

named president in 1927, there was significant growth and expansion of the curriculum, including the first program for college-trained police officers in the nation.

In 1932, the San José State College Corporation was formed, the forerunner of today's San José State University Research Foundation, which for the past 75 years has partnered with the University to manage externally funded research and education-related activities that are so integral to the University's mission. The campus gained university status and became part of the California State University system in the 1970s. In 1990, student enrollment topped 30,000 and by 1993, the campus reached cultural pluralism, with no ethnic majority.

As the 20th century came to a close, San José State University had developed into a thriving comprehensive university known for "powering Silicon Valley" with the high numbers of graduates who went to work there. Fruitful partnerships with area firms also made possible new programs and laboratories, as well as ALL internships, summer research and scholarships. A unique partnership with the city of San José resulted in the construction and opening of the nation's first joint city-university library.

In 2006, President Don W. Kassing accepted the largest single private donation to the university in its history, a \$10 million gift from alumni Sally and Donald Lucas to create a new graduate school of business. One year later, during this sesquicentennial year, \$15 million was given by alumnus Charles W. Davidson for the SJSU's College of Engineering, which ties for the largest single private donation in California State University history. Building upon its tradition as a teacher's college, the university also received a donation of \$10 million from alumna Connie L. Lurie for the College of Education.

Having receiving both my Undergraduate and Graduate degrees from San José State University I personally attest to the University's academic rigor and integrity. San José State University continues to be a driving force in educating our future leaders and in developing collaborative partnerships with educational institutions, industries, and communities to enhance the quality of education, research, development, and community service for the State of California.

I also want to recognize the current president, Don W. Kassing, for all he is doing to make San José State University one of the great, great higher education institutions in the United States, and we all look forward to the next 150 years.

Mr. BISHOP of New York. We have no additional speakers.

Mr. KUHL of New York. I have no additional speakers on this side. I yield back the balance of my time.

Mr. BISHOP of New York. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. BISHOP) that the House suspend the rules and agree to the resolution, H. Res. 365, as amended.

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

The title was amended so as to read: "Resolution honoring San Jose State

University for its 150 years of commitment to public higher education."

A motion to reconsider was laid on the table.

#### NATIVE AMERICAN HERITAGE DAY ACT OF 2007

Mr. BISHOP of New York. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 62) to honor the achievements and contributions of Native Americans to the United States, and for other purposes.

The Clerk read the title of the joint resolution.

The text of the joint resolution is as follows:

#### H.J. RES. 62

*Resolved 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 "Native American Heritage Day Act of 2007".

#### SEC. 2. FINDINGS.

Congress finds that—

(1) Native Americans are the descendants of the aboriginal, indigenous, native people who were the original inhabitants of and who governed the lands that now constitute the United States;

(2) Native Americans have volunteered to serve in the United States Armed Forces and have served with valor in all of the Nation's military actions from the Revolutionary War through the present day, and in most of those actions, more Native Americans per capita served in the Armed Forces than any other group of Americans;

(3) Native American tribal governments developed the fundamental principles of freedom of speech and separation of governmental powers that were a model for those that form the foundation of the United States Constitution;

(4) the Founding Fathers based the provisions of the Constitution on the unique system of democracy of the Six Nations of the Iroquois Confederacy, which divided powers among the branches of government and provided for a system of checks and balances;

(5) Native Americans have made distinct and significant contributions to the United States and the rest of the world in many fields, including agriculture, medicine, music, language, and art, and Native Americans have distinguished themselves as inventors, entrepreneurs, spiritual leaders, and scholars;

(6) Native Americans should be recognized for their contributions to the United States as local and national leaders, artists, athletes, and scholars;

(7) nationwide recognition of the contributions that Native Americans have made to the fabric of American society will afford an opportunity for all Americans to demonstrate their respect and admiration of Native Americans for their important contributions to the political, cultural, and economic life of the United States;

(8) nationwide recognition of the contributions that Native Americans have made to the Nation will encourage self-esteem, pride, and self-awareness in Native Americans of all ages;

(9) designation of the Friday following Thanksgiving of each year as Native American Heritage Day will underscore the government-to-government relationship between the United States and Native American governments;

(10) designation of Native American Heritage Day will encourage public elementary

and secondary schools in the United States to enhance understanding of Native Americans by providing curricula and classroom instruction focusing on the achievements and contributions of Native Americans to the Nation; and

(11) the Friday immediately succeeding Thanksgiving Day of each year would be an appropriate day to designate as Native American Heritage Day.

#### SEC. 3. IMPLEMENTATION OF A NATIVE AMERICAN HERITAGE DAY.

(a) DEVELOPMENT OF MODEL EDUCATIONAL CURRICULA.—Educational institutions are encouraged to develop model educational curricula, in consultation with Native American governmental leaders, for purposes of recognizing a Native American Heritage Day, emphasizing the contributions of Native Americans to the United States and the world, including—

(1) the historical and constitutional status of Native American tribal governments as well as the present day status of Native Americans;

(2) the cultures, traditions, and languages of Native Americans; and

(3) the rich Native American cultural legacy that all Americans enjoy today.

(b) CELEBRATION OF NATIVE AMERICAN HERITAGE DAY.—Congress encourages the people of the United States, as well as Federal, State, and local governments and interested groups and organizations to observe a Native American Heritage Day with appropriate programs, ceremonies, and activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. BISHOP) and the gentleman from New York (Mr. KUHL) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. BISHOP).

#### GENERAL LEAVE

Mr. BISHOP of New York. Mr. Speaker, I request 5 legislative days during which Members may insert material relevant to H.J. Res. 62 into the RECORD.

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

There was no objection.

Mr. BISHOP of New York. Mr. Speaker, I yield such time as he may consume to Mr. BACA of California.

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

Mr. BACA. Mr. Speaker, I want to thank Mr. BISHOP for allowing me to bring up this legislation.

I rise today in support of establishing a tribute to Native Americans for their many contributions to the United States.

My bill, H.J. Res. 62, encourages all Americans to recognize the Friday after Thanksgiving as Native American Heritage Day.

I want to thank Chairman GEORGE MILLER, Ranking Member DON YOUNG, Representatives DALE KILDEE and RUBEN HINOJOSA for their continued support for this bill.

Since my time in the California legislature, I've been a strong advocate to help preserve the legacy of Native Americans. It's important that we recognize their contributions to all aspects of our society, from our government to our language to history.

My bill encourages public elementary and secondary schools to enhance student understanding of Native Americans. We need more classroom instruction to focus on the history, culture and achievements and traditions of Native Americans.

Native Americans and their ancestors have played a critical role in the establishment of the freest country in the world. They have fought with valor and have died in every American war dating back to the Revolutionary War to the current wars. We in Congress must encourage greater awareness of the significant roles they have played in our national history.

I urge my colleagues to support this legislation, and I'm honored that Native Americans will be honored on this day.

Mr. KUHLE of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Joint Resolution 62, to honor the achievements and contributions of Native Americans to the United States and for other purposes.

The strength of our Nation comes from its people; and as the early inhabitants of this great land, the native peoples of North America played a unique role in shaping our Nation's history and culture.

Native Americans are the descendants of the indigenous native people who were the original inhabitants and governors of the lands that now constitute the United States of America. It was their tribal governments that developed the fundamental principles of freedom of speech and separation of powers. They're a model for those that formed the foundation of the United States Constitution.

The Founding Fathers based the provision of the Constitution on the unique system of democracy of the six nations of the Iroquois Confederacy. The Iroquois divided powers amongst the branches of government and provided for a system of checks and balances.

Native Americans have made a distinct and significant contribution to the United States and to the rest of the world in many fields, including agriculture, medicine, music, language, art, among other things. And Native Americans have distinguished themselves, as my friend Mr. BACA has noted, as inventors, as entrepreneurs, as spiritual leaders and scholars, among a few.

Their unique spiritual, artistic and literary contributions, together with their vibrant customs and celebrations, enliven and enrich our land today. As we move into the 21st century, Native Americans will play a vital role in maintaining our Nation's strength and prosperity.

Almost half of America's Native American tribal leaders have served in the United States Armed Forces, following in the footsteps of their forebears, who distinguished themselves

during the world wars and the conflicts in Korea, Vietnam, and the Persian Gulf.

Native Americans should be recognized for the contributions they have made to the fabric of our American society. This recognition will afford an opportunity for all Americans to demonstrate their respect and admiration of Native Americans for their important contributions to the political, the cultural, and the economic life of the United States.

The designation of Native American Heritage Day will encourage public elementary and secondary schools in the United States to enhance Americans by providing curricula and classroom instruction focusing on the achievements and contributions of Native Americans to the Nation, and the designation of the Friday following Thanksgiving of each year as Native American Heritage Day will underscore the government-to-government relationship between the United States of America and Native American governments.

On this day we should call on all Americans to learn more about the history and the heritage of the native peoples of this great land. Such actions reaffirm our appreciation and most certainly our respect for their traditions and their way of life, and can help to preserve an important part of our culture for generations yet to come.

Mr. Speaker, I join my friend and colleague, Representative BACA, in supporting the resolution and ask my colleagues to do the same.

I reserve the balance of my time.

Mr. BISHOP of New York. Mr. Speaker, may I inquire of my colleague from New York if he has any additional speakers.

Mr. KUHLE of New York. We have no further speakers. I yield back the balance of my time.

Mr. BISHOP of New York. I also yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. BISHOP) that the House suspend the rules and pass the joint resolution, H.J. Res. 62.

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

A motion to reconsider was laid on the table.

#### COLLEGE COST REDUCTION AND ACCESS ACT TECHNICAL AMENDMENTS OF 2007

Mr. BISHOP of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4153) to make certain technical corrections and transition amendments to the College Cost Reduction and Access Act, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4153

*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 "College Cost Reduction and Access Act Technical Amendments of 2007".

#### SEC. 2. FEDERAL PELL GRANTS.

(a) CORRECTION OF DESIGNATION.—

(1) CCRAA AMENDMENT.—Section 101(a)(2) of the College Cost Reduction and Access Act (Public Law 110-84) is amended by striking "paragraphs (4) through (9) as paragraphs (3) through (8)" and inserting "paragraphs (4) through (8) as paragraphs (3) through (7)".

(2) REDESIGNATION.—Paragraph (9) of section 401(b) of the Higher Education Act of 1965 (20 U.S.C. 1070a(b)(9)), as added by section 102(b) of the College Cost Reduction and Access Act (Public Law 110-84), is redesignated as paragraph (8).

(b) REVISION OF AVAILABILITY RULE.—Paragraph (8) of section 401(b) of the Higher Education Act of 1965 (as redesignated by subsection (a)(2) of this section) is amended by striking subparagraph (F) and inserting the following:

"(F) USE OF FISCAL YEAR FUNDS FOR AWARD YEARS.—The amounts made available by subparagraph (A) for any fiscal year shall remain available for the fiscal year succeeding the fiscal year for which such amounts are made available."

#### SEC. 3. DEFINITION OF UNTAXED INCOME AND BENEFITS.

(a) AMENDMENT.—Section 480(b) of the Higher Education Act of 1965 (20 U.S.C. 1087vv(b)) is amended by striking paragraph (2) and inserting the following:

"(2) The term 'untaxed income and benefits' shall not include—

"(A) the amount of additional child tax credit claimed for Federal income tax purposes;

"(B) welfare benefits, including assistance under a State program funded under part A of title IV of the Social Security Act and aid to dependent children;

"(C) the amount of earned income credit claimed for Federal income tax purposes;

"(D) the amount of credit for Federal tax on special fuels claimed for Federal income tax purposes;

"(E) the amount of foreign income excluded for purposes of Federal income taxes; or

"(F) untaxed social security benefits."

(b) EFFECTIVE DATE.—This section and the amendment made by this section shall take effect on July 1, 2009.

#### SEC. 4. DEFINITION OF INDEPENDENT STUDENT.

(a) AMENDMENT.—Section 480(d)(1) of the Higher Education Act of 1965 (20 U.S.C. 1087vv(d)(1)) is amended by striking subparagraph (B) and inserting the following:

"(B) is an orphan, in foster care, or a ward of the court, or was an orphan, in foster care, or a ward of the court at any time when the individual was 13 years of age or older;"

(b) EFFECTIVE DATE.—This section and the amendment made by this section shall take effect on July 1, 2009.

#### SEC. 5. INCOME-BASED REPAYMENT FOR MARRIED BORROWERS FILING SEPARATELY.

Section 493C of the Higher Education Act of 1965 (20 U.S.C. 1098e) is amended by adding at the end the following:

"(d) SPECIAL RULE FOR MARRIED BORROWERS FILING SEPARATELY.—In the case of a married borrower who files a separate Federal income tax return, the Secretary shall calculate the amount of the borrower's income-based repayment under this section solely on the basis of the borrower's student loan debt and adjusted gross income."

#### SEC. 6. DEFERRAL OF LOAN REPAYMENT FOLLOWING ACTIVE DUTY.

Section 493D(a) of the Higher Education Act of 1965 (20 U.S.C. 1098f(a)) is amended by