles. The Akali Dal government of Badal is in a political alliance with the BJP. Dr. Udhoke and his associates' persecution has been condemned recently by the World Peace Forum.

Dr. Udhoke is a medical doctor who takes care of the sick as well as being an activist for the interests of the Sikh religion and the Sikh Nation. Dr. Udhoke, a resident of the Amritsar district, has been forced underground. He is charged with treason and antinational activities. His magazine, which was on the stands for sale, was removed by the Badal government. This action is a threat to freedom of speech, of the press, and of religion, which are basic democratic and civil rights.

Badal is the Chief Minister. As such, he is responsible for law and order. Yet he was quick to put out an arrest warrant for Dr. Udhoke for exercising his freedom of speech, but he had to be pressured into prosecuting Ram Rahim, the fraudulent baba who was impersonating Guru Gobind Singh, and he has not yet arrested him. This shows what the Badal government's priorities and allegiances are. He is more concerned with arresting those who defend the interests of the Sikh Nation and the Sikh religion than those who violate it. Ironically, despite Badal's begging and pleading, Ram Rahim supported the Congress Party in the recent elections in Punjab.

''The arrest warrant against Dr. Udhoke shows that there is no freedom of speech in Punjab or in India,'' said Dr. Gurmit Singh Aulakh, President of the Council of Khalistan. ''As the late General Narinder Singh said, 'Punjab is a police state.' Only a free Khalistan will allow Dr. Udhoke and all Sikhs to enjoy freedom of speech, freedom of the press, freedom of religion, and all the rights of free people, rights that are the birthright of all people,'' he said.

''Badal's conduct is shameful for a Sikh leader,'' said Dr. Gurmit Singh Aulakh, President of the Council of Khalistan. ''He is the leader of a government of the Akali Dal, which was organized to protect the interests of the Sikh Nation, yet he is in bed with the Indian government that is oppressing the Sikhs. 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. ''As 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 in India.

The 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, Dalits, Bodos, and others. The Indian Supreme Court called the Indian government's murders of Sikhs ''worse than a genocide.''

''The Sikh masses and the Akali Dal 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 government have betrayed the Sikh Rehat Maryada, Sikh principles, and Sikh tradition. Their leadership must be rejected for the interests of the Khalsa Panth,'' he said. ''Remember Guru Gobind Singh's words: 'In grieb Sikhin ko deon patshahi.' It is time to realize Guru Sahib's blessing. Only a free Khalistan will put a stop to occurrences like the arrest of Dr. Udhoke,'' he said. ''Without political power, religions cannot flourish and nations perish. The time is now to launch a Shantmai Morcha to free Khalistan.''

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2008

SPEECH OF

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2829) making appropriations for financial services and general government for the fiscal year ending September 30, 2008, and for other purposes:

Mr. WAXMAN. Mr. Chairman, I oppose the amendment by the gentleman from Virginia.

The Office of Special Counsel is a little-known agency with an important mission: it protects Federal whistleblowers from retaliation and enforces the Hatch Act, the law that prevents Federal officials from using Federal resources to engage in partisan politics.

Last month, the Special Counsel issued a report highly critical of Lurita Doan, the GSA Administrator. The Special Counsel found that during a briefing for certain GSA employees by the White House Deputy Director of Political Affairs, the Administrator encouraged her subordinates to engage in partisan political activity.

Here's what the Republican-appointed Special Counsel had to say about this incident: The GSA Administrator displayed no reservations in her willingness to commit GSA resources, including its human capital, to the Republican Party. Her actions, to be certain, constitute an obvious misuse of her official authority and were made for the purpose of affecting the result of an election. One can imagine no greater violation of the Hatch Act than to invoke the machinery of an agency, with all its contracts and buildings, in the service of a partisan campaign to retake Congress and the Governors' mansions.

Currently, the Special Counsel is investigating whether Karl Rove and other White House officials violated the Hatch Act by holding numerous other political presentations at over 20 Federal agencies across government.

Now, this amendment would take $1,000,000 from the Office of the Special Counsel. I have had serious disagreements with the Special Counsel in the past, but I have never proposed cutting the budget of this small agency. The Office only has a budget of about $16 million, so a cut of this magnitude could have a devastating effect.

We need more enforcement of the Hatch Act and more protection of Federal whistleblowers—not less.

I urge my colleagues to oppose the Davis amendment.

PERSONAL EXPLANATION

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2007

Mrs. MALONEY of New York. Madam Speaker, on June 25, 2007, I missed rollcall votes numbered 549, a Resolution expressing the sense of the House of Representatives that a "Welcome Home Vietnam Veterans Day" should be established and 550, a Resolution to designate the Department of Veterans Affairs Medical Center in Asheville, North Carolina, as the "Charles George Department of Veterans Affairs Medical Center."

Had I been present, I would have voted "yea" on rollcall votes numbered 549 and 550.

HONORING ST. SYMPHOROSA PARISH ON ITS 80TH ANNIVERSARY

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2007

Mr. LIPINSKI. Madam Speaker, I rise today to honor St. Symphorosa Parish in Chicago, IL. Two weeks ago, I had the privilege of participating in the 80th anniversary celebration mass at this distinguished parish, which has been a pillar of faith and service in Chicago since 1927. I am especially proud to thank St. Symphorosa for providing me with a strong moral and academic education in church and at the parish grammar school.

The Archbishop of Chicago established St. Symphorosa to provide a multi-ethnic, American parish for the Clearing neighborhood on Chicago's southwest side. Under the leadership and guidance of Father J. Leo Sharp, the new parish celebrated its first Sunday Mass on June 19, 1927.

Without a church of its own, the parish initially met in the Clearing Town Hall until construction of a new church could be completed in September 1928. Once the building complex was completed, St. Symphorosa School opened under the guidance of four Benedictine sisters. The parish and school have since changed locations, but the school remains open, educating and serving the community's youth.

The parish rendered noble service during the Great Depression. Although forced to sell some of the parish's land to keep the church open, Father Sharp and the Benedictine sisters ministered to needy families by collecting and distributing clothing. In 1943, the parish received a new pastor, Father Anthony Harte, who presided over the parish's expansion in the wake of World War II. By the time Father Harte retired in 1967, St. Symphorosa had added five buildings to the parish property, the parish population had tripled, and the school had over 1,600 students.

Father Francis Maniola became the parish's third pastor, and brought the changes of the Second Vatican Council to St. Symphorosa. To strengthen the parish's ability to serve its members and the community, Father Maniola added new programs to the parish that included the Super Club, the Altar & Rosary Sodality, and Widows and Widowers. His successors, Father John McNamara and Father Marc Pasciak, encouraged lay participation in the parish and established a parish council and staff.

Today, St. Symphorosa Parish is as vibrant as ever, and the parish continues to serve the worship needs of over 2,400 families in Clearing and surrounding communities. The St. Symphorosa Family Fest, its major celebratory event, has grown into one of the largest parish festivals in the Chicago Archdiocese.

It is my honor to recognize St. Symphorosa on the occasion of its 80th anniversary. The parish has fulfilled Father Sharp's vision of a proud community that works together, learns together, and worships together. With its legacy of remarkable pastors and committed parishioners, the parish has truly become a "Family Celebrating Faith."

TIME TO FOSTER GREATER COLLABORATION FOR OUR REGIONAL SECURITY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2007

Mr. RANGEL. Madam Speaker, I am pleased to introduce the Joint Statement issued by the Bush Administration and the Caribbean Heads of State at the conclusion of the CARICOM summit. I cannot underscore enough the importance of a consistent and progressive relationship between the United States and the Caribbean. I am pleased with the success of the Conference on the Caribbean held in Washington DC, last week with the members of the Caribbean Community, CARICOM. To hold such a historic meeting during Caribbean-American Heritage Month speaks to the understanding of the administration to the importance of maintaining a fruitful partnership with our neighbors in the Caribbean.

During their visit to the United States the heads of states of CARICOM requested to meet with Members of the U.S. House of Representatives with whom they have worked on issues affecting the Caribbean and Members who sit on committees with jurisdiction over issues affecting the region. Fourteen members of the delegation, including the President of Guyana, Vice President of Suriname, Prime Ministers and Foreign Ministers of Antigua & Barbuda, the Bahamas, Barbados, Belize, Dominica, Grenada, Jamaica, St. Kitts and Nevis, Saint Lucia, St. Vincent and the Grenadines and Trinidad and Tobago met with members of the House Ways and Means Committee for an Executive Session that I organized. Among the topics we discussed during this executive session were the Caribbean trade preferences expiring next year and their possible extension, as well as the provision of enhanced assistance of the U.S. Government to the CARICOM Secretariat for capacity building to implement its single market.

In order to expand economic opportunities at home and in the Caribbean, there is a need to update and expand the Caribbean Basin Initiative. President Bush stated his intentions to work with Congress to extend the reach of the Caribbean Basin Trade Promotion Act as well as the 1991 Trade and Investment Framework Agreement, TIFA.

Expanding the TIFA to include services benefits our Caribbean neighbors in light of services being the backbone of CARICOM economies. At the forefront of the services offered by many CARICOM countries are professional financial services. Our support for recognizing the regulatory and transparency compliance of CARICOM countries—10 of which are listed alongside 34 nations in current tax haven legislation—should be addressed. By investigating and recognizing the compliance of these nations, in line with the Organization of Economic Cooperation and Development, OECD, definition of tax havens, legislators can remove their names from current bills that could prove detrimental to developing Caribbean economies if passed.

In addition to the House Committee on Ways and Means, the heads of states met with the House Foreign Affairs Committee and the Congressional Black Caucus. During the meeting with the Congressional Black Caucus, House Speaker NANCY PELOSI reiterated the commitment of the House leadership to address the challenges facing the nation of Haiti.

Having shared values and interests in regional security, the Caribbean Community and the United States can best achieve democratic aims by fostering regional understanding and accountability. Greater support for regional security goes beyond sharing resources and ideas to protect our borders, but it also encompasses the threat of HIV/AIDS. After Sub-Saharan Africa, the largest population of HIV/AIDS infected individuals resides in the Caribbean. In Congress, we continue to provide funding to assist nations in the region address

this challenge. Haiti and Guyana are two of the nations that will benefit from the funding provided to the President's Emergency Plan for AIDS Relief, PEPFAR; we are also pushing to include funding to expand this initiative to all Caribbean nations.

While the national security threats of our countries are different in terms of scale, we must work to ensure cooperation in the fight against drugs, small arms, and transnational crime, all which threaten the entire region. Rising crimes rates in the Caribbean can be attributed to a deportation process that does not widely consider the negative impact on receiving countries. Criminal deportees sent to the Caribbean often have established themselves in the United States, and being sent to the Caribbean without financial or social support can foster poverty in the region. The situation of poverty, if left unaddressed, increases the transnational pressure to adopt extremist ideology. We must therefore be committed to decreasing the incidence of crimes leading to deportation through the sharing of resources and information. There must be a regional effort to address threats of terrorism in the United States and the Caribbean.

Supporting Haiti's reconstruction process should also be a priority of the U.S. government. As the second free-state in the Western Hemisphere, how we treat Haiti as a recovering democracy is how we treat ourselves. As Haiti makes efforts under the leadership of President Preval to rebuild, the U.S. can serve as an important bilateral partner. The need to grant temporary protected status (TPS) to Haitian nationals in the U.S. is urgent to ensure the protection of Haitians as well as remission preservation during the country's time of recovery. These remissions are crucial to the welfare and survival of Haiti from recent environmental and political difficulties.

As the cornerstone of development, educational collaboration should be sought in the Western Hemisphere to promote higher living standards and stronger democratic institutions. We must support increased exchanges between U.S. and Caribbean students. The Shirley A. Chisholm United States-Caribbean Educational Exchange Act of 2007 introduced by Congresswoman BARBARA LEE presents an opportunity to fund educational development and exchange programs between the U.S. and the Caribbean. I encourage my colleagues to support greater relationships with our friends in the Caribbean. The prosperity and security of our region depends on the decisions we make today to foster collaboration and effective communication between the U.S. and our CARICOM neighbors.

Overall, I believe that the members of CARICOM had very productive meetings in Washington, DC, and laid the foundation for future discussions and a commitment to help the CARICOM nations meet their 20/20 Vision.

JOINT STATEMENT: CONFERENCE ON THE CARIBBEAN

1. We, the Heads of State and Government of the United States of America and of the Caribbean Community Nations of Antigua and Barbuda, The Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Jamaica, St. Kitts and Nevis, Saint Lucia, St. Vincent and the Grenadines, Suriname, and Trinidad and Tobago, meeting in Washington DC, on June 20, 2007, reaffirm our unequivocal commitment to a secure and prosperous region and future for the benefit of all of our citizens.

2. Recalling our shared history of democracy, respect for human rights, social justice, and cultural and ethnic diversity, we highlight the value of our enduring friendship and recommit ourselves to enhancing our partnership to reinforce the development aspirations that guide our mutual priorities.

3. We pledge to continue promoting the consolidation of democratic norms, values, and institutions throughout the hemisphere and to enhance accountability and respect for individual rights.

4. We agree to take steps to expand economic opportunities for our people, to address the threats of terrorism and crime, and to provide the benefits of democracy to all members of our societies, recognizing that democracy will best flourish if our societies are stable and our economies are prosperous.

5. We recognize the establishment of the CARICOM Single Market and Economy as a critical element of the growth and development strategy of the Caribbean Community.

6. We are determined to strengthen our existing trade arrangements. We acknowledge President Bush's announcement to work with Congress to extend and update the Caribbean Basin Trade Promotion Act and the 1991 Trade and Investment Framework Agreement. We further commit to the harmonization of customs procedures consistent with global standards and the advancement of technical trade cooperation.

7. We reiterate our support for Caribbean efforts to expand the services sector, and encourage a focus on the international financial services sector to facilitate a competitive means of economic diversification while remaining committed to the maintenance of appropriate regulatory and supervisory practices, consistent with the highest international standards.

8. Cognizant of the spread of HIV and AIDS and the impact on the economic and social development of our people, we pledge to deepen our cooperation in health and welcome the initiative to continue PEPFAR in the Caribbean.

9. Cognizant that more than 95 percent of CARl COM's energy needs are derived from fossil fuels, we pledge to increase cooperation in this area to achieve sustainable, secure, and affordable access to energy for all our citizens.

10. We agree to increase cooperation efforts in the field of education and workplace training. We commit to strengthen teacher training by expanding the Caribbean Centers for Excellence. We also commit to strengthen human capacity in the Caribbean to meet the demands of a 21st century employment environment through partnering with academic institutions and non-governmental groups as well as through skills training for youth via the Entra-21 program.

11. We declare our intention to negotiate an agreement on cooperation in Science and Technology including Information Communication Technologies.

12. We recommit to our ongoing efforts of cooperation in the area of disaster preparedness, mitigation, and recovery.

13. We acknowledge the multidimensional nature of the security threats and challenges faced by our countries and pledge to continue to work together in the fight against terrorism, trafficking in persons, drugs and small arms, and transnational crime.

14. We also acknowledge the successful security partnership developed to secure the CARICOM Region during its hosting of the Cricket World Cup 2007. To this end, we agree to continue strengthening the Region's security infrastructure.

15. We recognize the need to work more closely on immigration security issues in a manner respectful of national laws and government services capacity and sensitive to the effects of human displacement. We will jointly work toward the expansion of the pilot reintegration program for deportees in Haiti to include other CARICOM member states. We will develop new ways to facilitate, coordinate, and communicate between our immigration services.

16. We are heartened by the substantial progress in Haiti made by the Government of President Préval, with the support of international partners. We recognize that Haiti will continue to require substantial regional and international support in the implementation of a consistent and long-term strategy of institution and capacity building, and pledge to work together with the three branches of the Haitian Government.

17. On the occasion of Caribbean-American Heritage Month, we pay tribute to the generations of Caribbean-Americans who have helped shape the spirit and character of the United States of America and who continue to contribute to the growth and development of the Caribbean.

HONORING JACK VALENTI

SPEECH OF

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 25, 2007

Mr. DREIER. Mr. Speaker, it took a larger-than-life man like Jack Valenti to bridge 2 larger-than-life worlds like Hollywood and Washington. It is fitting that this legendary character, whose own life was often like an epic film, would end up in the movie business.

From a very early age, the passion and drive that would motivate him for his 85 years were clearly evident. Lacking the money to go to college, Jack worked to put himself through school and eventually get his MBA at Harvard. During that time, he also joined the Army, flew 51 missions and earned the Distinguished Flying Cross.

He got his first taste of politics in Houston, TX, when he met Senator Lyndon Baines Johnson, and he was hooked. He campaigned heavily for the Kennedy-Johnson ticket in 1960 and maintained the relationship with Lyndon Johnson through November 1963 when the Vice President asked for his help with a Presidential visit to Dallas. On that fateful day of November 22, Jack was just a few cars away from President Kennedy when the shots were fired.

Through that tumultuous time, Jack returned to DC with now President Johnson, and grew to be his close confidant and advisor. That solemn trip on Air Force One would be the trip to Washington from which Jack never really returned. As presidential advisor, and then President of the Motion Picture Association of America, Jack Valenti become one of those rare Washington denizens that shapes and defines a city that usually does the shaping and defining.

Through nearly 4 decades at MPAA, he shepherded the most powerful names in Hollywood around countless industry and political landmines. As the world grew flatter, technology grew smarter and politics remained as volatile as ever, Jack Valenti's vision helped the American movie business not only weather these challenges, but emerge bigger than ever.

He was an undeniable force felt on both coasts. And now his absence is also felt undeniably.

FORMER MEMBER OF PARLIAMENT ARRESTED AGAIN

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2007

Mr. TOWNS. Madam Speaker, recently the government of Punjab erected a statue to honor Beant Singh, the late Chief Minister of Punjab, who presided over the murders of over 50,000 Sikhs and the secret cremations of Sikhs in Punjab at the behest of the Indian government. Longtime Sikh activist and former member of Parliament Simranjit Singh Mann showed up with some associates to protest the honor given to this brutal, barbaric ruler. During the protest, they tried to hang a picture of Dilawar Singh, who killed Beant Singh, on the statue. Dilawar Singh is considered by the Sikhs to be a martyr. For this act of protest, they were arrested.

Mr. Mann is also one of the people who was arrested in 2005 for the crime of making speeches in support of Khalistan, the independent Sikh homeland, and raising the flag of Khalistan. I fail to see what crime was committed in any of these acts.

Coupled with the recent arrest of Dr. Sukhpreet Singh Udhoke for publishing articles critical of the Chief Minister, Mann's arrest makes it clear that for minorities such as the Sikhs, free speech, free assembly, and a free press do not exist in India. For minorities such as Christians, Sikhs, Muslims, and others, India is far from the democracy it claims to be. For them, it's a police state just like the Soviet Union or Nazi Germany.

Mann's arrest and Udhoke's arrest violate India's constitution as well as all the principles of freedom and democracy. We cannot stand idly by and let these arrests go by without taking any action.

What can we do? We can and should cut off our aid and trade with India until all people there are allowed to enjoy basic human rights and civil rights. We can and should publicly 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 in the form of a free and fair vote on their status. Self-determination is the essence of democracy. Unfortunately, ''the world's largest democracy'' denies this essential right to its minority citizens. We have a strong voice. Let us raise it in support of these minorities.

The Council of Khalistan has issued a very informative press release on the arrest of Mr. Mann and his associates.

SIMRANJIT SINGH MANN MUST BE RELEASED

WASHINGTON, DC, June 28, 2007.—The Council of Khalistan today demanded the immediate release of former Member of Parliament Sardar Simranjit Singh Mann and his associates who tried to hang a picture of Beant Singh's assassin on the late—Chief Minister's statue in Jalandhar. Beant Singh, who received less than 7 percent of the vote, was installed as Chief Minister by the Indian government. He presided over the murders of more than 50,000 Sikhs. He was the person who instituted the policy of secret cremation, in which young Sikhs were arrested, murdered in police custody, then declared unidentified'' and secretly cremated and the families never received their bodies. This barbaric policy was exposed by human-rights activist Sardar Jaswant Singh Khalra. As a result of his report, Khalra was arrested and murdered while in police custody. His body was also secretly cremated and was never given to his family.

Recently, the Punjab government under Parkash Singh Badal erected a statue of Beant Singh in Jalandhar. Sardar Mann and his associates were arrested when they tried to hang a picture of his assassin, Dilawar Singh, on it.

''The arrest of Simranjit Singh Mann and his associates is another blow to freedom of speech and freedom of assembly in India. basic rights of free people,'' said Dr. Gurmit Singh Aulakh, President of the Council of Khalistan. ''If a group of people can't even hold a peaceful demonstration without being arrested, then what rights do they really have? Where is India's often and loudly proclaimed commitment to democracy? Mann and his associates must be released immediately.''

Mann was previously arrested in 2005, along with other Sikh activists, for making speeches in support of Khalistan and raising the Khalistani flag. He came to prominence after the Indian government's military attack on the Golden Temple and 37 other Gurdwaras in June 1984, in which over 20,000 Sikhs were killed, including Sant Jarnail Singh Bhindranwale. Mann resigned from the police, saying that he could not serve a government that would attack the Golden Temple. In 1989, Mann wrote to the chief Justice of India, ''reiterating my allegiance to the Constitution and territorial integrity of India,'' according to Chakravyuh: Web of Indian Secularism by Professor Gurtej Singh IAS, which reprints the letter. He also served as a Member of parliament from Punjab around that time. In the mid-1990s, Mann was arrested for peaceful political activities by the Indian government and the Council of Khalistan secured his release. In 2000, Mann came to the United States with the blessing of the Indian government, escorted through the United States and Canada by Amarjit Singh of the Khalistan Affairs Center. He spoke to a group on Capitol Hill in Washington DC and while speaking in New York, he said that the office of the Council of Khalsitan in Washington, DC should be closed. Since then, he has continued his political activism in Punjab, Khalistan. Neither Amarjit Singh nor the Khalistan Affairs Center has uttered a word of protest against Mann's arrest. Mann's grandfather gave a siropa to General Dyer, the British general who was in charge of the army that massacred over 1,300 Sikhs at Jalianwalia Bagh. A few years ago, Queen Elizabeth apologized to the Sikhs for the massacre during her visit to Punjab.

''The arrest of Simranjit Singh Mann and his associates shows that there is no freedom of speech in Punjab or in India,'' said Dr. Aulakh. ''This underlines the need for a free, sovereign, independent Khalistan. In a free Khalistan, no one would be arrested for peaceful political activity,'' he said. ''In a free Khalistan, no one would erect a statue to honor those who carry out genocide against the Sikh religion and the Sikh Nation. These arrests should make it clear to Sikhs that even if you cooperate with India. they will use you and throw you away,'' said Dr. Aulakh.

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), which expired in 1995. Many have been in illegal custody since 1984. According to Amnesty International, there are tens of thousands of other minorities being held as political prisoners in India. 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, Dalits, Bodos, and others. The Indian Supreme Court called the Indian government's murders of Sikhs ''worse than a genocide.''

''The arrests of Simranjit Singh Mann and Dr. Sukhpreet Singh Udhoke show that it is urgent to liberate Khalistan from Indian rule as soon as possible,'' said Dr. Aulakh. ''The time is now to launch a Shantmai Morcha to free Khalistan.''

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2008

SPEECH OF

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 27, 2007

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2829) making appropriations for financial services and general government for the fiscal year ending September 30, 2008, and for other purposes:

Mr. WAXMAN. Mr. Chairman, I oppose the Sessions amendment to H.R. 2829, the Financial Services Appropriations bill. H.R. 2829 includes a provision to help restore equity to the contracting process by preventing private contractors from having an unfair advantage over Federal Employees when competing for Federal jobs. The Sessions amendment would eliminate that provision from the bill and would continue the administration's policy of playing politics with the civil service system.

The rapid increase in procurement spending in recent years has brought the size of the "shadow government" represented by Federal contractors to record levels. We must stop the misguided effort to send Federal jobs to private contractors at any cost. H.R. 2829 is an important step in that direction.

H.R. 2829, specifically section 738, ensures that Federal employees have the right to compete fairly for their jobs before they are privatized. The bill prevents contractors from gaining an unfair advantage by not providing comparable health and retirement benefits. H.R. 2829 also ensures that agencies, not OMB, have the discretion to decide whether a public-private competition is appropriate.

H.R. 2829 gives Federal employees the right to appeal privatization decisions—a right that contractors already enjoy. We saw this in the Army's reversal of its 2004 decision to allow the in-house Federal workforce at Walter Reed Army Medical Center to perform support services at Walter Reed. When the competing private contractor protested the Army's decision, the Army reversed its decision and resolved the A–76 process in favor of the contractor. If the Army had initially decided in favor of the contractor, the employees would have had no similar right to protest.

This is about fairness. The administration's policy under Circular A–76 puts private contractors on third base before Federal employees even get a turn at bat. Section 738 of this bill helps level the playing field. The Sessions amendment would strip this important language from the bill. I urge my colleagues to vote "no" on the Sessions amendment.

IN HONOR OF DONALD MADER

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2007

Mr. ISRAEL. Madam Speaker, I rise today to honor Donald Mader. He will be retiring from Underwriters Laboratories at the end of this month after a 42-year tenure. Mr. Mader is a veteran of the Vietnam war where he served as a commandant for the 73rd Signal Battalion of the Tropospheric Scatter Communications Equipment School, before working at the Pentagon with the Army Material Command, Advanced Ariel Fire Support System.

Upon completion of his service with the Army, Mr. Mader returned to my district in Melville, NY, to work as a Project Engineer. Over the next 42 years he went on to hold numerous officer positions including senior vice president of certifications operations, executive vice president of the Americas group and executive vice president of public safety and external affairs. Most recently he has served as executive vice president and chief technology officer. As the head of engineering at Underwriters Laboratories, Mr. Mader is responsible for technical excellence and driving technical innovation across the organization, including developing and implementing consistent, state-of-the-art testing, laboratory, calibration, and instrumentation policies, procedures and practices. His organization leads research efforts in key technological areas to UL and UL's constituencies and determines the appropriate standards strategy based on business relevancy and support of the UL public safety mission.

Mr. Mader is widely respected in his field and has been recognized by his peers. He is a Certified Product Safety Manager (CPSM) with the International Product Safety Management Certification Board and a senior member of the System Safety Society. He also holds memberships with the National Fire Protection Association, the International Association of Electrical Inspectors and the Instrument Society of America. I applaud Mr. Mader for his service to both the United States Army and Underwriters Laboratory.

HAPPY BIRTHDAY GOVERNOR EDWARDS

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2007

Mr. WILSON of South Carolina. Madam Speaker, Sunday marked the 80th birthday of James Burroughs Edwards of Mount Pleasant, SC, who was instrumental in the Reagan Revolution which transformed the political system of South Carolina.

I learned firsthand his competence and integrity when I served as his assistant to organize the Charleston County Republican Party in 1964, when he selected me for the State Development Board in 1975, when he appointed me Congressional District chair for Gov. Ronald Reagan for President in 1976, and when he asked me to serve as Deputy General Counsel of the U.S. Department of Energy in 1981.

I will always be grateful for the positive impact he has had for me, my family, and our region. This appreciation is evidenced by a birthday tribute by Ron Brinson published June 24 in the Post and Courier, of Charleston, SC.

[From the Post and Courier, June 24, 2007]

FORMER GOVERNOR SHOULD WRITE A BOOK THAT DEFINES HIS LEGACY

(By Ron Brinson)

So I'm biased, but the facts speak for themselves. Jim Edwards was a darn good governor and is a genuine public leader with a knack for aligning principles and intellect to the congeniality of a very nice man.

Edwards celebrates his 80th birthday today, and, Governor, I have a suggestion, sort of a reverse birthday gift—write us a book. Your career and personal life include notable public achievements. It's a story that offers life-lesson insights about political patriotism and the values of civility. Your memoirs could provide inspiration and encouragement to others who might consider the path you took to public service. It would define your legacy and serve to control the rascals of revisionism in future generations. And if you write it in your usual communicative style, it will be an entertaining read about important stuff with many humorous anecdotes. Please don't leave out the stories about the rock barges and bootleggers.

Jim Edwards could write several interesting books that would link his Depression-era childhood, his World War II service as a merchant seaman, his high-achieving college and medical school days, a thriving oral surgery practice, and then a public service career that included some unusual stops and challenges. And, as he would quickly point out, along the way he ''married well,'' and he and Ann Darlington Edwards built a home, restored another and nurtured a comfortable family life with their two children.

Edwards assumed personal risks and economic sacrifices when he answered the call of the political stage, and failure at any point would have squandered his sacrifice. In practice, his affability and humanism bracketed a huge intellect and driving determination to accomplish the right objectives the right ways. In political life, Jim Edwards didn't always win, but folks who disagreed with him often walked away wondering why.

In the late sixties, he carved time from his busy Charleston practice for leadership roles in the resurging South Carolina Republican Party. He was elected to the state Senate, then in a quirky stream of political drama in 1974, he became South Carolina's first Republican governor since Reconstruction. In 1981, he became U.S. Secretary of Energy and did some heavy lifting—and took some political body blows from The Washington Post—directing President Reagan's ill-fated idea to eliminate the Department of Energy. In 1982, he returned to Charleston and began a 17-year tenure as president of the Medical University of South Carolina.

An important chapter in the Edwards book would be his answer to the question, what motivates a highly successful surgeon approaching middle age and with a growing family toward the political arena? Political scientists would be interested and future generations would find his motivations relevant and inspirational.

Think about just a few of the possible chapter topics in the Edwards political career.

An oral surgeon and raw rookie state senator, he defeated Gen. William Westmoreland in 1974 for the Republican gubernatorial nomination. The drama was only beginning. State Democrats figured Edwards was simply the next token general election candidate. Only 35,000 South Carolinians had voted in the 1974 GOP primary; 341,000 cast ballots in the Democratic primary runoff that nominated Charles ''Pug'' Ravenel.

After residency challenges eliminated Ravenel, Dr. Edwards polled 266,100 votes and defeated Rep. William Jennings Bryan Dorn by three percentage points. In a swirl of political theater, Dr. Edwards suddenly became Gov. Edwards. Would Jim Edwards have defeated Ravenel? It's hard to say, but Dr. Edwards polled 79,000 more votes in the general election than Ravenel did when he defeated Dorn in the Democratic runoff.

As governor, Edwards and the small handful of Republicans serving in the General Assembly got along well with the Democrats who controlled the legislative process. Maybe they had no choice, but there was a nurtured mutual respect and civility even when their many disagreements were aired. In contrast, these days, it seems, Republicans who control just about every part of state government often have trouble getting along with themselves.

In 1975, Gov. Edwards vetoed appropriations for 1,600 new state jobs. Many agencies through their heads and their boards lobbied strongly. The veto was overridden. The nice-man governor struck back and with the support of Democratic Sens. Marion Gressette and Rembert Dennis, and the Budget and Control Board, Edwards pushed legislation that would prohibit state employees to lobby the legislature.

Edwards' marketing performance as governor has been grossly under-appreciated. There were many successes, including attracting the Bosch and Michelin operations to South Carolina. Many believe these two industrial giants provided the threshold for the BMW plant in Greer.

In 1980, Edwards supported Texan John Connelly for president, then ended up in President Reagan's Cabinet. It seems like the citizen politician had turned master politician. How did that happen? And was Reagan serious about abolishing the Energy Department, and was Budget Director David Stockman really as officious and bull-headed as many working in Washington back then thought?

At MUSC from 1982–1999, Edwards presided over dramatic growth. The school's budget increased from $148.3 million to $845.6 million. Dr. Edwards emphasized the school's enterprise operations and the state subsidy dropped from 45 percent in 1982 to 15 percent in 1999. The school's image soared and grant support increased nine-fold. The MUSC Health Services Foundation assets grew from $6.8 million to $152 million. That's impressive management in the dynamic universe of health care.

These days Jim Edwards promotes Mitt Romney's presidential campaign and tends to a variety of civic activities. Occasionally, he works from a MUSC office area shared with former Sen. Fritz Hollings. Imagine the fly-on-the-wall entertainment when the governor and senator share their experiences.

All that and more would make an excellent book, Governor, and maybe even a good movie. Too bad John Wayne is not available as leading man. But you should be sure to include a mini-chapter about the night you and Mrs. Edwards dined with the Duke. Remember? He didn't eat his asparagus.

WE MUST RECOVER OUR STUDENTS—ACKNOWLEDGING THE NEED TO SUPPORT NEW YORK CITY PUBLIC SCHOOLS

HON. CHARLES B. RANGEL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2007

Mr. RANGEL. Madam Speaker, I rise today to enter into the RECORD a two-part series published in the New York Daily News by Erin Einhorn and Carrie Melago entitled: Room 206: Then and Now. This series chronicles the challenges faced by twenty students who began together in gifted kindergarten class at Harlem's Public School 36 but have taken diverse paths in terms of academic and personal development. Many of these students are succeeding against the odds to earn high school diplomas, while others have become causalities of societal forces arising from circumstances in their homes and community which conspire to tear them down. Citing family support and self-motivation as building blocks for their perseverance, the students graduating from high school this year who were once in Room 206 represent what minorities in New York City can accomplish despite institutional inefficiencies and personal difficulties.

More than half of the African-American and Hispanic-American students who enter New York City public high schools do not graduate in four years. Some of the challenges faced by the students cited in the New York Daily News series included the lack of useful teaching and sufficient guidance counseling due to the overcrowding of schools, family tragedy, and peer pressure to join gangs. However, 16 of the 20 students interviewed will graduate this year on schedule from high school: 3 from public schools outside of the city, 2 from private city schools, and 11 from New York City public schools.

The series also illustrates the diverse paths two young men can take with similar family backgrounds but dissimilar backing in terms of academic and professional development. One student had the support of counselors, teachers, and a mentor, while the other student had none of the above and efforts to gain the attention of the under-staffed guidance office by his mother were fruitless. The first young man will graduate this year from high school and pursue a bachelor's degree in law or medicine, while the latter was pulled out of high school to protect his life from rival gang members and will attempt to complete a GED program for the third time this year.

Both young men aspired to earn high school diplomas, but the disparity of sponsors within the New York City public school system can be attributed to their contrasting positions. We must work to ensure that our students achieve academic success and do not become victims of circumstances that can divert their path of learning. I encourage my colleagues to support the enhancement of middle and high school curricula and human resources that can provide the greatest opportunity for minority students disproportionately affected by school inefficiencies.

ROOM 206: THEN AND NOW

(Erin Einhorn and Carrie Melago)

The year is 1994, and the kids gazing out at the camera for their annual class photo have just entered the New York City public schools. As the girls smile broadly and some of the boys try to look tough, they're captured at a time in their lives when the future seems so far away. But in the 13 years that followed, the 23 kids who had the good fortune to test into the gifted kindergarten at Harlem's Public School 36 would see their class splintered by adversity and fate. One of the girls would grieve the murders of both her parents. One of the boys would be arrested three times and spend a week on Rikers Island. One would get involved in a gang. Another would attend a city high school so violent she'd see four knifefights in four years.

Their very personal stories illuminate a sprawling public school system where some children find ways to flourish but many become lost. Nearly 60% of black and Latino New York City public school students don't earn a diploma after four years of high school. But somehow, most of the youngsters who donned navy blue uniforms with little red ties to pose with teacher Rhonda Harris would beat the odds.

''It's a very big struggle, very big, trying to give them a good education, trying to have them stay out of trouble,'' said Denise Ortiz, a mother of six whose daughter Estrella was in that class. The Daily News spent two months tracking down the children of Room 206, finding 21 of the 23. Eleven report they're graduating this month from New York City public schools, two from city Catholic schools and three from public schools in other cities.

Two are still enrolled and working toward diplomas, and three have drifted away from the daily grind of education, unsure if they'll find their way back. Kelvin Jones, who dropped out last year, is one of the lost. ''Once you leave, you're going to get too used to this outside life, sleeping all day, doing what you're doing,'' he said. ''You ain't ready to go back to school.''

The children of Room 206 could be from any public school. The News chose them by chance, starting with a top Harlem high school, Frederick Douglass Academy, and asking to meet with top seniors. That led us to Kamal Ibrahim, a standout who plans to major in physics at Carnegie Mellon University. He gave us the name of Mrs. Harris, his kindergarten teacher. She led us to her 1994 class.

We found Kamal's classmates by word of mouth, public records and the Internet. Most agreed to tell their stories. Three refused. They made different choices along the way, but all of them started in the same place: a well-regarded school carved into a rocky bluff at 123rd St. and Amsterdam Ave., across from the Grant public houses.

The year the students of Room 206 started kindergarten, budget cuts meant students were crowded together in aging classrooms. Schools in poor neighborhoods were staffed with high numbers of uncertified teachers, and a lawsuit filed the previous year alleged that the average guidance counselor had to work with 700 kids. These youngsters were off to a good start at PS 36, a K–2 school, but there were problems ahead. Some of their families left town in search of better schools and safer streets. Some scraped together pennies for Catholic school tuition. Others used fake addresses or pulled strings to navigate a public school system that's as much a tale of inequality as the city itself.

In third grade, Jermaine Jackson enrolled at Harlem's PS 144, which was so chaotic the Board of Ed shut it down in 2001. In a crowded class there in 1997, he became distracted—and lazy, he said. He fell behind and had to repeat the third grade. '''It's not really their fault because I didn't try, either,'' he said.

Artavia Jarvis says she was hit by a teacher in the fourth grade at Harlem's PS 125. Her parents promptly enrolled her in parochial school, saying they'd rather remain in public housing so they could afford her tuition. Artavia doesn't think she would have graduated from public school. ''I would have continued being bad,'' she said. Other kids fell off track in middle school or high school, including Morgan Hill, whose mother moved her to New Jersey in ninth grade. ''I miss New York and that's where I want to go back to, but I think this was the time that I should have gone away,'' she said.

But Room 206 also produced public school success stories like Unique Covington, whose grades and writing skills got her into a small, creative sixth through 12th grade school in lower Manhattan called the Institute for Collaborative Education.

Her middle school classes had 17 students, enabling her to build close relationships with teachers. In high school, instead of exams, she wrote up to 20-page research papers and presented them to panels of teachers and students. Bound for the University of Hartford in the fall, she credits her success to great schools, an involved mother and herself.

And then there's Letricia Linton, who was 3 when she witnessed her mother's murder and 10 when her father was shot in the head by a mugger. She was raised by a powerhouse of a grandmother who pushed her to succeed and to draw on her past for strength. Tragedy ''made me want to do more with my life because I see how short life is,'' she said.

Graduating Thursday from Frederick Douglass, Letricia knew she'd be successful because she had the right ingredients. ''You have to have family support,'' she said. ''You have to have a good relationship with teachers. You have to have motivation within yourself. . . . And you have to have hope.''

They were smart children who tested into a gifted kindergarten at Harlem's Public School 36 in 1994, but Lance Patterson and Ronnie Rodriguez would each fall in with the wrong crowd. Lance would be arrested. Ronnie would join a gang.

Their challenges were similar, but they've ended up in very different places. One has a mother who will watch him don a cap and gown this week. The other has a mom who blames herself. ''I should have kept a closer eye on him,'' Sandra Lugo said of her son, Ronnie. ''I should have been on him maybe a little harder, been a little stricter.'' What happened to the two boys on their travels through the city's public schools tells an important story about the fates that divide kids into the half who graduate on time and the half who fall off track.

Lance and Ronnie are two of the 23 kids from PS 36 whom the Daily News tracked down 13 years after they entered school to see how they fared. Both boys are the sons of single mothers who dropped out of high school, but vowed their sons would succeed. Ronnie's mother lied about her address three times to get him into good public schools. Lance's mother enrolled him in the Boy Scouts and other activities to engage his mind. But when Ronnie started getting into trouble, his mother was the only one to notice. ''No teacher ever called me to say he was failing or nothing like that,'' she said.

Lance, in contrast, was surrounded by supportive teachers, an attentive guidance counselor and an inspiring mentor who helped keep him on track. ''There was always someone in his corner,'' his mother, Lorraine Patterson, said. ''A lot of kids don't have that, but he was lucky to bump into people who said, 'I care. I think you can make it.' ''

Ronnie was a good student until middle school, when he began to socialize more. His grades slipped and his only option for high school was Louis D. Brandeis High, a massive upper West Side school then known for

its gangs and its large number of dropouts. ''The classes were jokes,'' Ronnie said. ''You'd go to class—it's everybody playing around, yelling, screaming, doing whatever they want, so if I'm not learning, I might as well just do what everybody else is doing.'' Everybody else was cutting, he said. A friend told him he'd be marked present if he attended just the first three periods of every day, so that's what he did. His mom arranged a meeting with a counselor to try to set Ronnie straight, but the meeting was chaotic, she said. ''I understand they're short-staffed but. . . it wasn't a priority to have Ronnie motivated or to have him do better.''

When he returned to school in September 2004, after being held back in ninth grade, Ronnie buckled down. ''For that month, I was doing everything I needed to do,'' he said. But he had a poor academic foundation from middle school and began failing tests. ''I'm thinking in my head: 'Why am I doing all this work if I'm not going to pass?' '' That's when he gave up and joined a gang, he said, first a local school gang, then the Latin Kings.

His mother tried to get him a transfer to another school after he was chased one day by rival gang members with knives, but when that didn't work, she pulled him out of school. ''I didn't want my son to end up getting stabbed or hurt or even killed,'' she said. Since then, he's tried two GED programs, but neither has been a good fit. He plans to try again next year so he can join the Army. ''It's sad, because it's not what I want for him,'' his mom said. ''I know college is not for everyone, but I thought he'd at least get a diploma.'' Brandeis Principal Eloise Messineo did not return calls seeking comment.

Lance, the class clown of his kindergarten, had strong elementary-school grades that got him into the well-regarded Frederick Douglass Academy in sixth grade. ''He was a little pain in the neck,'' Principal Gregory Hodge said of Lance. ''I think I met with his mother 10 to 15 times, on the low side.'' But Lance was bright, his teachers encouraged him and he looked forward to coming to school. He came every day, sometimes on Saturday, even after he got into trouble with police, he said. Juvenile records aren't public, but Lance says he was charged twice as a juvenile, once for stealing a woman's purse and once for picking a fight with a stranger on the street.

He was also arrested as an adult when he was 16. Those records have been sealed, but he said he was charged with a hate-crime assault that he wasn't involved in. The charges against him were dropped, but not until he'd spent a week locked up at Rikers Island, he said. It was one of the only weeks of school he's missed. ''Actually, I think it was good for me,'' Lance said. ''It clicked in my brain and made me want to do better, like, 'Oh, no, you can't do this. You've got to do better for yourself if you don't want to be in and out of jail. It's not fun.' ''

The juvenile court assigned him to a program called Esperanza that paired him with a caring mentor three times a week for six months. The mentor, Laurence Fernandez, was the father figure Lance needed. Lance also had a guidance counselor who stepped in and teachers who cheered him on. But in the end, he did the hard work. He's bound for college in the fall and hopes to become a lawyer or a doctor. ''I want to do better than to just sit at home, working a regular job,'' he said. ''I want to do better for myself. I know I can do anything.''

INTRODUCING A BILL TO REAUTHORIZE THE FAA

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2007

Mr. COSTELLO. Madam Speaker, today Chairman OBERSTAR, Mr. MICA, Mr. PETRI and I have introduced a bill to reauthorize the programs within the Federal Aviation Administration (FAA)—The FAA Reauthorization Act of 2007.

This legislation keeps our aviation system moving forward so that we can increase capacity and safety, modernize our air traffic control system, and continue to reduce energy consumption and improve our environment.

I have said time and again that I believe our Next Generation system can be absorbed by the existing FAA financing structure with a General Fund contribution that is consistent with, or even smaller than, recent General Fund contributions. That is what we have done here.

We are recommending to the House Ways & Means Committee that the general aviation jet fuel tax rate be adjusted for inflation from 21.8 cents per gallon to 30.7 cents per gallon, and that the aviation gasoline tax rate be increased from 19.3 cents per gallon to 24.1 cents per gallon. The forecasted growth of Trust Fund revenues, coupled with additional revenue from the recommended general aviation fuel tax rate adjusted for inflation, will be sufficient to provide for the historic capital funding levels required to modernize the ATC system, as well as to stabilize and strengthen the Trust Fund.

In addition to providing generous funding levels, aviation safety is extremely important and as a result, we have numerous initiatives and policies to make our system the safest it can be.

In particular, I want to highlight two issues that were recently raised in our NTSB Most Wanted hearing and are being addressed in this legislation. First, we are requiring the FAA to issue a final rule regarding the reduction of fuel tank flammability in aircraft no later than December 31, 2007. Second, we authorize $42 million for runway incursion reduction programs between FY08 and FY11. We also require the FAA to submit a report to Congress containing a plan for the installation and deployment of systems to alert controllers and flight crews to potential runway incursions and provide funding for runway status light acquisition and installation between FY08 and FY11.

Here at home and across the globe, more is being done to reduce energy consumption and emissions. Energy and its consumption are extremely important to our economy—we need it to drive a car; fly a plane; produce goods; and heat and light our homes and offices. We do, however, need to be responsible and aware of the environmental impacts of our energy use.

Within aviation, aircraft fuel efficiency has increased at roughly 1 percent per year, and research continues in engine efficiency, airframe aerodynamics, and the use of lighter materials, like composites currently used on the Boeing 787. Changes in a variety of other factors, such as operating procedures, aircraft routing, and load factors, can also have significant impacts on emissions.

Under this legislation, we establish new environmental provisions to help reduce emissions and energy consumption. I will highlight just a few provisions:

The CLEEN engine and airframe technology partnership which authorizes $111 million for cooperative agreements between the FAA and institutions or consortiums to research the development, maturing and certification of lower energy, emissions and noise engine and airframe technology.

Establishment of a pilot program that allows FAA to fund six projects at public-use airports that take laboratory proven environmental research concepts and implement them at actual airports. Eligible projects could include research that would measurably reduce or mitigate aviation impacts on noise, air or water quality.

Establishment of high performance and sustainable air traffic control facilities by implementing environmentally-beneficial practices for new construction and major renovation of air traffic control facilities. This provision is modeled after what is currently being done at O'Hare International Airport.

Finally, over the last eight months, passengers on our airlines have encountered delays and cancelled flights, resulting in lengthy tarmac delays. Voluntary efforts by the industry to improve airline service have come under strong criticism and I believe closer oversight of the aviation industry is needed. While I question a one-size-fits-all legislative approach to regulating consumer issues, changes must be made. During our April 2007 hearing, we learned that airlines and airports do not have emergency contingency plans in place.

I said then it should be a priority and that is why in this legislation, we require air carriers and large and medium hub airports to file emergency contingency plans with the Secretary of Transportation for review and approval. These plans must detail how the air carrier will provide food, water, restroom facilities, cabin ventilation, and medical treatment for passengers onboard an aircraft that is on the ground for an extended period of time without access to the terminal. The plans must also detail how facilities and gates will be shared. Fines will be imposed by DOT for any violations. Finally, the air carriers must update their plans every 3 years. The airports must update their plans every 5 years.

Madam Speaker, this legislation is the culmination of numerous hearings, indepth analysis, and a continued dialogue with the FAA, our colleagues, and stakeholders. These issues are important and difficult because our answers will determine our ability to continue to maintain the world's safest aviation system.

PERSONAL EXPLANATION

HON. HENRY C. ''HANK'' JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2007

Mr. JOHNSON of Georgia. Madam Speaker, I regret that I was unable to vote on Thursday and Friday, the 21st and 22nd of June. Had I been present, I would have voted:

''Aye'' on rollcall vote No. 536, and amendment to H.R. 2764 which would prohibit the use of funds for programs at the Western

Hemisphere Institute for Security Cooperation located at Fort Benning, Georgia.

"Aye" on final passage of H.R. 2764, Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008 and "Aye" on final passage of H.R. 2771, Making appropriations for the Legislative Branch for the fiscal year ending September 30, 2008.

IN RECOGNITION OF WILLIAM STEARNS

HON. BRAD ELLSWORTH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2007

Mr. ELLSWORTH. Madam Speaker, I rise today to recognize the great efforts of one of my constituents, Mr. William Stearns. Mr. Stearns has gone to great lengths to promote a stronger sense of community in Greene County, Indiana, and his hard work provides us all a valuable resource. Mr. Stearns created and maintains the website gogreenecounty.com, which provides wonderful local information on a variety of topics. The website's forum provides a convenient place for local Hoosiers to discuss a variety of issues, and the community links expand the resources that community members can access from this one, convenient website.

As great a service as this website is to the people of Greene County, Mr. Stearns' work is all the more remarkable because he performs this great service despite being legally blind. When one considers the visual difficulties Mr. Stearns overcomes every day, the fact that he produces a valuable website for our community is especially noteworthy. I commend William Stearns for his tremendous service to Greene County, Indiana.

HONORING MANUEL RODRIGUEZ OF LAKE COUNTY, CALIFORNIA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2007

Mr. THOMPSON of California. Madam Speaker, I rise today to recognize Mr. Manuel Rodriguez of Lake County for his years of dedicated public service on behalf of the citizens of Lake County. He has ably worked in the Social Security Administration, assisting local residents in managing their benefits, and his work has been of great importance to many.

Mr. Rodriguez was born in Los Angeles, and served 5 years in the United States Air Force before receiving an associate of arts degree in history. He has worked for the Federal Government in the Social Security Administration for 28 years, during which time he has excelled in a variety of roles. His work for Social Security has been marked by an exacting attention to detail, and a commitment to ensuring that when interruptions do occur to a citizen's benefits, the problem is corrected as expeditiously as possible. His patience and work ethic have been of the utmost importance to many people who depend on his expertise to sustain their primary source of income.

Beyond his work in the office, Mr. Rodriguez has been an active member of his community, lending his efforts to a number of local organizations. He is a member of the Parish Council at the United Christian Parish in Lakeport, and has been a dedicated supporter of the many different programs this ministry offers. He has also been a longtime volunteer at the Lake County Passion Play.

In his retirement, Mr. Rodriguez looks forward to traveling with his wife Michele, and enjoying more time with his step-children, Grant and Terre Basham, who also live in Lakeport. He intends to return to school to obtain a minister's license.

Madam Speaker and colleagues, it is appropriate at this time that we recognize Mr. Manuel Rodriguez for his many years of service at the Social Security Administration. He has been a dedicated public servant of the highest caliber, and he has done exemplary work on behalf of the citizens of Lake County.

HONORING LT. COL. TOM CASTRIOTA FOR HIS EXEMPLARY MILITARY SERVICE

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2007

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to honor Tom Castriota, a marine who has served his country with honor and distinction for nearly 3 decades. Having retired from the Marines after 26 years in service to his country, Mr. Castriota was so moved by the attack of September 11 that he volunteered to re-enter active military service and join his fellow soldiers and help wage the Global War on Terror.

Following his return to the Marines, Lt. Col. Castriota was first assigned to Tampa's U.S. Central Command Post. Last October, he was notified that he was being called up for a six month stint in Iraq as part of Operation Iraqi Freedom. While in Iraq, Lt. Col. Castriota served as part of the Multi-National Security Transition Command. His duties included helping to coordinate the training of the Iraqi soldiers and police recruits, as well as a twice-weekly briefing that he gave to general David Petraeus on the progress of his training.

When he is not serving his country as an active duty member of the Marines, Lt. Col. Castriota and his family own a Chevrolet dealership in Hudson, Florida. working with his wife Anita, who is the daughter of a marine, and his 2 children Alex and Chrissy, Lt. Col. Castriota has built a second career helping area residents find the perfect car. True leaders in the Pasco County community, the Castriota family has worked hard to give back to Hudson and help make their neighborhood a better place to live and work.

Madam Speaker, it is military service members like Lt. Col. Castriota that help make our military the finest fighting force in the world. This Congress congratulates Lt. Col. Castriota for his outstanding sense of volunteerism and thanks him for once again joining the battle for freedom around the world. His story should serve as an inspiration to every American and each Member of the House and Senate.

HONORING THE NEW HAVEN COUNTY BAR ASSOCIATION AS THEY CELEBRATE THEIR CENTENNIAL ANNIVERSARY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2007

Ms. DELAURO. Madam Speaker, it gives me great pleasure to rise today to join the community of my hometown, New Haven, Connecticut, as friends, colleagues, and community leaders gather to celebrate a remarkable milestone—the 100th anniversary of the New Haven County Bar Association. Founded in the late 18th century and incorporated in 1907, this organization serves as the professional association for judges, attorneys, and legal paraprofessionals throughout the greater New Haven area.

As one can see from the historical exhibition currently on display at the New Haven Museum and Historical Society, the legal community has long played a unique and integral role in the rich history of New Haven. From the earliest days of the colony and the Amistad case in the 1840s through the Black Panther trial in the 1970s and Connecticut v. Griswold in 1965, New Haven attorneys and judges have been at the center of legal decisions which have helped to define our Nation. Beyond those cases which garnered national attention, the exhibit also reminds us of the many local lawyers who had a significant impact on the character of our community. Theophilus Eaton wrote the laws of the New Haven Colony in the 1600s, Joseph Sheldon actively hired African-American law students in the 1880s and was influential in the development of the American Red Cross, George Dudley Seymour who was known for his dedication to civic duty in the 1900s, and Mary Manchester in 1938 was the first woman to be named a law partner in Connecticut.

Today, the New Haven County Bar Association is more than simply a professional association. It supports its members in many ways, including continuing legal education programs, new attorney mentoring opportunities, annual social events and working to foster relations between its members and the courts. The Bar Association is also the sponsor of the New Haven County Lawyer Referral Service—a not-for-profit public service that, for more than 50 years, has referred members of the public to private attorneys experienced in the appropriate field of law. The Bar Association also works closely with its charitable arm, the New Haven County Bar Foundation, Inc., which provides charitable outreach and educational programming.

As members gather this evening in celebration of the New Haven County Bar Association's 100th anniversary, we pay tribute to the many invaluable contributions the legal minds of our community have made locally, statewide, and nationally—but most importantly for the countless hours of hard work they do every day for their clients. While New Haven certainly has had its share of compelling legal cases which have caught the public's attention, more often than not, our lawyers, judges, and legal paraprofessionals are working on cases which—while they may not make national headlines—have a real impact on the lives of those they are representing. For the

outstanding work they do every day and for the many contributions they make to our community, I am honored to stand today to extend my sincere congratulations to the New Haven County Bar Association and its membership as they celebrate their centennial anniversary.

HONORING CAPTAIN DON ORNDOFF, CIVIL ENGINEER CORPS, UNITED STATES NAVY

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2007

Mr. WOLF. Madam Speaker, it is an honor to recognize Captain Don Orndoff, a native of Winchester, in the 10th Congressional District of Virginia, for his distinguished career as he retires from the United States Navy.

Captain Orndoff served our country not only as a Navy Civil Engineer Corps Officer for 29 years, but also as Naval Facilities Engineering Command Assistant Commander for Navy Public Works and Navy Public Works Business Line Leader. Captain Orndoff graduated from Virginia Polytechnic Institute and State University and has done tours in such places as Pearl Harbor, San Francisco and Yokosuka, Japan.

After being chosen to lead a Navy Installation Command and Naval Facilities Engineering Command transformation Captain Orndoff implemented a dramatic restructuring and transformation of all NAVFAC components. He reduced their required workforce by 1,100 civilian positions and increased productivity 13 percent, directly resulting in over $600 million in savings and creating the most comprehensive and fundamental reorganization of the command in more than three decades.

As the Navy Public Works Business Line Leader, Captain Orndoff successfully led over 9,000 civilian and military employees and contractors, executing an annual workload of $3.6 billion for the Navy's global shore installation system.

I am proud to call attention to Captain Orndoff's service to our country through a career marked by inspirational moral courage, exceptional vision and relentless leadership. I also commend him and his family for their dedication to patriotism and their contributions to the United States Navy, and wish them well in the future.

TRIBUTE TO CARTER GAMBLE

HON. BARON P. HILL

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2007

Mr. HILL. Madam Speaker, my hometown of Seymour, Indiana, has lost one of its finest. Although Carter A. Gamble, Jr. was born and raised in Georgia, he called Southern Indiana home for a short while. Carter Gamble was tragically killed in Iraq Sunday. My deepest condolences go to his family—his wife, Peggy, his children, including one on the way, his extended family, particularly Jackson County Sheriff Marc Lahrman and Carter's grandparents, Bob and Helen Lahrman. Carter served this country so notably and honorably. He was deployed to Iraq twice, the second time reenlisting in the Army knowing he would likely be sent to Iraq. I thank him for his unwavering commitment to our great Nation. I thank his family for loving and supporting him. Carter will be greatly missed and was taken much too soon from his young and growing family. Let us all keep Carter Gamble and his family in our constant thoughts and prayers.

INTRODUCTION OF ENERGY EFFICIENT BUILDINGS PROMOTION ACT OF 2007

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2007

Mr. UDALL of New Mexico. Madam Speaker, many of us recognize that one of the great challenges facing our nation today is combating global warming by reducing the greenhouse gas emissions responsible for the rapidly rising temperatures on our planet. What many may not realize, however, is that the largest source of emissions and energy consumption both in this country and around the world is buildings. Given this fact, any attempt to stem the tide of growing greenhouse gas emissions and improve energy efficiency must include the building sector. The federal government has an important role to play on this count, and must provide leadership to the rest of the country and world. To that end, I rise to introduce today the Energy Efficient Buildings Promotion Act of 2007.

This legislation takes up "The 2030 Challenge," issued by Ed Mazria of the organization Architecture 2030, who, I am proud to say, is one of my constituents and who was also instrumental in developing this legislation. The 2030 Challenge calls on the global architecture and building community to adopt targets to ensure that all new buildings, new developments and existing buildings undergoing major renovations, achieve carbon neutrality, or use no fossil fuel greenhouse gas emitting energy to operate, by 2030.

Organizations, architects, local governments, and individuals wanting to do their part have all taken up this challenge. The U.S. Conference of Mayors has adopted it for all buildings in all cities. It is time for the federal government to do so as well. In the United States, the building sector accounts for approximately 48 percent of all annual energy consumption and greenhouse gas emissions. Several states have implemented building standards for state government buildings, but the federal government needs to lead the rest of the nation by example, to encourage reduced fossil-fuel energy consumption and greenhouse gas emissions in the "built" environment.

My legislation ensures that the federal government answers Architecture 2030's call by establishing an energy performance standard for new federal or federally supported buildings. For new federal buildings and federal buildings undergoing major renovations, they must meet the United States Green Building Council's Leadership in Energy and Environmental Design (LEED) silver level standards, or an equivalent standard approved by EPA. They must achieve at least a 60 percent reduction compared to the regional average energy consumption for that building type, and they must be built in a manner that will allow for declining fossil fuel energy consumption in amounts of 70 percent by 2011, 80 percent by 2015, 90 percent by 2020, and 100 percent by 2025.

In addition, my legislation establishes similar standards for new buildings and buildings undergoing major renovations that were built with at least 10 percent of federal funds. These buildings or renovations must be designed to achieve at least a 50 percent reduction compared to regional average energy consumption for that building type. Also, they must be built in a manner that will allow for declining fossil fuel energy consumption in amounts of 60 percent by 2011, 70 percent by 2015, 80 percent by 2020, 90 percent by 2025, and 100 percent by 2030.

Madam Speaker, I believe these two new standards and the improved energy efficiency that will result will be a strong marker of Federal leadership towards more environmentally friendly buildings.

It is not enough by itself, however. Another avenue for Federal leadership is the U.S. tax code. The Energy Policy Act of 2005 recognized this and established several very important tax credits and deductions to promote energy efficient construction and improvements to homes and commercial buildings. Many of these tax provisions are not only scheduled to expire in 2008, but in the estimation of many, were also set at amounts too low to spark the level of construction and efficiency improvements needed.

To that end, this legislation extends to 2013 and increases the Nonbusiness Energy Property Tax Credit from $500 to $1,000, it extends to 2013 and increases the New Energy Efficient Homes Tax Deduction from $2,000 to $4,500 per unit, and extends to 2013 and increases the Energy Efficient Commercial Buildings Tax Deduction from $1.80 to $2.75 per square foot.

Madam Speaker, we must take steps to address the greenhouse gas emissions and energy inefficiencies in the building sector. The Federal Government has a unique opportunity to provide the leadership for the rest of the country and even the world in promoting greener building. I urge my colleagues to cosponsor this legislation and help begin stemming the tide of a significant portion of the greenhouse gas emissions contributing to the problem of global warming.

A TRIBUTE TO CHRISTOPHER WESTHOFF

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2007

Mr. SCHIFF. Madam Speaker, I rise today to congratulate Christopher Westhoff, Assistant City Attorney—Public Works General Counsel with the City of Los Angeles, California, who will become President of the National Association of Clean Water Agencies (NACWA).

Christopher Westhoff is an environmental champion for the City of Los Angeles, the State of California, and the Nation. He is an exceptional leader and public steward, dedicated to the improvement of Los Angeles' water quality and public health.

A former prosecutor with the Los Angeles City Attorney's office, Christopher has spent over 15 years serving as the General Counsel to the Board of Public Works. He has been the Public Works Department's legal counsel on environmental regulatory issues including wastewater treatment, air quality, and storm water management. He played a leadership role in guaranteeing clean and safe water for future generations of Californians by helping ensure the upgrade of the Hyperion Treatment Plant to full secondary treatment of its wastewater. Christopher helped to develop and defend policies that have helped clean up the Santa Monica Bay, and achieve 100 percent beneficial reuse of the city's biosolids. His negotiations in a landmark settlement agreement for Los Angeles' collection systems led to a reduction in sewer spills of more than 70 percent. Christopher also participated in the development and implementation of Proposition ''O'', which provided for $500 million in bonds for stormwater management improvements and green technologies.

In 1999, Mr. Westhoff was elected to NACWA's Board of Directors. He currently acts as the Association's Vice President and Chair of the Strategic Planning Committee. Later this month; Christopher will become NACWA's President. As the President of NACWA, he will build on its reputation as the leading advocate for responsible national policies that advance clean water and a healthy environment.

For his tireless commitment to ensuring that Los Angeles becomes an environmentally smart city, I ask all Members of Congress to join me in congratulating Christopher Westhoff on becoming President of the National Association of Clean Water Agencies.

IN HONOR OF THE MONTEREY SCOTTISH GAMES & CELTIC FESTIVAL

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2007

Mr. FARR. Madam Speaker, I rise today to honor the Monterey Scottish Games & Celtic Festival which is celebrating an outstanding 40-year tradition. A special Monterey County Celtic Week, with a variety of Celtic-themed activities and events, will commemorate this milestone. These events include a Caber Parade in Carmel; the 3rd Annual Monterey Bay School of Piping and Drumming; a performance by the Monterey Bay Pipe Band in the 4th of July Parade in downtown Monterey; a Celtic Concert with musicians and dancers; culminating in the 40th Annual Monterey Scottish Games and Celtic Festival on July 7th–8th.

Featuring fun activities for the entire family, the Monterey Scottish Games & Celtic Festival is a wonderful ''festival for the senses'' which includes authentic Celtic music, colorful Highland, Scottish and Irish dancing, athletic competitions such as the famous Caber Toss, massed pipe bands on parade, children's games, delicious food, great shopping, and more.

The Monterey Scottish Games & Celtic Festival not only is an exciting event to attend, it also raises money to benefit many local charitable organizations. Over the past 40 years, the Festival has donated thousands of dollars to various organizations such as Peninsula Outreach, Alliance on Aging, Monterey Schools, Meals on Wheels, Boy Scouts of America, and the Armed Forces Relief Fund.

The Monterey Scottish Games & Celtic Festival celebrates tradition and family by highlighting and creating music, dance and athletic competitions for the youth and participating community members of the Monterey Area. The festival keeps alive the Celtic culture in Monterey County, promotes the study of Celtic music and dance, and awards funds and youth scholarships to the Monterey School of Piping and Drumming.

Madam Speaker, the Monterey Scottish Games & Celtic Festival provides quality events in a unique, friendly setting to educate, entertain, and inspire the local Monterey community as well as attract visitors to the County. The contributions the Festival has made to the community are invaluable and I am honored to acknowledge July 1–8, 2007, as Monterey County Celtic Week.

PERSONAL EXPLANATION

HON. HENRY E. BROWN, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2007

Mr. BROWN of South Carolina. Madam Speaker, I am writing to notify you that I was absent for votes on June 22, 2007. The reason for my absence was that I was attending a memorial service for the nine firefighters who so bravely gave their lives in the line of duty on June 18, 2007, in Charleston, SC.

Regarding the votes that I missed, please see below how I would have voted had I been present:

Rollcall vote No. 543: On the Motion to Call the Previous Question for the Rule on H.R. 2771, The Legislative Branch Appropriation Act.—''nay.''

Rollcall Vote No. 544: On the Motion adopting the Rule for H.R. 2771, The Legislative Branch Appropriation Act.—''nay.''

Rollcall vote No. 545: On the Amendment offered by Mr. FLAKE of Arizona to reduce funding for the Government Printing Office by $3,200,000.—''yea.''

Rollcall vote No. 546: On the Amendment offered by Mr. JORDAN of Ohio to reduce appropriations in the bill by 4 percent across the board.—''yea.''

Rollcall vote No. 547: On Republican Motion to Recommit that would strike the $16 million included in the bill for the congressional takeover of the former FDA building.—''yea.''

Rollcall vote No. 548: On Passage of H.R. 2771, The Legislative Branch Appropriations.—''nay.''

TRIBUTE TO COMMISSIONER CONNIE HUGHES

HON. MIKE FERGUSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2007

Mr. FERGUSON. Madam Speaker, I rise today to congratulate Commissioner Connie Hughes for a long and distinguished career as she retires July 1, 2007, after more than 30 years of public service to New Jersey and its residents.

A commissioner with the New Jersey board of Public Utilities, Commissioner Hughes was appointed to the board in July 2001 by then-Governor Donald T. DiFrancesco. She also has served as board president.

She has held numerous senior positions within the National Association of Regulatory Utility Commissioners, including serving as its representative to the U.S. Department of Homeland Security's Government Coordinating Council for the Telecom Sector.

Before joining the New Jersey Board of Public Utilities, Commissioner Hughes served as then-Governor DiFrancesco's Chief of Management and Policy; ex-officio Commissioner of Higher Education; and on the New Jersey State Planning Commission, the New Jersey Commission on Science and Technology, the New Jersey Commission on Environmental Education, the New Jersey State Board of Human Services, and the New Jersey Commerce and Economic Growth Commission Board of Directors.

Known chiefly for her expertise in telecommunications policy, Commissioner Hughes focused her career on issues affecting New Jersey and its consumers. My staff and I, as a member of the Energy and Commerce Committee, had the pleasure of working with her on matters of mutual interest to the State.

Madam Speaker, please join me in congratulating Connie Hughes on her more than three decades of outstanding public service to my state of New Jersey and its residents.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

SPEECH OF

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 20, 2007

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2641) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2008, and for other purposes:

Mr. BLUMENAUER. Mr. Chairman, I supported the Hinchey-Wolf amendment to the FY 2008 Energy and Water Development Appropriations Bill. This amendment would have established a one-year spending limitation with regard to the designation of National Interest Electric Transmission Corridors under section 1221 of the Energy Policy Act of 2005. I supported this limitation amendment because section 1221 is a flawed provision of federal law, and the Department of Energy's implementation of the provision has enhanced concerns about the law rather than addressed them.

Section 1221 of the Energy Policy Act grants the Department of Energy unprecedented siting and construction authority for transmission lines. While I strongly support the upgrade of our nation's transmission infrastructure and believe that states and the federal government need tools to make this happen, section 1221 goes too far. The provision

invites only illusory participation from the states—one year is much too short a timeframe for states to make any decision about transmission siting, much less the right one.

I look forward to working with my colleagues to provide a realistic backstop for the federal government that gives the states time and flexibility to suggest alternatives. I hope that this Congress can advance a more balanced approach.

THE MEDICARE ADVANTAGE TRUTH IN ADVERTISING ACT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2007

Mr. STARK. Madam Speaker, Medicare Advantage Plans—by name and by advertising—promote that they provide added value to the Medicare benefit.

But under current law, MA plans are allowed to manipulate cost sharing for Medicare benefits. In some instances, enrollees save compared to Medicare. In many other instances, they spend more than they would in the traditional Medicare program. Few seniors or people with disabilities understand that—depending on their health—they could spend far more in a Medicare Advantage plan than they would under traditional Medicare.

Beneficiaries are often charged more for home health, skilled nursing facilities, hospitalizations, durable medical equipment, Part B drugs (chemotherapy being the biggest service), and inpatient mental health services. These services are vital to millions of Medicare beneficiaries who face multiple chronic conditions and depend on affordable health care for their very lives.

As Barbara Kennelly, President of the National Committee To Preserve Social Security and Medicare so aptly puts it, "While MA plans are required to cover everything that Medicare covers, they do not have to cover every benefit in the same way."

The Medicare Rights Center emphasizes that, "On a daily basis, our counselors assist older adults and people with disabilities enrolled in these plans who run into unexpectedly high out-of-pocket costs for their health care."

In my district in California, one of the major MA plans in our community charges $275 a day for the first 10 days in the hospital. This compares to a single charge of $992 in traditional Medicare for a hospital stay of up to 60 days. That means patients in this so-called Medicare Advantage plan who have to go to the hospital for 10 days are paying $2750 instead of $992—that is not an advantage!

With regard to home health benefits, Medicare charges no copayment for these services as recipients tend to be the most frail, elderly women who are often widows and living on very low fixed incomes. Yet many MA plans charge a 20 percent copayment for home health. They also impose tough utilization review standards to further restrict access to this needed benefit for our most at-risk beneficiaries.

Attached is a chart which further highlights how beneficiary cost sharing for various services in a variety of MA plans surpasses Medicare's cost-sharing for those same services. It is just an illustrative sampling.

The Medicare Advantage Truth in Advertising Act would fix this problem. It would require MA plans to cover all of Medicare's benefits with no greater cost-sharing than is charged in the traditional fee-for-service Medicare program. It would preserve the ability of MA plans to use flat copayments and per diem rates in lieu of deductibles and co-insurance charged in traditional Medicare, but it would prohibit their costs from exceeding the overall fee-for-service cost. In other words, it holds private plans to their propaganda that they're an advantage.

This is a simple bill. It holds Medicare Advantage plans to their word and assures Medicare beneficiaries that they won't face higher out of pocket costs if they choose to join one of the private plan options so heavily promoted in Medicare today.

With thousands of different MA plans out there and numerous complaints being filed about inappropriate and illegal sales techniques, the least we can do is assure Medicare beneficiaries that they'll still be eligible for Medicare-covered services at no more than Medicare prices.

I developed this bill in direct response to testimony presented by Medicare beneficiary advocates before our Ways and Means Health Subcommittee this year. I am pleased that numerous groups support this bill, including the National Committee to Preserve Social Security and Medicare, the Medicare Rights Center, Consumers Union, the Alliance for Retired Americans, the Center for Medicare Advocacy, Families USA, the National Senior Citizens Law Center and California Health Advocates.

I urge you to join me in support of this common sense improvement to the Medicare Advantage program.

IN REMEMBRANCE OF EDOUARD BRUNNER

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2007

Mr. HASTINGS of Florida. Madam Speaker, I rise today in remembrance of a dear international colleague who passed away this weekend.

A world renowned diplomat, Edouard Brunner began his career in the Swiss Foreign Ministry in 1956. Rising through the ranks, he served as the Swiss Secretary of State from 1984 to 1989. He then went on to serve as Ambassador to the United States from 1989 to 1993.

In 1991, U.N. Secretary-General Javier Perez de Cuellar appointed him to a parallel role as his special envoy to the Middle East, replacing Gunnar Yarring of Sweden. Following this position, he served as Special Representative of the Secretary General of the UN for Abkazia from 1993 and 1994, where he led a U.N. mission that brokered a truce ending 2 years of fighting between the Georgian government and separatists in the Black Sea province of Abkhazia.

He is often cited for coming out of retirement in 1998 to address concerns related to his beloved country during the Nazi era, which with his involvement, provided an acceptable solution to the international community.

However, it is through our work within the Organization for Security and Cooperation in Europe (OSCE) that I came to know him. Appointed to head the Swiss mission in 1972, Brunner played a key role within the Conference on Security and Cooperation in Europe (CSCE), which served as a multilateral forum for dialogue and negotiation between the East and West and culminated in the Helsinki Final Act in 1975. In 1994, the CSCE changed its name, becoming the OSCE. Over the years, in a testament to his dedication to the organization and its standing in the world, Brunner remained active within the OSCE both formally and informally.

In 2005, during my presidency of the OSCE Parliamentary Assembly, Brunner and I, in his capacity as chairman of the Swiss Foundation for World Affairs, held a Colloquium on the Future of the OSCE. A report on the findings of the colloquium was then provided as a report to the then-OSCE Chairman-in-Office, Slovenian Foreign Minister Dimitrij Rupel.

A major goal of the colloquium and subsequent report was to give new impetus to political dialogue and provide strategic vision for the OSCE. The initial purpose of the Helsinki Accords had been to expand cooperation in the areas of security, economic, and humanitarian affairs.

Additionally, for the first time, it afforded a systematic review of human rights practices in the Soviet Union and all other signatories of the accords.

With the collapse of the Soviet Union and the emergence of independent states from its territories, spanning from Europe into Asia, questions of the expanding role of the OSCE in politico-military, election observation, and relationships with other multilateral organizations were being raised.

Working together, Brunner and I were not only able to encourage and host the colloquium, but also actively succeeded in addressing those concerns, and establishing a path forward that addressed the new challenges of the 56 participating states of the OSCE.

In my current role as chairman of the Commission on Security and Cooperation Europe, I will sorely miss Brunner's counsel at the OSCE, but know that his memory will live on through his extraordinary contributions to this organization that has been instrumental to peace and security here in the United States as well as throughout Europe. He will not be forgotten.

HONORING NICK SWYKA FOR HIS DEDICATED SERVICE

HON. JOHN ABNEY CULBERSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 28, 2007

Mr. CULBERSON. Madam Speaker, I rise to recognize and commend the tireless public service of a dedicated and talented member of my staff, Nick Swyka. Nick has worked in my office for 4 years, the first 2 as a Legislative Assistant and the last 2 as my District Director, and he is one of the most intelligent and hard-working staffers I have had the privilege to employ.

Nick was born and raised in Houston, attended St. John's School and graduated from Georgetown University's School of Foreign Service with a degree in International Political

Economy. He was 1 of the approximately 650 students across the country who earned a perfect score on their SATs each year. Nick will be attending the Red McCombs School of Business at the University of Texas this fall and he will be sorely missed, but his contributions to his hometown and the people of Houston will not be forgotten.

Nick has carried on the tradition of outstanding public service established by my first District Director, Jan Crow. He has conducted himself with the same dignity and professionalism as his predecessor, and his calm demeanor and sharp wit have served him well in his role as my representative in the district. Nick brought the right mix of policy savvy, well-honed political instincts and strength of character to the job, and he excelled at building relationships throughout the district.

We, as Members of Congress, trust our staffs to handle many of the day to day operations of our offices. I was always confident that my district staff was setting new and higher standards for constituent service with Nick Swyka as my District Director. I am equally confident that Nick will achieve each and every goal he sets for himself, and that he will continue to be an active and engaged participant in our democracy.

Daily Digest

HIGHLIGHTS

The House passed H.R. 2829, making appropriations for financial services and general government for the fiscal year ending September 30, 2008.

Senate

Chamber Action

Routine Proceedings, pages S8641–S8730

Measures Introduced: Twenty-two bills and two resolutions were introduced, as follows: S. 1723-1744, and S. Res. 260–261. **Pages S8691–92**

Measures Reported:

Report to accompany S. 845, to direct the Secretary of Health and Human Services to expand and intensify programs with respect to research and related activities concerning elder falls. (S. Rept. No. 110–110)

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. Rept. No. 110–111)

S. 324, to direct the Secretary of the Interior to conduct a study of water resources in the State of New Mexico. (S. Rept. No. 110–112)

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. Rept. No. 110–113)

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. Rept. No. 110–114)

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. Rept. No. 110–115)

S. 1139, to establish the National Landscape Conservation System, with an amendment in the nature of a substitute. (S. Rept. No. 110–116)

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. (S. Rept. No. 110–117)

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, and for other purposes. (S. Rept. No. 110–118)

H.R. 482, to direct the Secretary of the Interior to transfer ownership of the American River Pump Station Project. (S. Rept. No. 110–119)

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. (S. Rept. No. 110–120)

H.R. 886, 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. (S. Rept. No. 110–121)

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. (S. Rept. No. 110–122)

S. 1257, to provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives, with amendments. (S. Rept. No. 110–123)

H.R. 2771, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2008, without recommendation.

H. Con. Res. 7, Calling on the League of Arab States and each Member State individually to acknowledge the genocide in the Darfur region of Sudan and to step up their efforts to stop the genocide in Darfur, with an amendment and with an amended preamble.

S. Res. 203, 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, with an amendment in the nature of a substitute and with an amended preamble.

S. Res. 253, expressing the sense of the Senate that the establishment of a Museum of the History of American Diplomacy through private donations is a worthy endeavor. **Page S8691**

Measures Passed:

Adjournment Resolution: Senate agreed to H. Con. Res. 179, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

Pages S8723–24

Andean Trade Preference Act Extension: Senate passed H.R. 1830, to extend the authorities of the Andean Trade Preference Act until September 30, 2009, clearing the measure for the President.

Page S8724

Measures Considered:

Comprehensive Immigration Reform: Senate continued consideration of S. 1639, to provide for comprehensive immigration reform, taking action on the following amendment proposed thereto:

Pages S8641–51

Pending:

Reid (for Kennedy/Specter) Modified Amendment No. 1934, of a perfecting nature. **Page S8641**

Division VII of Reid (for Kennedy/Specter) Modified Amendment No. 1934. **Page S8641**

Division VIII of Reid (for Kennedy/Specter) Modified Amendment No. 1934. **Page S8641**

Division IX of Reid (for Kennedy/Specter) Modified Amendment No. 1934. **Page S8641**

Division X of Reid (for Kennedy/Specter) Modified Amendment No. 1934. **Page S8641**

Division XI of Reid (for Kennedy/Specter) Modified Amendment No. 1934. **Page S8641**

Division XII of Reid (for Kennedy/Specter) Modified Amendment No. 1934. **Page S8641**

Division XIII of Reid (for Kennedy/Specter) Modified Amendment No. 1934. **Page S8641**

Division XIV of Reid (for Kennedy/Specter) Modified Amendment No. 1934. **Page S8641**

Division XV of Reid (for Kennedy/Specter) Modified Amendment No. 1934. **Page S8641**

Division XVI of Reid (for Kennedy/Specter) Modified Amendment No. 1934. **Page S8641**

Division XVII of Reid (for Kennedy/Specter) Modified Amendment No. 1934. **Page S8641**

Division XVIII of Reid (for Kennedy/Specter) Modified Amendment No. 1934. **Page S8641**

Division XIX of Reid (for Kennedy/Specter) Modified Amendment No. 1934. **Page S8641**

Division XX of Reid (for Kennedy/Specter) Modified Amendment No. 1934. **Page S8641**

Division XXI of Reid (for Kennedy/Specter) Modified Amendment No. 1934. **Page S8641**

Division XXII of Reid (for Kennedy/Specter) Modified Amendment No. 1934. **Page S8641**

Division XXIII of Reid (for Kennedy/Specter) Modified Amendment No. 1934. **Page S8641**

Division XXIV of Reid (for Kennedy/Specter) Modified Amendment No. 1934. **Page S8641**

Division XXV of Reid (for Kennedy/Specter) Modified Amendment No. 1934. **Page S8641**

Division XXVI of Reid (for Kennedy/Specter) Modified Amendment No. 1934. **Page S8641**

Division XXVII of Reid (for Kennedy/Specter) Modified Amendment No. 1934. **Page S8641**

Kennedy Amendment No. 1978 (to Division VII of Reid (for Kennedy/Specter) Modified Amendment No. 1934), to change the enactment date. **Page S8641**

During consideration of this measure today, the Senate also took the following action:

By 46 yeas to 53 nays (Vote No. 235), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the bill. **Pages S8650–51**

A unanimous-consent agreement was granted permitting Senator Lugar to change his nay vote to a yea vote on Vote No. 231 changing the outcome of the vote to 57 yeas to 40 nays relative to Division III of Reid Modified Amendment No. 1934, tabled on June 27, 2007. **Pages S8674–75**

National Defense Authorization Act—Agreement: A unanimous-consent agreement was reached providing that the motion to invoke cloture on the motion to proceed to consideration of H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, be withdrawn; that the motion to proceed be agreed to, and that Senate begin consideration of the bill, and that on Monday, July 9, 2007, following morning business, Senate resume consideration of the bill. **Page S8724**

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 99 yeas (Vote No. EX. 237), Benjamin Hale Settle, of Washington, to be United States District Judge for the Western District of Washington.

By unanimous vote of 99 yeas (Vote No. EX. 238), Richard Sullivan, of New York, to be United

States District Judge for the Southern District of New York.

Joseph S. Van Bokkelen, of Indiana, to be United States District Judge for the Northern District of Indiana.

By 94 yeas 4 nays (Vote No. EX. 236), Lt. Gen. Douglas E. Lute U.S. Army. **Pages S8662–66, S8670–73, S8720–23, S8727–30**

Nominations Received: Senate received the following nominations:

Donald B. Marron, of Maryland, to be a Member of the Council of Economic Advisers.

Brent T. Wahlquist, of Pennsylvania, to be Director of the Office of Surface Mining Reclamation and Enforcement.

Christopher Egan, of Massachusetts, to be Representative of the United States of America to the Organization for Economic Cooperation and Development, with the rank of Ambassador.

Reed Verne Hillman, of Massachusetts, to be United States Marshal for the District of Massachusetts for the term of four years.

Thomas M. Beck, of Virginia, to be a Member of the Federal Labor Relations Authority for a term expiring July 29, 2012.

1 Air Force nomination in the rank of general.

1 Marine Corps nomination in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Navy. **Pages S8724–27**

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

John Ray Correll, of Indiana, to be Director of the Office of Surface Mining Reclamation and Enforcement, which was sent to the Senate on January 9, 2007. **Page S8730**

Messages from the House: **Page S8687**

Measures Placed on the Calendar: **Page S8687**

Enrolled Bills Presented: **Pages S8687–88**

Executive Communications: **Pages S8688–89**

Petitions and Memorials: **Pages S8689–91**

Additional Cosponsors: **Pages S8692–93**

Statements on Introduced Bills/Resolutions: **Pages S8693–S8715**

Additional Statements: **Page S8687**

Amendments Submitted: **Pages S8715–19**

Notices of Hearings/Meetings: **Page S8719**

Authorities for Committees to Meet: **Pages S8719–20**

Record Votes: Four record votes were taken today. (Total—238) **Pages S8650–51, S8670–71, S8672, S8672–73**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 7:04 p.m., until 9:45 a.m. on Friday, June 29, 2007. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S8724.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Appropriations: Committee ordered favorably reported the following:

H.R. 2764, making appropriations for Department of States, foreign operations, and related program, with an amendment;

An original bill making appropriations for the Departments of Commerce and Justice, Science, and related agencies for the fiscal year ending September 30, 2008;

An original bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2008.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION BUDGET

Committee on Commerce, Science, and Transportation: Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard concluded an oversight hearing to examine the President's proposed budget request for fiscal year 2008 for the National Oceanic and Atmospheric Administration (NOAA), after receiving testimony from Vice Admiral Conrad C. Lautenbacher, Jr., USN (Ret.), Under Secretary of Commerce for Oceans and Atmosphere, and Administrator, NOAA.

GLOBAL WARMING ISSUES

Committee on Environment and Public Works: Committee concluded a hearing to examine global warming issues in the power plant sector, after receiving testimony from James E. Rogers, Duke Energy Corporation, Charlotte, North Carolina; Peter A. Darbee, Pacific Gas and Electric Corporation (PG&E), San Francisco, California; Lewis Hay, III, Florida Power and Light Company (FLP), Juno Beach; David G. Hawkins, Natural Resources Defense Council, Jason Grumet, National Commission on Energy Policy, Thomas J. Donohue, U.S. Chamber of Commerce, and Marlo Lewis, Competitive Enterprise Institute, all of Washington, D.C; Robert E. Murray, Murray Energy Corporation, Cleveland, Ohio; and Thomas J. Borelli, Free Enterprise Action Fund, Eastchester, New York.

DHS FINANCIAL MANAGEMENT SYSTEMS MODERIZATION

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security concluded a hearing to examine financial management systems modernization at the Department of Homeland Security, focusing on systems and processes needed to support the Department's mission and operations, after receiving testimony from McCoy Williams, Director, Financial Management and Assurance, and Keith Rhodes, Chief Technologist, Applied Research and Methods, Center for Technology and Engineering, both of the Government Accountability Office; and David Norquist, Chief Financial Officer, and Scott Charbo, Chief Information Officer, both of the Department of Homeland Security.

CLASS III GAMING REGULATION

Committee on Indian Affairs: Committee concluded a hearing to examine draft legislation regarding the regulation of class III gaming, after receiving testimony from Philip N. Hogen, Chairman, National Indian Gaming Commission; Dean Shelton, California Gambling Control Commission, Sacramento, on behalf of Governor Schwarzenegger; Myra Pearson, Fort Totten, North Dakota, and Kurt Luger, Bismark, North Dakota, both of the Great Plains Indian Gaming Association; W. Ron Allen, Jamestown S'Klallam Tribe, Sequim, Washington, on behalf of the Washington Indian Gaming Association; and Valerie Welsh-Tahbo, Colorado River Indian Tribes, Parker, Arizona.

BUSINESS MEETING

Committee on Veterans' Affairs: On Wednesday, June 27, 2007, Committee ordered favorably reported the following:

S. 423, to increase, effective as of December 1, 2007, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans;

S. 1163, to amend title 38, United States Code, to improve compensation and specially adapted housing for veterans in certain cases of impairment of vision involving both eyes, and to provide for the use of the National Directory of New Hires for income verification purposes;

S. 479, to reduce the incidence of suicide among veterans;

S. 1315, to amend title 38, United States Code, to enhance life insurance benefits for disabled veterans, with amendments; and

S. 1233, to provide and enhance intervention, rehabilitative treatment, and services to veterans with traumatic brain injury, with amendments.

NOMINATION

Committee on Veterans Affairs: On Wednesday, June 28, 2007, Committee concluded a hearing to examine the nomination of Charles L. Hopkins, of Massachusetts, to be an Assistant Secretary of Veterans Affairs (Operations, Preparedness, Security and Law Enforcement).

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 58 public bills, H.R. 2894–2951; and 9 resolutions, H. Con. Res. 178–181; and H. Res. 525–529 were introduced. **Pages H7430–33**

Additional Cosponsors: **Pages H7433–35**

Reports Filed: Reports were filed today as follows:

H.R. 2420, to declare United States policy on international climate cooperation, to authorize assistance to promote clean and efficient energy technologies in foreign countries, and to establish the International Clean Energy Foundation, with an amendment (H. Rept. 110–215);

H.R. 1851, to reform the housing choice voucher program under section 8 of the United States Housing Act of 1937, with an amendment (H. Rept. 110–216); and

H.R. 1852, to modernize and update the National Housing Act and enable the Federal Housing Administration to use risk-based pricing to more effectively reach underserved borrowers, with an amendment (H. Rept. 110–217). **Pages H7429–30**

Speaker: Read a letter from the Speaker wherein she appointed Representative McCollum to act as Speaker Pro Tempore for today. **Page H7343**

Chaplain: The prayer was offered by the guest Chaplain, Rev. Erin Conaway, South Main Baptist Church, Houston, Texas. **Page H7343**

Temporarily extending the programs under the Higher Education Act of 1965: The House agreed by unanimous consent to S. 1704, to temporarily extend the programs under the Higher Education Act of 1965—clearing the measure for the President. **Page H7347**

Making appropriations for financial services and general government for the fiscal year ending September 30, 2008: The House passed H.R. 2829, making appropriations for financial services and general government for the fiscal year ending September 30, 2008, by a yea-and-nay vote of 240 yeas to 179 nays, Roll No. 606. **Pages H7347–H7411**

Rejected the Lewis (CA) motion to recommit the bill to the Committee on Appropriations with instructions to report the same back promptly to the House with an amendment, by a yea-and-nay vote of 222 yeas to 199 nays, Roll No. 605. **Pages H7409–10**

Agreed to:

Moran (KS) amendment that prohibits funds from being used to administer, implement, or enforce the amendment made to section 515.533 of title 31, Code of Federal Regulations, that was published in the Federal Register on February 25, 2005; **Pages H7347–49**

DeFazio amendment (No. 9 printed in the Congressional Record of June 26, 2007) that prohibits funds from being used by the Selective Service System to prepare for, plan, or execute the Area Office Mobilization Prototype Exercise; **Page H7363**

Cardoza amendment (that was debated on June 27th) that reduces funding for General Activities under the General Services Administration by $8 million and increases funding for the Office of Inspector General under the General Services Administration by $6 million (by a recorded vote of 281 ayes to 144 noes, Roll No. 584); **Page H7394**

Garrett (NJ) amendment (No. 1 printed in the Congressional Record of June 25, 2007 and debated on June 27th) that prohibits funds from being used by the Securities and Exchange Commission to enforce the requirements of section 404 of the Sarbanes-Oxley Act (by a recorded vote of 267 ayes to 154 noes, Roll No. 588); **Page H7397**

Flake amendment (No. 19 printed in the Congressional Record of June 26, 2007) that prohibits funds from being used for the Mitchell County Development Foundation, Inc. for the Home of the Perfect Christmas Tree project (by a recorded vote of 249 ayes to 174 noes, Roll No. 593); **Pages H7354–57, H7400–01**

Wicker amendment that prohibits funds from being used to implement section 5112(n)(2)(C) of title 31, United States Code (by a recorded vote of 295 ayes to 127 noes, Roll No. 598); **Pages H7374–75, H7403–04**

Pence amendment that prohibits funds from being used by the Federal Communications Commission to implement the Fairness Doctrine, as repealed in General Fairness Doctrine Obligations of Broadcast Licensees, or any other regulations having the same substance (by a recorded vote of 309 ayes to 115 noes, with 1 voting ''present'', Roll No. 599); and **Pages H7375–80, H7404–05**

Goode amendment (No. 32 printed in the Congressional Record of June 26, 2007) that sought to prohibit funds from being used to implement or enforce the Health Care Benefits Expansion Act of 1992 (by a recorded vote of 224 ayes to 200 noes, Roll No. 603). **Pages H7390, H7407–08**

Rejected:

Flake amendment (No. 17 printed in the Congressional Record of June 26, 2007) that sought to prohibit funds from being used for the Fairplex Trade and Conference Center, Pomona, California; **Pages H7358–60**

Flake amendment (No. 28 printed in the Congressional Record of June 26, 2007) that sought to prohibit funds from being used for the Advantage West Economic Development Group, Certified Entrepreneurial Community Program; **Pages H7360–61**

Campbell (CA) amendment that sought to prohibit funds from being used for the Wittenberg University East Asian Study Center (agreed by unanimous consent that the House vacate the ordering of a recorded vote on adoption of the amendment to the end that the Chair may put the question on the amendment de novo); **Pages H7369–70**

DeFazio amendment (No. 8 printed in the Congressional Record of June 26, 2007 and debated on June 27th) that sought to increase funding, by offset, for the Small Business Administration by $10 million (by a recorded vote of 95 ayes to 320 noes, Roll No. 585); **Page H7395**

Price (GA) amendment (No. 15 printed in the Congressional Record of June 26, 2007 and debated on June 27th) that sought to strike section 738 entitled Requirement for Public-Private Competition (by a recorded vote of 158 ayes to 268 noes, Roll No. 586); **Pages H7395–96**

Tom Davis (VA) amendment (that was debated on June 27th) that sought to increase funding, by offset, for Federal Payment for Resident Tuition Support by $1 million (by a recorded vote of 146 ayes to 279 noes, Roll No. 587); **Pages H7396–97**

Souder amendment (that was debated on June 27th) that sought to prohibit funds from being used for the Prevention Works or Whitman-Walker Clinic needle exchange programs (by a recorded vote of 208 ayes to 216 noes, Roll No. 589); **Pages H7397–98**

Flake amendment (No. 18 printed in the Congressional Record of June 26, 2007) that sought to prohibit funds from being used for the Grace Johnstown Area Regional Industries Incubator and Workforce Development program (by a recorded vote of 87 ayes to 335 noes, Roll No. 590); **Pages H7349–50, H7398–99**

Flake amendment that sought to prohibit funds from being used for a project for Barracks Row Main Street, Inc. (by a recorded vote of 60 ayes to 361 noes, Roll No. 591); **Pages H7350–52, H7399**

Flake amendment (No. 21 printed in the Congressional Record of June 26, 2007) that sought to prohibit funds from being used for the San Francisco Planning and Urban Research Association, SPUR Urban Center (by a recorded vote of 102 ayes to 317 noes, Roll No. 592); **Pages H7353–54, H7399–H7400**

Flake amendment (No. 22 printed in the Congressional Record of June 26, 2007) that sought to prohibit funds from being used for the West Virginia University Research Corporation for renovations of a small business incubator (by a recorded vote of 101 ayes to 325 noes, Roll No. 594); **Pages H7361–63, H7401**

Campbell (CA) amendment that sought to prohibit funds from being used for the Abraham Lincoln National Airport Commission (by a recorded vote of 107 ayes to 318 noes, Roll No. 595); **Pages H7363–65, H7401–02**

Emanuel amendment that sought to prohibit funds from being used for the Office of the Vice President (by a recorded vote of 209 ayes to 217 noes, Roll No. 596); **Pages H7365–69, H7402–03**

Campbell (CA) amendment that sought to prohibit funds from being used for a list of sundry projects contained in the bill (by a recorded vote of 48 ayes to 372 noes, Roll No. 597); **Pages H7370–74, H7403**

Jordan amendment (No. 31 printed in the Congressional Record of June 26, 2007) that sought to provide that each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is reduced by 8.9 percent (by a recorded vote of 149 ayes to 276 noes, Roll No. 600); **Pages H7380–83, H7405–06**

Price (GA) amendment that sought to reduce appropriations in the bill by $214,340,000 (by a recorded vote of 191 ayes to 233 noes, Roll No. 601); **Pages H7384–87, H7406**

Musgrave amendment (No. 13 printed in the Congressional Record of June 26, 2007) that sought to reduce each amount appropriated or otherwise made available in the bill, that is not required to be appropriated or otherwise made available by a provision of law, by 0.5 percent (by a recorded vote of 205 ayes to 220 noes, Roll No. 602); and **Pages H7387–90, H7406–07**

Stearns amendment that sought to prohibit funds from being used by the Internal Revenue Service to implement a Spanish-language version of the "Where's my Refund?" service (by a recorded vote of 165 ayes to 257 noes, Roll No. 604). **Pages H7391–94, H7408–09**

Withdrawn:

Ellsworth amendment (No. 10 printed in the Congressional Record of June 26, 2007) that was offered and subsequently withdrawn that sought to prohibit funds from being used to enter into a contract in an amount greater than the simplified acquisition threshold unless the prospective contractor certifies in writing to the agency that the contractor owes no Federal tax debt and **Page H7357**

Wolf amendment (No. 14 printed in the Congressional Record of June 26, 2007) that was offered and subsequently withdrawn that sought to establish funding for a budget and entitlement reform commission. **Pages H7357–58**

Point of Order sustained against:

Lucas amendment (No. 34 printed in the Congressional Record of June 26, 2007) that sought to prohibit funds from being used by the United States Government to seize, other than for value given in a sale or exchange, any coin, medal or numismatic item made or issued by the United States Government before January 1, 1933; **Page H7349**

Section 106 regarding qualified tax collection contracts; and **Pages H7352–53**

Kingston amendment that sought to prohibit funds from being used to enter into a contract with an entity that does not participate in the basic pilot program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. **Page H7387**

H. Res. 517, the rule providing for consideration of the bill, was agreed to on Wednesday, June 27th.

Adjournment Resolution: The House agreed to H. Con. Res. 179, providing for an adjournment of the House and a recess or adjournment of the Senate. **Page H7391**

Late Report: Agreed that the Committee on Energy and Commerce have until midnight on July 9, 2007 to file a report to accompany H.R. 2900. **Page H7411**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday, July 2, 2007, unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 179, in which case the House shall stand adjourned pursuant to that concurrent resolution. **Pages H7391, H7411**

Calendar Wednesday: Agreed by unanimous consent to dispense with the Calendar Wednesday business of Wednesday, July 11th. **Page H7411**

U.S. Capitol Preservation Commission—Appointment: Read a letter from Robert A. Brady, Vice Chairman, Joint Committee on the Library, in which he designated Representative Capuano to serve on the U.S. Capitol Preservation Commission in lieu of himself. **Page H7412**

Speaker Pro Tempore: Read a letter from the Speaker wherein she appointed Representative Ruppersberger and Representative Cummings to act as Speaker pro tempore to sign enrolled bills and joint resolutions through July 10, 2007. **Page H7412**

Committee Resignation: Read a letter from Representative Gillmor wherein he resigned from the Committee on Energy and Commerce, effective immediately. **Page H7412**

Senate Messages: Messages received from the Senate today appear on pages H7343 and H7412 .

Quorum Calls—Votes: Two yea-and-nay votes and twenty-one recorded votes developed during the proceedings of today and appear on pages H7394, H7395, H7395–96, H7396–97, H7397, H7398, H7398–99, H7399, H7400, H7400–01, H7401, H7402, H7402–03, H7403, H7404, H7404–05, H7405–06, H7406, H7406–07, H7407–08, H7408, H7410, and H7411. There were no quorum calls.

Adjournment: The House met at 10 a.m. and at 9:50 p.m., the House stands adjourned until 2 p.m. on Tuesday, July 10, 2007.

Committee Meetings

MEDICARE ADVANTAGE AND THE FEDERAL BUDGET

Committee on the Budget: Held a hearing on Medicare Advantage and the Federal Budget. Testimony was heard from Peter R. Orszag, Director, CBO; Mark E. Miller, Executive Director, Medicare Payment Advisory Commission; Mark B. McClellan, former Commissioner, FDA, Department of Health and Human Services; and public witnesses.

IMPROVING JOB TRAINING EFFECTIVENESS

Committee on Education and Labor: Subcommittee on Higher Education, Lifelong Learning and Competitiveness held a hearing on Workforce Investment Act: Recommendations To Improve the Effectiveness of Job Training.'' Testimony was heard from Sigurd Nelson, Director, Education, Workforce and Income Security Issues, GAO; and public witnesses.

ENERGY MEASURES

Committee on Energy and Commerce: Ordered reported the following Committee Prints: amended, To promote advanced plug-in hybrid vehicles and vehicle components; amended, To enhance availability of energy information; and To promote the development of renewable fuels infrastructure.

On July 27, the Committee ordered reported, as amended, the following Committee Prints To promote greater energy efficiency; To facilitate the transition to a smart electricity grid; and To clarify the amount of loans to be guaranteed under title XVII of the Energy Policy Act of 2005.

MILLENNIUM CHALLENGE CORPORATIONS IN AFRICA

Committee on Foreign Affairs: Subcommittee on Africa and Global Health held a hearing entitled ''Millennium Challenge Corporation in Africa: Promises Versus Progress.'' Testimony was heard from Rodney Bent, Deputy Chief Executive Officer, Millennium Challenge Corporation; David Gootnick, M.D., Director, International Affairs and Trade, GAO; and public witnesses.

PROTECTING U.S. COMPANIES IN COLOMBIA

Committee on Foreign Affairs: Subcommittee on International Organizations, Human Rights, and Oversight, and the Subcommittee on the Western Hemisphere, with the Subcommittee on Health, Education, Labor and Pensions, and the Subcommittee on Workforce Protections held a joint hearing entitled ''Protection and Money: U.S. Companies, Their Employees, and Violence in Columbia.'' Testimony was heard from public witnesses.

US–VISIT PROGRAM

Committee on Homeland Security: Subcommittee on Border, Maritime, and Global Counterterrorism held a hearing entitled ''US–VISIT Exit: Closing Gaps in Our Security.'' Testimony was heard from the following officials of the Department of Homeland Security: Robert A. Mocny, Director, US–VISIT Program; and Robert M. Jackson, Executive Director, Travel Security and Facilitation, Office of Field Operations, U.S. Customs and Border Protection; and

Randolph C. Hite, Director, Architecture and Systems Issues, Information Technology, GAO; and public witnesses.

DESIGNATIVE CLASSIFIED AND SENSITIVE HOMELAND INFORMATION

Committee on Homeland Security: Subcommittee, on Intelligence, Information Sharing and Terrorism Risk Assessment held a hearing entitled ''Over-Classification and Pseudo-Classification: Making DHS the Gold Standard for Designating Classified and Sensitive Homeland Security Information.'' Testimony was heard from J. William Leonard, Director, Information Security Oversight Office, National Archives and Record Administration; and public witnesses.

OVERSIGHT—CIVIL RIGHTS LAWS ENFORCEMENT

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights, and Civil Liberties held an oversight hearing on the Impact of *Ledbetter* v. *Goodyear* on the Effective Enforcement of Civil Rights Laws. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Ordered reported the following bills: H.R. 1239, amended, National Underground Railroad Network to Freedom Reauthorization Act of 2007; H.R. 1388, amended, Star-Spangled Banner National Historic Trail Act; H.R. 1011, amended, Virginia Ridge and Valley Act of 2007; H.R. 189, amended, Paterson Great Falls National Park Act of 2007; H.R. 761, amended, To authorize the Secretary of the Interior to convey to the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. Certain Federal land associated with the Lewis and Clark National Historic Trail in Nebraska, to be used as an historical interpretive site along the trail; H.R. 1285, amended, Snoqualmie Pass Land Conveyance Act; H.R. 1205, amended, Coral Reef Conservation Amendments Act of 2007; H.R. 2400, amended, Ocean and Coastal Mapping Integration Act; H.R. 50, amended, Multinational Species Conservation Funds Reauthorization Act of 2007; H.R. 465, amended, Asian Elephant Conservation Reauthorization Act of 2007; H.R. 1834, amended, National Ocean Exploration Program Act; H.R. 716, amended, Santa Rosa Urban Water Reuse Plan Act; H.R. 31, Elsinore Valley Municipal Water District Wastewater and Recycled Water Facilities Act of 2007; H.R. 1503, amended, Avra/Black Wash Reclamation and Riparian Restoration Project; H.R. 1526, amended, Bay Area Regional Water Recycling Program Authorization Act; H.R. 1337, amended, 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; and 1725, Rancho California Water District Recycled Water Reclamation Facility Act of 2007.

OVERSIGHT—NATURAL RESOURCES

Committee on Natural Resources: Subcommittee on Energy and Mineral Resources held an oversight hearing on The Minerals Management Service's Proposed Five Year Program for Oil and Gas Leasing on the Outer Continental Shelf. Testimony was heard from Representatives Thompson of California, Moran of Virginia and Drake; Walter Cruickshank, Acting Director, Minerals Management Service, Department of the Interior; Frank Wagner, member, Senate, State of Virginia; Albert Pollard, former Member, House of Delegates, State of Virginia; and public witnesses.

OVERSIGHT—NATIONAL ENVIRONMENT POLICY ACT EXCLUSIONS

Committee on Natural Resources: Subcommittee on National Parks, Forests and Public Lands held an oversight hearing entitled ''Management by Exclusion: The Forest Service Use of Categorical Exclusions from NEPA.'' Testimony was heard from Mark Rey, Under Secretary, Natural Resources and Environment, USDA; Robin Nazzaro, Director, Natural Resources and Environment, GAO; Harrison Pollak, Deputy Attorney General, State of California; and public witnesses.

WASTE, FRAUD AND ABUSE AT K-TOWN DOD'S LARGEST SINGLE FACILITY CONSTRUCTION PROJECT

Committee on Oversight and Government Reform: Held a hearing on Waste, Fraud and Abuse at the K-Town: How Mismanagement Has Derailed DOD's Largest Single Facility Construction Project. Testimony was heard from the following officials of the GAO: Gregory D. Kutz, Managing Director, Forensic Audits and Special Investigations; Terrell G. Dorn, Director, Physical Infrastructure; and Bruce A. Causseaux, Senior Level Contract and Procurement Fraud Specialist Forensic Audits and Special Investigations; BG Danny K. Gardner, USAF, Director, Installations and Mission Support, U.S. Air Forces in Europe, Department of Defense; and public witnesses.

NASA'S EARTH SCIENCE/APPLICATIONS PROGRAMS

Committee on Science and Technology: Subcommittee on Space and Aeronautics held a hearing on NASA's Earth Science and Applications Programs: Fiscal Year 2008 Budget Request and Issues. Testimony was heard from Michael H. Freilich, Director, Earth Science Division, Science Mission Directorate, NASA; and public witnesses.

RECORDING ARTISTS WEBCASTERS ROYALTY RATES

Committee on Small Business: Held a hearing on Assessing the Impact of the Copyright Royalty Board Decision to Increase Royalty Rates on Recording

Artists and Webcasters. Testimony was head from Representative Inslee; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Transportation and Infrastructure: Ordered reported the following measures: H.R. 2881, amended, FAA Reauthorization Act of 2007; H.R. 2830, amended, Coast Guard Authorization Act of 2007; H.R. 2722, Integrated Deepwater Program Reform Act; H.R. 2775, amended, To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize funding for emergency management performance grants; H.R. 781, To redesignate Lock and Dam No. 5 of the McClellan-Kerr Arkansas River Navigation System near Redfield, Arkansas, authorized by the Rivers and Harbors Act approved July 24, 1946, as the ''Colonel Charles D. Maynard Lock and Dam;'' and H. Res. 375, amended, Honoring United Parcel Service and its 100 years of commitment and leadership in the United States.

The Committee also approved General Services Administration Lease Resolutions.

VETERANS MEASURES

Committee on Veterans' Affairs: Subcommittee on Health approved for full Committee action, as amended, H.R. 2623, To amend title 38, United States Code, to prohibit the collection of copayments for all hospice care furnished by the Department of Veterans Affairs.

MEMBER REQUESTS

Permanent Select Committee on Intelligence: Met in executive session to consider Member requests for documents in the possession of the Committee.

COMMITTEE MEETINGS FOR FRIDAY, JUNE 29, 2007

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Foreign Affairs, Subcommittee on International Organizations, Human Rights and Oversight and the Subcommittee on Higher Education, Lifelong Learning and Competitiveness of the Committee on Education and Labor, joint hearing on International Students and Visiting Scholars: Trends, Barriers, and Implications for American Universities and U.S. Foreign Policy, 9:30 a.m., 2172 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Economic Opportunity, to mark up the following bills: H.R. 1315, To amend title 38, United States Code, to provide specially adaptive housing assistance to certain disabled members of the Armed Forces residing temporarily in housing owned by a family member; H.R. 1750, To amend Servicemembers Civil Relief Act to extend from 90 days to 1 year the period after release of a member of the Armed Forces from duty during which the member is protected from mortgage foreclosure under that Act; H.R. 1240, To direct the Secretary of Veterans Affairs to establish a scholarship program for students seeking a degree or certificate in the areas of visual impairment and orientation and mobility; and H.R. 1632, Improving Veterans' Reemployment Act of 2007, 9:30 a.m., 334 Cannon.

Next Meeting of the SENATE

9:45 a.m., Friday, June 29

Senate Chamber

Program for Friday: Senate will be in a period of morning business.

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Tuesday, July 10

House Chamber

Program for Tuesday, July 10th: To be announced.

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