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House of Representatives

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore (Mr. CLAY).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
December 11, 2007.

I hereby appoint the Hon. WILLIAM LACY CLAY to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 30 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes.

The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

IRAQI REFUGEE CRISIS

Mr. BLUMENAUER. Mr. Speaker, the largest humanitarian crisis in the world continues to unfold in Iraq. Over 4 million displaced people, more than the crisis in Darfur, two million or more, have fled their country; and the rest are displaced within. They have fled to Syria, to Jordan, throughout the Middle East and beyond. It is brutal, not just for the refugees themselves, and the displaced people, but it places a great strain on the host country.

NOTICE

If the 110th Congress, 1st Session, adjourns sine die on or before December 21, 2007, a final issue of the *Congressional Record* for the 110th Congress, 1st Session, will be published on Friday, December 28, 2007, in order to permit Members to revise and extend their remarks.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT–60 or S–123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Thursday, December 27. The final issue will be dated Friday, December 28, 2007, and will be delivered on Wednesday, January 2, 2008.

None of the material printed in the final issue of the *Congressional Record* may contain subject matter, or relate to any event that occurred after the sine die date.

Senators' statements should also be formatted according to the instructions at http://webster/secretary/cong__record.pdf, and submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at "Record@Sec.Senate.gov".

Members of the House of Representatives' statements may also be submitted electronically by e-mail, to accompany the signed statement, and formatted according to the instructions for the Extensions of Remarks template at http://clerk.house.gov/forms. The Official Reporters will transmit to GPO the template formatted electronic file only after receipt of, and authentication with, the hard copy, and signed manuscript. Deliver statements to the Official Reporters in Room HT–60.

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By order of the Joint Committee on Printing.

ROBERT A. BRADY, *Chairman.*

Late last summer, Ambassador Ryan Crocker pointed out the problems that this refugee crisis is posing for the United States itself when he expressed deep concerns that if we don't do a better job of helping to protect the people whose lives are at risk because they have worked for the United States, if we turn our back on them when they flee the country, than people will be less willing to work with us, and we won't be able to rely on those who make such a difference in terms of services of interpreters and guides and others providing essential services for United States activities in Iraq.

I have been deeply concerned about this problem over the course of the last year, finding out how far we have fallen short of the mark when I was working with a group of high school students in Oregon and returning U.S. Oregon National Guard troops. They were fighting to bring to the United States their interpreter, a young woman who had been marked for death in Iraq because of her cooperation with the United States. It was frustrating over the course of the months that we worked with them because I really had no good explanation for these young people, the Guard and the high school students, about why it should be so hard for the United States to help people who helped us.

It is not just people who had helped the United States who have fled the country, it is not just those that are concerned about Sunni and Shia violence; the Mandean, an ancient people, a small Christian sect, are caught in the crossfire of this civil war in Iraq, and they are at risk of being wiped out in their entirety for all time.

Having been inspired by these young Oregonians, having been inspired, by other dedicated advocates, for example, Kirk Johnson, a former AID staff member, who chronicled the plight of over 600 people at risk, of whom less than 10 had been resettled, we introduced legislation to deal with the mismatch between the scope of the problem and the limited resources the United States Government has put into addressing it.

Indeed, after we ''won the war in Iraq,'' the situation became worse on the ground, and we witnessed the explosion of this crisis. For 2005 and 2006, the numbers of people we helped were miniscule. Out of the 4 million people who have left their homes, we allowed 198 Iraqis in the United States in 2005, and 202 last year, almost entirely people who were being reunited with their families, who had been made refugees in 1991.

There were glimmers of hope this year, with the administration promising, to allow 25,000 people into the United States, which was the same number of refugees that the Prime Minister of Sweden told me that Sweden was willing to accept. Later, the U.S. number fell to 7,000, and then ultimately we only let 1,800 Iraqis in throughout the entire last fiscal year. Even that was after a last-minute rush, because the first 6 months we had only allowed 69 Iraqi refugees.

There is good news, however, because due to an amendment by Senator KENNEDY that was adopted in the Senate for the Defense authorization bill, largely taken from provisions in our House legislation, we are actually going to be able to make some real progress. We will be able to process some of these refugees in their own country. Until now, people had been forced to leave Iraq. Even though we have the largest embassy in the history of the planet, they had to leave Iraq before they could apply for refugee status. We have an opportunity to increase to 5,000 a year those people who are at risk because they have helped us. These are important steps, and I hope they are approved.

But much more needs to be done. First, we have to actually do what is authorized. Second, we need to put some real money into it, not just the $250 million for refugee assistance that is currently pending. That is rounding error, given the billions that we have spent in Iraq that we can't even account for.

It is important for us to scale our commitment to make sure that we meet the humanitarian crisis in the aftermath of our war in Iraq.

''TECHNICALITIES''

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the gentlewoman from Tennessee (Mrs. BLACKBURN) is recognized during morning-hour debate for 5 minutes.

Mrs. BLACKBURN. Mr. Speaker, I rise today to respond to my colleagues' remarks from last week that ''technically, the troops are funded right now,'' as if the bottom line on the budget report is sufficient for some in this chamber to ensure that our war fighters have all the resources that they need.

Well, war is a serious business, Mr. Speaker, and we are indeed a Nation at war. Our men and women in harm's way don't have time for our political games or ''technicalities.'' Clever word play isn't going to turn DOD ink from red to black. There is nothing ''technical'' about the risk our war fighters face every day. They are not fighting an enemy that ''technically'' wants to do us harm. Instead, they are fighting a lethal terrorist network actually bent on spreading real Islamist totalitarianism in Iraq and across the globe.

Mr. Speaker, the success of the surge strategy in Iraq is not making things ''technically'' better. We are seeing actual results and real improvement on the ground. Even the most liberal newspapers admit that the improvement is real. IED attacks are not ''technically'' down; they are actually fewer in number, fewer bombs being placed to attack our troops and Iraqi allies. Casualties rates are not ''technically'' down. We are actually losing fewer Americans as the security conditions improve.

These improving conditions are not ''technically'' creating reconciliation. Iraqis across the country are really beginning to bridge age-old divides as they unite to secure their future. By playing political games with vital war funding, we are not ''technically'' sending a message to our war fighters in harm's way, we are actually putting all of the progress that they have made in very real jeopardy. Mr. Speaker, is that a message we choose to send?

My own constituents, civilian and soldiers alike, work at Fort Campbell, home of the 101st Airborne. This holiday season, two brigades of the 101st are serving in Afghanistan and two more in Iraq. They are supported by the men and women at Fort Campbell, and their families are embraced by the citizens of Clarksville and Montgomery County, Tennessee.

This Christmas, if we don't actually provide DOD the funding they need, my constituents will begin to get furlough letters in the mail. There is nothing ''technical'' about being laid off. There is nothing ''technical'' about being told that in 60 days you won't get a paycheck. It is very real.

Before this Chamber actually adjourns so that we can spend happy and comfortable holidays with our families, I would ask my colleagues to please remember these constituents of Clarksville, Tennessee, who are actually in harm's way in Iraq and Afghanistan and who are actually worried about being laid off next year.

I urge my colleagues not to return home until we actually give the troops the very real funding that they need. Our men and women are not ''technicalities,'' they are indeed our sons, our daughters, our neighbors, our constituents. They are the bravest among us. They need our support and they deserve a Congress who will honor their service and who will do our job.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 41 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PASTOR) at noon.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, Founders of this Nation destined for greatness called upon Your Divine Providence to guide their efforts to establish freedom under the governance of law.

In our own day, we call upon Your Holy Name for the divine light of truth and wisdom.

Heal our wounds, protect us from evil, forgive our sins, and rebuild the walls of justice and integrity that identify Your goodness in the Nation.

May this end time of this session of Congress as well as the approaching celebration of holidays and holy days bring joy and peace to this Nation and allow the world to witness anew the advent prophesied by Isaiah: ''Open the gates to let a righteous nation in, a nation that keeps faith.''

For this we long and pray both now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. FALEOMAVAEGA 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.

BELIEF UNDER SIEGE IN BRITAIN

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

Mr. POE. Mr. Speaker, the freedom of religion is under attack in Great Britain.

Last week British news reported that the daughter of a British Imam, we will call her Hannah, is living under police protection after receiving death threats from her father and brother because she converted to Christianity.

Hannah was born in Britain to immigrant Pakistani parents. She renounced the Muslim faith when she was a teenager and has been in hiding for over 10 years.

After multiple death threats and an attempt on her life by 40 men, led by her father, brandishing axes, hammers, and knives, Hannah has sought protection from the British Government.

According to her, her father believes that the Koran teaches that anyone who walks away from Islam should be killed. Well, murder is bad enough, but murder in the name of religion is worse, and it's legal, at least in a free state where all religions are to be tolerated, even Christianity.

Democracy values the freedom of other people's faith; it does not restrict it. That is the difference in a democracy and a government that is controlled by a religion.

And that's just the way it is.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

NORTHERN MARIANA ISLANDS COVENANT IMPLEMENTATION ACT

Mrs. CHRISTENSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3079) to amend the Joint Resolution Approving the Covenant to Establish a Commonwealth of the Northern Mariana Islands, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3079

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

TITLE I—NORTHERN MARIANA ISLANDS IMMIGRATION, SECURITY, AND LABOR ACT

SECTION 101. SHORT TITLE.

This title may be cited as the ''Northern Mariana Islands Immigration, Security, and Labor Act''.

SEC. 102. STATEMENT OF CONGRESSIONAL INTENT.

(a) IMMIGRATION AND GROWTH.—In recognition of the need to ensure uniform adherence to long-standing fundamental immigration policies of the United States, it is the intention of the Congress in enacting this title—

(1) to ensure that effective border control procedures are implemented and observed, and that national security and homeland security issues are properly addressed, by extending the immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101 (a)(17)), to apply to the Commonwealth of the Northern Mariana Islands (referred to in this title as the ''Commonwealth''), with special provisions to allow for—

(A) the orderly phasing-out of the nonresident contract worker program of the Commonwealth; and

(B) the orderly phasing-in of Federal responsibilities over immigration in the Commonwealth; and

(2) to minimize, to the greatest extent practicable, potential adverse economic and fiscal effects of phasing-out the Commonwealth's nonresident contract worker program and to maximize the Commonwealth's potential for future economic and business growth by—

(A) encouraging diversification and growth of the economy of the Commonwealth in accordance with fundamental values underlying Federal immigration policy;

(B) recognizing local self-government, as provided for in the Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union With the United States of America through consultation with the Governor of the Commonwealth;

(C) assisting the Commonwealth in achieving a progressively higher standard of living for citizens of the Commonwealth through the provision of technical and other assistance;

(D) providing opportunities for individuals authorized to work in the United States, including citizens of the freely associated states; and

(E) providing a mechanism for the continued use of alien workers, to the extent those workers continue to be necessary to supplement the Commonwealth's resident workforce, and to protect those workers from the potential for abuse and exploitation.

(b) AVOIDING ADVERSE EFFECTS.—In recognition of the Commonwealth's unique economic circumstances, history, and geographical location, it is the intent of the Congress that the Commonwealth be given as much flexibility as possible in maintaining existing businesses and other revenue sources, and developing new economic opportunities, consistent with the mandates of this title. This title, and the amendments made by this title, should be implemented wherever possible to expand tourism and economic development in the Commonwealth, including aiding prospective tourists in gaining access to the Commonwealth's memorials, beaches, parks, dive sites, and other points of interest.

SEC. 103. IMMIGRATION REFORM FOR THE COMMONWEALTH.

(a) AMENDMENT TO JOINT RESOLUTION APPROVING COVENANT ESTABLISHING COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.—The Joint Resolution entitled ''A Joint Resolution to approve the 'Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America', and for other purposes'', approved March 24, 1976 (Public Law 94–241; 90 Stat. 263), is amended by adding at the end the following new section:

''SEC. 6. IMMIGRATION AND TRANSITION.

''(a) APPLICATION OF THE IMMIGRATION AND NATIONALITY ACT AND ESTABLISHMENT OF A TRANSITION PROGRAM.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), effective on the first day of the first full month commencing 1 year after the date of the enactment of the Northern Mariana Islands Immigration, Security, and Labor Act (hereafter referred to as the 'transition program effective date'), the provisions of the 'immigration laws' (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))) shall apply to the Commonwealth of the Northern Mariana Islands (referred to in this section as the 'Commonwealth'), except as otherwise provided in this section.

''(2) TRANSITION PERIOD.—There shall be a transition period beginning on the transition program effective date and ending on December 31, 2013, except as provided in subsections (b) and (d), during which the Secretary of Homeland Security, in consultation with the Secretary of State, the Attorney General, the Secretary of Labor, and the Secretary of the Interior, shall establish, administer, and enforce a transition program to regulate immigration to the Commonwealth, as provided in this section (hereafter referred to as the 'transition program').

''(3) DELAY OF COMMENCEMENT OF TRANSITION PERIOD.—

''(A) IN GENERAL.—The Secretary of Homeland Security, in the Secretary's sole discretion, in consultation with the Secretary of the Interior, the Secretary of Labor, the Secretary of State, the Attorney General, and the Governor of the Commonwealth, may determine that the transition program effective date be delayed for a period not to exceed more than 180 days after such date.

''(B) CONGRESSIONAL NOTIFICATION.—The Secretary of Homeland Security shall notify the Congress of a determination under subparagraph (A) not later than 30 days prior to the transition program effective date.

''(C) CONGRESSIONAL REVIEW.—A delay of the transition program effective date shall not take effect until 30 days after the date on which the notification under subparagraph (B) is made.

''(4) REQUIREMENT FOR REGULATIONS.—The transition program shall be implemented pursuant to regulations to be promulgated, as appropriate, by the head of each agency or department of the United States having responsibilities under the transition program.

''(5) INTERAGENCY AGREEMENTS.—The Secretary of Homeland Security, the Secretary of State, the Secretary of Labor, and the Secretary of the Interior shall negotiate and implement agreements among their agencies to identify and assign their respective duties so as to ensure timely and proper implementation of the provisions of this section. The agreements should address, at a minimum, procedures to ensure that Commonwealth employers have access to adequate labor, and that tourists, students, retirees, and other visitors have access to the Commonwealth without unnecessary delay or impediment. The agreements may also allocate funding between the respective agencies tasked with various responsibilities under this section.

''(6) CERTAIN EDUCATION FUNDING.—In addition to fees charged pursuant to section 286(m) of the Immigration and Nationality Act (8 U.S.C. 1356(m)) to recover the full costs of providing adjudication services, the Secretary of Homeland Security shall charge an annual supplemental fee of $150 per nonimmigrant worker to each prospective employer who is issued a permit under subsection (d) of this section during the transition period. Such supplemental fee shall be paid into the Treasury of the Commonwealth government for the purpose of funding ongoing vocational educational curricula and program development by Commonwealth educational entities.

''(7) ASYLUM.—Section 208 of the Immigration and Nationality Act (8 U.S.C. 1158) shall not apply during the transition period to persons physically present in the Commonwealth or arriving in the Commonwealth (whether or not at a designated port of arrival), including persons brought to the Commonwealth after having been interdicted in international or United States waters.

''(b) NUMERICAL LIMITATIONS FOR NONIMMIGRANT WORKERS.—An alien, if otherwise qualified, may seek admission to Guam or to the Commonwealth during the transition program as a nonimmigrant worker under section 101(a)(15)(H) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)) without counting against the numerical limitations set forth in section 214(g) of such Act (8 U.S.C. 1184(g)). This subsection does not apply to any employment to be performed outside of Guam or the Commonwealth. Not later than 3 years following the transition program effective date, the Secretary of Homeland Security shall issue a report to the Committee on Energy and Natural Resources and the Committee on the Judiciary of the Senate and the Committee on Natural Resources and the Committee on the Judiciary of the House of Representatives projecting the number of asylum claims the Secretary anticipates following the termination of the transition period, the efforts the Secretary has made to ensure appropriate interdiction efforts, provide for appropriate treatment of asylum seekers, and prepare to accept and adjudicate asylum claims in the Commonwealth.

''(c) NONIMMIGRANT INVESTOR VISAS.—

''(1) IN GENERAL.—Notwithstanding the treaty requirements in section 101(a)(15)(E) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(E)), during the transition period, the Secretary of Homeland Security may, upon the application of an alien, classify an alien as a CNMI-only nonimmigrant under section 101(a)(15)(E)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(E)(ii)) if the alien—

''(A) has been admitted to the Commonwealth in long-term investor status under the immigration laws of the Commonwealth before the transition program effective date;

''(B) has continuously maintained residence in the Commonwealth under long-term investor status;

''(C) is otherwise admissible; and

''(D) maintains the investment or investments that formed the basis for such long-term investor status.

''(2) REQUIREMENT FOR REGULATIONS.—Not later than 60 days before the transition program effective date, the Secretary of Homeland Security shall publish regulations in the Federal Register to implement this subsection.

''(d) SPECIAL PROVISION TO ENSURE ADEQUATE EMPLOYMENT; COMMONWEALTH ONLY TRANSITIONAL WORKERS.—An alien who is seeking to enter the Commonwealth as a nonimmigrant worker may be admitted to perform work during the transition period subject to the following requirements:

''(1) Such an alien shall be treated as a nonimmigrant described in section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)), including the ability to apply, if otherwise eligible, for a change of nonimmigrant classification under section 248 of such Act (8 U.S.C. 1258) or adjustment of status under this section and section 245 of such Act (8 U.S.C. 1255).

''(2) The Secretary of Homeland Security shall establish, administer, and enforce a system for allocating and determining the number, terms, and conditions of permits to be issued to prospective employers for each such nonimmigrant worker described in this subsection who would not otherwise be eligible for admission under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.). In adopting and enforcing this system, the Secretary shall also consider, in good faith and not later than 30 days after receipt by the Secretary, any comments and advice submitted by the Governor of the Commonwealth. This system shall provide for a reduction in the allocation of permits for such workers on an annual basis, to zero, during a period not to extend beyond December 31, 2013, unless extended pursuant to paragraph 5 of this subsection, and shall take into account the number of petitions granted under subsection (i). In no event shall a permit be valid beyond the expiration of the transition period. This system may be based on any reasonable method and criteria determined by the Secretary of Homeland Security to promote the maximum use of, and to prevent adverse effects on wages and working conditions of, workers authorized to be employed in the United States, including lawfully admissible freely associated state citizen labor. No alien shall be granted nonimmigrant classification or a visa under this subsection unless the permit requirements established under this paragraph have been met.

''(3) The Secretary of Homeland Security shall set the conditions for admission of such an alien under the transition program, and the Secretary of State shall authorize the issuance of nonimmigrant visas for such an alien. Such a visa shall not be valid for admission to the United States, as defined in section 101(a)(38) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(38)), except admission to the Commonwealth. An alien admitted to the Commonwealth on the basis of such a visa shall be permitted to engage in employment only as authorized pursuant to the transition program.

''(4) Such an alien shall be permitted to transfer between employers in the Commonwealth during the period of such alien's authorized stay therein, without permission of the employee's current or prior employer, within the alien's occupational category or another occupational category the Secretary of Homeland Security has found requires alien workers to supplement the resident workforce.

''(5)(A) Not later than 180 days prior to the expiration of the transition period, or any extension thereof, the Secretary of Labor, in consultation with the Secretary of Homeland Security, the Secretary of the Interior, and the Governor of the Commonwealth, shall ascertain the current and anticipated labor needs of the Commonwealth and determine whether an extension of up to 5 years of the provisions of this subsection is necessary to ensure an adequate number of workers will be available for legitimate businesses in the Commonwealth. For the purpose of this subparagraph, a business shall not be considered legitimate if it engages directly or indirectly in prostitution, trafficking in minors, or any other activity that is illegal under Federal or local law. The determinations of whether a business is legitimate and to what extent, if any, it may require alien workers to supplement the resident workforce, shall be made by the Secretary of Homeland Security, in the Secretary's sole discretion.

''(B) If the Secretary of Labor determines that such an extension is necessary to ensure an adequate number of workers for legitimate businesses in the Commonwealth, the Secretary of Labor may, through notice published in the Federal Register, provide for an additional extension period of up to 5 years.

''(C) In making the determination of whether alien workers are necessary to ensure an adequate number of workers for legitimate businesses in the Commonwealth, and if so, the number of such workers that are necessary, the Secretary of Labor may consider, among other relevant factors—

''(i) government, industry, or independent workforce studies reporting on the need, or lack thereof, for alien workers in the Commonwealth's businesses;

''(ii) the unemployment rate of United States citizen workers residing in the Commonwealth;

''(iii) the unemployment rate of aliens in the Commonwealth who have been lawfully admitted for permanent residence;

''(iv) the number of unemployed alien workers in the Commonwealth;

''(v) any good faith efforts to locate, educate, train, or otherwise prepare United States citizen residents, lawful permanent residents, and unemployed alien workers already within the Commonwealth, to assume those jobs;

''(vi) any available evidence tending to show that United States citizen residents, lawful permanent residents, and unemployed alien workers already in the Commonwealth are not willing to accept jobs of the type offered;

''(vii) the extent to which admittance of alien workers will affect the compensation, benefits, and living standards of existing workers within those industries and other industries authorized to employ alien workers; and

''(viii) the prior use, if any, of alien workers to fill those industry jobs, and whether the industry requires alien workers to fill those jobs.

''(6) The Secretary of Homeland Security may authorize the admission of a spouse or minor child accompanying or following to

join a worker admitted pursuant to this subsection.

''(e) PERSONS LAWFULLY ADMITTED UNDER THE COMMONWEALTH IMMIGRATION LAW.—

''(1) PROHIBITION ON REMOVAL.—

''(A) IN GENERAL.—Subject to subparagraph (B), no alien who is lawfully present in the Commonwealth pursuant to the immigration laws of the Commonwealth on the transition program effective date shall be removed from the United States on the grounds that such alien's presence in the Commonwealth is in violation of section 212(a)(6)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(6)(A)), until the earlier of the date—

''(i) of the completion of the period of the alien's admission under the immigration laws of the Commonwealth; or

''(ii) that is 2 years after the transition program effective date.

''(B) LIMITATIONS.—Nothing in this subsection shall be construed to prevent or limit the removal under subparagraph 212(a)(6)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(6)(A)) of such an alien at any time, if the alien entered the Commonwealth after the date of the enactment of the Northern Mariana Islands Immigration, Security, and Labor Act, and the Secretary of Homeland Security has determined that the Government of the Commonwealth has violated section 103(i) of the Northern Mariana Islands Immigration, Security, and Labor Act.

''(2) EMPLOYMENT AUTHORIZATION.—An alien who is lawfully present and authorized to be employed in the Commonwealth pursuant to the immigration laws of the Commonwealth on the transition program effective date shall be considered authorized by the Secretary of Homeland Security to be employed in the Commonwealth until the earlier of the date—

''(A) of expiration of the alien's employment authorization under the immigration laws of the Commonwealth; or

''(B) that is 2 years after the transition program effective date.

''(3) REGISTRATION.—The Secretary of Homeland Security may require any alien present in the Commonwealth on or after the transition period effective date to register with the Secretary in such a manner, and according to such schedule, as he may in his discretion require. Paragraphs (1) and (2) of this subsection shall not apply to any alien who fails to comply with such registration requirement. Notwithstanding any other law, the Government of the Commonwealth shall provide to the Secretary all Commonwealth immigration records or other information that the Secretary deems necessary to assist the implementation of this paragraph or other provisions of the Northern Mariana Islands Immigration, Security, and Labor Act. Nothing in this paragraph shall modify or limit section 262 of the Immigration and Nationality Act (8 U.S.C. 1302) or other provision of the Immigration and Nationality Act relating to the registration of aliens.

''(4) REMOVABLE ALIENS.—Except as specifically provided in paragraph (1)(A) of this subsection, nothing in this subsection shall prohibit or limit the removal of any alien who is removable under the Immigration and Nationality Act.

''(5) PRIOR ORDERS OF REMOVAL.—The Secretary of Homeland Security may execute any administratively final order of exclusion, deportation or removal issued under authority of the immigration laws of the United States before, on, or after the transition period effective date, or under authority of the immigration laws of the Commonwealth before the transition period effective date, upon any subject of such order found in the Commonwealth on or after the transition period effective date, regardless whether the alien has previously been removed from the United States or the Commonwealth pursuant to such order.

''(f) EFFECT ON OTHER LAWS.—The provisions of this section and of the immigration laws, as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)), shall, on the transition program effective date, supersede and replace all laws, provisions, or programs of the Commonwealth relating to the admission of aliens and the removal of aliens from the Commonwealth.

''(g) ACCRUAL OF TIME FOR PURPOSES OF SECTION 212(A)(9)(B) OF THE IMMIGRATION AND NATIONALITY ACT.—No time that an alien is present in the Commonwealth in violation of the immigration laws of the Commonwealth shall be counted for purposes of inadmissibility under section 212(a)(9)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(9)(B)).

''(h) REPORT ON NONRESIDENT GUESTWORKER POPULATION.—The Secretary of the Interior, in consultation with the Secretary of Homeland Security, and the Governor of the Commonwealth, shall report to the Congress not later than 2 years after the date of the enactment of the Northern Mariana Islands Immigration, Security, and Labor Act. The report shall include—

''(1) the number of aliens residing in the Commonwealth;

''(2) a description of the legal status (under Federal law) of such aliens;

''(3) the number of years each alien has been residing in the Commonwealth;

''(4) the current and future requirements of the Commonwealth economy for an alien workforce; and

''(5) such recommendations to the Congress, as the Secretary may deem appropriate, related to whether or not the Congress should consider permitting lawfully admitted guest workers lawfully residing in the Commonwealth on such enactment date to apply for long-term status under the immigration and nationality laws of the United States.''.

(b) WAIVER OF REQUIREMENTS FOR NONIMMIGRANT VISITORS.—The Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended—

(1) in section 214(a)(1) (8 U.S.C. 1184(a)(1))—

(A) by striking ''Guam'' each place such term appears and inserting ''Guam or the Commonwealth of the Northern Mariana Islands''; and

(B) by striking ''fifteen'' and inserting ''45'';

(2) in section 212(a)(7)(B) (8 U.S.C. 1182(a)(7)(B)), by amending clause (iii) to read as follows:

''(iii) GUAM AND NORTHERN MARIANA ISLANDS VISA WAIVER.—For provision authorizing waiver of clause (i) in the case of visitors to Guam or the Commonwealth of the Northern Mariana Islands, see subsection (l).''; and

(3) by amending section 212(l) (8 U.S.C. 1182(l)) to read as follows:

''(l) GUAM AND NORTHERN MARIANA ISLANDS VISA WAIVER PROGRAM.—

''(1) IN GENERAL.—The requirement of subsection (a)(7)(B)(i) may be waived by the Secretary of Homeland Security, in the case of an alien applying for admission as a nonimmigrant visitor for business or pleasure and solely for entry into and stay in Guam or the Commonwealth of the Northern Mariana Islands for a period not to exceed 45 days, if the Secretary of Homeland Security, after consultation with the Secretary of the Interior, the Secretary of State, the Governor of Guam and the Governor of the Commonwealth of the Northern Mariana Islands, determines that—

''(A) an adequate arrival and departure control system has been developed in Guam and the Commonwealth of the Northern Mariana Islands; and

''(B) such a waiver does not represent a threat to the welfare, safety, or security of the United States or its territories and commonwealths.

''(2) ALIEN WAIVER OF RIGHTS.—An alien may not be provided a waiver under this subsection unless the alien has waived any right—

''(A) to review or appeal under this Act an immigration officer's determination as to the admissibility of the alien at the port of entry into Guam or the Commonwealth of the Northern Mariana Islands; or

''(B) to contest, other than on the basis of an application for withholding of removal under section 241(b)(3) of this Act or under the Convention Against Torture, or an application for asylum if permitted under section 208, any action for removal of the alien.

''(3) REGULATIONS.— All necessary regulations to implement this subsection shall be promulgated by the Secretary of Homeland Security, in consultation with the Secretary of the Interior and the Secretary of State, on or before the 180th day after the date of the enactment of the Northern Mariana Islands Immigration, Security, and Labor Act. The promulgation of such regulations shall be considered a foreign affairs function for purposes of section 553(a) of title 5, United States Code. At a minimum, such regulations should include, but not necessarily be limited to—

''(A) a listing of all countries whose nationals may obtain the waiver also provided by this subsection, except that such regulations shall provide for a listing of any country from which the Commonwealth has received a significant economic benefit from the number of visitors for pleasure within the one-year period preceding the date of the enactment of the Northern Mariana Islands Immigration, Security, and Labor Act, unless the Secretary of Homeland Security determines that such country's inclusion on such list would represent a threat to the welfare, safety, or security of the United States or its territories; and

''(B) any bonding requirements for nationals of some or all of those countries who may present an increased risk of overstays or other potential problems, if different from such requirements otherwise provided by law for nonimmigrant visitors.

''(4) FACTORS.—In determining whether to grant or continue providing the waiver under this subsection to nationals of any country, the Secretary of Homeland Security, in consultation with the Secretary of the Interior and the Secretary of State, shall consider all factors that the Secretary deems relevant, including electronic travel authorizations, procedures for reporting lost and stolen passports, repatriation of aliens, rates of refusal for nonimmigrant visitor visas, overstays, exit systems, and information exchange.

''(5) SUSPENSION.—The Secretary of Homeland Security shall monitor the admission of nonimmigrant visitors to Guam and the Commonwealth of the Northern Mariana Islands under this subsection. If the Secretary determines that such admissions have resulted in an unacceptable number of visitors from a country remaining unlawfully in Guam or the Commonwealth of the Northern Mariana Islands, unlawfully obtaining entry to other parts of the United States, or seeking withholding of removal or asylum, or that visitors from a country pose a risk to law enforcement or security interests of Guam or the Commonwealth of the Northern Mariana Islands or of the United States (including the interest in the enforcement of the immigration laws of the United States), the Secretary shall suspend the admission of

nationals of such country under this subsection. The Secretary of Homeland Security may in the Secretary's discretion suspend the Guam and Northern Mariana Islands visa waiver program at any time, on a country-by-country basis, for other good cause.

''(6) ADDITION OF COUNTRIES.—The Governor of Guam and the Governor of the Commonwealth of the Northern Mariana Islands may request the Secretary of the Interior and the Secretary of Homeland Security to add a particular country to the list of countries whose nationals may obtain the waiver provided by this subsection, and the Secretary of Homeland Security may grant such request after consultation with the Secretary of the Interior and the Secretary of State, and may promulgate regulations with respect to the inclusion of that country and any special requirements the Secretary of Homeland Security, in the Secretary's sole discretion, may impose prior to allowing nationals of that country to obtain the waiver provided by this subsection.''.

(c) SPECIAL NONIMMIGRANT CATEGORIES FOR GUAM AND THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.—The Governor of Guam and the Governor of the Commonwealth of the Northern Mariana Islands (referred to in this subsection as ''CNMI'') may request that the Secretary of Homeland Security study the feasibility of creating additional Guam or CNMI-only nonimmigrant visas to the extent that existing nonimmigrant visa categories under the Immigration and Nationality Act do not provide for the type of visitor, the duration of allowable visit, or other circumstance. The Secretary of Homeland Security may review such a request, and, after consultation with the Secretary of State and the Secretary of the Interior, shall issue a report to the Committee on Energy and Natural Resources and the Committee on the Judiciary of the Senate and the Committee on Natural Resources and the Committee on the Judiciary of the House of Representatives with respect to the feasibility of creating those additional Guam or CNMI-only visa categories. Consideration of such additional Guam or CNMI-only visa categories may include, but are not limited to, special nonimmigrant statuses for investors, students, and retirees, but shall not include nonimmigrant status for the purpose of employment in Guam or the CNMI.

(d) INSPECTION OF PERSONS ARRIVING FROM THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS; GUAM AND NORTHERN MARIANA ISLANDS-ONLY VISAS NOT VALID FOR ENTRY INTO OTHER PARTS OF THE UNITED STATES.—Section 212(d)(7) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(7)) is amended by inserting ''the Commonwealth of the Northern Mariana Islands,'' after ''Guam,''.

(e) TECHNICAL ASSISTANCE PROGRAM.—

(1) IN GENERAL.—The Secretary of the Interior, in consultation with the Governor of the Commonwealth, the Secretary of Labor, and the Secretary of Commerce, and as provided in the Interagency Agreements required to be negotiated under section 6(a)(4) of the Joint Resolution entitled ''A Joint Resolution to approve the 'Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America', and for other purposes'', approved March 24, 1976 (Public Law 94–241), as added by subsection (a), shall provide—

(A) technical assistance and other support to the Commonwealth to identify opportunities for, and encourage diversification and growth of, the economy of the Commonwealth;

(B) technical assistance, including assistance in recruiting, training, and hiring of workers, to assist employers in the Commonwealth in securing employees first from among United States citizens and nationals resident in the Commonwealth and if an adequate number of such workers are not available, from among legal permanent residents, including lawfully admissible citizens of the freely associated states; and

(C) technical assistance, including assistance to identify types of jobs needed, identify skills needed to fulfill such jobs, and assistance to Commonwealth educational entities to develop curricula for such job skills to include training teachers and students for such skills.

(2) CONSULTATION.—In providing such technical assistance under paragraph (1), the Secretaries shall—

(A) consult with the Government of the Commonwealth, local businesses, regional banks, educational institutions, and other experts in the economy of the Commonwealth; and

(B) assist in the development and implementation of a process to identify opportunities for and encourage diversification and growth of the economy of the Commonwealth and to identify and encourage opportunities to meet the labor needs of the Commonwealth.

(3) COST-SHARING.—For the provision of technical assistance or support under this paragraph (other than that required to pay the salaries and expenses of Federal personnel), the Secretary of the Interior shall require a non-Federal matching contribution of 10 percent.

(f) OPERATIONS.—

(1) ESTABLISHMENT.—At any time on and after the date of the enactment of this Act, the Attorney General, Secretary of Homeland Security, and the Secretary of Labor may establish and maintain offices and other operations in the Commonwealth for the purpose of carrying out duties under—

(A) the Immigration and Nationality Act (8 U.S.C. 1101 et seq.); and

(B) the transition program established under section 6 of the Joint Resolution entitled ''A Joint Resolution to approve the 'Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America', and for other purposes'', approved March 24, 1976 (Public Law 94–241), as added by subsection (a) of this section.

(2) PERSONNEL.—To the maximum extent practicable and consistent with the satisfactory performance of assigned duties under applicable law, the Attorney General, Secretary of Homeland Security, and the Secretary of Labor shall recruit and hire personnel from among qualified United States citizens and national applicants residing in the Commonwealth to serve as staff in carrying out operations described in paragraph (1).

(g) CONFORMING AMENDMENTS TO PUBLIC LAW 94–241.—

(1) AMENDMENTS.—Public Law 94–241 is amended as follows:

(A) In section 503 of the covenant set forth in section 1, by striking subsection (a) and redesignating subsections (b) and (c) as subsections (a) and (b), respectively.

(B) By striking section 506 of the covenant set forth in section 1.

(C) In section 703(b) of the covenant set forth in section 1, by striking ''quarantine, passport, immigration and naturalization'' and inserting ''quarantine and passport''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on the transition program effective date described in section 6 of Public Law 94–241 (as added by subsection (a)).

(h) REPORTS TO CONGRESS.—

(1) IN GENERAL.—Not later than March 1 of the first year that is at least 2 full years after the date of the enactment of this title, and annually thereafter, the President shall submit to the Committee on Energy and Natural Resources and the Committee on the Judiciary of the Senate and the Committee on Natural Resources and the Committee on the Judiciary of the House of Representatives a report that evaluates the overall effect of the transition program established under section 6 of the Joint Resolution entitled ''A Joint Resolution to approve the 'Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America', and for other purposes'', approved March 24, 1976 (Public Law 94–241), as added by subsection (a) of this section, and the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) on the Commonwealth.

(2) CONTENTS.—In addition to other topics otherwise required to be included under this title or the amendments made by this title, each report submitted under paragraph (1) shall include a description of the efforts that have been undertaken during the period covered by the report to diversify and strengthen the local economy of the Commonwealth, including efforts to promote the Commonwealth as a tourist destination. The report by the President shall include an estimate for the numbers of nonimmigrant workers described under section 101(a)(15)(H) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)) necessary to avoid adverse economic effects in Guam and the Commonwealth.

(3) GAO REPORT.—The Government Accountability Office shall submit a report to the Congress not later than 2 years after the date of the enactment of this title, to include, at a minimum, the following items:

(A) An assessment of the implementation of this title and the amendments made by this title, including an assessment of the performance of Federal agencies and the Government of the Commonwealth in meeting congressional intent.

(B) An assessment of the short-term and long-term impacts of implementation of this title and the amendments made by this title on the economy of the Commonwealth, including its ability to obtain workers to supplement its resident workforce and to maintain access to its tourists and customers, and any effect on compliance with United States treaty obligations mandating nonrefoulement for refugees.

(C) An assessment of the economic benefit of the investors ''grandfathered'' under subsection (c) of section 6 of the Joint Resolution entitled ''A Joint Resolution to approve the 'Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America', and for other purposes'', approved March 24, 1976 (Public Law 94–241), as added by subsection (a) of this section, and the Commonwealth's ability to attract new investors after the date of the enactment of this title.

(D) An assessment of the number of illegal aliens in the Commonwealth, including any Federal and Commonwealth efforts to locate and repatriate them.

(4) REPORTS BY THE LOCAL GOVERNMENT.—The Governor of the Commonwealth may submit an annual report to the President on the implementation of this title, and the amendments made by this title, with recommendations for future changes. The President shall forward the Governor's report to the Congress with any Administration comment after an appropriate period of time for internal review, provided that nothing in this paragraph shall be construed to require the President to provide any legislative recommendation to the Congress.

(5) REPORT ON FEDERAL PERSONNEL AND RESOURCE REQUIREMENTS.—Not later than 180 days after the date of the enactment of this

Act, the Secretary of Homeland Security, after consulting with the Secretary of the Interior and other departments and agencies as may be deemed necessary, shall submit a report to the Committee on Natural Resources, the Committee on Homeland Security, and the Committee on the Judiciary of the House of Representatives, and to the Committee on Energy and Natural Resources, the Committee on Homeland Security and Governmental Affairs, and the Committee on the Judiciary of the Senate, on the current and planned levels of Transportation Security Administration, United States Customs and Border Protection, United States Immigration and Customs Enforcement, United States Citizenship and Immigration Services, and United States Coast Guard personnel and resources necessary for fulfilling mission requirements on Guam and the Commonwealth in a manner comparable to the level provided at other similar ports of entry in the United States. In fulfilling this reporting requirement, the Secretary shall consider and anticipate the increased requirements due to the proposed realignment of military forces on Guam and in the Commonwealth and growth in the tourism sector.

(i) REQUIRED ACTIONS PRIOR TO TRANSITION PROGRAM EFFECTIVE DATE.—During the period beginning on the date of the enactment of this Act and ending on the transition program effective date described in section 6 of Public Law 94–241 (as added by subsection (a)), the Government of the Commonwealth shall—

(1) not permit an increase in the total number of alien workers who are present in the Commonwealth as of the date of the enactment of this Act; and

(2) administer its nonrefoulement protection program—

(A) according to the terms and procedures set forth in the Memorandum of Agreement entered into between the Commonwealth of the Northern Mariana Islands and the United States Department of Interior, Office of Insular Affairs, executed on September 12, 2003 (which terms and procedures, including but not limited to funding by the Secretary of the Interior and performance by the Secretary of Homeland Security of the duties of ''Protection Consultant'' to the Commonwealth, shall have effect on and after the date of the enactment of this Act), as well as CNMI Public Law 13–61 and the Immigration Regulations Establishing a Procedural Mechanism for Persons Requesting Protection from Refoulement; and

(B) so as not to remove or otherwise effect the involuntary return of any alien whom the Protection Consultant has determined to be eligible for protection from persecution or torture.

(j) CONFORMING AMENDMENTS TO THE IMMIGRATION AND NATIONALITY ACT.—The Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended—

(1) in section 101(a)(15)(D)(ii), by inserting ''or the Commonwealth of the Northern Mariana Islands'' after ''Guam'' each time such term appears;

(2) in section 101(a)(36), by striking ''and the Virgin Islands of the United States'' and inserting ''the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands'';

(3) in section 101(a)(38), by striking ''and the Virgin Islands of the United States'' and inserting ''the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands'';

(4) in section 208, by adding at the end the following:

''(e) COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.—The provisions of this section and section 209(b) of this Act shall apply to persons physically present in the Commonwealth of the Northern Mariana Islands or arriving in the Commonwealth (whether or not at a designated port of arrival and including persons who are brought to the Commonwealth after having been interdicted in international or United States waters) only on or after January 1, 2014.''; and

(5) in section 235(b)(1), by adding at the end the following:

''(G) COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.—Nothing in this subsection shall be construed to authorize or require any person described in section 208(e) of this Act to be permitted to apply for asylum under section 208 of this Act at any time before January 1, 2014.''.

(k) AVAILABILITY OF OTHER NONIMMIGRANT PROFESSIONALS.—The requirements of section 212(m)(6)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(m)(6)(B)) shall not apply to a facility in Guam, the Commonwealth of the Northern Mariana Islands, or the Virgin Islands.

SEC. 104. FURTHER AMENDMENTS TO PUBLIC LAW 94–241.

Public Law 94-241, as amended, is further amended in section 4(c)(3) by striking the colon after ''Marshall Islands'' and inserting the following: '', except that $200,000 in fiscal year 2009 and $225,000 annually for fiscal years 2010 through 2018 are hereby rescinded; Provided, That the amount rescinded shall be increased by the same percentage as that of the annual salary and benefit adjustments for Members of Congress''.

SEC. 105. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this title.

SEC. 106. EFFECTIVE DATE.

(a) IN GENERAL.—Except as specifically provided in this section or otherwise in this Act, this title and the amendments made by this title shall take effect on the date of the enactment of this title.

(b) AMENDMENTS TO THE IMMIGRATION AND NATIONALITY ACT.—The amendments to the Immigration and Nationality Act made by this Act, and other provisions of this Act applying the immigration laws (as defined in section 101(a)(17) of Immigration and Nationality Act (8 U.S.C. 1101(a)(17))) to the Commonwealth, shall take effect on the transition program effective date described in section 6 of Public Law 94–241 (as added by section 103(a) of this Act), unless specifically provided otherwise in this Act.

(c) CONSTRUCTION.—Nothing in this Act or the amendments made by this Act shall be construed to make any residence or presence in the Commonwealth before the transition program effective date described in section 6 of Public Law 94–241 (as added by section 103(a) of this Act) residence or presence in the United States, except that, for the purpose only of determining whether an alien lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20))) has abandoned or lost such status by reason of absence from the United States, such alien's presence in the Commonwealth before, on, or after the date of the enactment of this Act shall be considered to be presence in the United States.

TITLE II—NORTHERN MARIANA ISLANDS DELEGATE ACT

SEC. 201. SHORT TITLE.

This title may be cited as the ''Northern Mariana Islands Delegate Act''.

SEC. 202. DELEGATE TO HOUSE OF REPRESENTATIVES FROM COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

The Commonwealth of the Northern Mariana Islands shall be represented in the United States Congress by the Resident Representative to the United States authorized by section 901 of the Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union With the United States of America (approved by Public Law 94–241 (48 U.S.C. 1801 et seq.)). The Resident Representative shall be a nonvoting Delegate to the House of Representatives, elected as provided in this title.

SEC. 203. ELECTION OF DELEGATE.

(a) ELECTORS AND TIME OF ELECTION.—The Delegate shall be elected—

(1) by the people qualified to vote for the popularly elected officials of the Commonwealth of the Northern Mariana Islands; and

(2) at the Federal general election of 2008 and at such Federal general election every 2d year thereafter.

(b) MANNER OF ELECTION.—

(1) IN GENERAL.—The Delegate shall be elected at large and by a plurality of the votes cast for the office of Delegate.

(2) EFFECT OF ESTABLISHMENT OF PRIMARY ELECTIONS.—Notwithstanding paragraph (1), if the Government of the Commonwealth of the Northern Mariana Islands, acting pursuant to legislation enacted in accordance with the Constitution of the Commonwealth of the Northern Mariana Islands, provides for primary elections for the election of the Delegate, the Delegate shall be elected by a majority of the votes cast in any general election for the office of Delegate for which such primary elections were held.

(c) VACANCY.—In case of a permanent vacancy in the office of Delegate, the office of Delegate shall remain vacant until a successor is elected and qualified.

(d) COMMENCEMENT OF TERM.—The term of the Delegate shall commence on the 3d day of January following the date of the election.

SEC. 204. QUALIFICATIONS FOR OFFICE OF DELEGATE.

To be eligible for the office of Delegate a candidate shall—

(1) be at least 25 years of age on the date of the election;

(2) have been a citizen of the United States for at least 7 years prior to the date of the election;

(3) be a resident and domiciliary of the Commonwealth of the Northern Mariana Islands for at least 7 years prior to the date of the election;

(4) be qualified to vote in the Commonwealth of the Northern Mariana Islands on the date of the election; and

(5) not be, on the date of the election, a candidate for any other office.

SEC. 205. DETERMINATION OF ELECTION PROCEDURE.

Acting pursuant to legislation enacted in accordance with the Constitution of the Commonwealth of the Northern Mariana Islands, the Government of the Commonwealth of the Northern Mariana Islands may determine the order of names on the ballot for election of Delegate, the method by which a special election to fill a permanent vacancy in the office of Delegate shall be conducted, the method by which ties between candidates for the office of Delegate shall be resolved, and all other matters of local application pertaining to the election and the office of Delegate not otherwise expressly provided for in this title.

SEC. 206. COMPENSATION, PRIVILEGES, AND IMMUNITIES.

Until the Rules of the House of Representatives are amended to provide otherwise, the Delegate from the Commonwealth of the Northern Mariana Islands shall receive the same compensation, allowances, and benefits as a Member of the House of Representatives, and shall be entitled to whatever privileges and immunities are, or hereinafter may

be, granted to any other nonvoting Delegate to the House of Representatives.

SEC. 207. LACK OF EFFECT ON COVENANT.

No provision of this title shall be construed to alter, amend, or abrogate any provision of the covenant referred to in section 202 except section 901 of the covenant.

SEC. 208. DEFINITION.

For purposes of this title, the term ''Delegate'' means the Resident Representative referred to in section 202.

SEC. 209. CONFORMING AMENDMENTS REGARDING APPOINTMENTS TO MILITARY SERVICE ACADEMIES BY DELEGATE FROM THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

(a) UNITED STATES MILITARY ACADEMY.—Section 4342(a)(10) of title 10, United States Code, is amended by striking ''resident representative'' and inserting ''Delegate in Congress''.

(b) UNITED STATES NAVAL ACADEMY.—Section 6954(a)(10) of such title is amended by striking ''resident representative'' and inserting ''Delegate in Congress''.

(c) UNITED STATES AIR FORCE ACADEMY.—Section 9342(a)(10) of such title is amended by striking ''resident representative'' and inserting ''Delegate in Congress''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentlewoman from the Virgin Islands.

GENERAL LEAVE

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

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

There was no objection.

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

H.R. 3079 is legislation which I introduced, along with Natural Resources Chairman NICK RAHALL, on July 18 of this year. The Insular Subcommittee held two hearings on the matters addressed in this bill.

The first, in April, was an oversight hearing on the current economic, social, and security conditions in the Northern Marianas. The second, in August, was a legislative field hearing held in the CNMI. It was the first time a congressional committee convened officially in the U.S. territory.

H.R. 3079 responds to a number of outstanding issues that have been a concern of this Congress, the people of the CNMI as well, and successive administrations beginning with President Reagan. It is no secret that beginning in the 1990s, the CNMI came under great criticism for its immigration policies which left the territory with a nationwide, if not also an international, reputation.

Undercover investigations by national media, reports by human rights organizations, complaints received from foreign governments, and a report issued by the former chairman and ranking member, GEORGE MILLER, detailed a miscarriage of CNMI immigration policy which left foreign guest workers open to abuse by their employers.

Though congressional efforts to reform local immigration control throughout the 1990s were unsuccessful, Congress was able to establish a Federal ombudsman office in the islands to educate foreign guest workers of their rights under both Federal and local laws and to liaison between such populations and the CNMI government.

Today, national security is prominent to the argument to extend Federal immigration laws to the CNMI. Located just 40 miles to the south of the CNMI is Guam, her sister territory. As we know, since the end of World War II, Pacific islands have played a significant role in our strategy to secure our Nation. Most notable, however, amongst all such islands is Guam, as it is the home to many military bases.

Currently, an agreement between the U.S. and Japan would add $15 billion to Guam's existing multi-billion-dollar military infrastructure and would relocate to the island the Third Marine Expeditionary Forces, comprising 8,000 active-duty soldiers, as well as the stationing of a Global Hawk surveillance unit, the establishment of a U.S. Army air defense battalion, and other operations critical to U.S. Naval regional presence.

Guam has been described by military officials as the ''tip of the spear.'' As both Guam and the CNMI make up the Mariana Islands chain, if Guam is the ''tip of the spear,'' then the CNMI is part of the same blade. If one would be interested in preserving national security, then you would want to support this legislation.

Lastly, this legislation would provide a nonvoting delegate for the only U.S. jurisdiction in our country without any form of representation in Congress. Similar legislation has been favorably reported by the Natural Resources Committee in three previous Congresses and received no further consideration by the House. It is time that we provide the same level of representation afforded to other U.S. territories.

In closing, H.R. 3079 is legislation necessary on several fronts. The bill would provide a stable immigration policy to rebuild the CNMI economy, augment current efforts to diversify and strengthen the future economy, increase the opportunities and skills of local residents to fill private sector employment needs, safeguard the existing foreign guest worker population from employer abuse, and secure the region in the interest of national security and give the CNMI representation in Congress.

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

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

H.R. 3079, as amended, has received much support from the Bush administration, as well as the Northern Marianas elected resident representative, a Republican, Pedro Tenorio. Mr. Tenorio has worked hard to bring forth a bill which has consensus from both sides of the aisle.

This bill brings about unified border control and immigration to the Marianas region, which will benefit our national security. In addition, the bill will foster economic development on the islands by providing local businesses and the military with ready access to labor to support the tourist industry and military base construction.

I appreciate the assistance of our colleagues from the Judiciary Committee. I believe that their efforts have helped to improve the bill.

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

Mrs. CHRISTENSEN. Mr. Speaker, I submit for the CONGRESSIONAL RECORD Chairman CONYERS' letter on behalf of the Judiciary Committee and Chairman RAHALL's letter on behalf of the Natural Resources Committee regarding this legislation.

DECEMBER 10, 2007.

Hon. NICK J. RAHALL II,
Chairman, Committee on Natural Resources, U.S. House of Representatives, Washington, DC.

DEAR CHAIRMAN RAHALL: This is to advise you that, as a result of your agreeing to make requested revisions to provisions in H.R. 3079, the Northern Mariana Islands Covenant Implementation Act, that fall within the rule X jurisdiction of the Committee on the Judiciary, we are able to waive any sequential referral of the bill to our committee in order that the bill may proceed without delay to the House floor for consideration.

The Judiciary Committee takes this action with the understanding that by foregoing consideration of H.R. 3079 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation. We also reserve the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this important legislation, and request your support if such a request is made.

I would appreciate your including this letter in the Congressional Record during consideration of the bill on the House floor. Thank you for your attention to this request, and for the cooperative relationship between our two committees.

Sincerely,

JOHN CONYERS, Jr.,
Chairman, Committee on the Judiciary.

DECEMBER 10, 2007.

Hon. JOHN CONYERS,
Chairman, Committee on the Judiciary, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your recent letter regarding provisions of H.R. 3079, the Northern Marianas Islands Covenant Implementation Act, that fall within the jurisdiction of the Committee on the Judiciary. I appreciate your willingness to waive sequential referral of the bill so that it may proceed to the House floor for consideration without delay.

I understand that this waiver is not intended to prejudice any future jurisdictional claims over these provisions or similar language. I also understand that you reserve the right to seek to have conferees named from the Committee on the Judiciary on these provisions, and would support such a request if it were made.

This letter will be entered into the Congressional Record during consideration of H.R. 3079 on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

With warm regards, I am

Sincerely,

NICK J. RAHALL II,

Chairman, Committee on Natural Resources.

Mr. Speaker, at this time I would like to yield 5 minutes to the gentlewoman from Guam (Ms. BORDALLO).

Ms. BORDALLO. I want to thank my good friend, the distinguished gentlewoman from the Virgin Islands, for her hard work on this legislation and for yielding me the time.

Mr. Speaker, I rise in full support of H.R. 3079. The bill represents a very important opportunity for this Congress to advance the political relationship between the United States and the Commonwealth of the Northern Mariana Islands and its U.S. citizens, to strengthen homeland security in the Western Pacific region, and to bring about needed economic and labor reforms for the benefit of both the people of Guam and the CNMI.

Mr. Speaker, I especially thank the chairwoman of the Subcommittee on Insular Affairs, Mrs. CHRISTENSEN, and the ranking member, Mr. FORTUÑO, as well as Chairman NICK RAHALL and Ranking Member DON YOUNG of the full committee, for working with me throughout this process to address concerns important to my constituents and my district. I also thank the chairman of the Committee on the Judiciary, Mr. CONYERS, and the Immigration Subcommittee chairwoman, ZOE LOFGREN, for the assistance that they have provided in addressing the bill's immigration provisions. I also want to thank my dear friend ENI FALEOMAVAEGA of American Samoa for his assistance.

Guam is geographically a part of the Mariana Islands chain, and we share, Mr. Speaker, a common Chamorro heritage and culture. The Northern Marianas is comprised of the 14 islands north of Guam, and Guam is the southernmost of the Mariana Islands. I have traveled to the Northern Marianas many times over the years and have witnessed our communities on Guam and the CNMI advance both politically and economically. I listened intently to the concerns and the views of the community during the subcommittee's hearing held on Saipan in August. Revisions were made to this bill based upon the input the subcommittee received at the hearings on Guam and Saipan this summer and from stakeholders in the weeks since those hearings.

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I want to highlight a few provisions important to Guam.

First is the establishment of a unified, regional visa waiver program for both Guam and the CNMI. This program is to be modeled off of the highly successful Guam-only visa waiver program which Congress authorized in 1986. Our islands are marketed together in Asia as a regional destination, and a unified program makes sense from a homeland security and marketing viewpoint. Additionally, the bill allows for sufficient flexibility to expand participation under the program in future years.

Secondly, Mr. Speaker, the bill provides for important relief in terms of ability to authorize entry of temporary skilled and unskilled workers to Guam and the CNMI to meet the demands associated with the military buildup and economic growth in the civilian sector in the years ahead.

And finally, Mr. Speaker, I want to underscore my emphatic and strong support for title II of this bill, which would provide for representation for the people of the CNMI in this House of Congress. A delegate from the CNMI would help Congress respond to the needs and concerns of the people of the CNMI. A delegate or representative from the CNMI is in keeping with the traditions of this House of Congress and our American democratic form of government. A delegate from the CNMI would aid us in our work to legislate on matters affecting the CNMI and the insular areas. Up to this point, Mr. Speaker, I have been representing the CNMI. This is long overdue, and it's unfair. We have U.S. citizens living in a U.S. commonwealth without a voice in Congress.

So, I urge my colleagues to right this wrong, and I urge my colleagues to support this legislation.

Mr. BISHOP of Utah. Mr. Speaker, at this time I don't have anyone coming down to speak on the bill, but I anticipate they may. So, until the gentlelady is finished, I will continue to reserve my time.

Mrs. CHRISTENSEN. At this time, Mr. Speaker, I would like to yield 5 minutes to the former Chair and former ranking member of the Committee on Natural Resources, GEORGE MILLER.

Mr. GEORGE MILLER of California. I thank the gentlewoman for yielding, and I want to congratulate her on this legislation.

This is an important piece of legislation, and I'm delighted that we were able to work it out in the committee on a bipartisan basis. And I want to thank all of the Members on both sides of the aisle.

Since the early 1990s, I've tried to bring legislation to the floor of this Congress to reform the abusive labor practices and the broken immigration policies of the Commonwealth of the Northern Mariana Islands, an American territory in the Pacific.

I sought these changes so that we could put a stop to the well-documented and widespread abuse of poor men and women in the garment and tourism industry in the CNMI and to better secure America's borders. But for more than a decade, a lobbyist by the name of Jack Abramoff joined then-Majority Leader Tom Delay and others here in Congress to block my reform efforts, even though they passed on a bipartisan basis in the Senate and in the Senate committee twice.

Ten years ago this month, in fact, Tom Delay visited the Mariana Islands and declared that our Federal reforms ''had no future'' as long as he was in control of the House of Representatives, but there is a new Congress in town. We have new Republican leadership and we have new Democratic leadership, and we're moving quickly under the leadership of the gentlewoman from the Virgin Islands to right the wrongs of the past.

Earlier this year, we raised the minimum wage across the country, and for the first time in almost a decade we gave the workers of the Northern Marianas a raise as well. Thanks to that minimum wage increase, workers in the Marianas make $3.55 an hour, up from barely $3 that workers were paid for these past years. And what's more, the minimum wage will continue to rise in the CNMI until their wage is equal to that of other American territories.

Today, my friend and committee colleague from the Virgin Islands has brought this legislation to the floor to fix the other long-standing problem in the CNMI. The broken local immigration program in the CNMI has allowed unscrupulous recruiters to exploit and abuse thousands of workers and their families, and it helped the CNMI's sweatshop-based economy to persist for decades. The legislation we are considering today brings the CNMI within the Federal immigration system so that we can put an end to that exploitation and abuse. The bill was drafted by the Bush administration and improved by the Natural Resources Committee.

I want to congratulate Chairman RAHALL and Chairwoman DONNA CHRISTENSEN for bringing this legislation to the floor. As I said earlier, I also want to thank Congressman CONYERS, the chairman of the Judiciary Committee, for helping to improve this. And I thank the cooperation of the Republicans, DON YOUNG, and the subcommittee of the Resources Committee.

Today, Jack Abramoff is in prison and Tom Delay has resigned in disgrace. And today we pass a bill that restores the human rights to those individuals working in the CNMI. And today we strengthen the borders of America.

With these two pieces of legislation soon to become law, the minimum wage, which is already the law, and this legislation, to repair the immigration, I think now we can comfortably consider and support the notion of a delegate from the CNMI to the Congress. And I want to thank the gentlewoman for her persistence, the gentlewoman from Guam, and the gentleman from American Samoa for that effort. As they know, this is legislation that I have been deeply concerned about for a

very, very long time that unfortunately brought about a lot of bad practices in the CNMI. But I am convinced with this legislation that we're doing the right thing, and we can open a new chapter, hopefully, of economic prosperity and of representation for the CNMI in the Congress of the United States.

And again, I thank the gentlewoman very much for your tireless effort on this legislation.

Mrs. CHRISTENSEN. Thank you, Chairman MILLER.

Mr. Speaker, might I inquire as to how much time remains?

The SPEAKER pro tempore. The gentlewoman has 8 minutes remaining.

Mrs. CHRISTENSEN. Mr. Speaker, at this time, I yield 5 minutes to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

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

Mr. FALEOMAVAEGA. I want to thank the gentlelady from the Virgin Islands, our distinguished chairman of our Insular Affairs Subcommittee, Mrs. CHRISTENSEN, for allowing me to speak concerning this legislation.

Mr. Speaker, I rise in full support of H.R. 3079, and I want to commend the chairman of our committee, Mr. NICK RAHALL, and also the chairlady of our Insular Affairs Subcommittee, Mrs. DONNA CHRISTENSEN, for their leadership and service, and above all, their commitment and willingness to go through some of the provisions in the bill which I have concerns with.

Mr. Speaker, I also want to thank the gentleman, former chairman of the Natural Resources Committee and now chairman of our Education and Labor Committee, the gentleman from California, my good friend, Mr. MILLER, not only for his leadership, but throughout the years that he has been very diligent in bringing attention to our colleagues and our Nation about the serious problems involving the situation there in the Northern Mariana Islands.

I recall distinctly that because of the violations of Federal labor laws, the garment factories that were instituted by this one gentleman that was fined by some $9 million, just to show without even questioning or even taking the matter to court some of the problems that we had faced within the CNMI.

Mr. Speaker, I support the concerns of the administration and House Members supporting the bill, but we should also be mindful that there is a GAO study currently under way in reviewing CNMI's immigration problems that hopefully will shed more light on the current situation in CNMI. It is my sincere hope that the GAO study will give us more information on CNMI's overall economic and political development, and the bill we're about to pass will complement the findings of the GAO report that will be completed in the near future.

Mr. Speaker, we ought not to put the blame on the current administration, Governor Ben Fitial, for the failures and misdeeds of his predecessors. Since becoming Governor of CNMI, Governor Fitial has addressed several concerns that had plagued previous administrations. For example, with the closures of most of the government factories in CNMI, the number of alien guest workers has declined from its peak of about 30,000 now to about 20,000 by the end of this year. This will further decrease to about 15,000 by next year.

Governor Fitial has instituted an effective and fair system for handling complaints by alien guest workers. The new system implemented by the Governor has eliminated a backlog of some 3,400 pending labor cases carried over from previous administrations.

Under Governor Fitial's administration, the CNMI Government has implemented a new computerized system for tracking arrivals and departures of alien guest workers, leading to a more effective control of CNMI's immigration problems.

I am especially pleased, Mr. Speaker, for the removal of a certain provision that would have legalized the status of illegal overstayers in CNMI. I want to thank Chairman RAHALL, Chairwoman CHRISTENSEN and Ranking Member DON YOUNG for the spirit of bipartisanship that has authorized CNMI to also have a delegate in the U.S. Congress, as stated in the bill. I cannot stress enough the importance of the unique political relationship between the United States and CNMI, especially in the interest of our national security. The significance of this political relationship has elevated since the closures of the Clarke Air Force Base and our Naval Base in Subic Bay in the Philippines.

I cannot help but mention the name of the late Congressman Phil Burton, Mr. Speaker, who played a most critical role in the development of this unique political relationship between CNMI and the United States. Furthermore, the pending transfer of some 9,000 U.S. marines and their families from Okinawa to Guam, and likely also to CNMI, has made this relationship even more critical and important to our strategic and military interests in this region of the world.

Overall, we have a very important military interest in these islands, and our Nation is grateful that Guam and CNMI are members of our American family.

I urge my colleagues to support this legislation.

Mrs. CHRISTENSEN. Mr. Speaker, H.R. 3079 is supported by the administration and also received bipartisan support during consideration by the Natural Resources Committee. In addition, since reporting the measure, our committee has worked very closely with the House Judiciary Committee, as you've heard, to address other concerns.

I want to take this opportunity to thank Chairman RAHALL for making this issue a priority at the start of this Congress, as well as thank our ranking member, Mr. YOUNG. And we appreciate the collaboration of our colleagues on the Judiciary Committee, Chairman CONYERS, Ranking Member SMITH and Subcommittee Chairman LOFGREN and Ranking Member KING, as well as the Judiciary Committee staff.

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

Mr. BISHOP of Utah. Mr. Speaker, I understand that we have another speaker who wishes to come here, so I appreciate this opportunity just to say a short word on behalf of this bill. And I appreciate the many speakers who have spoken already who have spoken to the bipartisan nature in which this bill has proceeded.

At this time, I think we need to thank the Judiciary Committee, and I believe the chairman wishes to say something about this particular bill, for the way in which they've worked in a bipartisan way. I am also very grateful to be a part of the Natural Resources Committee, which I think has worked in a bipartisan way to present this bill.

I have to admit that the only thing that would really make me happier is if we were discussing this bill in October rather than this close to Christmas. But other than that, I am very much appreciative of those people who worked for this bill, especially the administration, who is supportive of it, and the resident representative from this particular area.

I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. I thank the Speaker and the leaders, the floor managers on this provision. I want to thank first of all the ranking member, LAMAR SMITH; the Chair of the Immigration Subcommittee on the Judiciary Committee, ZOE LOFGREN; and in particular, my friend, Chairman NICK RAHALL of the Natural Resources Committee because we have all worked together in making important refinements to the bill. There was a great deal of cooperation.

As it is now clear, what we are dealing with now is the fact that the minimum wage question, the immigration standards, and the taxes to the islands are of great consequence. I commend all of my colleagues here this afternoon for the tremendous work that has occurred.

Labor unions and human rights groups have long called attention to these abuses. And both the Clinton and Bush administration Justice Departments have brought prosecutions under the 13th amendment.

I do also want to commend this administration for the excellent work they have done in this regard.

The decision in the 1976 Covenant establishing the Commonwealth of the Northern Mariana Islands to leave decisions on minimum wages, immigration standards, and

taxes to the Islands has had tragic consequences.

Wide-open guestworker programs, and utter lack of basic labor protections, turned the Northern Marianas into a haven for sweatshops. But modern slavery didn't just occur by day, in the garment factories. It also occurred by night, as cruel brothel owners used deceit and brutality to gratify the demand for prostitutes.

Labor unions and human rights groups have long called attention to these abuses, and both the Clinton and Bush Administration Justice Departments have brought prosecutions under the Thirteenth Amendment against some of the most notorious offenders. But these efforts have been blunted at every turn by the factory owners and their high-paid lobbyists.

A more fundamental effort is clearly needed, and long overdue, and this legislation will finally provide it. It brings the Commonwealth under the Immigration and Nationality Act, with a balanced approach that will help the Islands through the transition. Workers in the Islands will no longer be kept in the shadows, where they have been too readily prey to abuse.

We can see how this effort is already having a result. Just this weekend on Saipan, as many as 15,000 workers and their supporters marched for unity and justice. Fifteen thousand marched on an island of only 60,000 people. We owe it to them to act.

The fundamental immigration policy and human freedom issues at stake are of obvious importance to the Judiciary Committee, and I deeply appreciate the openness of the Natural Resources Committee, under the leadership of Chairman RAHALL, in working with us on important refinements to the bill.

Immigration Subcommittee Chair ZOE LOFGREN and I have also had tremendous help from Ranking Member LAMAR SMITH, in making these improvements in a bipartisan fashion. Finally, I would like to thank the Administration for its constructive role in bringing us to this point.

Ms. ZOE LOFGREN of California. Mr. Speaker, H.R. 3079 would apply the Nation's immigration laws to the Commonwealth of the Northern Mariana Islands (CNMI). For too long, the CNMI has managed its own immigration system outside of the constraints and protections of Federal law. The result has been a massive influx of exploited workers and victims of human trafficking, with concomitant increases in sex slavery and other abusive labor practices.

Recent investigations and prosecutions have uncovered terrible stories of enslavement and forced labor. Thousands of young women and girls lured to the CNMI with promises of good jobs with good pay only to be enslaved and forced into prostitution. Others forced to toil in harsh conditions and for little money in garment sweatshops, made profitable by their ability to exploit cheap labor yet still use the ''Made in the USA'' label.

And to understand the depth of the problem, one only has to look at the statistics. For years, foreign workers have actually outnumbered the indigenous population. It is like the United States bringing in over 300 million foreign workers to the mainland, without giving them any rights or protections.

We have known about these problems since the 1990s, but we have done nothing about them. It is time to change that. H.R. 3079 would extend the protections of the country's immigration laws to the CNMI, using a balanced approach that takes into account the CNMI's vulnerable economy as well as past abuses. It would reign in the islands' lax immigration policies while appropriately considering the labor needs of legitimate businesses. It would also provide for a regional visa waiver program along with Guam, which would provide both increased security and the tourists needed to help sustain the economies of both territories.

This bill is strongly needed to break from the abuses of the past. It is backed by the Administration, and it has bipartisan support in the House and Senate.

I want to thank Chairman RAHALL of the Natural Resources Committee and Chairwoman CHRISTENSEN of the Subcommittee on Insular Affairs for caring deeply about this issue and shepherding this bill through Congress. I also want to thank Chairman CONYERS for his leadership, as well as Mr. LAMAR SMITH, the ranking member of the Judiciary Committee, for working with us in a bipartisan fashion to improve the bill. I urge its passage.

Mr. RAHALL. Mr. Speaker, I rise in strong support of H.R. 3079, a bill which would extend U.S. immigration laws to the Commonwealth of the Northern Mariana Islands and also authorize a non-voting Delegate from the Northern Marianas to the U.S. House of Representatives.

At the start of the 110th Congress, as the Chairman of the Natural Resources Committee, I set out an agenda which included revisiting the CNMI's control and enforcement over immigration policy. Many in this House will recall that for at least two decades, our government and this Congress expressed our concerns with how immigration policy in the CNMI was envisioned and implemented.

When the Northern Marianas was transitioned from being a trust territory of the United Nations to a U.S. territory under our stars and stripes, temporary control over immigration and minimum wage laws were placed in the hands of the new local government. This was done in light of their small, mostly indigenous, population and their undeveloped economy. Their control was never meant to be a permanent fixture of their government.

Throughout the 1990s the CNMI economy grew by taking advantage of its control over immigration and wage policy. A garment industry, much of it owned by nationals of China, saw fit to make the CNMI their new home. In so doing, the industry was able to fill practically every position in their operations with a foreign worker at a minimal cost to their operations.

In 2000, garment exports from the CNMI to the U.S. were estimated to be worth about $1 billion annually. To support this industry, the U.S. Census estimated the foreign guest worker population at 40,000 outnumbering the local population by at least 10,000 and because of lax protections of foreign guest workers under CNMI law many were subject to abuses by their employers. Much of this abuse had been documented by our national media, human rights organizations, and our Committee's former Chairman GEORGE MILLER.

In that decade of the 90s and into the 21st century, despite the clear need to reform the system in the CNMI, any attempts at extending U.S. immigration law or minimum wage laws were met with resistance in Congress.

I loathe thinking that Members of this body would want such a system to flourish. Or that anyone would view what occurred in the CNMI as an economic experiment, grown in a ''petri dish'' because of the CNMI's distance and relative isolation from the U.S. mainland.

Mr. Speaker, with the enactment of H.R. 3079, the dismal and degrading decade of the 90's will be put to rest—never to repeat itself again.

H.R. 3079 would also authorize a non-voting Delegate from the CNMI to be a Member of the House of Representatives. In previous Congresses, similar legislation has passed the Natural Resources Committee more than once and with broad bipartisan support. This goodwill and collaboration has continued in this Congress with the inclusion of the Northern Mariana Island Delegate Act as Title II of H.R. 3079.

Mr. Speaker, I commend the gentle lady from the Virgin Islands, Mrs. CHRISTENSEN, for her leadership throughout this process. As the chairman of Subcommittee on Insular Affairs, she took on this very complex issue at the start of this Congress. Her Subcommittee has been very active on this issue and made every attempt to address concerns raised by different interests in the CNMI before bringing this legislation to the Floor.

I would also like to thank the leadership of the Judiciary Committee who collaborated with us on this legislation. We do appreciate their involvement with this bill and their constructive input as we prepared to have it considered under the suspension calendar.

I support H.R. 3079 and urge its passage.

Mr. BISHOP of Utah. Having no other speakers on our side, I yield back the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield back the balance of my time and I urge my colleagues to pass H.R. 3079.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) that the House suspend the rules and pass the bill, H.R. 3079, as amended.

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

The title was amended so as to read: ''A bill to amend the joint resolution that approved the covenant establishing the Commonwealth of the Northern Mariana Islands, and for other purposes''.

A motion to reconsider was laid on the table.

□ 1230

SAN GABRIEL BASIN RESTORATION FUND AUTHORIZATION ACT

Mrs. NAPOLITANO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 123) to authorize appropriations for the San Gabriel Basin Restoration Fund, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 123

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

SECTION 1. SAN GABRIEL BASIN RESTORATION FUND.

Section 110 of division B of the Miscellaneous Appropriations Act, 2001 (114 Stat. 2763A–222), as enacted into law by section 1(a)(4) of the Consolidated Appropriations Act, 2001 (Public Law 106–554, as amended by Public Law 107-66), is further amended—

(1) in subsection (a)(3)(B), by inserting after clause (iii) the following:

''(iv) NON-FEDERAL MATCH.—After $85,000,000 has cumulatively been appropriated under subsection (d)(1), the remainder of Federal funds appropriated under subsection (d) shall be subject to the following matching requirement:

''(I) SAN GABRIEL BASIN WATER QUALITY AUTHORITY.—The San Gabriel Basin Water Quality Authority shall be responsible for providing a 35 percent non-Federal match for Federal funds made available to the Authority under this Act.

''(II) CENTRAL BASIN MUNICIPAL WATER DISTRICT.—The Central Basin Municipal Water District shall be responsible for providing a 35 percent non-Federal match for Federal funds made available to the District under this Act.'';

(2) in subsection (a), by adding at the end the following:

''(4) INTEREST ON FUNDS IN RESTORATION FUND.—No amounts appropriated above the cumulative amount of $85,000,000 to the Restoration Fund under subsection (d)(1) shall be invested by the Secretary of the Treasury in interest-bearing securities of the United States.''; and

(3) by amending subsection (d) to read as follows:

''(d) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated to the Restoration Fund established under subsection (a) $146,200,000. Such funds shall remain available until expended.

''(2) SET-ASIDE.—Of the amounts appropriated under paragraph (1), no more than $21,200,000 shall be made available to carry out the Central Basin Water Quality Project.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. NAPOLITANO) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

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

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

There was no objection.

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

H.R. 123 was introduced by our colleague and good friend, Congressman DAVID DREIER of California, to provide additional funds for the San Gabriel Basin Restoration Fund. This bill, which is a very important bill for my whole area, has worked to clean up a contamination, a Superfund site, that has cleaned up much of the contamination in an area that comprises probably around 30 cities, and as amended will raise the appropriation ceiling by an additional $61.2 million.

We need this to further continue to provide the cleanup on this water to millions of people in dozens of cities. This bill has been worked on in a bipartisan basis. Both my colleague, Mr. DREIER, myself, our staffs have worked diligently for a long time to carry this bill to where it is.

When H.R. 123 was introduced earlier this year, it only included funds for cleanup in the San Gabriel Basin. Since then, my staff, committee staff and Congressman DREIER's staff have worked together to amend the bill to include additional funds for cleanup in the central basin as well. While this legislation provides a central basin with access to much-needed additional funds, all funds left under the original authorization should remain dedicated to the Water Quality Authority, the entity which is responsible for coordinating cleanup efforts in the San Gabriel Basin.

Mr. Speaker, we have no objection to this noncontroversial, bipartisan bill and I urge my colleagues to support H.R. 123, as amended.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, H.R. 123 was introduced by our distinguished colleague, the gentleman from California, the distinguished ranking member of the Rules Committee, DAVID DREIER; and it extends a highly successful water cleanup effort in Southern California. This legislation as amended authorizes additional Federal dollars for groundwater remediation aquifers that provide drinking water to the Los Angeles area residents.

As explained by the Democrat bill manager, this amended bill will allow the central basin water authorities to pursue their own appropriations while not harming what remains of the original San Gabriel Restoration Fund. This aspect of the bill is very important when it comes to protecting the San Gabriel water supply. This bill has enjoyed bipartisan support and dialogue throughout the legislative process, and I urge my colleagues to support this result-oriented bill.

I will reserve at this moment.

Mrs. NAPOLITANO. Mr. Speaker, I have no speakers waiting. I still remain committed to reserving my time.

Mr. BISHOP of Utah. It is only right that I yield as much time as he chooses to consume to the gentleman from California, the sponsor of this wonderful piece of legislation, Mr. DREIER.

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

Mr. DREIER. Mr. Speaker, let me begin by rising to compliment my distinguished California colleague, the Chair of the subcommittee, for her amazing and festive outfit which includes shoes and earrings which I hope very much our colleagues will seize the opportunity to see during this holiday season.

The importance of stating that is matched by my praise for her work and the work of her staff on this important legislation. It has been nearly a decade, actually back in 1999, that we were able to first pass legislation designed to deal with a horrendous tragedy that came in the aftermath of the Cold War. It was during the Cold War that we had a wide range of defense contractors, some of which are in business today, and some of which no longer are in business; but during that period of time, they legally disposed of spent rocket fuel. They did it legally. No one knew what the ramifications of that would be at the time.

And so, Mr. Speaker, what happened? Well, in the mid-1990s there was this discovery of perchlorate which was a byproduct of the disposal of that spent rocket fuel. Unfortunately, it created the potential to contaminate the water for as many as 7 million Californians.

That is why I want to join in praising Mrs. NAPOLITANO for her work in expanding this cleanup effort, and I want to thank all the members of her staff. I also want to express appreciation to our colleague, CATHY MCMORRIS RODGERS, who also has worked very hard on this. And I know that the discovery of perchlorate is something that has hit other parts of the country.

Well, we in the San Gabriel Valley have put together what clearly is the best model for not only our area, Mr. Speaker, but for other parts of the country, Dallas, Texas, other parts of California, where this has been found. What does that partnership consist of? It is the Federal Government, and there was a lot of litigation that was initiated in the 1990s over this problem. I decided back then in the 1990s, why should we wait for litigation to go through the courts when perchlorate was seeping into the groundwater when it was very clear that the Federal Government had contracted with these people and we won the Cold War.

And so it was obvious that this was a Federal responsibility for us to step up to the plate. But there, obviously, were a lot of others who did want to take on some of the responsibility, so companies like Aerojet and other companies did agree to participate in the cleanup effort. And the State of California and local governments as well have been part of this process.

Again, our bipartisan staffs have worked so closely together on this issue that to me, Mr. Speaker, it is a great demonstration of the willingness of Chairwoman NAPOLITANO to reach out and work on an issue where we could find areas of agreement. Again, I can't thank her enough for that. And I will say that as we look at this challenge down the road, we hope very much that it is taken care of. But I am well aware of the fact that we will see further environmental difficulties in the future, and I believe that this legislation, H.R. 123, will be a model that can be utilized for many of the other environmental challenges that we face beyond the issue of water in the future.

So again I thank all of my colleagues who have been involved, Mr. Speaker,

and I thank those in our local area, the Water Quality Authority and other entities that have stepped up and are working with us, because they really were key in putting together this model; and I urge my colleagues to support the gentlewoman's resolution here.

Mrs. NAPOLITANO. Mr. Speaker, my colleague has very well outlined the background of the bill. Due to his vision, this started over a decade over ago, brought all the parties together, had many hurdles that were accomplished only when people were brought to the table and were able to seek the solution to be more expediently cleaning up that area. And I can tell you that this has been, as he has outlined, a very hard-worked, joint effort, not only at the local level with the State, the locals, the Fed, the EPA, all the water districts, but also our staffs who have run into difficulties and had been able to work to iron them out. So kudos also, Mr. Speaker, to Chairman DREIER's staff in being willing to work with our staff in bringing this to the solution where we are now.

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

Mr. BISHOP of Utah. We have no other speakers, Mr. Speaker. I did not have the opportunity of giving my life history on the last bill, and I really am disappointed Mr. DREIER didn't give his life history in his bill; but beside that disappointment, I also am grateful to be here with the distinguished subcommittee chairwoman who is dressed in as festive an outfit for this time of year as is possible to do, and we simply yield back the balance of our time in urging my colleagues to approve this piece of legislation.

Mrs. NAPOLITANO. Mr. Speaker, I appreciate the comments about my dress and demeanor. I only feel that we are hoping to wrap it up this week and not be here through Christmas.

Mr. DREIER. Mr. Speaker, I rise in strong support of this bill's passage. H.R. 123 is an important continuation of the successful federal–state–local partnership that already exists in providing one of the most basic necessities of life—clean drinking water. The bill extends the current authorization of the San Gabriel Basin Restoration Fund by a total of $61.2 million—$50 million for the San Gabriel Basin Water Quality Authority (WQA), and $11.2 million for the Central Basin Municipal Water District (Central Basin).

The San Gabriel Basin Restoration Fund was created because of the critical need to quickly implement a plan that would address the contaminated groundwater in the San Gabriel Valley. Before important environmental laws were put into place, the Federal Government had contracted with defense companies that were, at that time, legally permitted to dispose of spent-rocket fuel without proper safeguards for groundwater. There had already been clean-up efforts in the region for other contaminants but in 1997, perchlorate contamination was discovered in the groundwater in the San Gabriel Valley. Unfortunately, at the time of discovery, many of those contractors and other responsible parties had either moved their businesses to other locations, or had simply gone out of business. The region's groundwater remained threatened while mounting litigation between the Environmental Protection Agency and private parties potentially responsible for the contamination delayed any hope for a solution.

In 1999, the Federal Government rightfully stepped in with the creation of the Restoration Fund to provide a mechanism for those responsible for the contamination to partner with local, state and federal agencies to solve the crisis and immediately implement the cleanup. The willingness of the Federal Government to partner with local and state agencies proved to be the impetus for private investment and participation in the ongoing cleanup efforts.

I am proud to say that this partnership is an example of good stewardship of taxpayer money. Initially in 1999, when we first began the process for creating the Restoration Fund, the total cost of cleaning up the basin was estimated at $320 million. Congress created the Restoration Fund in 2000, with an initial authorization of $85 million, or a 25 percent investment. To date, a little over $70 million has been appropriated, with approximately 83 percent of the cleanup provided by local sources and responsible parties, with about 12 percent federal funding.

After recent evaluation of the total project, accounting for increased levels of detected contamination, increased energy costs and inflation, the total cost of cleanup now, almost a decade later, is approximately $1 billion. With a modest increase of $61.2 million, bringing the total federal investment to $146.2 million, or approximately 14 percent, the WQA and the U.S. Bureau of Reclamation can continue jointly administering this cleanup program.

Their outstanding work is why this project is cost effective and such a huge success. In working with the WQA and the U.S. Bureau of Reclamation over the past decade on this regional solution, there is no doubt that this increase is warranted and will be utilized in the most effective way to continue to provide safe drinking water.

The cost-effectiveness of the original authorization of the Restoration Fund is clear. And without a doubt, that cost-effective use of the federal investment will be continued in this new authorization. The federal partnership will continue to hold the coalition of local water agencies and private parties together to finish the job that we started a decade ago.

It is important to note that this bill, while originally introduced to authorize additional funds for the WQA, was amended to include additional funding for the Central Basin. The WQA and Central Basin were jointly authorized to implement the cleanup by the original Restoration Fund. These two agencies have worked side by side for many years to ensure that the millions of residents in our region have safe drinking water. While the Central Basin has realized its full authorization under the Restoration Fund, there are funds yet to be appropriated to the WQA under the original authorization. Therefore, the WQA is not responsible to provide the Central Basin with any further appropriations that are secured under the original $85 million ceiling.

However, we all recognize Central Basin's desire to seek additional funds beyond what they have already been fully provided under the original authorization to ensure the safety of the region's groundwater. Central Basin has stepped forward in committing to providing the 35 percent local cost share on any future appropriations they secure. Once the WQA receives its full appropriation under the original authorization, should the WQA and Central Basin decide to pursue and split a single appropriation as they've done in the past, then the WQA and the Central Basin have mutually agreed that the WQA will receive 90 percent, and Central Basin will receive 10 percent of any annual appropriation to the Restoration Fund under the new authorization ceiling outlined in this bill. I want to commend the cooperation between these two agencies in working out the details of the implementation of this bill and for their continued service to the residents of the San Gabriel Valley.

This bill is a product of strong bipartisan cooperation with the Chair of the House Natural Resources Subcommittee on Water and Power, Ms. NAPOLITANO, an original cosponsor of the bill and great partner throughout the years in addressing the very serious challenge of keeping our groundwater supply safe for southern Californians. I am very proud to have the support of our friends GARY MILLER, LUCILLE ROYBAL-ALLARD, ADAM SCHIFF, HILDA SOLIS and LINDA SÁNCHEZ. I also want to thank Ranking Member CATHY MCMORRIS-RODGERS for her support throughout the legislative process as well as recognize the hard work of the very able Majority and Minority subcommittee staff including Steve Lanich, Kiel Weaver, Emily Knight and from Chairwoman NAPOLITANO's personal office, Daniel Chao.

Mr. Speaker, I urge my colleagues to support passage of this legislation.

Mrs. NAPOLITANO. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. NAPOLITANO) that the House suspend the rules and pass the bill, H.R. 123, as amended.

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

A motion to reconsider was laid on the table.

ARIZONA WATER SETTLEMENTS ACT MODIFICATION

Mrs. NAPOLITANO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3739) to amend the Arizona Water Settlements Act to modify the requirements for the statement of findings.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3739

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

SECTION 1. MODIFICATION TO REQUIREMENTS FOR STATEMENT OF FINDINGS.

Section 302 of the Arizona Water Settlements Act (Public Law 108–451; 118 Stat. 3571) is amended as follows:

(1) In subsection (b)(5), by striking ''proceedings,'' and all that follows through the end of the paragraph and inserting ''proceedings;''.

(2) In subsection (c), by striking ''subsection (a)'' and inserting ''subsection (b)''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. NAPOLITANO) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

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

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

There was no objection.

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

H.R. 3739, as introduced by our friend and colleague, Congressman RAUL GRIJALVA of Arizona, our colleague on the Natural Resources Committee and chairman of the subcommittee on National Parks, Forests and Public Lands, amends the 2004 Arizona Water Settlements Act to modify one technical, enforceability condition necessary to implement the water settlement for the Tohono O'odham Nation.

Mr. Speaker, we support this bill. It was passed through our committee on a bipartisan basis, and we look forward to working with other tribes who have similar concerns in the future; and I urge my colleagues to support the bill.

I reserve the balance of my time.

Mr. BISHOP of Utah. My colleague from the majority has adequately described this technical correction bill. We have no objection. We urge its passage.

I have no further speakers, and I yield back the balance of my time.

Mrs. NAPOLITANO. Mr. Speaker, having no further speakers, I will only mention that it was a pleasure working with my ranking member, CATHY MCMORRIS RODGERS, and some of my colleagues on the other side to get this very important piece of legislation for the tribe.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. NAPOLITANO) that the House suspend the rules and pass the bill, H.R. 3739.

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

A motion to reconsider was laid on the table.

□ 1245

EXPRESSING SYMPATHY TO THE VICTIMS OF CYCLONE SIDR IN SOUTHERN BANGLADESH

Mr. MEEKS of New York. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 842) expressing sympathy to and pledging the support of the House of Representatives and the people of the United States for the victims of Cyclone Sidr in southern Bangladesh, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 842

Whereas on November 15, 2007, Cylcone Sidr hit the coast of southern Bangladesh with 155 mile-an-hour winds that smashed tens of thousands of homes, damaged roads and buildings, and caused a 15-foot tidal surge that ruined thousands of hectares of crops;

Whereas early reports have branded the destruction from Cyclone Sidr as the worst in Bangladesh in 16 years;

Whereas the resulting damage from the cyclone affected more than 8,000,000 people through loss of their homes and livelihoods;

Whereas over half of the affected internally displaced population are children;

Whereas Bangladesh's Disaster Ministry estimates that the cyclone damaged or destroyed 1,500,000 houses;

Whereas the death toll from the cyclone stands at more than 3,000;

Whereas as the 4 districts in southern Bangladesh that were most drastically affected by the cyclone are Patuakhali, Bagerhat, Barisal, and Pirojpur;

Whereas one relief worker commented that Bagerhat looked like a ''valley of death'' in the days after the storm;

Whereas an entire island in Barisal, another district of southern Bangladesh, was submerged under at least 6 feet of water and houses were blown away by winds;

Whereas the capital, Dhaka, which is located over 130 miles away from the devastated southern coastline, was also impacted by the storm, losing access to power and water for days;

Whereas a massive tidal wave that was caused by Cyclone Sidr hit the Sunderbans, the world's biggest mangrove forest that is home to the endangered Royal Bengal tiger, leaving a wake of death and destruction that have caused experts to declare the forest an ''ecological disaster'';

Whereas officials at the United Nations World Food Program have appealed for international aid to help save lives in Bangladesh, noting that food supplies have been severely disrupted by the cyclone; and

Whereas, due to the limited access to water supply and sanitation facilities that millions of Bangladeshis will face, health officials have warned against the possibility of cholera, dysentery, and other waterborne diseases: Now, therefore, be it

Resolved, That the House of Representatives—

(1) expresses its heartfelt sympathy for the victims of Cyclone Sidr, which has affected southern Bangladesh;

(2) conveys its sincere support to the people of Bangladesh;

(3) supports the United States Government's efforts to immediately make available all appropriate assistance requested by Bangladeshi authorities; and

(4) reaffirms its commitment to provide relief aid to the victims as the effects of the cyclone continue to unfold.

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

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

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

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

There was no objection.

Mr. MEEKS of New York. Mr. Speaker, I rise in strong support of this bill, and I yield myself such time as I may consume.

Let me first thank my good friend and colleague, Mr. ROTHMAN from New Jersey, for introducing this timely resolution. More than 2 years ago, Hurricane Katrina struck our gulf coast with a fury rarely seen. Katrina caused severe loss of life and property to the citizens of Louisiana, Mississippi and Alabama, and our Nation continues to deal with the enormous human and financial consequences of this devastating storm.

Unfortunately, halfway across the world, our friends in Bangladesh are undergoing their own nightmare scenario in the aftermath of Cyclone Sidr. Cyclone Sidr struck on November 15, with 155-mile-an-hour winds and 15-foot tidal waves. The destruction that this cyclone left in its wake is the worst Bangladesh has seen in 16 years, and that is not a trivial statement, considering that Bangladesh is a nation that suffered through horrific droughts, floods and other natural disasters on almost an annual basis.

The numbers from Cyclone Sidr are astounding: 3,300 dead, over 800 missing, and 1.5 million houses damaged or destroyed. All told, at least 8.7 million people have been affected, and the economic and social impacts will undoubtedly loom large for years to come.

Just as the world offered their help to us during Hurricane Katrina, Bangladesh needs immediate support from the international community. In that regard, I am proud of the way that the United States Government has responded to this disaster. The U.S. Agency for International Development has already dispatched millions in emergency assistance, and our United States Navy is busy airlifting necessary food and supplies to those that have been affected.

This resolution supports our efforts and reaffirms our commitment to our friends in Bangladesh. I strongly support this resolution and encourage my colleagues to do the same.

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

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

Mr. Speaker, I rise in support of H. Res. 842, as amended, expressing sympathy and support for the victims of Cyclone Sidr in southern Bangladesh. At the outset, I would like to commend the gentleman from New Jersey (Mr. ROTHMAN) for introducing this timely measure, and also extend my appreciation to Chairman LANTOS, as well as Ranking Member ILEANA ROS-LEHTINEN, for helping to expedite its consideration before the House today.

As my colleagues may know, on the 15th of November a powerful, category five-equivalent tropical cyclone struck low-lying areas of Bangladesh from the Bay of Bengal. Mr. Speaker, in the West we call these tropical storms hurricanes, and in the Far East they call them cyclones. Be that as it may, they both have destructive power. Being from southeast Texas on the gulf coast, we call the area ''hurricane alley,'' and we are not unfamiliar with hurricanes. Even this year, Hurricane Humberto, and Hurricane Rita 2 years ago hit my area of the State of Texas.

So, the effects of hurricanes and cyclones are devastating. The effects of Cyclone Sidr has been extremely devastating to the people. Some 6.8 million people have been affected by this disaster, 3,000 people have died, 1,000 people are unaccounted for, and approximately 15,000 people have been injured. In the immediate aftermath of this storm, President and Mrs. Bush offered condolences to the victims, especially those who lost loved ones, people who lost homes and livelihoods in this tragedy.

The United States immediately conveyed to the authorities in Dhaka its willingness to assist in responding to this natural disaster. The United States Agency for International Development provided more than $19 million in emergency funds to support relief and early recovery activities, including shelter and water, sanitation, hygiene programs and emergency food assistance. The United States Department of Defense has also provided invaluable assistance, with 2,400 United States marines and sailors helping the Bangladesh Government provide clean water, medical aid, food, and other relief supplies to the victims of this cyclone. Indeed, more than 162,000 pounds of relief supplies have been delivered to Bangladesh by USS *Kearsarge* and the 22nd Marine Expeditionary Unit as of early this month.

Mr. Speaker, Bangladesh and the United States have been close friends since 1971. Our hearts go out to those who have suffered so grievously during this disaster, and on behalf of the American people it is fitting that we reiterate our commitment to assist the people of Bangladesh as they recover from this devastating storm, and I urge support of this resolution.

Ms. JACKSON-LEE of Texas. Mr. Speaker. I rise today in strong support of H. Res. 842, expressing sympathy to and pledging the support of the House of Representatives and the people of the United States for the victims of Cyclone Sidr in southern Bangladesh, introduced by my distinguished colleague from New Jersey, Representative ROTHMAN. This important resolution reaffirms the commitment of the United States to the people of Bangladesh in the wake of the devastation of Cyclone Sidr.

Mr. Speaker, Bangladesh has long been a valued ally of the United States; and a key Muslim democracy in a region where adherence to democratic principles is at a premium. Recently, I met with Mr. Don Haque, nephew of former Prime Minister Khaleda Zia. After listening to his concerns and insights, it is my hope that Bangladesh will move swiftly toward regaining its status as a thriving, emerging democracy and set an example for its neighbors and the rest of the world.

The region has been undergoing serious political and economic changes, with several nations undergoing significant political upheaval. Key among these is Bangladesh, where emergency rule was declared by President Iajuddin Ahmed following opposition protests during the run-up to the January 2007 elections. This military-backed caretaker government, currently headed by Fakhruddin Ahmed, is expected to continue to hold power through 2008, though some observers have estimated that elections will not actually take place until 2009 or later.

It is my sincere hope that the military-backed caretaker government currently in power in Bangladesh will promptly lift the state of emergency and move expeditiously toward holding free and fair elections. It would also be my expectation that the caretaker government will abide by internationally recognized standards of human rights and due process in its activities. I am personally concerned by reported events in Bangladesh, including the ban on political and union activity; the restrictions on free movement, free assembly, free association, free speech and a free press; and the denial of bail and other due process rights to more than 200,000 jailed individuals, according to some accounts.

In this key period of political change, one that will hopefully ensure a more free and fair democratic Bangladesh, the nation has been hit by an unthinkable natural disaster that has affected all ways of life. On November 15, the southern coast of Bangladesh was struck by Cyclone Sidr with raging winds of 155 miles-per-hour smashing tens of thousands of homes, damaging roads and buildings, and causing a 16 foot tidal surge that has destroyed thousands of hectares of crops.

This natural disaster is estimated to have affected over 4 million people thus far, with millions being evacuated from their homes due to loss or damage. The Bangladesh Disaster Ministry now estimates that some 750,000 homes were damaged or destroyed in the aftermath of Cyclone Sidr. As a Member of the House Foreign Affairs Committee and Chair of the Congressional Children's Caucus, I am especially concerned by the internal displacement of millions of Bangladeshis, over 400,000 of whom are children below the age of five. The catastrophic death toll has already reached 3,500, though the Bangladesh Red Crescent has warned that the number of deaths may climb as high as 10,000 in what is being called the greatest destruction from a cyclone in Bangladesh in 16 years.

It appears we are only just beginning to see the effects of this great human catastrophe. While Cyclone Sidr is responsible for widespread destruction, the five provinces of Patuakhali, Barguna, Bagerhat, Barisal, and Pirojpur that sit on the southern coast of Bangladesh were the most drastically affected. The nation's capital, Dhaka, which is located over 130 miles away from the country's devastated coastline, still lost access to power and food for days following the storm. Hundreds of thousands of people in southern Bangladesh's remote areas have been cut off from relief operations leading to massive suffering and starvation due to the current lack of access to drinking water and medicines. One relief worker in Bagerhat went so far as to say that the region looked like a ''valley of death.'' Unfortunately, the worst may be yet to come. Health officials have begun to warn against the serious threat posed by cholera, dysentery, and other waterborne diseases as a result of the limited access to water supplies and sanitation facilities that millions of Bangladeshis will face.

As a member of the international community, the United States must offer its support and assistance to a nation that has been devastated by such a tremendous natural disaster. The United Nations World Food Program has appealed to the international community to provide aid to the peoples of Bangladesh, noting that food supplies have been severely disrupted by the cyclone leading to an increased and very real threat of famine. This resolution is significant because it reaffirms the commitment of the United States to provide relief aid to the victims of Cyclone Sidr as its effects continue to unfold. Furthermore, this resolution calls upon the United States to immediately make available any and all appropriate assistance that has been requested by the Bangladeshi authorities.

I believe that it is imperative that the United States government express its heartfelt sympathy and support to the people of Bangladesh in the wake of this terrific disaster, which is why I am a proud cosponsor of this legislation. I urge my colleagues to join me in strongly supporting this legislation, and to call for still more to be done.

Mr. POE. Mr. Speaker, I have no other speakers, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MEEKS) that the House suspend the rules and agree to the resolution, H. Res. 842, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MEEKS of New York. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

HONORING THE LIFE AND ACCOMPLISHMENTS OF LUCIANO PAVAROTTI

Mr. MEEKS of New York. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 708) honoring the life and accomplishments of Luciano Pavarotti and recognizing the significant and positive impact of his astounding musical talent, his achievement in raising the profile of opera with audiences around the world, and his commitment to charitable causes.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 708

Whereas Luciano Pavarotti was born on October 12, 1935, in the outskirts of Modena, Italy;

Whereas Mr. Pavarotti first began singing in a church choir at the age of 9;

Whereas Mr. Pavarotti was trained as a teacher and taught second grade in Italy before deciding to pursue his music full time;

Whereas Mr. Pavarotti began serious voice training at the age of 19 under Arrigo Pola, a respected teacher and professional tenor in Modena, Italy;

Whereas Mr. Pavarotti made his operatic debut on April 29, 1961, as Rodolfo in La Boheme by Giacomo Puccini, at the opera house in Reggio Emilia;

Whereas Mr. Pavarotti made his American debut with the Greater Miami Opera in February of 1965 as a last minute replacement in Donizetti's Lucia di Lammermoor;

Whereas Mr. Pavarotti's February 17, 1972, performance in Donizetti's La Fille du Régiment at New York's Metropolitan Opera, included nine high C's during the signature aria and helped him break through to American audiences;

Whereas Mr. Pavarotti made frequent television performances which attracted some of the largest audiences ever recorded for televised opera events;

Whereas Mr. Pavarotti, with Placido Domingo and Jose Carreras, made their debut as ''The Three Tenors'' in Rome during the 1990 World Cup;

Whereas ''The Three Tenors'' recording from their debut concert became the biggest selling classical record of all time;

Whereas Mr. Pavarotti earned five Grammy awards and a Grammy Legend Award;

Whereas on December 12, 1998, Mr. Pavarotti became the first and, so far, only opera singer to perform on ''Saturday Night Live'';

Whereas Mr. Pavarotti organized and hosted annual ''Pavarotti and Friends'' charity concerts in his home town of Modena in Italy, to raise money for worthy United Nations' causes;

Whereas Mr. Pavarotti sang at numerous benefit concerts to help victims of natural and manmade tragedies;

Whereas in 1998 Mr. Pavarotti was named the United Nations Messenger of Peace;

Whereas in 2001 Mr. Pavarotti received the Nansen Medal from the United Nations High Commission for Refugees for his efforts raising money on behalf of refugees worldwide;

Whereas Mr. Pavarotti received the Kennedy Center Honors in 2001;

Whereas on February 10, 2006, Mr. Pavarotti sang ''Nessun Dorma'' as the final act of the 2006 Winter Olympics Opening Ceremony in Turin, Italy;

Whereas Mr. Pavarotti's immense talent, and passion for his art encouraged people around the world to embrace opera; and

Whereas Luciano Pavarotti died on September 6, 2007 in a hospital in Modena, Italy: Now, therefore, be it

Resolved, That the House of Representatives honors the life and accomplishments of Luciano Pavarotti and recognizes the significant and positive impact of his astounding musical talent, his achievement in raising the profile of opera with audiences around the world, and his commitment to charitable causes.

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

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

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

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

There was no objection.

Mr. MEEKS of New York. Mr. Speaker, I rise in strong support of this resolution and yield myself such time as I may consume.

Mr. Speaker, let me first thank my good friend and colleague from California, Representative LORETTA SANCHEZ, for introducing this timely resolution.

Mr. Speaker, there is literally no one who has done more to expand world audiences for opera than the late Luciano Pavarotti. He achieved this with a combination of inimitable talent, determination, and an untiring and affable manner. Just as important, he parlayed this fame into an international presence, which he used to push for a host of important causes. This resolution honors his life, his talent, his commitment to those causes.

Like many an Italian boy, Pavarotti dreamed of becoming a soccer star and was better at it than most of his later fans would ever know. But his father, himself an amateur singer, and his recording of the great Italian tenors soon put young Luciano on a path which would catapult him to fame.

From his operatic debut in 1961 to his U.S. debut a few years later opposite Joan Sutherland in Lucia di Lammermoor, Pavarotti soon became known for the sheer beauty of his voice. But the world was wowed in 1972 when Pavarotti struck nine unwavering high C's at New York's Metropolitan Opera House, earning him a title the ''King of High C's.''

Roughly 20 years later, he recorded the biggest selling classical music album of all time, when he teamed up with Placido Domingo and Jose Carreras as the Three Tenors. It must have caused the man who once dreamed of soccer stardom great joy to have debuted this project for the 1990 Soccer World Cup in Italy.

He shared the stage with rock stars, including U2's lead singer, Bono, Eric Clapton, and even pop stars like Celine Dion and the Spice Girls. Pavarotti also won humanitarian awards during the Bosnia war, as well worked alongside Diana, Princess of Wales, to raise money to ban land mines, was named a U.N. Messenger of Peace in 1998, and received the Nansen Medal from the U.N. High Commissioner for Refugees in 2001. He never tired of bringing his voice to rally around causes that make us all proud. When he died this year, his wife, sister, four daughters, nephews, and close relatives and friends were all at his side.

Mr. Speaker, Luciano Pavarotti was a man blessed with an unusual talent, a talent he used to promote not only opera, but a myriad of other causes that helped men and women all throughout the world. This resolution seeks to cast a small light on a soaring life, and I urge its passage.

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

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

I am pleased to rise in support of H. Res. 708, which honors the life and accomplishments of Luciano Pavarotti and recognizes the significant and positive impact of his amazing and astounding musical talent, his achievement in raising the profile of opera with audiences around the world and his commitment to charitable causes.

On September 6th of this year, a legend of the opera would take his final curtain call. When the great Luciano Pavarotti passed away in September, the world lost one of its most beautiful voices. Those with a love of all kinds of music, everyone from opera singers to instrumentalists and pop singers, grieved at the loss of such a great talent. One of those musicians, the rock singer Bono of the group U2, described Pavarotti as, and I quote, ''a great volcano of a man who sang fire but spilled over with a love of life in all its complexity.''

From the time that he made his first debut in 1961, Luciano Pavarotti was an inspiration, not just for the unmatched quality of God-given voice and talent, but for his generosity. Indeed, he used immense talent to raise funds for many worthy causes, including his concerts on behalf of refugees throughout the world.

In 1998, he was named United Nations Messenger of Peace. In 2001, the same year that he received the Kennedy Center Honors, he received a medal from the United Nations High Commissioner for Refugees for his fundraising efforts on behalf of refugees throughout the world.

In memory of this giant man of music, beloved by all those who enjoy the great opera, I ask my colleagues to join in supporting H. Res. 708, introduced by our colleague from California, Ms. LORETTA SANCHEZ.

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

Mr. MEEKS of New York. Mr. Speaker, I yield 3½ minutes to the gentlewoman from California (Ms. SANCHEZ).

□ 1300

Ms. LORETTA SANCHEZ of California. I thank my good friend from New York.

I am pleased that today the House of Representatives is considering House Resolution 708, honoring the life and accomplishments of Luciano Pavarotti. As the sponsor of this legislation, I would like to thank the Committee on Foreign Affairs, especially the chairman, Mr. LANTOS, for his assistance in

bringing this before the end of the year, the year 2007, the year in which Mr. Pavarotti died.

He was born on October 12, 1935, and he died on September 6, 2007, in Modena, Italy. I know, because I was in the Veneto that day when his death was announced by his family. And during his life, Mr. Pavarotti shared his incredible talent and passion for opera with the entire world. During his life, he actually began as a second grade teacher before he decided to turn to his pursuit of music full time. After devoting himself to serious voice training for over 7 years, Mr. Pavarotti made his operatic debut in the role of Rodolfo in Puccini's ''La Boheme.''

From that initial performance, Pavarotti continued to follow his dream of performing opera around the world. And after many years of hard work, of course, he became really one of opera's premier performers. But in addition to his incredible voice and his talent on stage; Mr. Pavarotti made frequent television performances, and as a result he really opened up the world of opera to a whole new audience. Mr. Pavarotti, with Placido Domingo and Jose Carreras, entered into one of the most famous collaborations in music, and The Three Tenors continued to bring opera music to more and more people around the world. As an established opera star, he decided to use his talent and his connections to benefit charities, and he began hosting the annual Pavarotti and Amici, or Pavarotti and Friends, concerts in Modena, Italy, to raise money for worthy United Nations causes.

Mr. Pavarotti's appeal to opportunities, he got an opportunity to see things that are rarely enjoyed by most of us. He earned five Grammy Awards and a Grammy Legend Award, and he became the first and so far the only opera singer to perform on ''Saturday Night Live.'' Mr. Pavarotti also received numerous honors for his charitable work including being named the United Nations' Messenger of Peace and receiving the Nansen Medal from the United Nations High Commission for Refugees in honor of his efforts to raise money on behalf of refugees around the world.

Mr. Pavarotti's career is an inspiration to aspiring young artists around the world, and it encourages them to continue to go after their dream. In addition, Mr. Pavarotti's commitment to charitable causes provides an important example of how artists can raise awareness in funding for people in need.

Mr. Speaker, since his death, the world has missed his talent and his passion. And although we will always have recordings of his beautiful music, we will continue to miss his presence and his love for life. And I know that in the last 10 years of his life he filled his life and was very fulfilled. But we should remember that Mr. Pavarotti once said: ''A life in music is a life beautifully spent, and this is what I have devoted my life to.''

Mr. Pavarotti's life was indeed a life beautifully spent, and I urge my colleagues to join me in supporting House Resolution 708 to honor his life and his achievements.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MEEKS) that the House suspend the rules and agree to the resolution, H. Res. 708.

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

A motion to reconsider was laid on the table.

RECOGNIZING THE IMPORTANCE OF CHRISTMAS AND THE CHRISTIAN FAITH

Mr. MEEKS of New York. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 847) recognizing the importance of Christmas and the Christian faith, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 847

Whereas Christmas, a holiday of great significance to Americans and many other cultures and nationalities, is celebrated annually by Christians throughout the United States and the world;

Whereas there are approximately 225,000,000 Christians in the United States, making Christianity the religion of over three-fourths of the American population;

Whereas there are approximately 2,000,000,000 Christians throughout the world, making Christianity the largest religion in the world and the religion of about one-third of the world population;

Whereas Christians and Christianity have contributed greatly to the development of western civilization;

Whereas the United States, being founded as a constitutional republic in the traditions of western civilization, finds much in its history that points observers back to its Judeo-Christian roots;

Whereas on December 25 of each calendar year, American Christians observe Christmas, the holiday celebrating the birth of their savior, Jesus Christ;

Whereas for Christians, Christmas is celebrated as a recognition of God's redemption, mercy, and Grace; and

Whereas many Christians and non-Christians throughout the United States and the rest of the world, celebrate Christmas as a time to serve others: Now, therefore be it

Resolved, That the House of Representatives—

(1) recognizes the Christian faith as one of the great religions of the world;

(2) expresses continued support for Christians in the United States and worldwide;

(3) acknowledges the international religious and historical importance of Christmas and the Christian faith;

(4) acknowledges and supports the role played by Christians and Christianity in the founding of the United States and in the formation of the western civilization;

(5) rejects bigotry and persecution directed against Christians, both in the United States and worldwide; and

(6) expresses its deepest respect to American Christians and Christians throughout the world.

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

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. MEEKS of New York. Mr. Speaker, I ask unanimous consent that Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. MEEKS of New York. Mr. Speaker, I rise in strong support of this resolution and yield myself such time as I may consume.

Let me first thank our colleague from Iowa, STEVE KING, for introducing this important and timely resolution.

Mr. Speaker, along with people of other faiths, our Christian friends and neighbors around the world mark this time of year as a special festive season. As Kwanzaa approaches and Hanukkah draws to a close, it is notably the Christmas season. We are in the midst of Advent, and this discussion today is bracketed by two holidays observed by many Catholics who make up the majority of Christiandom: the Feast of the Immaculate Conception, and Our Lady of Guadalupe. There are approximately 2 billion Christians, making Christianity the largest religion of the world and the faith of about one-third of the global population.

On December 25, Christians will celebrate Jesus the Christ, whom they have embraced as their savior. For believers, this holiday is a recognition of God's redemption, mercy, and grace. For Christians and non-Christians alike, Christmas is also a time to serve others. The celebration of Christmas requires devotion to faith, community, and family, truly universal values we all can share.

It is both fitting and important for the United States House of Representatives to mark this event. This legislation expresses the deep respect we feel for Christians in the United States and throughout the world. The House must reject bigotry and persecution directed against Christians, both in the United States and worldwide. We must affirm the values of religious freedom in this country and abroad. I strongly support this legislation, and I encourage my colleagues to do the same.

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

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

Mr. Speaker, I am pleased, as original cosponsor, to rise in support of this

timely resolution recognizing the significance of Christmas and the contribution of the Christian faith to the United States and to other nations throughout the world. While Christmas does not have the same religious meaning for all citizens, it nevertheless invokes the values of friendship and goodwill that are common to all nations.

December 25, or Christmas, as we say, commemorates a birth that influenced the world in an unmatched way. Christ's life, his teachings, his example, his sacrifice, and his death brought to life one of the great religions of the world, one which underpins the foundations of democracy in our own United States of America and even other countries throughout the world.

Even in complex times such as those in which we live at this time, the simple central message of Christianity endures: ''love thy neighbor as thyself.''

For many, Christmas invokes the images of Santa Claus and exchanging of gifts. This comes from the patron St. Nicholas, who helped poor children hundreds of years ago by giving them presents. But Christianity is more. It is the birth of the Christian religion and commemorates the birth of its founder, Jesus, on Christmas day.

At its core are the fundamental important ideals of ''Peace on Earth, Goodwill toward men.'' The poor, the suffering, those left alone or far from their families, and those departed who were dear to us whom we remember from time to time are all recognized in this great religion of Christianity, and, through it, all have been offered hope.

At this time of year in this season of Christmas, I ask my colleagues to join in supporting House Resolution 847 introduced by our colleague, Mr. KING of Iowa, recognizing the importance of Christmas and the Christian faith.

I reserve the balance of my time.

Mr. MEEKS of New York. I reserve the balance of my time.

Mr. POE. Mr. Speaker, I yield to the gentleman from Georgia (Mr. GINGREY) such time as he may consume.

Mr. GINGREY. Mr. Speaker, I thank the gentleman for yielding, and I rise today in support of House Resolution 847, which recognizes the importance of Christmas and the Christian faith.

While there may be some who bristle at the idea of the House of Representatives considering this resolution or any similar resolution, I would note that though the first amendment states that the Congress shall make no law respecting an establishment of religion, the first amendment also states that the Congress shall make no law prohibiting the free exercise thereof.

Mr. Speaker, our Founders had the foresight to realize that a state-run church of America would do more harm to the perseverance of faith and the hearts of our citizenry, and it would certainly lead to irreconcilable division. However, at the same time, the Founders and writers of the Constitution also recognized that the success of this great American experiment, this historic social contract, was contingent upon a moral and a religious people and the recognition that we had inalienable rights, because those rights are given to us by our Creator. If these rights are given to us by a Creator, then no human being can take them away. And this is the foundation of our system of justice, the foundation of our American society.

And so today we take just a few minutes to consider this resolution which respects the faith and the beliefs of a vast majority of this country and a plurality of the world, stating that, and I quote:

''Whereas Christians identify themselves as those who believe in the salvation from sin offered to them through the sacrifice of their savior, Jesus Christ, the son of God, and who, out of gratitude for the gift of salvation, commit themselves to living their lives in accordance with the teachings of the Holy Bible.''

So I hope that no Member of this Congress, no individual anywhere takes offense to this debate and this resolution, because none is intended. This resolution simply offers recognition to a faith and the values of that faith which has sustained hundreds of millions of people throughout the world, not just the United States. And after more than two millennia, we once again approach the commemoration of a birth that many recognize as holy but all recognize as historic.

Mr. Speaker, I want to point out that just this past weekend I took my granddaughters, 9-year-old, almost 10 they would want me to say, identical twin granddaughters with my wife, and we were in Representative MEEKS' great City of New York and we had an opportunity to take our grandchildren to the Radio City Music Hall to see that annual Christmas performance. That 1½ hour performance, Mr. Speaker, was absolutely wonderful and a great tribute to the city, a great tribute to Representative MEEKS and all of our colleagues from New York.

In that performance, Mr. Speaker, they had a nativity scene, the most beautiful nativity scene that I have had the opportunity to witness. And it meant so much to my granddaughters for me to explain about our Christian faith and heritage. So if it is good enough for New York City and Radio City Music Hall, it is good enough for this Congress. And, by golly, I want to encourage all my speakers to support the resolution of Representative KING from Iowa. He was detained because of inclement weather; otherwise, he would be on this floor. But I commend and thank my colleague from New York, Representative MEEKS, and also my colleague from Texas, Representative POE, for allowing me time.

Mr. MEEKS of New York. Mr. Speaker, I reserve the balance of my time.

Mr. POE. Mr. Speaker, the author of this resolution, Mr. KING from Iowa, is already having a white Christmas. He is stuck in Iowa because of the snow. He could not be here.

I yield back the balance of my time.

Mr. MEEKS of New York. Mr. Speaker, this just shows how great our Nation is as we celebrate holidays, as we indicated Hanukkah, Kwanzaa, we look at other religions, Islam and Ramadan. It shows the diversity and it shows the tolerance that we have for all. And as we enter this great holiday season, this is the example I think that we show around the world, that we celebrate each other's religion in great joy here, recognizing with respect whom they worship.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MEEKS) that the House suspend the rules and agree to the resolution, H. Res. 847, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. POE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

□ 1315

BLOCK BURMESE JADE (JUNTA'S ANTI-DEMOCRATIC EFFORTS) ACT OF 2007

Mr. MEEKS of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3890) to amend the Burmese Freedom and Democracy Act of 2003 to waive the requirement for annual renewal resolutions relating to import sanctions, impose import sanctions on Burmese gemstones, expand the number of individuals against whom the visa ban is applicable, expand the blocking of assets and other prohibited activities, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3890

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 ''Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2007''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Burmese regime has continued and worsened its obstruction of democratic processes and mass violation of human rights identified in the Burmese Freedom and Democracy Act of 2003 (Public Law 108–61; 50 U.S.C. 1701 note). In August and September 2007, Burmese people from all walks of life conducted their largest peaceful public protests since 1988. The peaceful public protests responded to a drastic increase in fuel prices, as well as the Burmese regime's ongoing denial of the democratic and human rights of

the Burmese people. On September 24, 2007, Buddhist monks actively participated and increasingly led these peaceful demonstrations, culminating in an estimated 100,000 people marching through Rangoon, Burma. The protesters peacefully demanded the release of 1991 Nobel Peace Prize Winner Daw Aung San Suu Kyi, the leader of the National League for Democracy (NLD), marching past security barricades to her house in a show of support for Burmese democracy. The Burmese regime continues to refuse to recognize the results of the 1990 election, won by the NLD, which gave Aung San Suu Kyi's party the right to form a government.

(2) The Burmese regime, which calls itself the State Peace and Development Council (SPDC), responded to these peaceful protests with a violent crackdown leading to the reported killing of some 200 people, including a Japanese photojournalist, and hundreds of injuries. Human rights groups further estimate that over 2,000 individuals have been detained, arrested, imprisoned, beaten, tortured, or otherwise intimidated as part of this crackdown. The Burmese regime continues to detain, torture, and otherwise intimidate those individuals whom it believes participated in or led the protests and it has closed down or otherwise limited access to several monasteries and temples that played key roles in the protests.

(3) The Burmese regime and its supporters finance their ongoing violations of human rights, undemocratic policies, and military activities through financial transactions, travel, and trade involving the United States, including the sale of gemstones. Despite the sanctions imposed in the Burmese Freedom and Democracy Act of 2003, the Burmese regime seeks out ways to evade these restrictions. Millions of dollars in gemstones that are exported from Burma ultimately enter the United States but the Burmese regime attempts to conceal the origin of the gemstones in an effort to evade the sanctions in the Burmese Freedom and Democracy Act of 2003. For example, over 90 percent of the world's ruby supply originates in Burma but only three percent of the rubies entering the United States are claimed to be of Burmese origin. The value of Burmese gemstones is more than 99 percent a function of their original quality and geological origin, and not a result of the labor involved in cutting and polishing the gemstones.

SEC. 3. AMENDMENTS TO THE BURMESE FREEDOM AND DEMOCRACY ACT OF 2003.

(a) PROHIBITION ON IMPORTATION OF JADEITE AND RUBIES FROM BURMA AND ARTICLES OF JEWELRY CONTAINING JADEITE OR RUBIES FROM BURMA.—The Burmese Freedom and Democracy Act of 2003 (Public Law 108–61; 50 U.S.C. 1701 note) is amended by inserting after section 3 the following new section:

"SEC. 3A. PROHIBITION ON IMPORTATION OF JADEITE AND RUBIES FROM BURMA AND ARTICLES OF JEWELRY CONTAINING JADEITE OR RUBIES FROM BURMA.

''(a) DEFINITIONS.—In this section:

''(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

''(A) the Committee on Ways and Means and the Committee on Foreign Affairs of the House of Representatives; and

''(B) the Committee on Finance and the Committee on Foreign Relations of the Senate.

''(2) BURMESE COVERED ARTICLE.—The term 'Burmese covered article' means—

''(A) jadeite mined or extracted from Burma;

''(B) rubies mined or extracted from Burma; or

''(C) articles of jewelry containing jadeite described in subparagraph (A) or rubies described in subparagraph (B).

''(3) NON-BURMESE COVERED ARTICLE.—The term 'non-Burmese covered article' means—

''(A) jadeite mined or extracted from a country other than Burma;

''(B) rubies mined or extracted from a country other than Burma; or

''(C) articles of jewelry containing jadeite described in subparagraph (A) or rubies described in subparagraph (B).

''(4) JADEITE; RUBIES; ARTICLES OF JEWELRY CONTAINING JADEITE OR RUBIES.—

''(A) JADEITE.—The term 'jadeite' means any jadeite classifiable under heading 7103 of the Harmonized Tariff Schedule of the United States (in this paragraph referred to as the 'HTS').

''(B) RUBIES.—The term 'rubies' means any rubies classifiable under heading 7103 of the HTS.

''(C) ARTICLES OF JEWELRY CONTAINING JADEITE OR RUBIES.—The term 'articles of jewelry containing jadeite or rubies' means—

''(i) any article of jewelry classifiable under heading 7113 of the HTS that contains jadeite or rubies; or

''(ii) any article of jadeite or rubies classifiable under heading 7116 of the HTS.

''(5) UNITED STATES.—The term 'United States', when used in the geographic sense, means the several States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

''(b) PROHIBITION ON IMPORTATION OF BURMESE COVERED ARTICLES.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, until such time as the President determines and certifies to the appropriate congressional committees that Burma has met the conditions described in section 3(a)(3), beginning 60 days after the date of the enactment of the Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2007, the President shall prohibit the importation into the United States of any Burmese covered article.

''(2) REGULATORY AUTHORITY.—The President is authorized to, and shall as necessary, issue such proclamations, regulations, licenses, and orders, and conduct such investigations, as may be necessary to implement the prohibition under paragraph (1).

''(3) OTHER ACTIONS.—Beginning on the date of the enactment of this Act, the President shall take all appropriate actions to seek the following:

''(A) The issuance of a draft waiver decision by the Council for Trade in Goods of the World Trade Organization granting a waiver of the applicable obligations of the United States under the World Trade Organization with respect to the provisions of this section and any measures taken to implement this section.

''(B) The adoption of a resolution by the United Nations General Assembly expressing the need to address trade in Burmese covered articles and calling for the creation and implementation of a workable certification scheme for non-Burmese covered articles to prevent the trade in Burmese covered articles.

''(c) REQUIREMENTS FOR IMPORTATION OF NON-BURMESE COVERED ARTICLES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), until such time as the President determines and certifies to the appropriate congressional committees that Burma has met the conditions described in section 3(a)(3), beginning 60 days after the date of the enactment of the Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2007, the President shall require as a condition for the importation into the United States of any non-Burmese covered article that—

''(A) the exporter of the non-Burmese covered article has implemented measures that have substantially the same effect and achieve the same goals as the measures described in clauses (i) through (iv) of paragraph (2)(B) (or their functional equivalent) to prevent the trade in Burmese covered articles; and

''(B) the importer of the non-Burmese covered article agrees—

''(i) to maintain a full record of, in the form of reports or otherwise, complete information relating to any act or transaction related to the purchase, manufacture, or shipment of the non-Burmese covered article for a period of not less than 5 years from the date of entry of the non-Burmese covered article; and

''(ii) to provide the information described in clause (i) to the relevant United States authorities upon request.

''(2) EXCEPTION.—

''(A) IN GENERAL.—The President may waive the requirements of paragraph (1) with respect to the importation of non-Burmese covered articles from any country with respect to which the President determines and certifies to the appropriate congressional committees has implemented the measures described in subparagraph (B) (or their functional equivalent) to prevent the trade in Burmese covered articles.

''(B) MEASURES DESCRIBED.—The measures referred to in subparagraph (A) are the following:

''(i) With respect to exportation from the country of jadeite or rubies in rough form, a system of verifiable controls on the jadeite or rubies from mine to exportation demonstrating that the jadeite or rubies were not mined or extracted from Burma, and accompanied by officially-validated documentation certifying the country from which the jadeite or rubies were mined or extracted, total carat weight, and value of the jadeite or rubies.

''(ii) With respect to exportation from the country of finished jadeite or polished rubies, a system of verifiable controls on the jadeite or rubies from mine to the place of final finishing of the jadeite or rubies demonstrating that the jadeite or rubies were not mined or extracted from Burma, and accompanied by officially-validated documentation certifying the country from which the jadeite or rubies were mined or extracted.

''(iii) With respect to exportation from the country of articles of jewelry containing jadeite or rubies, a system of verifiable controls on the jadeite or rubies from mine to the place of final finishing of the article of jewelry containing jadeite or rubies demonstrating that the jadeite or rubies were not mined or extracted from Burma, and accompanied by officially-validated documentation certifying the country from which the jadeite or rubies were mined or extracted.

''(iv) With respect to re-exportation from the country of jadeite or rubies in rough form, finished jadeite or polished rubies, or articles of jewelry containing jadeite or rubies, a system of verifiable controls on the jadeite or rubies or articles of jewelry containing jadeite or rubies ensuring that no jadeite or rubies mined or extracted from Burma have entered the legitimate trade in jadeite or rubies.

''(v) Verifiable recordkeeping by all entities and individuals engaged in mining, importation, and exportation of non-Burmese covered articles in the country, and subject to inspection and verification by authorized authorities of the government of the country in accordance with applicable law.

''(vi) Implementation by the government of the country of proportionate and dissuasive penalties against any persons who violate laws and regulations designed to prevent trade in Burmese covered articles.

''(vii) Full cooperation by the country with the United Nations or other official international organizations that seek to prevent trade in Burmese covered articles.

''(d) INAPPLICABILITY.—

''(1) IN GENERAL.—The requirements of subsection (b)(1) and subsection (c)(1) shall not apply with respect to the importation of Burmese covered articles and non-Burmese covered articles, respectively, that were previously exported from the United States and reimported into the United States by the same person, without having been advanced in value or improved in condition by any process or other means while outside the United States, if the person declares that the reimportation of the Burmese covered articles or non-Burmese covered articles, as the case may be, satisfies the requirements of this paragraph.

''(2) ADDITIONAL PROVISION.—The requirements of subsection (c)(1) shall not apply with respect to the importation of non-Burmese covered articles that are imported by or on behalf of an individual for personal use and accompanying an individual upon entry into the United States.

''(e) ENFORCEMENT.—Burmese covered articles or non-Burmese covered articles that are imported into the United States in violation of any prohibition of this Act or any other provision law shall be subject to all applicable seizure and forfeiture laws and criminal and civil laws of the United States to the same extent as any other violation of the customs laws of the United States.

''(f) SENSE OF CONGRESS.—

''(1) IN GENERAL.—It is the sense of Congress that the President should take the necessary steps to seek to negotiate an international arrangement—similar to the Kimberley Process Certification Scheme for conflict diamonds—to prevent the trade in Burmese covered articles. Such an international arrangement should create an effective global system of controls and should contain the measures described in subsection (c)(2)(B) (or their functional equivalent).

''(2) KIMBERLEY PROCESS CERTIFICATION SCHEME DEFINED.—In paragraph (1), the term 'Kimberley Process Certification Scheme' has the meaning given the term in section 3(6) of the Clean Diamond Trade Act (Public Law 108–19; 19 U.S.C. 3902(6)).

''(g) REPORT.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of the Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2007, the President shall transmit to the appropriate congressional committees a report describing what actions the United States has taken during the 60-day period beginning on the date of the enactment of such Act to seek—

''(A) the issuance of a draft waiver decision by the Council for Trade in Goods of the World Trade Organization, as specified in subsection (b)(3)(A);

''(B) the adoption of a resolution by the United Nations General Assembly, as specified in subsection (b)(3)(B); and

''(C) the negotiation of an international arrangement, as specified in subsection (f)(1).

''(2) UPDATE.—Not later than 180 days after the transmission of the report required under paragraph (1), and every 6 months thereafter, the President shall transmit to the appropriate congressional committees an update of the report describing the continued efforts of the United States to seek the items specified in subparagraphs (A), (B), and (C) of paragraph (1).

''(h) GAO REPORT.—Not later than 14 months after the date of the enactment of the Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2007, the Comptroller General of the United States shall submit to the appropriate congressional committees a report on the effectiveness of the implementation of this section. The Comptroller General shall include in the report any recommendations or any modifications to this Act that may be necessary.''.

(b) VISA BAN.—Paragraph (1) of section 6(a) of the Burmese Freedom and Democracy Act of 2003 is amended to read as follows:

''(1) VISA BAN.—

''(A) IN GENERAL.—The Secretary of State shall deny the issuance of a visa and the Secretary of Homeland Security shall deny admission to the United States to a sanctioned person (as such term is defined in section 4(b)(8).

''(B) WAIVER.—The ban described in subparagraph (A) may be waived only if the President determines and certifies in writing to Congress that such is in the national interests of the United States.''.

(c) FREEZING ASSETS OF THE BURMESE REGIME IN THE UNITED STATES.—Section 4 of the Burmese Freedom and Democracy Act of 2003 is amended—

(1) by redesignating subsections (b) and (c) as subsection (c) and (d); and

(2) by inserting after subsection (a) the following new subsection:

''(b) BLOCKING OF ASSETS AND OTHER PROHIBITED ACTIVITIES.—

''(1) IN GENERAL.—The President shall block all property and interests in property, including all commercial, industrial, or public utility undertakings or entities, that, on or after the date of the enactment of the Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2007—

''(A) are owned, in whole or in part, by any sanctioned person; and

''(B) are in the United States, or in the possession or control of the Government of the United States or of any financial institution or financial agency organized under the laws of a State, territory, or possession of the United States, including any branch or office of such financial institution or financial agency that is located outside the United States.

''(2) PROHIBITED ACTIVITIES.—Any person who, on or after the date of the enactment of the Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2007, engages in any of the following activities shall be subject to penalties described in paragraph (6):

''(A) Payments or transfers of any property, or any transactions involving the transfer of anything of economic value by any United States person, including any financial institution or financial agency organized under the laws of a State, territory, or possession of the United States and any branch or office of such financial institution or financial agency that is located outside the United States, to any sanctioned person.

''(B) Direct or indirect payments of any tax, cancellation penalty, or any other amount to the Burmese Government, including amounts paid or incurred with respect to any joint production agreement relating to the Yadana or Shwe gas fields or pipelines. Any such payment made by or on behalf of a United States person after the date of the enactment of the Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2007 shall be deemed a willful violation of this Act for purposes of penalties described in paragraph (6) and any other related provision of law.

''(C) The export or reexport to any entity owned, controlled, or operated by a sanctioned person directly or indirectly, of any goods, technology, or services by a United States person.

''(D) The performance by any United States person of any contract, including a contract providing a loan or other financing, in support of an industrial, commercial, or public utility operated, controlled, or owned by a sanctioned person.

''(3) EXTENSION OF AUTHORITY.—

''(A) BLOCKING OF PROPERTY.—The President may block all property and interests in property of the following entities and persons, to the same extent as property and interests in property of a foreign person determined to have committed acts of terrorism for purposes of Executive Order No. 13224 of September 21, 2001, (50 U.S.C. 1701 note) may be blocked:

''(i) The Burmese Government, the Burmese military, or a sanctioned person, including entities owned or effectively controlled by the Burmese Government, the Burmese military, or a sanctioned person.

''(ii) Persons otherwise associated with the Burmese Government, the Burmese military, or a sanctioned person.

''(B) CONDITIONS ON CERTAIN ACCOUNTS.—The President may prohibit or impose conditions on the opening or maintaining in the United States of a correspondent account or payable-through account by any financial institution or financial agency that is organized under the laws of a State, territory, or possession of the United States, if the President determines that such an account might be used—

''(i) by a person or entity that holds property or an interest in property belonging to the Burmese Government, the Burmese military, or a sanctioned person; or

''(ii) to conduct a transaction on behalf of or for the benefit of the Burmese Government, the Burmese military, or a sanctioned person.

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to prohibit any contract or other financial transaction with any nongovernmental humanitarian organization in Burma.

''(5) EXCEPTIONS.—The prohibitions and restrictions described in paragraphs (1), (2), and (3) shall not apply to medicine, medical equipment or supplies, food, or any other form of humanitarian assistance provided to Burma as relief in response to a humanitarian crisis.

''(6) PENALTIES.—Any person who violates any prohibition or restriction described in paragraph (1), (2), or (3) shall be subject to the penalties under section 6 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as for a violation under that Act.

''(7) LISTING OF SANCTIONED PERSONS.—The Secretary of State and Secretary of the Treasury shall update and publish in the Federal Register new lists of sanctioned persons as additional information becomes available. The Secretary of State and the Secretary of the Treasury shall devote sufficient resources to the identification of information concerning sanctioned persons to carry out the purposes described in this Act.

''(8) DEFINITIONS.—In this subsection:

''(A) CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms 'correspondent account' and 'payable-through account' have the meanings given such terms in section 5318A(e)(1) of title 31, United States Code.

''(B) FINANCIAL AGENCY.—The term 'financial agency' has the meaning given such term in section 5312 of title 31, United States Code.

''(C) FINANCIAL INSTITUTION.—The term 'financial institution' has the meaning given such term in section 5312 of title 31, United States Code.

''(D) UNITED STATES PERSON.—The term 'United States person' means—

''(i) any United States citizen or alien lawfully admitted for permanent residence to the United States;

''(ii) any person in the United States;

''(iii) any entity organized under the laws of the United States, any State or territory thereof, or the District of Columbia, and any foreign branch or subsidiary of such an entity; or

''(iv) any entity organized under the laws of the United States, any State or territory thereof, or the District of Columbia, in which an individual or entity described in clauses (i), (ii), or (iii) owns, directly or indirectly, more than 50 percent of the outstanding capital stock or other beneficial interest in such entity.

''(E) SANCTIONED PERSON.—The term 'sanctioned person' means—

''(i) any individual who is a member of the former or present leadership of the SPDC or the union Solidarity Development Association;

''(ii) any member of the Burmese military involved in the violent repression of the public protests in Burma in August, September, and October 2007 (regardless of when such repression occurred);

''(iii) any Burmese official who has engaged in, ordered, or facilitated acts of gross violations of internationally recognized human rights (as defined in section 502B(d)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(d)(1)), either as an individual or as a member of a group or government; or

''(iv) any member of the immediate family of any individual described in clauses (i), (ii), or (iii).''.

SEC. 4. SUPPORT FOR DEMOCRACY PROMOTION AND HUMANITARIAN ASSISTANCE IN BURMA.

(a) IN GENERAL.—The President is authorized to use all available resources to assist Burma democracy activists and humanitarian aid workers in their efforts to promote freedom, democracy, and human rights in Burma.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $20,000,000 to the Secretary of State for each of the fiscal years 2008 and 2009 for the following purposes:

(1) To provide aid to democracy and human rights activists and organizations inside and outside of Burma working to bring a transition to democracy inside Burma, including to individuals and groups that—

(A) promote democracy and human rights;

(B) represent the ethnic minorities of Burma;

(C) broadcast radio and television programs into Burma that promote democracy and report on human rights conditions inside Burma; or

(D) compile evidence of human rights violations by the SPDC and its civilian militia, the Union Solidarity and Development Association (USDA), and of the SPDC and its entities' efforts to repress peaceful activities.

(2) To provide aid to humanitarian workers who—

(A) provide food, medical, educational, or other assistance to refugees and internally displaced persons;

(B) assist women and girls after incidents of rape and other forms of sexual violence; or

(C) assist in the rehabilitation of child soldiers.

(c) PREVENTING FUNDS FROM ENRICHING THE SPDC.—None of the funding made available under this section may be provided to SPDC-controlled entities, entities working with or providing cash or resources to the SPDC, including organizations affiliated with the United Nations, or entities requiring the approval of the SPDC to operate within the borders of Burma.

SEC. 5. REPORT ON MILITARY AND INTELLIGENCE AID TO BURMA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report containing a list of countries, companies, and other entities that provide military or intelligence aid to the SPDC and describing such military or intelligence aid provided by each such country, company, and other entity.

(b) MILITARY OR INTELLIGENCE AID DEFINED.—For the purpose of this section, the term ''military or intelligence aid'' means, with respect to the SPDC—

(1) the provision of weapons, weapons parts, military vehicles, or military aircraft;

(2) the provision of military or intelligence training, including advice and assistance on subject matter expert exchanges;

(3) the provision of weapons of mass destruction and related materials, capabilities, and technology, including nuclear, chemical, or dual-use capabilities;

(4) conducting joint military exercises;

(5) the provision of naval support, including ship development and naval construction;

(6) the provision of technical support, including computer and software development and installations, networks, and infrastructure development and construction; or

(7) the construction or expansion of airfields, including radar and anti-aircraft systems.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form but may include a classified annex.

SEC. 6. DENIAL OF FOREIGN TAX CREDIT WITH RESPECT TO BURMA.

(a) IN GENERAL.—Paragraph (2) of section 901(j) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(C) SPECIAL RULE FOR BURMA.—In addition to any period during which this subsection would otherwise apply to Burma, this subsection shall apply to Burma during the period—

''(i) beginning on January 1, 2008, and

''(ii) ending on the date the Secretary of State certifies to the Secretary of the Treasury that Burma meets the requirements of section 3(a)(3) of the Burmese Freedom and Democracy Act of 2003 (as in effect on the date of the enactment of this subparagraph).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on January 1, 2008.

SEC. 7. WAIVER OF COMPETITIVE NEED LIMITATION UNDER GENERALIZED SYSTEM OF PREFERENCES FOR CERTAIN ARTICLES OF INDIA AND THAILAND.

(a) WAIVER.—Not later than 60 days after the date of the enactment of this Act, the President shall waive the application of subsection (c)(2) of section 503 of the Trade Act of 1974 (19 U.S.C. 2463) pursuant to subsection (d) of such section (relating to waiver of competitive need limitation) with respect to articles of Thailand and India classifiable under subheading 7113.19.50 of the Harmonized Tariff Schedule of the United States.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should—

(1) review any waiver of the application of subsection (c)(2) of section 503 of the Trade Act of 1974 pursuant to subsection (d) of such section with respect to any eligible article of any beneficiary developing country that is revoked pursuant to subsection (d)4)(B)(ii) of such section; and

(2) reinstate such waiver unless the United States International Trade Commission affirmatively determines that—

(A) revocation of such waiver will not reduce the current level of exports of such article from the beneficiary developing country to the United States; and

(B) revocation of the waiver will not benefit one or more countries that are not designated as beneficiary developing countries for purposes of title V of the Trade Act of 1974.

SEC. 8. OFFSETS.

(a) TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.—The percentage under subparagraph (B) of section 401(1) of the Tax Increase Prevention and Reconciliation Act of 2005 in effect on the date of the enactment of this Act is increased by 0.25 percentage points.

(b) CUSTOMS USER FEES.—Section 13031(j)(3)(B)(i) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)(B)(i)) is amended by striking ''December 13, 2014'' and inserting ''January 24, 2015''.

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

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

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

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

There was no objection.

Mr. MEEKS of New York. Mr. Speaker, I rise in strong support of this resolution, and I yield myself such time as I may consume.

Mr. Speaker, just a few short months ago, Burma's Saffron Revolution unfolded before the eyes of the world. Buddhist monks draped in crimson robes peacefully marching through the streets of Rangoon. Tens of thousands of Burmese citizens joining the monks, echoing their calls for change. A chorus of world voices asking the Burma's ruling junta to respond peacefully and responsibly to cries for freedom and democracy.

The reaction of the ruling regime to these peaceful demonstrations was equally as unforgettable. Unarmed monks shot in the streets, in full view of the international community. Thousands of peaceful monks hauled off to detention centers to be tortured. Political dissidents tossed in jail, facing years behind bars simply for criticizing the government.

In recent days, loudspeakers across the country warn: ''We have video. We will find you,'' all in an Orwellian effort to intimidate Burma's people and deter them from their aspirations for democracy and a better life.

This crackdown on nonviolent protesters and Buddhist monks by Burma's military thugs sets a new low of brutality even for this regime of military dictators.

These brutal actions demonstrate the moral bankruptcy of the regime. Unfortunately, the regime is not economically bankrupt. It continues to take Burma's vast resources as its own while the vast majority of Burma's people suffer in dire poverty.

The legislation before the House today hits the regime where it hurts, in the wallet. By blocking the import of Burmese gems into the United States and expanding financial sanctions, the legislation will take hundreds of millions out of the pockets of the regime each year.

This legislation is supported by United States industry. The 11,000-store Jewelers of America supports a ban of Burmese gem imports to the United States. Major retailers like Tiffany's and Bulgari have also voluntarily implemented such a ban.

The bill before the House also cuts off tax deductions for Chevron's major gas investment in Burma. By closing this loophole, we can dramatically increase pressure on other civilized nations to similarly demand that their firms divest themselves of Burma holdings.

This bipartisan bill strengthens our goal of a coordinated, multilateral approach to sanctions against Burma. The European Union recently announced a similar ban on the import of Burmese gems, as have the Canadians. I hope our legislation will push other countries to reexamine their financial dealings with the regime and the investment their oil companies make in Burma.

Mr. Speaker, I am pleased to offer this legislation to strengthen the sanctions imposed by the 2003 Burmese Freedom and Democracy Act. In doing so, I am again joined by the ranking Republican member of the Foreign Affairs Committee, ILEANA ROS-LEHTINEN, and Mr. PETER KING of the Homeland Security Committee, both of whom have been strong voices for freedom in Burma.

Let me also express my appreciation to the chairman of the Ways and Means Committee, Mr. RANGEL, and the chairman of the Trade Subcommittee, Mr. LEVIN, as well as their Republican counterparts, Mr. MCCRERY and Mr. HERGER, for their enormous help in moving this bill forward.

Finally, I would like to highlight the indispensable leadership of Speaker NANCY PELOSI on this legislation. Since the first shots were fired in Rangoon, the Speaker has firmly indicated the intention of House Democrats to significantly tighten sanctions on the ruling Burmese regime. And today, we fulfill that promise.

Mr. Speaker, Burmese freedom fighter and Nobel Laureate Aung San Suu Kyi memorably asked the world community, ''Use your liberty to promote ours.'' So today, we use our liberty in the United States Congress to dramatically increase the economic pressure on the Burmese regime to move towards freedom, democracy and respect for human rights.

We use our liberty to stop the flow of blood red rubies from Burma into American jewelry stores. The Burmese regime might have washed the blood from the streets of Rangoon, but they have not erased the images of peaceful protesters being shot down from our minds. Today, we act, and we act decisively.

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

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

Mr. Speaker, the world was rightfully shocked and outraged this past fall by reports of midnight raids on temples in Burma and televised images of monks and other peaceful demonstrators being shot down on the streets and arrested.

Appeals for human decency and restraint have fallen on deaf ears with regard to Burma's generals. It is thus time to send them a message that they understand, a message that is loud and clear.

The international community must no longer subsidize the leaders of this immoral regime by trading in the commodities they peddle on international markets. This rainbow coalition of contraband products for sale by the military junta has included red rubies, white opium, green jade and brown timber.

The legislation put forward today sends a simple, but clear and strong message: It will not be business as usual for the people in Rangoon until they stop their suppression of their own people in the nation of Burma.

Is there any Member here today who has any doubts about making economic sanctions against the current Rangoon regime permanent and hard hitting? This legislation has the full support of leaders of the American gem industry. They have seen the necessity of putting principle ahead of money and profit when it comes to the actions of the Burmese rogue regime.

And this legislation also seeks to put the blame squarely on the backs of those who have earned it, the ruling generals and their families, and not on the backs of the Burmese people who have already suffered too much.

It calls for frozen bank accounts for the generals, an ending to money laundering by the ruling junta, and no visas to the United States for those involved in the continuing acts of repression and no visas for their immediate families.

The urgency with which we are here today in view of this issue of the restoration of the democratic rights to the people of Burma is demonstrated by the fact that already over 240 Members of this House of Representatives have agreed to cosponsor legislation giving official Congressional recognition to Nobel Peace Prize Laureate and Burma democratic leader Aung San Suu Kyi.

H.R. 4286, introduced December 5 by Mr. MANZULLO and Mr. CROWLEY, would award a Congressional Gold Medal to Aung San Suu Kyi in recognition of her courageous and unwavering commitment to peace, nonviolence, human rights, and democracy in Burma.

There is no clearer indication than this legislation of the solidarity that exists between the people of the United States and the good people of Burma on the issues of human rights and democracy.

This legislation is also fully in keeping with administration policy. In a statement made on October 19, following the latest series of bloody and tragic events, President Bush announced an executive order imposing additional sanctions on Burmese leaders and entities. The President also instructed the Commerce Department to tighten export control and regulation over Burma. On that occasion, the President noted that ''Burmese leaders continue to defy the world's just demands to stop their vicious persecution. They continue to dismiss calls to begin peaceful dialogue aimed at national reconciliation. Most of all, they continue to reject the clear will of the Burmese people who wish to live in freedom under leaders of their choosing.''

The President concluded with these observations: ''The people of Burma are showing great courage in the face of immense repression. They are appealing for our help. We must not turn a deaf ear to their cries. I believe no nation can forever suppress its own people. And we are confident that the day is coming when freedom's tide will reach the shores of Burma.''

This legislation provides an opportunity to send a strong, bipartisan and loud message that where human freedom is concerned, politics does stop at the water's edge.

I rise today to urge my colleagues to join in voicing their enthusiastic support for a free Burma by supporting the Block Burmese JADE Act of 2007.

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

Mr. MEEKS of New York. Mr. Speaker, I reserve the balance of my time.

Mr. POE. Mr. Speaker, I want to thank Chairman LANTOS of the Foreign Affairs Committee, the author of this bill, for his efforts in introducing this bill. We have no other speakers at this time.

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

Mr. MEEKS of New York. Mr. Speaker, I include for the RECORD an exchange of letters between Chairman RANGEL and Chairman LANTOS on H.R. 3890.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, December 10, 2007.

Hon. TOM LANTOS,
Chairman, Committee on Foreign Affairs, Washington, DC.

DEAR MR. CHAIRMAN: I am writing regarding H.R. 3890, the Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2007, which was reported by the House Foreign Affairs Committee on October 31, 2007.

As you know, the Committee on Ways & Means has jurisdiction over import matters, such as the import ban and restrictions on

imports imposed by the Block Burmese JADE Act of 2007. Accordingly, certain provisions of H.R. 3890 fall under the Committee's jurisdiction.

There have been some productive conversations between the staffs of our committees, during which we have proposed some changes to H.R. 3890 that I believe help clarify the intent and scope of the measure. My understanding is that there is an agreement with regard to these changes.

The following provisions of H.R. 3890 were among those changed, added, or removed because they fell within the Committee's jurisdiction:

Section 3(a) (''Annual Renewal of Resolutions No Longer Required''): This subsection was removed;

Section 3(b) (Import Restrictions on Gemstones): This subsection was removed and a new Section 3A (''Prohibition on Importation of Certain Jadeite and Rubies and Articles of Jewelry Containing Jadeite or Rubies'') was added;

New Section 3A(a) (''Definitions'') contains definitions for the terms ''Appropriate Congressional Committees,'' ''Burmese Covered Article,'' ''Non-Burmese Covered Article,'' ''Jadeite; Rubies; Articles of Jewelry Containing Jadeite or Rubies,'' and ''United States'';

New Section 3A(b) (''Prohibitions on Importation of Burmese Covered Articles''): Provides that the President shall prohibit the importation into the United States of any Burmese covered article and use provided regulatory authority as necessary; and the President shall take actions to seek a draft waiver decision by the Council on Trade in Goods of the World Trade Organization and adoption of a United Nations General Assembly resolution;

New Section 3A(c) (''Requirements for Importation of Non-Burmese Covered Articles''): Provides that the President, beginning 60 days after the date of enactment, shall require certain actions by the exporting country, exporter and importer as a condition of importing non-Burmese covered articles into the United States to ensure that the imported articles do not contain Burmese jadeite or rubies;

New Section 3A(d) (''Inapplicability''): Exempts certain imports from the requirements of the Act;

New Section 3A(e) (''Enforcement''): Provides that Burmese covered articles and non-Burmese covered articles imported into the United States in violation of the Act are subject to all applicable laws of the United States;

New Section 3A(f) (''Sense of Congress''): Provides that the President should take the necessary steps to negotiate an international agreement similar to the Kimberley Process Certification Scheme for conflict diamonds; and

New Section 7 (''Waiver of Competitive Need Limitation Under Generalized System of Preferences For Certain Articles of India and Thailand''): Provides for the reinstatement of Generalized System of Preferences (duty-free treatment) for specified Thai and Indian jewelry.

To expedite this legislation for floor consideration, the Committee will forgo action on this bill and will not oppose its consideration on the suspension calendar. This is done with the understanding that it does not in any way prejudice the Committee or its jurisdictional prerogatives on this, or similar legislation, in the future.

I would appreciate your response to this letter, confirming our understanding with respect to H.R. 3890, and would ask that a copy of our exchange of letters on this matter be included in the record.

Sincerely,

CHARLES B. RANGEL,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, December 10, 2007.

Hon. CHARLES B. RANGEL,
Chairman, Committee on Ways and Means, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 3890, the Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2007.

I appreciate your willingness to work cooperatively on this legislation and the mutually agreed upon text that is being presented to the House, including the amendments to H.R. 3890 reported by the Committee on Foreign Affairs, as described in your letter. I recognize that the bill contains provisions that fall within the jurisdiction of the Committee on Ways and Means. I agree that the inaction of your Committee with respect to the bill does not in any way prejudice the Committee on Ways and Means or its jurisdictional prerogatives on this or similar legislation in the future.

I will ensure that our exchange of letters be included in the Congressional Record.

Cordially,

TOM LANTOS,
Chairman.

Mr. SMITH of New Jersey. Mr. Speaker, I'm proud to be an original cosponsor of this important resolution strengthening the Burmese Freedom and Democracy Act of 2003, and I want to thank my good friend and colleague, Chairman LANTOS, for his continued leadership on this issue. It's an issue that concerns Members on both sides of the aisle and anyone who cares about freedom and human rights.

The despicable actions of Burma's brutal regime in recent months are only the latest chapter in a long history of repression by that country's dictators. After their shocking murder and incarceration 2 months ago of peaceful demonstrators, including Buddhist monks—the very symbols of the Burmese people's desire for peace—the Government thugs hope that our attention will turn elsewhere. They hope that the international outcry over the violence and humiliation of this fall will die down. But we are all too aware of the history of this regime to let that happen.

If we turn our attention elsewhere, the regime will intensify the abuse and repeat these crimes again and again. Since the 1988 slaughter of several thousand peaceful demonstrators, the story of Burma has been a constant saga of harassment, violence, and torture. The inhumane treatment of Nobel Peace Prize winner Daw Aung San Suu Kyi is only the most glaring example of the regime's efforts to stifle democracy—unfortunately there are many others that don't get as many headlines.

Members may recall that I have mentioned in the past how the military regime in Burma locked up a 19-year-old student from my district, Michelle Keegan, who had traveled to Burma in 1998 to mark in a peaceful way the 10th anniversary of those 1988 massacres. She and others were sentenced to 5 years in jail for distributing small leaflets calling for democracy in Burma.

I, and others, were outraged, and agitated for the release of these young people. They wouldn't let us into the country, but they couldn't keep us quiet. If not for the attention of the U.S. Congress and the American people—and for the international pressure that resulted—who knows what would have happened to these students in the prisons of Burma? Thankfully, we gained their release.

The Block Burmese JADE Act will tighten the noose on this murderous regime, expanding what this body has already done to isolate these criminals. Burma's junta continues to enrich itself from the country's vast natural resources while most of its people are mired in poverty. The generals and their families milk state-owned enterprises for all they're worth, getting their hands on much of the nearly $3 billion in annual revenues from oil and gas, timber and gems.

By blocking further assets, imposing more severe import restrictions on Burmese gemstones, and expanding the visa ban on the regime's cronies, we will further limit its comfort zone. The regime will be less able to avoid U.S. sanctions—and U.S. companies will no longer be able to take tax deductions for investment in Burma.

These measures alone won't bring about wholesale change in Burma. We need more help from our allies and from Burma's neighbors if we dare to hope for true freedom in that country. We need China to take a serious stand on the right side of this issue instead of remaining—as usual—lined up against human rights and human dignity.

But this strengthening of our law—this strengthening of our resolve—will take another concrete step in the right direction. It will also make an important statement to Burma's brutal dictators—and to the beleaguered pro-democracy activists in that country struggling under the yoke of military repression.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MEEKS) that the House suspend the rules and pass the bill, H.R. 3890, as amended.

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

The title was amended so as to read: ''A bill to amend the Burmese Freedom and Democracy Act of 2003 to impose import sanctions on Burmese gemstones, expand the number of individuals against whom the visa ban is applicable, expand the blocking of assets and other prohibited activities, and for other purposes.''

A motion to reconsider was laid on the table.

HONORING THE LIFE OF THOMAS ''TOMMY'' MAKEM

Ms. SHEA-PORTER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 768) honoring the life of Thomas ''Tommy'' Makem.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 768

Whereas Thomas ''Tommy'' Makem was born on November 4, 1932 in Keady, County Armagh, in Northern Ireland;

Whereas Thomas Makem emigrated from Ireland to Dover, New Hampshire in 1955, after having won the All-Ireland Championship in acting, to pursue a career in acting

and carrying with him only a makeshift suitcase, a pair of bagpipes, and proof of his health;

Whereas in 1956 Thomas Makem joined the Clancy Brothers, all of whom had immigrated to the United States from Ireland, and began performing musically together as ''The Clancy Brothers and Tommy Makem'' and were signed by Columbia Records;

Whereas in 1961 Thomas Makem performed at the Newport Folk Festival and, along with Joan Baez, was named as the most promising newcomer;

Whereas in 1963 the Clancy Brothers and Tommy Makem performed at the White House at the request of President John F. Kennedy;

Whereas the Clancy Brothers and Tommy Makem continued to perform and record music together, performing in venues such as Carnegie Hall and on programs including The Ed Sullivan Show and The Tonight Show until 1969 when Thomas Makem left the band amicably to pursue a solo career;

Whereas in 1975 Thomas Makem again joined with Liam Clancy and the duo performed together until 1988, including a Clancy Brothers and Tommy Makem reunion at the Lincoln Center in New York City, New York;

Whereas in 1997 Thomas Makem wrote a book, Tommy Makem's Secret Ireland, and in 1999 premiered his own one-man theatre show, Invasions and Legacies, in New York, and established the Tommy Makem International Festival of Song in South Armagh, Ireland in 2000;

Whereas throughout his performing career Thomas Makem was highly regarded as an exceptional musician by both his colleagues and the public and received many awards and honors including the World Folk Music Association's Lifetime Achievement Award in 1999 and honorary doctorates from the University of New Hampshire in 1998, the University of Limerick in 2001, and the University of Ulster in 2007; and

Whereas Thomas Makem died on Wednesday, August 1, 2007 in Dover, New Hampshire and will now be remembered as a dedicated husband, father, and grandfather and as one of the greatest Irish-Americans of the 20th Century: Now, therefore, be it

Resolved, That the House of Representatives honors the life of Thomas ''Tommy'' Makem, and his accomplishments as a musician, composer and performer.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Hampshire (Ms. SHEA-PORTER) and the gentleman from Louisiana (Mr. BOUSTANY) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Hampshire.

GENERAL LEAVE

Ms. SHEA-PORTER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Ms. SHEA-PORTER. Mr. Speaker, I rise in strong support of this resolution, and I yield myself such time as I may consume.

Mr. Speaker, Tommy Makem was one of the greatest Irish-American performers to ever grace the stage. Not only have his works inspired generations of artists, but his determination and success broke down barriers that had long been raised to Irish Americans. Tommy and the Clancy Brothers, with whom he played for many years, were instrumental in breaking down these cultural divides.

Tommy lived a truly remarkable life. He arrived in America in 1955 to pursue a career in acting, having just won the All-Ireland Championship in acting. Like so many immigrants before and after, Tommy arrived with very little, carrying with him only a makeshift suitcase, a pair of bagpipes and proof of his health. However, it did not take Tommy long to find a life in America.

In 1956, he joined with the Clancy Brothers—Patrick, Tom, Bobby and Liam—and they began performing together. In 1961, Tommy performed at the Newport Folk Festival and, along with Joan Baez, he was heralded as ''the most promising newcomer.'' In 1963, Tommy and the Clancy Brothers performed at the White House at the request of President Kennedy. They continued to perform together for years and played venues from Carnegie Hall to the Ed Sullivan Show, until Tommy embarked on a solo career in 1969. For decades, he continued to compose and perform. He would later reunite with the Clancy Brothers in 1988 for a reunion concert. In 1999, Tommy was awarded the World Folk Music Association's Lifetime Achievement Award.

Tommy was not just a musician, he was so much more. Tommy was an author, a philanthropist, a businessman, an inspiration and, most importantly, he was a loving father, grandfather and husband.

Tommy passed away earlier this year on August 1 in Dover, New Hampshire, where he lived for many years. He left behind a daughter, Katie Makem-Boucher, and two grandchildren, Molly Dickerman and Robert Boucher, and three sons, Shane, Conor and Rory, whom with his nephew, Tom Sweeney, continue the family folk music tradition. They will remember Tommy for the living man he was and for the impact he had on their lives.

□ 1330

Upon his passing, condolences streamed in from all over the country, as well as the world. The Makem family has said that while many talked about his music, most noted what a generous and kind man he was.

Mr. Speaker, I urge my colleagues to support this resolution and honor the life of a truly remarkable man, an immigrant who touched the lives of so many.

I reserve the balance of my time.

Mr. BOUSTANY. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I rise today in support of House Resolution 768, honoring the life of Thomas ''Tommy'' Makem. Makem was an internationally celebrated Irish folk musician, artist, poet and storyteller, best known as a member of the Clancy Brothers and Tommy Makem. He played the long-necked five string banjo, guitar, tin whistle, border pipes, and sang in a very distinctive baritone. He was sometimes known as the Godfather of Irish music.

The son of a successful Irish folk singer, Sarah Makem, Tommy Makem mesmerized audiences for more than four decades. He expanded and reshaped the boundaries of Irish culture and infused a pride and a quest for knowledge of Irish culture in countless others.

In 1955, Makem's ambition to become an actor took him to New York where, after a brief but rewarding career in live television and off-Broadway plays, he teamed up with the Clancy Brothers. They appeared on the ''Ed Sullivan Show,'' the ''Tonight Show'' and every major television network show in the United States. The Clancy Brothers and Tommy Makem played to audiences from New York's Carnegie Hall and London's Royal Albert Hall to every major concert venue in the English-speaking world.

In 1969, Tommy left the Clancy Brothers to pursue a solo career and immediately sold out Madison Square Garden in New York. His popularity soared, and he went on to three sold out concert tours in Australia, including Sydney's opera house.

By 1975, Makem had rejoined Liam Clancy of the Clancy Brothers. The duo worked together until 1988. Their collaboration garnered the pair an Emmy nomination, as well as several platinum and gold records.

Tommy Makem's music will live on forever. ''The Rambles of Spring,'' Farewell to Carlingford,'' ''Gentle Annie,'' ''The Winds Are Singing Freedom'' and, of course, ''Four Green Fields'' are all standards in the repertoire of folk singers around the world in the late 20th and early 21st centuries.

I am very happy to join my good friend and colleague, Representative SHEA-PORTER, in honoring the life of Thomas ''Tommy'' Makem, and I ask my colleagues to support this resolution.

I reserve the balance of my time.

Ms. SHEA-PORTER. Does the gentleman from Louisiana have any further speakers?

Mr. BOUSTANY. I have no other Members requesting time, and I'll be happy to yield back the balance of my time.

Ms. SHEA-PORTER. Mr. Speaker, I have no further requests for time.

I urge my colleagues to support this resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Hampshire (Ms. SHEA-PORTER) that the House suspend the rules and agree to the resolution, H. Res. 768.

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

A motion to reconsider was laid on the table.

HONORING THE UNIVERSITY OF HAWAII FOR ITS 100 YEARS OF COMMITMENT TO PUBLIC HIGHER EDUCATION

Ms. HIRONO. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 264) honoring the University of Hawaii for its 100 years of commitment to public higher education.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 264

Whereas while the natural beauty of Hawaii is recognized throughout the world, the real beauty of the island state lies in its people, who, through their personal relationships with their families, friends, and neighbors, and through their dedicated efforts to serve the needs of the people of Hawaii, have created prosperity and high standards of living;

Whereas the institution which would eventually become the University of Hawaii at Manoa finds its humble beginnings in 1907 in a small house on Young Street as the College of Agriculture and Mechanic Arts;

Whereas with the establishment of the Colleges of Arts and Sciences in 1920, the university became a full-fledged university, known today as the University of Hawaii at Manoa;

Whereas in 1941, the Hawaii Vocational School was founded near downtown Hilo, becoming a University branch campus in 1951 and the University of Hawaii at Hilo in 1970;

Whereas in 1964, the University of Hawaii community colleges system was established with the creation of four community college campuses: Honolulu; Kapiolani; Kauai; and Maui, with Leeward joining the community college system in 1969, Windward in 1972, and Hawaii in 1990, as the seventh community college;

Whereas West Oahu College was founded in 1976, gaining university status in 1989 as the University of Hawaii—West Oahu, the youngest of the university's baccalaureate degree-granting campuses;

Whereas the 10 campuses of the University of Hawaii combined offer more than 620 certificate and degree-granting programs in a variety of nationally and internationally-recognized areas of excellence, including culinary arts, health sciences, construction, automotive mechanics, digital media, justice administration, forensic anthropology, indigenous languages, tropical agriculture, natural sciences, ocean sciences, earth sciences, astronomy, international business, languages and culture, legal studies, and medicine, to over 50,000 students across the State every year;

Whereas the University of Hawaii has embraced and employed technological advances to reach and serve students via distance learning technologies on the Internet, two-way video, and cable television;

Whereas the nearly 15,000 Hawaii residents who are employed full-time by the University of Hawaii as faculty, staff, researchers, and in other capacities, serve the University and the State of Hawaii by educating its citizens, contributing to the economy, supporting workforce development, and engaging the community to address societal issues and underserved populations;

Whereas the impacts of the University of Hawaii are not confined to those students in its classrooms, but residents and visitors alike who benefit from its outreach, cultural, and entertainment programs: more than 75,000 people register in its non-credit courses; more than 33,000 people participate in university-sponsored conferences, workshops, and training sessions; nearly 130,000 people attend theater, music, and dance events at the University's performing arts centers at the Manoa, Hilo, Kauai, Leeward, and Windward campuses; and nearly 700,000 people cheer on the Manoa and Hilo athletic teams;

Whereas the vitality of today's University of Hawaii touches someone in virtually every family in these islands;

Whereas more than 250,000 alumni now residing in all 50 States and in more than 80 countries around the world are proud to call the University of Hawaii their alma mater, as the educational programs at the University have shaped these individuals into global citizens who contribute to the well-being of a world-wide society with a commitment to integrity, diversity, and service wherever they may be;

Whereas the House of Representatives of the State of Hawaii proudly boasts 38 alumni of the University of Hawaii system, and the Senate 15, for a total of 53 proud alumni in the Hawaii State Legislature;

Whereas 2007 marks the 100th Anniversary of the establishment of the University of Hawaii, a momentous occasion by nearly every measure;

Whereas the centennial observance offers the people of Hawaii the opportunity to reflect on 100 years of higher education in Hawaii, celebrate the rich heritage of the University of Hawaii, honor the people who took part in building this outstanding educational enterprise, and envision an even more remarkable future of excellence, sustainability, and innovation that the University of Hawaii has introduced to our islands;

Whereas over the past 100 years, the University of Hawaii has developed into a prominent, world-renowned educational institution famed for its gracious spirit of aloha; academic excellence, intellectual vigor, and opportunity; institutional integrity and service; diversity, cultural identity, social responsibility, and fairness; collaboration and respect; and accountability and fiscal integrity;

Whereas ''Maluna a'e o nâ lâhui a pau ke ola ke kanaka: Above All Nations is Humanity,'' the philosophy of the University of Hawaii is befitting for an institution that has transformed the lives of many around the world through their experiences at the University; and

Whereas all four members of Hawaii's congressional delegation are proud graduates of the University of Hawaii: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress congratulates the University of Hawaii on the momentous occasion of its 100th Anniversary, and expresses its warmest aloha and best wishes for continued success.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Hawaii (Ms. HIRONO) and the gentleman from Louisiana (Mr. BOUSTANY) each will control 20 minutes.

The Chair recognizes the gentlewoman from Hawaii.

GENERAL LEAVE

Ms. HIRONO. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert material relevant to House Concurrent Resolution 264 into the RECORD.

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

There was no objection.

Ms. HIRONO. Mr. Speaker, I yield myself as much time as I may consume.

I rise today in support of House Concurrent Resolution 264, honoring the University of Hawai'i for its 100 years of dedication to public higher education.

The 10 campuses of the University of Hawai'i offer more than 620 nationally and internationally recognized academic programs, everything from culinary arts to tropical agriculture. It is the only place in the Nation where students can earn a master's degree in indigenous language studies and has the top 25 programs for environmental law, eastern philosophy, international business, and second-language studies.

The 50,000 students who attend the university include many of Hawaii's best and brightest. The sizable Native Hawaiian, Caucasian, Japanese, Chinese, Filipino, and Pacific Islander populations on our campuses reflect the great diversity of our State. Their years at the University of Hawai'i will prepare them to be the business, community, and political leaders of tomorrow.

I am proud to be among the 250,000 University of Hawai'i alumni who now reside in every State in the Union and in at least 80 countries around the world. This extended community brings the aloha spirit to the world at large.

Just last week I was here on the floor of the House with my two green and white footballs in honor of the university Warriors' perfect 2007 football season. The Warriors are the only college team in the country to go undefeated, but they are just one of the UH sports teams we cheer on across the islands. From volleyball to basketball, our athletes draw nearly 700,000 fans to games every year.

This is a special year for higher education in Hawaii. Not only is it University of Hawai'i's centennial, but it is also the 35th anniversary of the passage of title IX, now known as the Patsy T. Mink Equal Opportunity in Education Act. Patsy was a friend and continues to be an inspiration to me. This year the University of Hawai'i joined me and Congress in honoring Patsy and her trailblazing work to open the doors of higher education to women across the country.

I want to take a moment to thank the people who make the University of Hawai'i what it is today. David McClain, the current president of the university, and the 17 presidents who have come before him have all been leaders, dedicated to excellence in public higher education. The phenomenal team of faculty and staff has truly made a positive difference in the lives of hundreds of thousands of students, past and present. Those students, in

turn, are making enormous contributions to our towns, our State, and our country.

My years at the University of Hawai'i in the late '60s were a time of awakening and questioning for me. Attending the university made a profound difference in my life. In fact, all four members of Hawaii's current congressional delegation have degrees from the University of Hawai'i.

I am proud to work closely with the University of Hawai'i as a member of the House Committee on Education and Labor. As we come to the end of the 100th year in the university's history, congratulations to all involved. Here's to the next 100 successful years.

I reserve the balance of my time.

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

Mr. Speaker, I rise today in support of House Concurrent Resolution 264, honoring the University of Hawai'i for its 100 years of commitment to public higher education.

In 1907, the Hawaii Territorial Legislature established the College of Agriculture and Mechanic Arts in Honolulu under terms of the U.S. land grant legislation. Ten students began classes with 13 faculty members in September of the following year, and the first graduates received degrees in 1912. The university has been growing ever since.

In 1912, the founding campus was renamed the College of Hawai'i, and it moved to its present location in the Manoa Valley. Pig farms and kiwi groves were cleared for construction of the first permanent building, Hawaii Hall. Six years later, William Kwai Fong Yap petitioned the legislature for university status and the campus became the University of Hawai'i in 1920.

After the December 1941 attack on Pearl Harbor, classes were suspended for 2 months, and University of Hawai'i students of Japanese ancestry formed the Varsity Victory Volunteers to assist with civil defense, many of whom later became a part of the famous 100th Infantry Battalion.

In 1964, the University of Hawai'i Community Colleges System was established with four additional campuses. Two years later, the founding campus, now called UH Manoa, established a School of Travel Industry Management and the forerunner programs of the School of Hawaiian, Asian and Pacific studies. The John A. Burns School of Medicine opened in 1967, and construction began on the first telescope atop Mauna Kea volcano in 1968.

In 2000, Hawaii voters overwhelmingly supported constitutional autonomy for the University of Hawai'i, ensuring the institution more control in the management of its resources.

Honolulu Community College was selected to be one of only six Cisco Training Academies in the country to offer certified network professional training, and Maui Community College continued a tradition of statewide outreach by opening the Moloka'i Education Center.

Additional highlights include winning the contract to manage the Maui Supercomputing Center for the Air Force Research Laboratory, and in 2003, walls were raised for a new medical school and biomedical research facility.

Today, the University of Hawai'i system includes 10 campuses and dozens of educational, training, and research centers across the Hawaiian Islands. As the public system of higher education in Hawaii, UH offers opportunities as unique and diverse as the islands themselves.

UH is the State's leading engine for economic growth and diversification, stimulating the local economy with jobs, research, and skilled workers.

I am happy to join my good friend and colleague, Representative HIRONO, in honoring this exceptional university for all of its accomplishments and wish the faculty, staff, and students continued success.

I reserve the balance of my time.

Ms. HIRONO. Mr. Speaker, I thank my colleague from Louisiana for his very complete and kind remarks in support of this measure, and I yield 5 minutes to the gentleman from American Samoa, Hawaii's friend, and my friend, ENI FALEOMAVAEGA.

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

Mr. FALEOMAVAEGA. Mr. Speaker, I thank the gentlelady from the great State of Hawaii.

Mr. Speaker, again I thank the gentlelady from Hawaii (Ms. HIRONO) and also the gentleman from Hawaii (Mr. ABERCROMBIE) for their sponsorship of this legislation which honors the 100th anniversary of one of our Nation's great public institutions of learning, the University of Hawai'i, along with her 10 campuses established all over the State and some 620 certificate, degree, and postgraduate programs for some 50,000 students also currently attending the university.

Mr. Speaker, I echo the sentiments expressed earlier by my colleague from Hawaii. This also exemplifies the caliber of the leadership coming from this great State of Hawaii.

I think also of Mrs. Patsy Takomoto Mink for the 35th year now in celebrating the piece of legislation that she championed while a Member of this great institution, and that of course is title IX, which has given authorization to promote and enhance our women's athletic programs, which currently now are taking place all over the country.

I also want to pay special commendation to the head coach of the University of Hawai'i Warriors, June Jones, for doing something that is very special to our island community: they are going to the Sugar Bowl. And having a perfect record, I am disappointed that Colt Brennan did not become the Heisman Trophy winner this year. But be that as it may, I do want to thank Coach June Jones for personally coming to my little territory, American Samoa, to recruit some of our football players who now make up in large part members of the University of Hawai'i Warrior team.

I'm also reminded that some of the great leaders of our country are alumnae of the University of Hawai'i. As a former member of 100th Battalion 442nd Infantry Reserve Battalion, I can only think of Senator INOUYE and the late Senator Spark Matsunaga, both graduates of the University of Hawai'i. I need not share with my colleagues the prominence and the tremendous leadership that these gentlemen have also exemplified while serving the great State of Hawaii.

Mr. Speaker, over the years, the University of Hawai'i has been the center of higher education for many of our Pacific Island leaders from Oceania, namely from Micronesia, Polynesia, and even Melanesia.

The University of Hawai'i also played a critical role in coordinating and facilitating the academic programs instituted through the congressionally mandated institute currently known as the East-West Center. The East-West Center, since its inception in 1963, is a unique institution which, over the years, has brought scholars and leaders from all over the world to meet and discuss issues that are especially important to our Nation's economic, political, social and especially strategic and military interests with countries of the Asian Pacific region; and the University of Hawai'i, to this day, still is part of the East-West Center's current activities and programs.

Mr. Speaker, I am especially proud that just a few days ago, an alumnus of the University of Hawai'i, who happens to be a relative also, Mr. Ken Niumatalolo, whose parents, Simi and La Niumatalolo, from the little village of La'ie, Hawaii, is now the newly appointed head coach of the football team of the U.S. Naval Academy in Annapolis.

As far as I'm aware, Mr. Speaker, Mr. Niumatalolo is the first of Samoan and Polynesian ancestry to coach an NCAA Division I university team, again a credit also to the University of Hawai'i for giving Mr. Niumatalolo a chance not only to play as a quarterback for the UH Warriors, but to enroll as a student and to obtain a good education.

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Mr. Speaker, again, my congratulations not only to my distinguished friend and dear colleague Ms. HIRONO for introducing this legislation, but to honor this great institution, the University of Hawai'i.

Mr. BOUSTANY. Mr. Speaker, coming from the great State of Louisiana, I wish to issue a warm welcome to the University of Hawai'i as they come to New Orleans for the Sugar Bowl, and I also want to congratulate them on a perfect regular season for their football team.

Mr. Speaker, I have no further Members on this side wishing to speak and I yield back.

Ms. HIRONO. I thank my colleague from Louisiana for your warm, what we call, ''Aloha'' welcome to your State. Expect thousands and thousands of rabid Rainbow Warrior fans to descend upon your State to spend money but mainly to cheer on our undefeated team, the Warriors.

I would like to add also, Mr. Speaker, that my colleague NEIL ABERCROMBIE, who is even as we speak on a plane coming back to Washington, DC, is, of course, very much in support of this resolution. As I mentioned, all four Members of our congressional delegation have one degree or another from the University of Hawai'i. In NEIL's case, it is a Ph.D., and he also had taught at the University of Hawai'i.

I'm looking forward to also working with Mr. MILLER on reauthorization of the Higher Education Act, which has helped the University of Hawai'i so much over the years, and it's an honor for me to be on the Higher Education Committee, because the University of Hawai'i, unlike many other States, is the institution of higher learning in Hawaii. It is the public institution of higher learning in Hawaii, which is why literally hundreds of thousands of us have matriculated at the university, and we have a lot to be thankful for for the kind of quality education that the University of Hawai'i has offered to us and continues to do so for the 50,000 or so students who are on campuses all across the State.

And as we are moving forward to celebrate our 100th anniversary, we even now prepare to move forward to create further campuses on Oahu and the neighbor islands to afford more educational opportunities, particularly in the rural areas of our State for students in those areas.

So with that, Mr. Speaker, thank you very much, and my colleague from Louisiana, once again, ''Mahalo nui loa,'' to each one of you in support of this resolution.

Mr. ABERCROMBIE: Mr. Speaker, I rise today in strong support of House Concurrent Resolution 264, honoring the University of Hawaii for 100 years of educating and serving the people of the state of Hawaii. I'd like to thank Congresswoman HIRONO and Chairman MILLER for their support of this legislation. I'd like to recognize President David McClain and the administration and faculty of UH for all their hard work and dedication. UH holds a distinguished record of achievement in academics, community service and athletics. As a proud alumni and former faculty member of the University of Hawaii, I know personally the impact of the school on those who work and learn there. Yet, that is not the full extent of the University's reach; it touches in some capacity nearly every person in the state.

In 1907, the College of Agriculture and Mechanic Arts in Honolulu was established by the Hawaii Territorial Legislature with 10 students and 13 faculty members. Today, the University of Hawaii system is spread across the state with 10 campuses, 3 degree-granting universities: Manoa, the flagship campus, Hilo, and West Oahu; and 7 community colleges: Hawaii, Honolulu, Kapiolani, Kauai, Leeward, Maui, and Windward. The system includes the John A. Burns School of Medicine, the William S. Richardson School of Law, the Shidler College of Business, the College of Pharmacy, and the Congressionally-established East-West Center. There are currently over 50,000 students and 624 academic programs. Across the system, UH's students and faculty have won countless awards, and been recognized for agriculture, anthropology, computer programming, diversity, education and curriculum research, international business, medical research, oceanographic science, public service, and myriad other fields of study.

The University values aloha, the Hawaiian concept that embraces respect for the history, traditions and culture of Hawaii's indigenous people. It reflects compassion for all people and commitment to the well-being of these islands. To practice this value UH employs nearly 15,000 Hawaii residents who serve the University and the State of Hawaii by educating its citizens, contributing to the economy, supporting workforce development and engaging the community in addressing societal issues and the challenges faced by underserved populations.

The University has also produced more than 250,000 alumni, now residing in all 50 states and more than 80 countries around the world, who are proud to call the University of Hawaii their alma mater. The educational programs at the University have shaped these individuals into global citizens who contribute to the well-being of a world-wide society, with a commitment to integrity, diversity, and service wherever they may be. Alumni who live abroad and on the U.S. mainland take the aloha spirit with them across the nation and world to enrich the lives of others. Among these alumni are all four current and two former members of the Hawaii congressional delegation; former Surgeon General of the United States Kenneth Moritsugu; Time Warner Chairman and CEO Richard Parsons; Miss America 2001 Angela Perez Baraquio Grey; 53 members of the Hawaii State Legislature; numerous professional athletes; and many other academic, art, athletic, business and political leaders.

As a reflection of the state of Hawaii, UH is a rainbow of ethnicities, cultures, nationalities, languages and ideas. The University maintains that society is best served by representing populations equitably throughout UH, and that diverse perspectives help root out prejudice and injustice. This dedication is captured succinctly in the motto of the University, "Ma luna ae o na lahui a pau ke ola o ke kanaka," or "Above all nations is humanity." The value of diversity is also shown through the student body: UH is one of the most diverse universities in the nation, with no dominant ethnic group and over 2,500 international students.

A further source of pride for the University of Hawaii is the Warriors and Wahine. The athletes, coaches, and support staff are some of the most accomplished and dedicated members of the UH ohana, or family. There are no professional sports teams in Hawaii and the student-athletes of the University carry much expectation and affection from the state. The UH women's volleyball team is among the most esteemed programs in the National Collegiate Athletics Association (NCAA), winning three NCAA national championships and one Association for Intercollegiate Athletics for Women (AIAW, the predecessor to the NCAA for women's sports) national championship, and are consistently in the hunt for a national championship year after year. The Wahine have produced 23 All-Americans, and three National Players of the Year. The Warrior football team is also an immense source of pride to the state. This year the Warriors were the only NCAA Division I school to go undefeated during the regular season and will be playing on New Year's Day in the Sugar Bowl. The current and former starting quarterbacks; Heisman Trophy finalist Colt Brennan and Timmy Chang, hold numerous NCAA records. The entire state will be cheering on the Warriors and, win or lose, will show aloha to this team. The women's volleyball and football team are two of the 21 programs at the University, all of which bring pride and joy to the people of Hawaii.

On this 100th anniversary of the University of Hawaii, I am honored to be able to extend my aloha and mahalo to UH for all it has afforded me personally, and to the state of Hawaii, which is truly enriched because of the efforts of the University.

Ms. HIRONO. Mr. Speaker, I yield back the remainder of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Hawaii (Ms. HIRONO) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 264.

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

A motion to reconsider was laid on the table.

RECOGNIZING THE 100TH ANNIVERSARY OF ROBSTOWN, TEXAS

Mr. CLAY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 785) recognizing the 100th Anniversary of Robstown, Texas.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 785

Whereas in 2007, the city of Robstown, Texas, celebrates its centennial as the ''Biggest Little Town in Texas'';

Whereas before Robstown became a city in Nueces County, Robstown was a major thoroughfare north of the National Mexican Railway, making it vital for trade and commerce between Mexico and the United States;

Whereas rancher and businessman Robert Driscoll conveyed territories encircling the boundaries of Robstown, inspiring Robstown's name;

Whereas Robstown enters the 21st century as the crossroads of international trade, being the location where the Texas Mexican Railway connects the Port of Laredo with the Port of Corpus Christi and Interstate 69 will intersect Texas State Highway 44;

Whereas Robstown is the home of a new fairgrounds and entertainment venue; the future home of an inland port, which will be the first such port in the United States; and the future home of an Army storage facility;

Whereas Robstown is one of the leading cotton producing areas in the United States, at one time operating the most cotton gins in the United States and later naming the mascot of the Robstown high school the ''Cotton Picker'';

Whereas, a steadfast community in Nueces County, the residents of Robstown have included legendary National Football League Hall of Famer Gene Upshaw; Federal Judge Hilda Tagle; and numerous county, State, and Federally elected officials;

Whereas Robstown has scheduled ''Century of Celebration'' festivities throughout 2007, beginning on January 1 and including a formal celebration on June 1 and the Cottonfest festival in October; and

Whereas Robstown's contributions to the history of the United States include being the site of the first game of Texas Hold 'em poker: Now, therefore, be it

Resolved, That the House of Representatives recognizes the 100th anniversary of Robstown, Texas, and commends all of the residents of Robstown and all other individuals who call Robstown home.

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

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

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

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

There was no objection.

Mr. CLAY. Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I'm pleased to join my colleagues in the consideration of H. Res. 785, which recognizes the 100th anniversary of Robstown, Texas.

H. Res. 785, which was introduced by Representative SOLOMON P. ORTIZ on October 30, 2007, was reported from the oversight committee on November 8, 2007, by a voice vote. This measure has been cosponsored by 53 Members.

Known as the ''Biggest Little Town in Texas,'' Robstown is known for its international trade, oil and involvement in the agriculture and cotton industries.

Mr. Speaker, I commend my colleague for the recognition of the 100th anniversary of this historic town, and I urge the swift passage of this bill.

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

Mr. ISSA. Mr. Speaker, I thank the gentleman from Missouri, and I join with him in urging the passage of this important commemorative piece of legislation recognizing, as the gentleman said, the ''Biggest Little Town in Texas,'' on its 100th anniversary.

Certainly Robstown, Texas, located in north central Nueces County, which was established in 1906 by a real estate developer from Iowa, says a great deal about the development of Texas and of the Texas-Mexican railroad connection from the Port of Laredo to the Port of Corpus Christi and along State Highway 44. The sustainability of the small town both before, during and after the Industrial Revolution, throughout a period of development in Texas, took it from a State that was rural in every sense to a State today that is both filled with high-tech and with world headquarters.

Mr. Speaker, I join with my colleagues in urging quick support and ratification of this bill.

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

Mr. CLAY. Mr. Speaker, I yield as much time to my friend from Texas (Mr. ORTIZ) as he would like to consume.

Mr. ORTIZ. Mr. Speaker, let me thank Chairman CLAY and my good friend Mr. ISSA for bringing this bill to the floor, and I want today to congratulate and honor the ''Biggest Little Town in Texas.''

Robstown has been ''Celebrating a Century'' this year as the city turns 100 years old. This centennial celebration and resolution are especially important to me because Robstown, a city of about 14,000 people, is my hometown.

I was born and reared and raised there, attended the public schools there, and had my first job as a printer's devil with the local newspaper, the Robstown RECORD.

Cotton and vegetable farming played an important role in the history and economy of Robstown, named after prominent local leader Robert Driscoll.

Robstown is a town where citizens are deeply committed to public service. We've sent sons and daughters to shape the history of local, State and Federal offices. They have all served in our military. They've distinguished themselves in military services.

We've had county commissioners, sheriffs, district attorneys, district judges, Federal judges, State representatives, and this proud Member of the Congress, who came out from this little town of 14,000 people.

Robstown also has a great athletic tradition. Gene Upshaw, of the National Football League and a great football star, came from this little town of Robstown.

Humberto ''Lefty'' Barrera, bantamweight boxer on the historic 1960 Olympic team who later earned an engineering degree at night school, also called Robstown ''my hometown.''

Kathryn Grandstaff, from Robstown, she married Bing Crosby, who we all know.

Our students also excel in the classroom, including the Robstown High School Cotton Pickers band, and they have achieved much in the fields of athletics and academics.

All year long we have recognized the ''Century of Celebration,'' which included a formal celebration on June 1.

One of the greatest traditions is the annual Cottonfest held in October. This year was the biggest ever event that we've had. We have live music, arts and crafts, a sports competition, cookoffs, contests, carnivals and historical exhibits that provide something for everyone in the community.

We also have so much to look forward to as our town continues to grow. Robstown enters the 21st century at the crossroads of international trade due to its proximity to railroads, interstate highways, seaports and airports. It is the hub in that area.

Robstown will serve as a hub by connecting major railway companies, the Texan-Mexican railway, Kansas City Southern and Union Pacific, with direct links to Corpus Christi, Brownsville, Houston, San Antonio and Laredo.

Robstown is also home to the new county fairgrounds and an entertainment venue.

My hometown is the future home of an inland port, which will be the first such port in the United States, and the future home of an Army storage facility.

And no trip to Robstown would be complete without a good filling yourself up with south Texas' best barbecue at Joe Cotten's. Cotten's is an iconic restaurant where many of you have joined me for lunch in south Texas style. It is where Presidential candidates, athletes, business people, cowboys, riders, astronauts, generals, admirals and other celebrities and thousands of others, they even fly on their helicopters to eat at Joe Cotten's.

Robstown is the best of our communities in south Texas, friendly, family-oriented and proud of their history.

It was in Robstown where my mother taught me my most important lesson: to always serve the community that gave you so many opportunities growing up. To whom much is given, much is expected.

Please join me in honoring Robstown on the city's 100th anniversary, and I join my friends Chairman CLAY and Mr. ISSA today for bringing this bill to the floor.

Mr. ISSA. Mr. Speaker, I yield back.

Mr. CLAY. Mr. Speaker, I urge all of my colleagues to join with the pride of Robstown, Texas (Mr. ORTIZ) and pass H. Res. 785.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. CLAY) that the House suspend the rules and agree to the resolution, H. Res. 785.

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

A motion to reconsider was laid on the table.

TURRILL POST OFFICE BUILDING

Mr. CLAY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4009) to designate the facility of the United States Postal Service located at 567 West Nepessing Street in Lapeer, Michigan, as the ''Turrill Post Office Building''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4009

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

SECTION 1. TURRILL POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 567 West Nepessing Street in Lapeer, Michigan, shall be known and designated as the ''Turrill Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Turrill Post Office Building''.

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

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

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

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

There was no objection.

Mr. CLAY. Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I'm pleased to join my colleague from California in the consideration of H.R. 4009, which names a postal facility in Lapeer, Michigan, after the Turrill family.

H.R. 4009, which was introduced by Representative CANDICE MILLER on October 30, 2007, was reported from the oversight committee on November 11, 2007, by voice vote. This measure, which has been cosponsored by 14 Members, has the support of the entire Michigan congressional delegation.

The Turrill family dates back to the earliest settlers in the Lapeer area. They are a strong representation of what Lapeer is founded upon and are remembered as honest, hardworking farmers and leaders within the community. Dr. Miner Turrill arrived in Lapeer in 1832 and was the first postmaster of the county. When Lapeer was incorporated as a city in 1869, James Turrill was the first mayor. The City of Lapeer is historically touched by the efforts made by the Turrill family and their dedication as public servants.

Mr. Speaker, I urge swift passage of this bill.

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

Mr. ISSA. Mr. Speaker, I, too, have reviewed the post office naming and find it to be one of the most thoughtful and merit-oriented namings that we have had in a long time.

And with that, I yield 10 minutes to the gentlelady from Michigan (Mrs. MILLER), the author of this bill.

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Mrs. MILLER of Michigan. I appreciate the gentleman's yielding.

Mr. Speaker, as a representative in this House for the great community of Lapeer, Michigan, I rise in very, very strong support of this resolution to honor one of the founding families of this great community. Lapeer, Michigan, is truly an all-American city. Its population is just under 10,000 people, and it serves as the county seat for the County of Lapeer. The community is located at the base of Michigan's Thumb, and its heritage is deeply based in the agricultural tradition of Michigan. In fact, it is home to mainly family farms. Families have tilled the fertile soil of this area since the community's founding, and today these farms continue to serve as an important part of our breadbasket in Michigan. The community has always been home to the pioneering spirit and the can-do attitude that exemplifies America. And no family represents the spirit of this great community more than the Turrill family.

In 1832, 5 years before Michigan joined the Union as a State, Dr. Miner Turrill settled in Lapeer with his elderly parents, and the Turrills became the third known family, actually, to settle in that area. Dr. Turrill and his family quickly became respected leaders in the community, and upon the opening of the Lapeer United States Post Office in 1833, Dr. Turrill became the area's first postmaster. For that alone it is fitting that the Lapeer Post Office be named in their honor. But the Turrills gave back so much more to this fine community.

During the Civil War, many members of the Turrill family served the cause of freedom on behalf of the Union. This included Captain J.H. Turrill, who made the ultimate sacrifice on behalf of the Union when he was killed in action at Antietam in 1862. In fact, the Lapeer Post of the Grand Army of the Republic was named in his honor and served as a gathering point for all of the veterans of that conflict from the area.

In 1869, Lapeer was incorporated as a city in Michigan, and the voters elected James Turrill to serve as the first mayor of this community. The Turrills continued throughout the years to provide leadership to this great community, and they have been honored in many ways. Today you can drive on Turrill Avenue in Lapeer. Or you might live in Turrill Estates. And your children might attend the Turrill Elementary School in the Lapeer community schools. The people of this community have always honored the dedication to community and the contributions made by the Turrill family.

Earlier this year, Mr. Speaker, I contacted the Lapeer County Historical Society, and I spoke to them about my desire to name the post office in Lapeer after a distinguished citizen from the community worthy of the honor. And I asked for their guidance and assistance on who was deserving of such an honor, and this was their response:

''The Lapeer County Historical Society recommends that the Lapeer Post Office be named the Turrill Post Office. The Turrill family dates back to the earliest settlement in the Lapeer area. They have always been remembered as honest, hardworking farmers and leaders of the Lapeer community . . . A committee was appointed and met on July 6 to review a 2-page list of names. Turrill was the unanimous choice.''

Mr. Speaker, it is entirely appropriate that this House take this action today to honor one of the pioneering families in a great Michigan community, a family that worked hard to give back to the community, a family that took a leadership role in shaping the community, earned its respect, and has a highly valued place in the history of Lapeer, Michigan.

I want to thank the members of the Lapeer Historical Society for their assistance and their guidance in this effort. And I thank the leadership today for bringing this legislation to the floor, and I will thank the Members of this House for their expected support in honoring this great family. And I certainly thank the members of the Turrill family who did so much to make Lapeer the wonderful community that it has become.

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

Mr. CLAY. Mr. Speaker, I would like to urge my colleagues to adopt H.R. 4009, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BLUMENAUER). The question is on the motion offered by the gentleman from Missouri (Mr. CLAY) that the House suspend the rules and pass the bill, H.R. 4009.

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

A motion to reconsider was laid on the table.

NATIONAL CARDIOPULMONARY RESUSCITATION AND AUTOMATED EXTERNAL DEFIBRILLATOR AWARENESS WEEK

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 215) supporting the designation of a week as ''National Cardiopulmonary Resuscitation and Automated External Defibrillator Awareness Week,'' as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 215

Whereas heart disease remains the leading cause of death in the United States;

Whereas heart disease affects men, women, and children of every age and race in the United States, regardless of where they live;

Whereas annually approximately 325,000 coronary heart disease deaths occur out of hospital or in an emergency room;

Whereas approximately 95 percent of sudden cardiac arrest victims die before arriving at the hospital;

Whereas sudden cardiac arrest results from an abnormal heart rhythm in most adults;

Whereas in 27.4 percent of cases of sudden cardiac arrest, the victim is located in a place other than a hospital and receives

cardiopulmonary resuscitation by a bystander;

Whereas prompt delivery of cardiopulmonary resuscitation more than doubles the chance of survival from sudden cardiac arrest by helping to maintain vital blood flow to the heart and brain, increasing the amount of time that an electric shock from a defibrillator can be effective;

Whereas an automated external defibrillator, even when used by a bystander, is safe, easy to operate, and highly effective in restoring a normal heart rhythm, significantly increasing the chance of survival for many victims if used immediately after the onset of sudden cardiac arrest;

Whereas death or severe brain injury is likely to occur unless resuscitation measures are started no later than 10 minutes after the onset of sudden cardiac arrest;

Whereas the interval between the 911 call and the arrival of EMS personnel is typically longer than 5 minutes, and achieving high survival rates therefore depends on a public trained in cardiopulmonary resuscitation and automated external defibrillator use; and

Whereas the American Heart Association, the American Red Cross, and the National Safety Council are preparing related public awareness and training campaigns on cardiopulmonary resuscitation and automated external defibrillation to be held during the first week of June each year: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) supports the goals and ideals of a National Cardiopulmonary Resuscitation and Automated External Defibrillator Awareness Week to establish well-organized programs to increase public training in cardiopulmonary resuscitation and automated external defibrillator use and to increase public access to automated external defibrillators; and

(2) requests that the President issue a proclamation calling upon the people of the United States and interested organizations to observe such a week with appropriate ceremonies and activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentleman from California (Mr. ISSA) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

First of all, I want to thank the gentleman from Missouri (Mr. CLAY) for standing in for me.

As a member of the House Committee on Oversight and Government Reform, I am pleased to join my colleagues in the consideration of H. Con. Res. 215, as amended, which supports the designation of ''National Cardiopulmonary Resuscitation and Automated External Defibrillator Awareness Week.''

H. Con. Res. 215, which was introduced by Representative JOHN R. ''RANDY'' KUHL, Jr. on September 19, 2007, was reported from the Oversight Committee on November 8, 2007, by voice vote. This measure has been cosponsored by 84 Members.

Mr. Speaker, it is a sad statistic that 95 percent of sudden cardiac arrest victims die before reaching the hospital. Prompt CPR and use of an automated defibrillator, or AED, can more than double a victim's chance of surviving cardiac arrest. Seventy-five to 80 percent of all cardiac arrests occur within the home. Unfortunately, 60 percent of the public have never seen an automated external defibrillator, much less put it into use.

It is time we do all that we can to raise awareness of these much-needed emergency tools and urge training to combat heart disease at the community level.

I commend the sponsor for introducing this measure, thank all the organizations throughout the country for their support, and urge swift passage of this resolution.

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

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

The automated external defibrillator is a critical part of saving lives here in America. In the first 10 minutes of an onset of symptoms, you have an incredibly short period of time, that 10 minutes, to make the difference between life and death. A typical response time, an optimum response time, for a 911 call is 5 minutes. The availability of these devices, once thought to be only in the crash kit on an emergency vehicle or in a hospital, is now spreading. At our airports, including our Nation's Capital airports, these devices are not just available but they are hung throughout the facility, making it possible, and, in fact, it has occurred, for people who have a heart symptom and pass out to be brought back to life in those 10 minutes, those precious 10 minutes. But in order to expand the use of this lifesaving apparatus, we need to have additional training.

I join with the gentleman from Illinois in saying that the importance of this Automatic External Defibrillator Week is not that we can learn to say it without tying our tongue but, in fact, that we can deploy these devices and get people trained. In my own small condominium unit here in Washington, our neighbors have been trained; and it will undoubtedly in time save lives in our community.

I join with the majority in urging that this bill not only become law this year but that we make this an annual event so as to spread the lifesaving capability of this device.

Mr. GINGREY. Mr. Speaker, I rise today in strong support of H. Con. Res. 215, legislation that will designate a National Cardiopulmonary Resuscitation and Automated External Defibrillator Awareness Week. I am proud to be a cosponsor of this bill, and would like to thank my colleague, Mr. RANDY KUHL of New York, for advancing this legislation to help educate the American people about the critical difference cardiopulmonary resuscitation and automated external defibrillator training can make in our country.

This legislation has been dear to Mr. KUHL's heart after a young man in his area, Louis Acompora, died from a blunt impact to the chest while playing lacrosse. Had an automated external defibrillator been available at the time, his life might have been saved. I commend Mr. KUHL's success as a New York State Senator in working with Assemblyman Harvey Weisenberg from Long Island to advance the New York State law requiring public schools to have at least one such device on school grounds. His hard work has helped save over 35 lives in New York State in the five years since the law's enactment.

Mr. Speaker, heart disease kills more people in our Nation every year than any other medical condition. Sudden cardiac arrest is one of the most time sensitive cardiac conditions for which immediate attention is vital. If cardiopulmonary resuscitation and defibrillation are not applied within 5 minutes after sudden cardiac arrest, there is virtually no chance of survival. Approximately 325,000 Americans suffer sudden cardiac arrest each year and more than 95 percent die before ever reaching the hospital.

Mr. Speaker, these statistics are staggering. Sadly, if more Americans were trained in performing cardiopulmonary resuscitation and in using automated external defibrillators, many of these lives could have been saved. Communities with comprehensive automated external defibrillator programs have improved survival rates from only 5 percent to over 40 percent.

Mr. Speaker, this is why it is so critical that we pass H. Con. Res. 215. Having a week dedicated to Cardiopulmonary Resuscitation and Automated External Defibrillator awareness will increase the profile of this devastating disease, and most importantly, will help save lives. I encourage all my colleagues to support this important resolution.

Mr. KUHL of New York. Mr. Speaker, I rise today in support of H. Con. Res. 215, which would support the designation of a week as National Cardiopulmonary Resuscitation and Automated External Defibrillator Awareness Week.

I would first like to thank my colleague, Mr. BOREN from Oklahoma, for joining me in introducing I this resolution and for his efforts in promoting CPR. I am truly grateful for his leadership and support on this issue.

I introduced this legislation because I believe that we must do all we can to bolster our efforts to combat heart disease and sudden cardiac arrest, as heart disease remains the leading cause of death in the United States. Approximately 325,000 coronary heart disease deaths occur outside of the hospital or in an emergency room every year, and roughly 95 percent of sudden cardiac arrest victims die before even reaching a hospital. These statistics serve as a clear reminder that we must take action to save lives at the local and community levels, and this resolution helps to do just that.

CPR more than doubles a victim's chances of surviving sudden cardiac arrest by maintaining the vital flow of blood to the heart and the brain. Over 75 percent of out-of-hospital cardiac arrests occur within the home, so CPR can mean the difference between life and death.

Additionally, automated external defibrillators are easy for even bystanders to operate and are highly effective in restoring a normal heart rhythm if used within minutes after the onset of sudden cardiac arrest. Communities with comprehensive AED programs have achieved survival rates of over 40 percent.

I am proud to have sponsored the New York State law that required public schools to have at least one such device on school grounds. As a State Senator, I worked with State Assemblyman Harvey Weisenberg to advance this initiative after a young man from his area, on Long Island, by the name of Louis Acompora died from a blunt impact to the chest while playing lacrosse. Had an AED been available at the time, his life might have been saved. Thankfully, our efforts have helped to save over 35 lives in New York State in the five years since the law's enactment.

The American Heart Association, the American Red Cross, and the National Safety Council are preparing related public awareness and training campaigns to be held during the first week of June, and I am pleased to support this bill as a framework for their efforts.

This resolution will help us to save lives across the country and combat heart disease at the community level. I urge my colleagues to join myself and Mr. BOREN in supporting H. Con. Res. 215.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 215, as amended.

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

A motion to reconsider was laid on the table.

NATIONAL FIRE FIGHTER APPRECIATION DAY

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 695) expressing the support for designation of a ''National Fire Fighter Appreciation Day'' to honor and celebrate the firefighters of the United States, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 695

Whereas there are more than 1,100,000 fire fighters in the United States;

Whereas approximately 75 percent of all fire fighters in the United States are volunteers who receive little or no compensation for their heroic work;

Whereas there are more than 30,000 fire departments in the United States;

Whereas thousands of fire fighters have died in the line of duty since the date that Benjamin Franklin founded the first volunteer fire department in 1735;

Whereas 346 fire fighters and emergency personnel died while responding to the terrorist attacks that occurred on September 11, 2001;

Whereas fire fighters respond to more than 20,000,000 calls during a typical year;

Whereas fire fighters also provide emergency medical services, hazardous materials response, special rescue response, terrorism response, and life safety education;

Whereas, in 1922, President Harding first declared a Fire Prevention Week, and it is appropriate to continue this tradition by supporting the designation of a National Fire Fighter Appreciation Day: Now, therefore, be it

Resolved, That the House of Representatives supports the designation of a ''National Fire Fighter Appreciation Day'' to honor and celebrate the fire fighters of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentleman from California (Mr. ISSA) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

As a member of the House Oversight and Government Reform Committee, I am pleased to join my colleagues in support of this resolution to support the goals of National Fire Fighter Appreciation Day. H. Res. 695, as amended, was introduced on October 1, 2007, by Representative JOHN CAMPBELL. On November 8, 2007, the committee reported the bill amended by voice vote.

H. Res. 695 ensures that a day of recognition is granted to the courageous firefighters of the United States, who put their lives at risk in order to guarantee the safety of our citizens. Over the last few months as emergencies across this country have been declared and millions have been evacuated from their homes, our Nation's firefighters have rushed to serve and protect those whose lives and livelihoods were in jeopardy. It is important to commemorate their great efforts and service with a day of honor.

So I commend my colleague for sponsoring this measure and urge its swift passage.

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

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

I join with my colleagues in supporting National Fire Fighter Appreciation Day. This year, particularly as a Californian, it is appropriate that this was authored by a Californian and that I have the opportunity to personally thank the men and women who saved lives and property in California just a month and a half ago. But, of course, firefighters do that every day throughout the country, not just in wildfires that consume hundreds of thousands of acres.

Interestingly enough, firefighters also carry automatic external defibrillators and save lives every day. Firefighters are not just people who put out fires. They are people who train in the prevention of fire. They are people who train in emergency procedures that save lives. They are people who answer to so many calls in our community.

The fact is on 9/11 we understood that firefighters go in the direction where anyone, anyone, should be running from and they do so with no regard for their own safety. They do so because that is what a firefighter's job is. Firefighters do not shy away from riots. They do not shy away from the worst inferno, and they do not shy away from earthquakes in my home State and other disasters. In fact, the term ''American hero'' is best attributed to the men and women who every day train to go into fires to find and retrieve people and, in fact, not to leave the site until all life has been preserved and all property, to the best of their ability, has also been maintained.

Mr. Speaker, I join with my colleagues in recognizing the heroism not just in California 2 months ago but, in fact, throughout the country of our firefighters and urge support and passage of National Fire Fighter Appreciation Day.

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

□ 1415

Mr. ISSA. Mr. Speaker, it is with great pleasure that I yield 10 minutes to the gentlelady from Michigan, Mrs. CANDICE MILLER.

Mrs. MILLER of Michigan. I thank the gentleman for yielding.

Mr. Speaker, I certainly rise in very strong support of this resolution to honor and to celebrate America's firefighters.

Wherever and whatever the danger, every American knows that America's firefighters are just moments away from coming to their rescue, putting their lives on the line to save and protect others in their communities. And no one will ever forget the very vivid example of the bravery of our firefighters that was exhibited on September 11, 2001.

On that horrific day, as thousands were fleeing for their lives and running from buildings, we witnessed firefighters actually running towards the danger. As others were running away from the danger, which is a natural human instinct, the firefighters and first responders were running towards the danger and running into these buildings. And they did this knowing that many would most likely not come out. But these brave men and women are professionals who understood that it was their duty to protect their fellow citizens, and they did so. Their

brave actions on that day no doubt saved countless lives, and through those actions they earned the gratitude of those who were saved and the respect of the entire world.

Throughout this country, firefighters perform similar acts of heroism every day. And although we can never properly repay them for their dedicated service to our communities, we should take action to honor them for their hard work, their bravery and their dedication. Firefighters should never doubt that they have the eternal gratitude and respect of the American people that they serve so faithfully.

The establishment of a National Firefighter Appreciation Day will help remind everyone of the tremendous work that our firefighters do each and every day, and we should take the time to recognize those efforts.

Mr. Speaker, they prevent tragedies from happening, they respond instantly when tragedies occur, and they help pick up the pieces in tragedy's aftermath. They are there to help in some of the worst times in people's lives, guiding them through with their brave helping hands.

I certainly appreciate the work of the sponsors of this bill in bringing it to the floor. And I urge all of my colleagues to support the adoption of this important resolution so that we, the assembled Representatives of the American citizens, can show America's firefighters the support of a grateful Nation.

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

Mr. DAVIS of Illinois. Mr. Speaker, I urge passage of this legislation and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 695, 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 expressing the support of the House of Representatives for the designation of a National Fire Fighter Appreciation Day to honor and celebrate the fire fighters of the United States.''.

A motion to reconsider was laid on the table.

SPECIAL POSTAGE STAMP FOR BREAST CANCER RESEARCH EXTENSION

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 597) to extend the special postage stamp for breast cancer research for 4 years, as amended.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 597

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

SECTION 1. EXTENSION OF AUTHORITY.

Section 414(h) of title 39, United States Code, is amended by striking ''2007'' and inserting ''2011''.

SEC. 2. REPORTING REQUIREMENTS.

The National Institutes of Health and the Department of Defense shall each submit to Congress and the Government Accountability Office an annual report concerning the use of any amounts that it received under section 414(c) of title 39, United States Code, including a description of any significant advances or accomplishments, during the year covered by the report, that were funded, in whole or in part, with such amounts.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentleman from California (Mr. ISSA) will each control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, now it is my pleasure to yield such time as he might consume to the author of this legislation, Representative CLAY from Missouri.

Mr. CLAY. Mr. Speaker, I want to thank my colleague from Illinois (Mr. DAVIS) for yielding the time and for his leadership on the subcommittee with this piece of legislation.

S. 597, as amended, ensures greater accountability by requiring that the NIH and DOD issue annual reports to Congress detailing how proceeds from the breast cancer research stamp are allocated. In addition, the bill extends reauthorization of the breast cancer research stamp until 2011.

I am grateful to Senator FEINSTEIN for agreeing to this change. Now the Senate version of the breast cancer semipostal will be identical to the measure I sponsored, H.R. 1236, which was unanimously passed by the House on October 30, 2007.

Unlike many programs that are not reauthorized timely but continue to operate, the breast cancer research stamp must be reauthorized or the U.S. Postal Service will discontinue selling the stamp. In fact, the Postal Service was forced to take this stamp off sale for 26 days in 2004 because the Senate did not act in time.

Amid constituent concerns of stamp sales being halted, I contacted the Postmaster General of the U.S. Postal Service to ensure that sales would continue. I was assured that the stamp would not be removed from shelves; however, the Senate must pass this bill by December 31.

Mr. Speaker, let me again thank all of the breast cancer organizations, the Postal Service, and my colleagues in the House and Senate for their support.

I urge my colleagues to join me in supporting swift passage of S. 597, as amended.

Mr. ISSA. Mr. Speaker, I join happily with the gentleman from Missouri and my own home State Senator, Senator FEINSTEIN, in urging immediate passage of this renewal.

This extension is not only critical, but it comes at a time when those of us on this House floor are still remembering the recent loss of Congresswoman Jo Ann Davis. Yes, in fact, today could be considered to be Congresswoman Jo Ann Davis' Breast Cancer Awareness Day because it's not just the statistic of 180,000 people, mostly women, getting breast cancer or 40,000 dying, it's a friend and a colleague who fought valiantly through not only this Congress but the previous Congress, and almost, but did not, win against this dreaded disease.

Breast Cancer Awareness stamps are not about the $54 million raised, although that goes a long way towards adding to the research pool. It's about the countless millions of people who receive a stamp that sends a message that reminds them to get that available mammogram, to, in fact, do a self-test, to be aware of lumps, to be aware of the possibility of this terrible and invasive disease taking the life of their wife, their daughter, their mother. So, I join again in urging passage of this.

And I might take a personal liberty that you don't often see on the House floor. My opponent in my last race and, God willing, my opponent in this race, Jeeni Criscenzo, is presently fighting cancer. I saw her yesterday in California dealing with the effects of chemo. Her detection was relatively early; she has a good chance. But it's things like this that the House does that sometimes gets criticized as not substantial legislation that hopefully will save women like my opponent and friend, Jeeni Criscenzo, from the kind of terrible tragedy that befell Jo Ann Davis and so many other women last year.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I certainly join with my colleague from California in extolling the legacy of Representative Jo Ann Davis, who served with us on the Oversight and Government Reform Committee.

Mr. Speaker, S. 597, as amended, now mirrors the House version of the Breast Cancer Semipostal measure which was unanimously passed by this body on October 30, 2007.

The House version, H.R. 1236, which was sponsored by representative WILLIAM LACY CLAY, reauthorizes the sale of the breast cancer stamp for an additional 4 years from 2007 to 2011. The bill

also follows up on the Government Accountability Office's recommendations that the relevant agencies report the use of monies received from the sale of the stamp, including a description of any significant advances on accomplishments that were funded by the sale.

As a member of the Oversight Committee Subcommittee on Federal Workforce, Postal Service, and the District of Columbia, Representative CLAY is to be commended for his diligence and patience for working with all parties and securing an acceptable compromise on the sale of the breast cancer stamp.

I note proudly that the United States Postal Service has sold over 785.6 million breast cancer research stamps from which $54.626 million has been transferred to the National Institutes of Health and the Department of Defense for breast cancer research and awareness.

Mr. Speaker, I thank the public for buying the breast cancer semipostal stamp and the numerous organizations for lending their strong support for its continuation. With your help, I am confident that we will find a cure.

I urge swift passage of this bill, and again commend the representative from Missouri, our colleague, Representative CLAY, for his introduction.

Ms. WOOLSEY. Mr. Speaker, I rise in support of S. 597, to reauthorize the Postage Stamp for Breast Cancer. Breast cancer is the second leading cause of cancer death among women and the leading cause of cancer death among women under the age of 40. Research is key to improving breast cancer prevention, detection and treatment. In the 9 years the stamp has been sold, it's raised more than $40 million to fund breast cancer research around the country. In those nine years, great strides have been made, but we can do more and that's why we should support the extension of the breast cancer stamp.

In addition to this important legislation, we need to do more to prevent breast cancer deaths in women under the age of 40. Approximately 11,000 women under the age of 40 will be diagnosed with breast cancer this year, of which nearly 1 ,300 will die. However, most research, education, and prevention efforts are focused upon women over the age of 45. That's why I introduced the Annie Fox Act, H.R. 715, named after a young woman in my district who was diagnosed with breast cancer and died at the age of35. This bill will authorize research into the causes of breast cancer in younger women and educate them about the risks of breast cancer.

It is important that we not only continue to fund research and education over the ages of 45, but that we also do so for our younger women so that they may live long, healthy lives. I applaud the passage of this important legislation and look forward to working with my colleagues to pass H.R. 715, the Annie Fox Act.

Mr. VAN HOLLEN. Mr. Speaker, I rise in strong support of S. 597, which would reauthorize the highly successful special postage stamp that supports breast cancer research.

Breast cancer affects virtually every American family. Most of us have lost a family member—grandmothers, mothers, aunts, sisters, and daughters—to breast cancer. The American Cancer Society estimates 178,000 women in the United States will be diagnosed this year with breast cancer. They estimate 40,000 women will die from the disease. Breast cancer is the most common cancer among women, accounting for more than one in four cancers diagnosed in women.

We must do everything we can to understand the causes of breast cancer so we can effectively prevent and treat it. Since its inception, the breast cancer research stamp has raised $53 million for life-saving research. Proceeds from the sale of the stamps fund research at the National Institutes of Health and the Department of Defense. By reauthorizing the breast cancer research stamp, we would ensure that this funding source for breast cancer research continues.

Mr. Speaker, I urge my colleagues to support this bipartisan legislation.

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

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the Senate bill, S. 597, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate bill, as amended, was passed.

The title was amended so as to read: ''A Bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research.''.

A motion to reconsider was laid on the table.

RELATING TO SELECTIVE SERVICE REGISTRATION

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4108) to amend section 3328 of title 5, United States Code, relating to Selective Service registration, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4108

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

SECTION 1. SELECTIVE SERVICE REGISTRATION.

Subsection (b) of section 3328 of title 5, United States Code, is amended to read as follows:

''(b) The Director of the Office of Personnel Management, in consultation with the Director of the Selective Service System, shall prescribe regulations to carry out this section. Such regulations—

''(1) shall include procedures—

''(A) for the adjudication of determinations of whether a failure to register was knowing and willful; and

''(B) under which such a determination may not be made if the individual concerned shows by a preponderance of the evidence that the failure to register was neither knowing nor willful;

''(2) may provide that determinations of eligibility under the requirements of this section shall be adjudicated by the Executive agency making the appointment for which the eligibility is determined; and

''(3) shall provide for exceptions to determinations of ineligibility under this section to allow for—

''(A) the appointment of an individual who was discharged or released from active duty in the armed forces under honorable conditions; and

''(B) the appointment or continued employment of an individual who has reached 31 years of age.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentleman from California (Mr. ISSA) each control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield such time as he might consume to the chairman of the Education and Labor Committee, Chairman MILLER from California.

Mr. GEORGE MILLER of California. I thank the gentleman for yielding, and I want to thank him and the Chair of the committee and Mr. ISSA for all of their work on this legislation.

This legislation was drafted with the help and the cooperation of the Veterans Administration and the Office of Personnel Management and the Selective Service.

Current laws governing Federal employment do not draw a very clear distinction between those who do not register for selective service through an oversight and those who knowingly and willfully avoid registering. Under current law, we are lumping sort of the innocent along with the guilty, and this legislation is an effort by these agencies to correct what's wrong with this legislation and to make sure that we can protect those who do this in an unknowing fashion.

The bill sets out to correct this by exempting individuals from employment ineligibility who failed to register for selective service but were honorably discharged from active duty in the armed services. And second, it would allow current Federal employees who are at least age 31 to remain eligible for Federal employment despite their failure to register. And this would effectively change the lifetime ban from employment to a 5-year ban, which would coincide with the statute of limitations. So there would be the full ability to prosecute those individuals that we felt wrongfully failed to register for the draft.

This would have a big impact on the caseload, and it would also make sure

that we do not deny many of our agencies the talents and the abilities of individuals who have been caught in this conundrum that has taken place.

And this has been, after many months of negotiation, and Mr. ISSA has been a vital part of these negotiations with Selective Service, with the Veterans Administration, and with the Office of Personnel Management, and I would encourage all of my colleagues to support this legislation. I think it restores to law the intent for which it was passed and keeps us from punishing those individuals who are not guilty of knowingly refusing to register for the draft.

□ 1430

Mr. ISSA. Mr. Speaker, often the most absurd example is what forces us to look, and look more carefully, at flaws in our legislation. This one is a good example. Chris Frecking is a citizen of the United States who has been employed at the Department of Veterans Affairs Medical Center in San Francisco for the last 16 years. Mr. Frecking was born in the Philippines to an American father in 1968 and was sworn in as a U.S. citizen in 1990. But there lies the rub.

He was sworn in as an American citizen. He came here from the Philippines after he turned 18 unaware that he should register with the Selective Service after there was in fact no draft or likelihood of anyone being called if they did. He failed to do so. He did try, though, when he discovered that this was a lifetime requirement in 1994. But, in fact, this was not allowed.

This is a gentleman who has been a good citizen, who in fact fell through the cracks. This legislation today after careful scrutiny in harmony with many organizations but most importantly at the leadership of the director of the Selective Service, in fact, makes it possible for us to continue to urge men to register for the Selective Service and treats them fairly if, through no fault of their own, they fail to do so.

I urge the swift passage of this bill. It is good legislation. It corrects a minor flaw. I join with my colleague from California in saying that sometimes the best legislation is small and bipartisan but makes a big difference in people's lives.

I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield 1 additional minute to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. I want to thank my colleague from California for mentioning Mr. Frecking, because this was a case that really was just so absurd in how it was being played out because of the circumstances that he found himself caught in, but more importantly it also had the potential to deny the veterans service of the VA Hospital in San Francisco the very skilled talents of this individual. They went to bat. They recognized that they too had made a mistake, inadvertently they made a mistake. But they did not want to lose his skill and talents to our veterans coming through that hospital. And it was really at their insistence, their concern, that brought this case to the forefront and allowed us to be able to work it out with the Office of Personnel Service and Selective Service.

I know as we explained it, we talked about it back and forth, and Mr. ISSA, at first I don't think he thought this could possibly be going on, but we convinced him that it was, and this is exactly the kind of case that this legislation is designed to address so we don't harm these individuals in the manner which was possible for Mr. Frecking.

I thank the gentleman for yielding.

Mr. ISSA. I yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

As a Member of the House Committee on Oversight and Government Reform, I am pleased to join my colleagues in the consideration of H.R. 4108, as amended, a bill to amend title 5, relating to Selective Service registration.

H.R. 4108 was introduced on November 7, 2007, by Representatives GEORGE MILLER and DARRELL ISSA. The legislation would provide for exemptions from determinations of ineligibility for Federal employment for individuals who have not registered with the Selective Service. Those who have received an honorable discharge from the armed services who have performed at least 10 years of Federal service would no longer be deemed ineligible.

Under current law, all males born after December 31, 1959, must register with the Selective Service by their 26th birthday in order to be eligible for employment in the Federal Government. An individual who has not registered with the Selective Service is not eligible for Federal employment unless he can prove by a preponderance of the evidence that the failure to register was neither knowing nor willful.

This means that the individual must prove to a high legal standard that he did not know he was required to register or thought he had registered. H.R. 4108 would exempt from this requirement individuals who were honorably discharged from the armed services or who have 10 years of service in the Federal Government.

H.R. 4108 was introduced on November 7, 2007, and referred to the Committee on Oversight and Government Reform. The committee marked up the measure on November 8, 2007, and ordered that the bill be reported by voice vote.

Mr. Speaker, I urge swift passage of this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 4108, as amended.

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

A motion to reconsider was laid on the table.

COMMEMORATING THE CENTENNIAL ANNIVERSARY OF THE SAILING OF THE NAVY'S ''GREAT WHITE FLEET''

Mrs. BOYDA of Kansas. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 261) commemorating the centennial anniversary of the sailing of the Navy's ''Great White Fleet,'' launched by President Theodore Roosevelt on December 16, 1907, from Hampton Roads, Virginia, and returning there on February 22, 1909.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 261

Whereas the launching of the Great White Fleet marked the emergence of the United States as a true global seapower, able to dispatch 16 new battleships on a worldwide deployment for 14 months;

Whereas these battleships were painted entirely white, with gilded scrollwork on their bows, and subsequently came to be known as the ''Great White Fleet'';

Whereas the 4 squadrons of 4 battleships each, manned by 14,000 sailors, sailed 43,000 miles and made 20 port calls on 6 continents;

Whereas the Fleet, in conducting visits to important nations such as Australia, served to reinforce a friendship and partnership that continues to this day;

Whereas the Fleet, in providing a tangible demonstration of the forward naval presence of the United States in the Pacific, also reinforced the message of how important maritime stability and security are to the United States;

Whereas the Fleet, in response to one of the worst natural disasters in European history, was able to immediately divert to Messina, Sicily, to offer humanitarian aid to the Italian people; and

Whereas the Fleet, in executing a range of missions and returning to the United States after 14 months at sea, displayed to the world a number of core American values, including compassion, showed its flexibility by responding to unforeseen events, and demonstrated the ability of the United States to project maritime power as a stabilizing force: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) commemorates the wisdom of President Theodore Roosevelt in developing and launching the Great White Fleet;

(2) supports a one-time designation of a day to celebrate the 100th centennial of the Great White Fleet and the special role the Fleet played in building enduring friendships with important allies and partner nations;

(3) commends efforts by the Department of the Navy to maintain and strengthen our cooperative partnerships with foreign nations and to safeguard our Nation's interests in the maritime domain;

(4) commends efforts by the Department of the Navy in leading the development of a Cooperative Strategy for 21st Century Seapower; and

(5) honors the sacrifices made and services rendered by the servicemembers of the Navy,

Marine Corps, and the Coast Guard and the civilians who constitute our maritime services.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Kansas (Mrs. BOYDA) and the gentlewoman from Virginia (Mrs. DRAKE) each will control 20 minutes.

The Chair recognizes the gentlewoman from Kansas.

GENERAL LEAVE

Mrs. BOYDA of Kansas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on the concurrent resolution under consideration.

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

There was no objection.

Mrs. BOYDA of Kansas. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I rise today to support House Concurrent Resolution 261, commemorating the centennial anniversary of the sailing of the Navy's Great White Fleet launched by President Theodore Roosevelt on December 16, 1907 from Hampton Roads, Virginia, and returning there on February 22, 1909.

I would like to thank my colleague from Virginia, Mrs. THELMA DRAKE, my friend and colleague on the House Armed Services Committee, for bringing this measure before the House. It was the Atlantic Fleet, later to be known as the Great White Fleet for its pristine decor that launched the United States into the realm of the maritime overnight. Over 14,000 sailors made an extraordinary voyage around the world, from Virginia in the Atlantic Ocean, around South America's Cape Horn to San Francisco. From there, the crews sailed the Pacific Ocean, the Indian Ocean, through the Mediterranean Sea, and back to the United States, stopping in such great nations as Australia and Italy to forge and secure the diplomatic friendships that continue to this day.

In 14 months, the Great White Fleet demonstrated to the entire world that the United States is committed to both military maritime presence as well as international humanitarian aid. This coming Sunday, December 16, marks the 100th year since the beginning of that voyage. In the past 100 years, we have maintained these commitments and continued deployments of the naval ships, including the hospital ships *Mercy* and *Comfort*, to provide aid and assistance to those in time of need. This centennial is an appropriate time to celebrate and renew our continued commitment to responsible international stewardship.

Mr. Speaker, I urge my colleagues to support House Concurrent Resolution 261.

I reserve the balance of my time.

Mrs. DRAKE. Mr. Speaker, I yield myself such time as I might consume.

I rise in strong support of House Concurrent Resolution 261, a resolution I introduced to commemorate the centennial anniversary of the launching of the Great White Fleet. On December 16, 1907, 16 battleships, including, of course, the USS *Virginia*, launched from Norfolk for a 14-month-long cruise around the world. Envisioned by President Theodore Roosevelt, himself a former Assistant Secretary of the Navy, as an opportunity to showcase the military and humanitarian might of the United States, the fleet sailed over 42,000 miles around the globe, traveling around the tip of South America, across the Pacific and Indian Oceans, through the Suez and Mediterranean and back across the Atlantic to Norfolk.

Upon arriving in Egypt, the fleet's commanding officer, Rear Admiral Charles Sperry, dispatched two of his battleships to assist in providing humanitarian assistance to the victims of an earthquake that had ravaged Sicily. The cruise, which has earned its place in American naval history as one the single greatest achievements of the 20th century, foreshadowed events in 2004 when the U.S. Navy provided assistance and comfort to the victims of the tsunami in Indonesia and neighboring countries and again in 2005 when assistance was provided to the victims of Hurricane Katrina.

The event also foreshadowed the debate in Washington regarding the size of the U.S. fleet and the needed industrial capacity. Painted white and visible for miles, the fleet caused President Roosevelt to ask rhetorically, ''Oughtn't we all feel proud?'' I can surely sympathize. As the Representative of Virginia's Second Congressional District, I fully understand the proud sensation of driving across the Hampton Roads Bridge-Tunnel and seeing the raw naval power that is home ported in Norfolk.

That moment of pride transcends into a moment of pause when witnessed by our enemies and a moment of comfort when witnessed by our friends. President Roosevelt understood the concept of force projection before the term was fashionable.

Our great tradition of naval power was not founded by President Roosevelt, but he understood it and harnessed it foreshadowing the great challenges of the 21st century and today.

I would note, Mr. Speaker, that the idea of sending our fleet halfway around the world was not an idea widely accepted by Congress, and yet President Roosevelt through his leadership and determination and in his role as Commander in Chief set out to do what he thought was right, sending a message long before it can be done over a computer that the United States was now an ''A List'' celebrity on the world stage. And it worked. Upon its return, the headline of The Washington Post dated February 21, 1909, read: ''Eyes of World Opened By Fleet.''

Mr. Speaker, ask most students of history about the achievements of President Theodore Roosevelt, and I imagine that they will start with the Panama Canal. I introduced this resolution in part because I feel that President Roosevelt's historic vision of a strong blue-water Navy as the cornerstone of American foreign policy should never be forgotten.

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

Mrs. BOYDA of Kansas. I would just like to close by saying that as the proud daughter of a naval veteran from World War II, I again thank my colleague from Virginia for bringing forth this resolution and I urge my colleagues to support House Concurrent Resolution 261.

I am prepared to close if my colleague is.

Mr. SCOTT of Virginia. Mr. Speaker, I rise today in support of House Concurrent Resolution 261, introduced by my friend and colleague from Virginia's Second Congressional District, Congresswoman THELMA DRAKE, to commemorate the centennial anniversary of the sailing of the Navy's ''Great White Fleet'' from Hampton Roads, Virginia.

On December 16, 1907, President Theodore Roosevelt dispatched sixteen new battleships at the 1907 Jamestown Exposition on a global deployment to show the world that the United States had emerged as a global naval power. These sixteen ships were painted white, with gilded scrollwork on their bows, and became known as the ''Great White Fleet.''

Made up of four squadrons of four battleships each and manned by 14,000 sailors, the ships sailed 43,000 miles and made 20 port calls on six continents in 14 months. The fleet helped shore up American diplomatic efforts and friendships around the world, proving the success of pragmatic diplomatic policy. The fleet was greeted enthusiastically in nearly every port, where people in the thousands turned out to see America's new fleet. The fleet also responded to one of the worst earthquakes in European history by diverting to Sicily to offer humanitarian aid to the people of Italy.

On February 22, 1909, President Roosevelt returned to Hampton Roads, Virginia to witness the triumphant return of the ''Great White Fleet.'' President Roosevelt saw the fleet's successful global voyage as one of his administration's major accomplishments by enhancing the role of the United States in international affairs. Few can deny the historical importance of President Roosevelt's decision to deploy the ''Great White Fleet'' around the world.

Seven of the 16 great battleships that constituted the ''Great White Fleet'' were built in my hometown of Newport News, Virginia at Newport News Shipbuilding and Dry Dock Company, today known as Northrop Grumman Newport News. Although the ''Great White Fleet'' demonstrated that America was an emerging seapower, the success of the ''Great White Fleet'' made Newport News and the Hampton Roads area a powerhouse for shipbuilding. One hundred years later, Northrop Grumman Newport News is still leading the way in the shipbuilding industry by building some of the most powerful and advanced ships for the United States Navy. Northrop Grumman Newport News has already begun work on the U.S.S. *Gerald Ford,* the newest

and most advanced generation of air craft carrier, to lead the U.S. Navy into the 21st century.

Mr. Speaker, the voyage of the "Great White Fleet" has proven to be a pivotal event in the history of this great Nation. While impacting the entire United States, the impression of the "Great White Fleet" can be most felt in Hampton Roads, Virginia. In addition to being home to one of the Nation's most important shipbuilding facilities at Newport News, the world's largest naval base is located just across the Hampton Roads in Norfolk, Virginia. The citizens of Hampton Roads should feel very proud about the role of our region in one of the most important nautical voyages in American history. I urge my colleagues to support this important concurrent resolution.

Mrs. DRAKE. I yield back the balance of my time.

Mrs. BOYDA of Kansas. I yield back my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Kansas (Mrs. BOYDA) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 261.

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

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 7, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives, The Capitol, Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 7, 2007, at 3:39 p.m.:

That the Senate passed without amendment H.R. 4252.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

□ 1445

FAIR TREATMENT FOR EXPERIENCED PILOTS ACT

Mr. OBERSTAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4343) to amend title 49, United States Code, to modify age standards for pilots engaged in commercial aviation operations.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4343

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 "Fair Treatment for Experienced Pilots Act".

SEC. 2. AGE STANDARDS FOR PILOTS.

(a) IN GENERAL.—Chapter 447 of title 49, United States Code, is amended by adding at the end the following:

"§ 44729. Age standards for pilots

"(a) IN GENERAL.—Subject to the limitation in subsection (c), a pilot may serve in multicrew covered operations until attaining 65 years of age.

"(b) COVERED OPERATIONS DEFINED.—In this section, the term 'covered operations' means operations under part 121 of title 14, Code of Federal Regulations.

"(c) LIMITATION FOR INTERNATIONAL FLIGHTS.—

"(1) APPLICABILITY OF ICAO STANDARD.—A pilot who has attained 60 years of age may serve as pilot-in-command in covered operations between the United States and another country only if there is another pilot in the flight deck crew who has not yet attained 60 years of age.

"(2) SUNSET OF LIMITATION.—Paragraph (1) shall cease to be effective on such date as the Convention on International Civil Aviation provides that a pilot who has attained 60 years of age may serve as pilot-in-command in international commercial operations without regard to whether there is another pilot in the flight deck crew who has not attained age 60.

"(d) SUNSET OF AGE 60 RETIREMENT RULE.—On and after the date of enactment of this section, section 121.383(c) of title 14, Code of Federal Regulations, shall cease to be effective.

"(e) APPLICABILITY.—

"(1) NONRETROACTIVITY.—No person who has attained 60 years of age before the date of enactment of this section may serve as a pilot for an air carrier engaged in covered operations unless—

"(A) such person is in the employment of that air carrier in such operations on such date of enactment as a required flight deck crew member; or

"(B) such person is newly hired by an air carrier as a pilot on or after such date of enactment without credit for prior seniority or prior longevity for benefits or other terms related to length of service prior to the date of rehire under any labor agreement or employment policies of the air carrier.

"(2) PROTECTION FOR COMPLIANCE.—An action taken in conformance with this section, taken in conformance with a regulation issued to carry out this section, or taken prior to the date of enactment of this section in conformance with section 121.383(c) of title 14, Code of Federal Regulations (as in effect before such date of enactment), may not serve as a basis for liability or relief in a proceeding, brought under any employment law or regulation, before any court or agency of the United States or of any State or locality.

"(f) AMENDMENTS TO LABOR AGREEMENTS AND BENEFIT PLANS.—Any amendment to a labor agreement or benefit plan of an air carrier that is required to conform with the requirements of this section or a regulation issued to carry out this section, and is applicable to pilots represented for collective bargaining, shall be made by agreement of the air carrier and the designated bargaining representative of the pilots of the air carrier.

"(g) MEDICAL STANDARDS AND RECORDS.—

"(1) MEDICAL EXAMINATIONS AND STANDARDS.—Except as provided by paragraph (2), a person serving as a pilot for an air carrier engaged in covered operations shall not be subject to different medical standards, or different, greater, or more frequent medical examinations, on account of age unless the Secretary determines (based on data received or studies published after the date of enactment of this section) that different medical standards, or different, greater, or more frequent medical examinations, are needed to ensure an adequate level of safety in flight.

"(2) DURATION OF FIRST-CLASS MEDICAL CERTIFICATE.—No person who has attained 60 years of age may serve as a pilot of an air carrier engaged in covered operations unless the person has a first-class medical certificate. Such a certificate shall expire on the last day of the 6-month period following the date of examination shown on the certificate.

"(h) SAFETY.—

"(1) TRAINING.—Each air carrier engaged in covered operations shall continue to use pilot training and qualification programs approved by the Federal Aviation Administration, with specific emphasis on initial and recurrent training and qualification of pilots who have attained 60 years of age, to ensure continued acceptable levels of pilot skill and judgment.

"(2) LINE EVALUATIONS.—Not later than 6 months after the date of enactment of this section, and every 6 months thereafter, an air carrier engaged in covered operations shall evaluate the performance of each pilot of the air carrier who has attained 60 years of age through a line check of such pilot. Notwithstanding the preceding sentence, an air carrier shall not be required to conduct for a 6-month period a line check under this paragraph of a pilot serving as second-in-command if the pilot has undergone a regularly scheduled simulator evaluation during that period.

"(3) GAO REPORT.—Not later than 24 months after the date of enactment of this section, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report concerning the effect, if any, on aviation safety of the modification to pilot age standards made by subsection (a).".

(b) CLERICAL AMENDMENT.—The analysis for chapter 447 of title 49, United States Code, is amended by adding at the end the following:

"44729. Age standards for pilots.".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, this legislation will raise the retirement age for commercial airline pilots from age 60 to age 65. For more than three generations, pilots have been required to retire from commercial aviation when they reach age 60. There have been a number of changes in both the medical condition, the medical examination of pilots, recurring, more intensive medical reviews, that argue for a longer period of time for the age of retirement of commercial pilots. There have been

changes in the economics of aviation that have rearranged the retirement plans for pilots in midstream, in some cases wiping out retirement plans altogether, in other cases totally restructuring them, which two factors argue for a change in the retirement age.

We responded to those changed circumstances in the FAA Reauthorization Act of 2007, which moved from our committee through the House on September 20th. It was our hope that the other body would move ahead with an FAA reauthorization bill. That hasn't happened.

As time went on and the other body continued to be locked in whatever difficulties they encounter, there were increasing appeals from pilots, from airlines, from the traveling public, frankly, to separate out this provision from our reauthorization bill. I was very reluctant to do that, in hopes that we would use this provision, among others, as leverage and as part of our integral package on FAA reauthorization. Clearly, the other body is not going to even move a bill through committee in the waning days of this session. It then became clear to me there was no reason further to delay action on this matter of justice for commercial airline pilots.

Furthermore, the FAA forecasts an increase in airline travel to more than 1 billion passengers in the next 7 to 8 years, and retirements among airline pilots are up 173 percent. We are seeing almost every day five or more of the most senior experienced pilots retiring. We ought to provide this relief. We ought to separate this provision out from our House-passed bill and provide a measure of justice and economic relief for pilots.

In the reauthorization bill, the provisions that we included for this age relief are drawn out and included in H.R. 4343. One, pilots who have reached age 60, to serve beyond that time frame, must have a first-class medical certificate renewed every 6 months. Second, they must continue to participate in FAA pilot training and qualification programs to ensure acceptable levels of skill and judgment. Three, they must submit to a line check every 6 months. That assures that pilots who are continuing to serve beyond age 60 will meet all the threshold requirements of skill, capability, alertness and responsiveness to their ever-increasingly difficult challenges.

In addition, our bill requires international flights leaving the U.S. to have at least one pilot under the age of 60. That applies international standards in the flight deck. This requirement would terminate if the international standard were changed.

The increased pilot age limit is not retroactive, however, and does not allow pilots who reached age 60 prior to enactment to serve as commercial pilots unless they are employed by an air carrier as a required flight deck crew member, or are newly hired on after the date of enactment without credit for prior service.

I believe that moving this legislation now, if we can also get it through the other body in quick order, will have a profound and personal effect on the lives of thousands of pilots who otherwise would be forced to retire. We have had consensus within the committee on this issue. The question is whether we should take it out at this time or leave it in the House-passed bill for consideration later in conference with the other body.

Clearly, as I said earlier, we are not going to get to that point, and Mr. COSTELLO has advocated strongly that we consider at an appropriate time moving the legislation separately, and he is the Chair of the Aviation Subcommittee. Mr. MICA has been a strong advocate for early action on this legislation, apart from our authorization bill. Mr. PETRI, the same, and other pilot members of our committee have similarly advocated.

So I think we move ahead with a broad consensus measure that should pass the House readily and hopefully the other body as well.

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

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

Mr. Speaker, I would first like to welcome the chairman of our committee back. It is good to see you standing strong and firm after elective surgery and a couple of weeks hospitalization, and bringing a Christmas present with you to the pilots of our country, especially those who otherwise might be forced to retire if this is unnecessarily delayed.

As you pointed out, we hoped to move it in a timely fashion. A year ago, the international community lowered the standard to 60. Now we are in a transition period, and we hope this passes today and the Senate acts in a speedy fashion, because each day we delay, a few more people's careers are disrupted unnecessarily. So I thank you for scheduling this.

Mr. Speaker, I yield such time as he may consume to the ranking Republican on the Public Works and Transportation Committee, the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Speaker, I thank the gentleman for yielding.

First of all, I too want to welcome back Mr. OBERSTAR. Mr. OBERSTAR, he and I have had the great experience of working since 15 years ago when I came to Congress. He was chairman of Aviation. I became the ranking member on the Republican side when he became Chair of the committee.

We had a great year. We probably passed more legislation than any other committee. We passed an historic water resources bill. We actually did, I think, the 107th override of a Presidential veto. We agreed in a bipartisan fashion to invest in our Nation's infrastructure. I am sorry Mr. OBERSTAR wasn't here to see that glorious day.

It is very lonely not having either him fighting with you or not having him here to fight with. But we are pleased he is back, and hopefully had an experienced Republican physician doing all those titanium additions to his spine. But he looks great and we are pleased to have him here.

I am also pleased that through his leadership, and a joint bipartisan effort, and I wrote him on December 5, and I will include this letter as part of the RECORD, saying while I oppose taking other measures out of the pending FAA reauthorization, I want to keep the pressure on, we need to pass that bill, that there is a particular provision whose interest is paramount to that legislation, and that is doing away with an obsolete and unfair FAA mandatory retirement rule that every day is penalizing our pilots. In fact, more than 50 of our Nation's most experienced pilots of commercial airliners are forced to retire.

Now, this bill is entitled the Fair Treatment for Experienced Pilots Act. I would like to also give a personal example of why I think this is important. The title is important. I might even want to amend the title in honor of one of the guys I went to college with, a buddy of mine. His name is Bob Fobes.

Most people in Congress don't know Bob Fobes, but Bob and I were fraternity brothers, went to the University of Florida. Let me tell you, there is nobody more devoted as far as a pilot. I think the only thing that Bob is devoted to, other than his wife Laurie and his family, is flying, and Bob has not failed on any occasion to mention to me that he is going to be affected by this particular outdated rule that was passed nearly a half a century ago when males and females didn't live as long as they do in our society.

So we are addressing something that personally affects folks like Bob Fobes and thousands of other pilots who are dedicated to one of the great professions that has given the world and America in particular a magic carpet to get around to places that people would not have even imagined they could be 50 years ago.

As of November 2006, we also know that foreign airline pilots are allowed to fly up to age 65, so our counterparts across the Atlantic are doing this. The U.S. sets up a double standard, unfortunately, and I think it is a disadvantage to the flying public to, again, not have our most experienced individuals in the cockpit and being able to fly.

As Chairman OBERSTAR pointed out, there are additional protections here for the flying public that these individuals will be subject to, even more medical exams, making certain that they are fit and capable even in these additional years that we grant.

The Freedom to Fly Act, H.R. 1125, was introduced earlier into the Transportation and Infrastructure Committee by one of our outstanding leaders in aviation, also a pilot, ROBIN HAYES, the gentleman from North Carolina, and he has 313 bipartisan sponsors on his legislation. ROBIN

HAYES cannot be here, so I also wanted to give credit to not only Chairman OBERSTAR, Mr. COSTELLO and Mr. PETRI, but also ROBIN HAYES, who has worked tirelessly to make certain that this legislation and this particular measure comes before the House.

This is the right thing to do at the right time. I would like to thank again all those who have been involved, and some of the staff members on both sides of the aisle who helped bring this measure forward. I encourage Members to vote ''yes'' on this very sensible and desperately needed legislation.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, December 5, 2007.

Hon. JAMES L. OBERSTAR,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN OBERSTAR: It is very clear that legislation to reauthorize the Federal Aviation Administration will not be signed into law before the end of this year. Therefore, I strongly believe it is our obligation and this Committee's responsibility to see to it that our most experienced pilots are permitted to continue flying commercial aircraft.

You and I have both received bipartisan request letters from our colleagues urging passage of legislation to increase the current retirement age for thousands of commercial airline pilots across the country. Moreover, H.R. 1125, The Freedom to Fly Act, has 313 bipartisan cosponsors, including many Members who serve on our Committee.

I look forward to working with you to move a compromise bill before Congress adjourns this session.

Sincerely,

JOHN L. MICA,
Ranking Republican Member.

Mr. OBERSTAR. Mr. Speaker, I yield myself 30 seconds to express my appreciation to Mr. PETRI and Mr. MICA for their good wishes and the welcome back. It is a good feeling to have recovered from rather extensive surgery. I am fond of saying now I have more metal in my neck than in some of my bicycles, because they are carbon fiber and these are titanium rods and screws, and I am learning to live in a different way with this new architecture in my cervical spine. But it is a good feeling to recover use of hands and arms and be able to function fully and normally. I am grateful to both gentlemen for their good wishes and for all those colleagues who sent good wishes and cards and good eats.

Mr. Speaker, I yield such time as he may consume to the distinguished chairman of the Aviation Subcommittee, the gentleman from Illinois (Mr. COSTELLO).

Mr. COSTELLO. Mr. Speaker, I too would like to join our colleagues on the other side the aisle in welcoming our chairman back. Let me say that on this legislation, I think Chairman OBERSTAR, as he always does, has summarized the legislation very well. We have a similar provision in H.R. 2881 that we passed out of the House on September 20, and, unfortunately, as Chairman OBERSTAR indicated, it is pending in the other body.

It makes sense to pass this legislation at this time. We are hopeful that by doing so today that the other body will act quickly and we, in fact, can get this over to the President and signed into law.

□ 1500

Many changes have taken place since the FAA arbitrarily imposed the age 60 rule in 1960. The age expectancy of a person living in the United States then versus today goes from 60-something-years-old, in the early 1960s, to 77 years today. We have other provisions in the legislation, as Chairman OBERSTAR indicated, on international flights that make certain that there is at least one person in the flight crew 60 years old or under 65. Secondly, we have provisions to make certain that physicals and other health care issues are addressed by pilots that will qualify.

Let me say that I strongly support this legislation. As Chairman OBERSTAR indicated, both Mr. PETRI and Mr. MICA, myself, Mr. HAYES, and other members of the committee have broached this subject and attempted to bring it to the floor before today. I am very pleased that we are moving on this legislation. I urge a ''yes'' vote.

Mr. PETRI. Mr. Speaker, I urge all of my colleagues to support this needed legislation.

Since 1959, the Federal Aviation Administration, FAA, has required commercial airline pilots to retire at age 60.

This mandatory retirement rule was initially put in place for safety reasons, although some have argued that the FAA had little scientifically backed data in 1959 to support the safety mandate.

In any event, the ''Age 60 Rule,'' as it is known, soon became accepted practice.

For many years the International Civil Aviation Organization, ICAO, also required commercial airline pilots to retire at age 60. However, in November 2006, a new ICAO standard went into effect, allowing a pilot to fly up to age 65, as long as the co-pilot is under age 60.

This change in ICAO standard resulted in an immediate double standard.

Regardless of FAA's policy, as of November 23, 2006, foreign pilots flying into the U.S. are allowed to fly up to age 65, provided the co-pilot is age 60 or younger. Yet, U.S. pilots must retire as soon as they reach 60 years of age.

Clearly, we now have a fairness issue that must be addressed.

This new double standard has caused a groundswell of U.S. pilots close to retirement to push for a similar change to FAA standards.

In response to the change in the ICAO standard, the FAA announced that it would initiate an ''Age 60'' review and rulemaking process. The FAA no longer assumes that once a pilot reaches age 60 they are automatically unsafe.

All the groups involved have done excellent work to save not only their careers and the careers of their colleagues, but to keep the skies as safe as possible.

The FAA has forecasted that by 2015 the U.S. will have 1 billion passengers flying annually. We also are facing a pilot shortage in the near future.

Clearly, we must do everything we can to ensure that our most experienced pilots are able to continue to fly as long as safety is not compromised.

This legislation provides for additional medical and training requirements for pilots ages 60 through 65 to address any possible safety concerns. It is a well-thought-out bill, which evens the playing field while ensuring aviation safety.

I would like to thank the chairman of the full committee, Mr. OBERSTAR, the ranking member of the Transportation and Infrastructure Committee, Mr. MICA, and the chairman of the Aviation Subcommittee, Mr. COSTELLO, for all their hard work on this long sought after legislation.

This is a good, bipartisan bill, and I encourage members to vote "yes" on H.R. 4343.

I yield back the balance of my time.

Mr. OBERSTAR. Mr. Speaker, I do want to join Mr. MICA in sending compliments to Mr. HAYES, a member of our committee, who has been a strong advocate, even before we began our reauthorization legislation, for changing the age. But he along with other pilots on the committee, Mr. BOSWELL, Mr. SALAZAR, formed a united front and a bipartisan front well before we began our work on the FAA reauthorization bill. So we give them joint credit and appreciation for their support from this initiative.

It is our hope in passing this bill today that the other body will act quickly on it without much ado. That would be a great initiative, a great sign of progress at these penultimate hours of the first session of the 110th Congress.

Ms. HIRONO. Mr. Speaker, I rise in support of the Fair Treatment for Experienced Pilots Act of 2007.

This legislation will help address America's pilot shortage and improve airline safety, by enabling experienced pilots to continue flying instead of being forced into retirement.

Every week, 50 of our most experienced pilots are forced to retire as they reach the current mandatory retirement age of 60.

The Fair Treatment of Experienced Pilots Act would raise the retirement age to 65, in recognition that pilots who are 60 are still fully capable of flying. In fact, their experience often makes them better and safer pilots. This commonsense legislation includes requirements for pilots' health, training and evaluation.

Tourism is Hawai'i's major industry, and millions of visitors come to Hawai'i by air every year. We recognize the importance of the airline industry to our visitors as well as our residents who travel often for business, to visit family and friends and go on vacations.

Clearly, having experienced pilots on our nation's airlines is important to Hawai'i and America.

Many of our older pilots are also veterans who served our country in the military. So we are not only talking about the fair treatment of pilots, but also the fair treatment of veterans. Fairness requires us to allow experienced, highly capable pilots to continue flying—and not to be forced into retirement once they turn 60.

This legislation has bipartisan support because it is good policy. This legislation helps

airlines and the flying public by improving safety and mitigating the pilot shortage.

As a member of the House Transportation and Infrastructure Committee and the Subcommittee on Aviation, I want to acknowledge the leadership of Chairman OBERSTAR, the sponsor this bill.

I urge my colleagues to join me in support of the Fair Treatment for Experienced Pilots Act of 2007.

Mr. OBERSTAR. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and pass the bill, H.R. 4343.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. OBERSTAR. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

JOHN F. KENNEDY CENTER REAUTHORIZATION ACT OF 2007

Mr. OBERSTAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3986) to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3986

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 ''John F. Kennedy Center Reauthorization Act of 2007''.

SEC. 2. TECHNICAL AMENDMENT.

Section 2(a)(2)(J)(ii) of the John F. Kennedy Center Act (20 U.S.C. 76h(a)(2)(J)(ii)) is amended by striking ''Public Works and Transportation'' and inserting ''Transportation and Infrastructure''.

SEC. 3. PHOTOVOLTAIC SYSTEM.

The John F. Kennedy Center Act (20 U.S.C. 76h et seq.) is amended by inserting after section 6 the following:

''SEC. 7. PHOTOVOLTAIC SYSTEM.

''(a) IN GENERAL.—The Board is authorized to study, plan, design, engineer, and construct a photovoltaic system for the main roof of the John F. Kennedy Center for the Performing Arts.

''(b) REPORT.—Not later than 60 days before beginning construction of the photovoltaic system pursuant to subsection (a), the Board shall submit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate on the feasibility and design of the project.''.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

Section 13 of the John F. Kennedy Center Act (20 U.S.C. 76r) is amended—

(1) by striking subsections (a) and (b) and inserting the following:

''(a) MAINTENANCE, REPAIR, AND SECURITY.—There are authorized to be appropriated to the Board to carry out section 4(a)(1)(H)—

''(1) $20,200,000 for fiscal year 2008;

''(2) $21,800,000 for fiscal year 2009; and

''(3) $22,500,000 for fiscal year 2010.

''(b) CAPITAL PROJECTS.—There are authorized to be appropriated to the Board to carry out subparagraphs (F) and (G) of section 4(a)(1)—

''(1) $23,150,000 for fiscal year 2008;

''(2) $16,000,000 for fiscal year 2009; and

''(3) $17,000,000 for fiscal year 2010.''; and

(2) by redesignating subsection (d) as subsection (e), and by adding after subsection (c) the following:

''(d) PHOTOVOLTAIC SYSTEM.—There are authorized to be appropriated to the Board such sums as may be necessary to carry out section 7, with such sums to remain available until expended.''.

SEC. 5. EXISTING AUTHORITIES.

Nothing in this Act shall be construed to limit or affect the authority or responsibility of the National Capital Planning Commission or the Commission of Fine Arts.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material therein.

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

There was no objection.

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

The John F. Kennedy Center for the Performing Arts is a national memorial to a fallen President, one of the most loved, respected, and admired Presidents of our history. The John F. Kennedy Center for the Performing Arts was initially proposed as a national cultural center during the tenure of President Dwight Eisenhower. It moved its way through the legislative process and took firm root and forward progress during the brief tenure of President John F. Kennedy and then sprang forward under President Lyndon Johnson. It has become an extraordinary cultural center for the Nation.

Our committee has had the good fortune to hold jurisdiction over the physical facility of the Kennedy Center and of its operations, and we have managed that responsibility very thoroughly and very effectively through the tenure of many previous Chairs of this committee. In particular, in the current context I thank the gentlewoman from the District of Columbia (Ms. NORTON), who is the Chair of the Subcommittee on Economic Development, Public Buildings, and Emergency Management, for her leadership on this bill as well as our ranking member of the full committee, Mr. MICA, and the subcommittee ranking member, Mr. GRAVES, and Mr. PETRI who is here today managing the bill on the Republican side, for crafting what has historically been in our committee bipartisan legislation dealing with the operations of the Kennedy Center.

Since opening its doors September 8, 1971, the Kennedy Center has continued each year to gain national and international renown for its performance arts, programming, and for the education programs at the Kennedy Center that reach out across the Nation so that high schools, colleges, and universities can participate by satellite and live performances or recorded performances at the Kennedy Center.

The center has crossed the threshold in the last couple of years by performing over 3,000 performances, hosting millions of theater-goers, visitors, tourists. But of all of those accomplishments, none matches the international outreach of the Kennedy Center under President Michael Kaiser. In the aftermath of the Iraq war, Michael Kaiser personally traveled to Iraq to meet with the musicians of the Iraqi symphony who were, in many cases, without instruments or had somehow sheltered them from the post-invasion trauma, and secured instruments for them and secured funding to travel the Iraqi symphony to the Kennedy Center to perform jointly with the National Symphony Orchestra, an extraordinary gesture of international brotherhood and sisterhood of the arts.

President Kaiser has traveled to Africa, to the Far East, Japan, China to mobilize interest in the arts, joint initiatives with the Kennedy Center, and has actually established programs of arts management in countries well beyond our shores to help particularly Third World countries where arts have fallen well below the threshold of national concerns where people are more concerned about starvation and disease than they are about the arts. President Michael Kaiser has raised the threshold, raised the vision of arts managers in other countries, and created a great future for the arts wherever he has traveled.

Over the past decade, a great deal of work at the Kennedy Center has focused on life safety and accessibility projects. Many of those are completed. The Kennedy Center's capital building plan, which was updated earlier this year, emphasizes facility infrastructure. Over the next several years, the Kennedy Center will focus on replacing mechanical and electrical systems that consist of original equipment that is well beyond its useful life or should be replaced by more efficient equipment, and we provide authority for that work to continue to prevent failure or breakdown of essential equipment.

The bill before us today authorizes appropriations for maintenance and capital projects of the Kennedy Center for fiscal years 2008 to 2010. For maintenance, repair, and security, the bill authorizes $64.5 million over 3 years. For capital projects, the bill authorizes $56.2 million through 2010. Those are numbers derived from the Kennedy

Center's 2006–2007 Comprehensive Building Plan, which has worked its way through the administrative review process within the administration and the Office of Management and Budget.

The bill also authorizes the center to study, plan, design and build a photovoltaic system on the four-acre main roof of the Kennedy Center. That is 140,000 square feet of roof space. A preliminary estimate shows that a photovoltaic system would cost $6 million to build, but would save $10 million over the next 25 years. It is part of the plan of this committee to redirect the energy consumption of our portfolio of Federal civilian office space, for which this committee has responsibility of some 367 million square feet of Federal civilian office space that we can cut down on the electricity bill of $5.8 billion a year at those facilities. We could save the taxpayers a lot of money, and we could save the environment an awful lot of damage by converting to photovoltaic use. A good place to start is with the arts and with the Kennedy Center and with the Department of Energy building in the recently House-passed version of the energy conservation bill.

So this initiative that we require would in itself be a tribute to President Kennedy's longstanding well-known views of environmental protection.

I reserve the balance of my time.

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

I rise in support of this measure, and I urge my colleagues to do the same.

H.R. 3986, the John F. Kennedy Center Reauthorization Act of 2007, is a bipartisan bill authorizing appropriations for the John F. Kennedy Center for the Performing Arts for 3 years. Additionally, the bill authorizes a photovoltaic system for the main roof of the Kennedy Center.

The Kennedy Center serves an important role in our Nation. Not only is it one of the busiest theaters in the world, hosting millions of patrons each year to its seven stages, but it is first and foremost a presidential memorial for President John F. Kennedy.

Since its founding, the Kennedy Center has become one of the world's premier entertainment venue, featuring award-winning performances.

The funds we are authorizing today will go towards the upkeep and maintenance of the facility. These repairs are in line with the comprehensive building plan maintained by the Kennedy Center and created at the direction of Congress in 1994.

By supporting the regular maintenance and upkeep of the Kennedy Center, we can ensure that the center will continue to be a world-class venue well into the future.

I would also like to thank Chairman OBERSTAR and Chairwoman NORTON, for working with us on this legislation. It was important for the Kennedy Center to report back to Congress before construction begins on the photovoltaic project to ensure adequate congressional oversight of the project.

I believe it is important the photovoltaic project be cost effective and appropriate for a presidential memorial. Thank you again for working with us.

I support this measure and urge my colleagues to do the same.

I yield back the balance of my time.

Mr. OBERSTAR. Mr. Speaker, it is my earnest hope that the other body will act promptly on this legislation. We would certainly like to get the bill enacted before the close of this session of Congress. We intend to pass this bill and send it over to the other body in the hopes that they will simply accept or make such technical or minimal changes as we can accept without the need for a conference with the other body, and send this bill on to the President to get the authorization in place in time for the upcoming budget cycle.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and pass the bill, H.R. 3986, as amended.

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

A motion to reconsider was laid on the table.

□ 1515

OVER-THE-ROAD BUS TRANSPORTATION ACCESSIBILITY ACT OF 2007

Mr. OBERSTAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3985) to amend title 49, United States Code, to direct the Secretary of Transportation to register a person providing transportation by an over-the-road bus as a motor carrier of passengers only if the person is willing and able to comply with certain accessibility requirements in addition to other existing requirements, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3985

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 ''Over-the-Road Bus Transportation Accessibility Act of 2007''.

SEC. 2. REGISTRATION OF MOTOR CARRIERS OF PASSENGERS.

(a) IN GENERAL.—Section 13902(a)(1) of title 49, United States Code, is amended—

(1) by striking ''and'' at the end of subparagraph (B)(iii);

(2) by redesignating subparagraph (C) as subparagraph (D); and

(3) by inserting after subparagraph (B) the following:

''(C) the accessibility requirements established by the Secretary under subpart H of part 37 of title 49, Code of Federal Regulations, or such successor regulations to those accessibility requirements as the Secretary may issue, for transportation provided by an over-the-road bus; and''.

(b) CONFORMING AMENDMENTS.—Sections 13902(a)(5) and 13905(d)(1)(A) of such title are each amended by inserting after ''Board'' the following: ''(including the accessibility requirements established by the Secretary under subpart H of part 37 of title 49, Code of Federal Regulations, or such successor regulations to those accessibility requirements as the Secretary may issue, for transportation provided by an over-the-road bus)''.

SEC. 3. OVER-THE-ROAD BUS DEFINED.

Section 13102 of title 49, United States Code, is amended by adding at the end the following:

''(27) OVER-THE-ROAD BUS.—The term 'over-the-road bus' means a bus characterized by an elevated passenger deck located over a baggage compartment.''.

SEC. 4. DEADLINE FOR IMPLEMENTATION OF REGISTRATION REQUIREMENTS.

Not later than 30 days after the date of enactment of this Act, the Secretary shall take necessary actions to implement the changes required by the amendment made by section 2(a) relating to registration of motor carriers providing transportation by an over-the-road bus.

SEC. 5. COORDINATION WITH THE DEPARTMENT OF JUSTICE.

Not later than 6 months after the date of enactment of this Act, the Secretary of Transportation and the Attorney General shall enter into a memorandum of understanding to delineate the specific roles and responsibilities of the Department of Transportation and the Department of Justice, respectively, in enforcing the compliance of motor carriers of passengers providing transportation by an over-the-road bus (as defined in section 13102 of title 49, United States Code) with the accessibility requirements established by the Secretary under subpart H of part 37 of title 49, Code of Federal Regulations, or such successor regulations to those accessibility requirements as the Secretary may issue. Such memorandum shall recognize the Department of Transportation's statutory responsibilities as clarified by this Act (including the amendments made by this Act).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 3985.

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

There was no objection.

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

This legislation will ensure that the motor coach accessibility regulations promulgated by Department of Transportation under the Americans with Disabilities Act are vigorously monitored and actively enforced. A leader in this initiative was our committee colleague, the gentleman from Oregon (Mr. DEFAZIO). His leadership on this initiative is of long standing, his commitment to the handicapped community is well known, and he has been a forceful and vigorous advocate, as has Mr. PETRI, who is the ranking member of the Aviation Subcommittee, and served previously as Chair of the Surface Subcommittee. He is well familiar with the issues presented to our fellow citizens saddled with disabilities.

Under the Americans with Disabilities Act, the DOT was required to adopt a final rule, which they did in 1998, requiring vehicle modifications for intercity buses, charter buses, tour buses, to accommodate individuals with disabilities.

But regulations have to be enforced to be effective, and the Federal Motor Carrier Safety Administration has interpreted the motor carrier statute in a way that limits the agency's ability to assess compliance with over-the-road bus accessibility regulations.

That's not acceptable. We have had quite some discussion about that issue. And, in fact, a new version of the American with Disabilities Act was introduced earlier this year by our majority leader, the gentleman from Maryland (Mr. HOYER) and cosponsored and co-initiated by the gentleman from Wisconsin (Mr. SENSENBRENNER) who has long been a strong advocate for legislation supporting the needs of the handicapped community.

Relying simply on Department of Justice enforcement authority, the FMCSA felt it couldn't take action on violations of its own regulations by over-the-road bus companies. In the U.S. Court of Appeals case, Peter Pan Bus Lines and Bonanza Acquisition, the court rejected the claim that the agency does not have discretion to interpret the law to allow consideration of compliance with ADA. The case was sent back to FMCSA for further review in February of this year.

But again the agency dragged its feet. After 8 months of failure to act, the FMCSA responded to the court in October, but only after Chairman DEFAZIO and I expressed our intent to legislate a solution if the agency did not provide its own plans to comply with ADA requirements.

In the decision, FMCSA defends its position that the agency does not have the authority to enforce the American with Disabilities Act and said, ''If Congress intended to expand the fitness criteria to include compliance with additional DOT regulations such as 49 CFR part 37, it presumably would have said so.''

Well, we are saying so today. If that's what they think they need, then we are going to make sure they have the authority to do it. There is no excuse for any further delay.

Specifically, the pending bill amends section 13902 of title 49 of U.S. Code to prohibit the Federal Motor Carrier Administration from granting registration authority to motor carrier providing over-the-road bus transportation where that carrier is not willing or able to comply with the accessibility requirements under subpart H of part 37 of title 49, CFR.

This bill will allow DOT to put compliance with ADA on a par with compliance with safety requirements, further clarifying in this legislation that the Secretary may suspend, amend or revoke a motor carrier's registration in the event of willful failure to comply with ADA. And bill further requires DOT and the Justice Department to enter into a memorandum of understanding to clearly define each department's roles and responsibilities in enforcing the provisions of ADA. This was not a new initiative. Some years ago when I chaired the Economic Development Subcommittee and the Investigations and Oversight Subcommittee, my colleague from Pennsylvania, Mr. Klinger, and I required similar memorandum of understanding among three departments who were failing to carry out their responsibility on transportation overlaps.

So what we are doing here in this legislation has precedence of over 20 years ago in a similar issue of transportation.

ADA was enacted 17 years ago. We need to keep our vigilance over its enforcement, make sure that the agency is doing its responsibility to oversight and that the carriers are complying with their responsibility to all members of the traveling public.

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

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

H.R. 3985 will level the playing field for all bus and motor carrier companies operating in interstate commerce in this area. The bill deserves support. I urge all of my colleagues to support it.

Mr. Speaker, I rise today to support this important bipartisan bill offered by my colleagues on the Transportation and Infrastructure Committee.

The Over-the-Road Bus Transportation Accessibility Act of 2007 is an important bill for all people who rely on transportation by bus and motorcoaches.

H.R. 3985 requires that all buses and motorcoaches comply fully with the Americans with Disabilities Act, or the ''ADA.'' If not, the U.S. DOT will revoke the company's authority to operate on our interstates and highways.

H.R. 3985 will also require U.S. DOT and the Department of Justice to work together when an ADA violation is discovered. This will ensure that bus and motorcoach companies that violate the ADA will be held accountable for their actions.

It is important to note that this bill is not creating any additional ADA requirements. H.R. 3985 does not change what is currently mandated in the ADA. Bus and motorcoach companies will not have to change their business plans, unless they are not obeying the law.

This bill simply ensures that all carriers comply with the ADA, which is what they are supposed to do anyway. If a bus is not in compliance, it will not be on our roads.

H.R. 3985 will level the playing field for all bus and motorcoach companies operating in interstate commerce. Companies who have ignored the ADA will not have a competitive advantage over the good actors who have spent substantial amounts on lifts and other equipment to make their buses accessible.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and pass the bill, H.R. 3985.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. OBERSTAR. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

HONORING THE ACCOMPLISHMENTS OF BARRINGTON ANTONIO IRVING

Mr. OBERSTAR. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 661) honoring the accomplishments of Barrington Antonio Irving, the youngest pilot and first person of African descent ever to fly solo around the world, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 661

Whereas Barrington Irving was born in 1983 in Kingston, Jamaica, and raised in inner-city Miami, Florida;

Whereas Irving discovered his passion for aviation at the age of 15 when Captain Gary Robinson, a Jamaican airline pilot who has since served as his mentor, took him to tour the cockpit of a Boeing 777;

Whereas Irving overcame financial hardship to pursue his dream to become a pilot by working miscellaneous jobs and working for private aircraft owners in exchange for flying lessons;

Whereas Irving was the recipient of a joint Air Force/Florida Memorial University Flight Awareness Scholarship to cover college tuition and flying lessons for his tireless volunteer efforts and commitment to community service;

Whereas in 2003, Irving contacted companies including aircraft manufacturer Columbia, which agreed to provide him with a plane to fly around the world if he could secure donations and components;

Whereas over several years, Irving visited aviation trade shows throughout the country and secured more than $300,000 of cash and donated components including the engine, tires, cockpit systems, and seats for a Columbia 400, one of the world's fastest single-engine piston airplanes;

Whereas in the process of pursuing his dream of an around the world flight, Irving founded a nonprofit organization in 2005 to address the significant shortage of youth pursuing careers in aviation and aerospace;

Whereas Irving's efforts have garnered widespread community support and sponsorship as an effective model to expose young people and underrepresented groups to opportunities in aviation;

Whereas on March 23, 2007, Irving embarked from Miami, Florida, on a 24,600-mile flight around the world in an airplane named ''Inspiration'' at 23-years of age while still a senior majoring in aerospace at Florida Memorial University;

Whereas on June 27, 2007, Irving concluded his flight in Miami, Florida, after stopping in 27 cities throughout the world; and

Whereas Irving continues to inspire youth and adults alike with his achievements and

work to increase the accessibility of opportunities in aviation and aerospace: Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors the accomplishments of Barrington Irving, the youngest pilot and first person of African descent ever to fly solo around the world and founder of a nonprofit organization that inspires youth to pursue careers in aviation and aerospace;

(2) encourages young people and minorities to pursue educational opportunities in preparation for careers in aviation and related industries; and

(3) encourages museums throughout the Nation related to aviation to commemorate the historic achievements of Captain Barrington Irving.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H. Res. 661.

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

There was no objection.

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

Mr. Speaker, Barrington Antonio Irving was the youngest person and the first person of African descent to undertake a 24,600-mile solo flight around the world. His extraordinary accomplishment was brought to the attention of the committee by the passionate appeal for recognition in the form of this resolution by the gentleman from Florida (Mr. HASTINGS), to whom I now yield such time as he may consume.

Mr. HASTINGS of Florida. Mr. Speaker, I rise today with great pleasure to commemorate the achievements of Captain Antonio Barrington Irving, the youngest pilot and first person of African descent to fly solo around the world.

I thank Chairmen OBERSTAR and COSTELLOs and Ranking Member PETRI and the distinguished staff for their support and willingness to expedite the consideration of this resolution.

Since we introduced H. Res. 661, my good friend, the gentleman from Florida (Mr. MEEK) and I have been joined by a bipartisan coalition of 43 cosponsors who also share our desire to encourage youth to pursue careers in aviation. It is our hope that recognizing Barrington Irving's achievement will encourage many more youth to reach for the same skies in which he made history.

Barrington Irving was born in Kingston, Jamaica, in 1983, and soon after moved to Miami, Florida. When he was 15 years old, he met Captain Gary Robinson, a Jamaican airline pilot who became a lifelong mentor, inspiring him to fly one day himself.

Enduring the challenges of growing up in inner-city Miami, Irving never let his dreams of becoming a pilot be stifled. He worked miscellaneous jobs to save for lessons, and eventually earned a joint Air Force-Florida Memorial University flight awareness scholarship to study aviation and take professional flying lessons.

Barrington took tremendous steps to pursue his dream in aviation while still a student at Florida Memorial University.

Mr. OBERSTAR, I am sure that a colleague of yours and a mentor of mine when I first came to Congress would be very proud of this young man, William Lehman, who at one time was in the same position as yourself as Chair of Transportation, developed the program at Florida Memorial University which allowed for a significant number of youngsters to achieve status as captains in aviation, many of whom have gone on to become commercial airline pilots and military pilots, and I am sure that Alabama Bill, as some of us know him, would be proud today.

The reason I mention it is this program, when Carrie Meek came to Congress, KENDRICK's mother, she continued the efforts on this program, as did KENDRICK and others. I guess it comes under the heading ''earmark,'' perhaps. And if that is the case, then I continuously urge my colleagues to review the status of things when responsible acts are taking place and they are being made to sound irresponsible because they are identified as earmarks. We need to be very cautious in this institution in that regard because we ignore a lot of time opportunities like in this particular case.

This young man contacted many companies and convinced the aircraft manufacturer Columbia to provide him with a plane to fly around the world if he could secure donations and the components.

□ 1530

After successfully securing donations, Barrington embarked on a 24,600-mile flight around the world from Opa Locka, Florida on March 23, 2007. Only 23 years of age, he was still a senior, majoring in aerospace, that program that I talked about that Bill Lehman helped to develop at Florida Memorial University, and he was a senior at the time he began this flight.

He traveled the world as an ambassador of aviation, teaching young people in 27 cities around the world about opportunities in aviation and the importance of academics. He returned from his journey on June 27, 2007, concluding his flight at the same small airport from where he began in Miami-Dade County, Florida.

Mr. Speaker and Mr. Chairman, this young man embodied the perseverance and dedication necessary to truly pursue one's dreams.

Barrington Irving deserves praise not only for his achievement, but for the continued community contributions of Experience Aviation, Inc., a nonprofit organization he founded to address the shortage of youth pursuing careers in aviation.

I urge my colleagues to support this resolution. I thank you, Mr. Chairman, Mr. PETRI and the staff as we work on many initiatives to come that will reprioritize opportunities in aviation for our youth and promote achievement in all fields of human endeavor.

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

This resolution honors the heroic achievements of Captain Barrington Antonio Irving, the youngest pilot and first person of African American descent to fly solo around the world.

Captain Barrington Irving was born in Jamaica, as was pointed out, in 1983 and raised in Miami, Florida. His lifelong dream was to become a pilot, and this exceptional young man overcame great obstacles to make his dream a reality.

On March 23, 2007, after nearly 4 years of acquiring sufficient funds for his journey, Irving embarked from Miami, Florida, on a 24,600-mile flight around the world in an airplane rightly named Inspiration. At the age of 23, Irving became the youngest person, as well as the first African American pilot, to fly around the world when he returned to Miami on June 27, 2007.

During his 3-month journey, Irving visited with young people in 27 cities around the world encouraging them to enter aviation and stressing the importance of academics.

Captain Barrington Irving is an inspiration and an example that, through perseverance and dedication, anyone can overcome even the greatest obstacles and can achieve their goals.

I am proud to support this legislation. I urge my colleagues to join me in honoring this exceptional young man and commemorating his historic achievement.

I yield back the balance of my time.

Mr. OBERSTAR. I yield myself such time as I may consume to express my great appreciation to the gentleman from Wisconsin and the gentleman from Florida (Mr. MICA). Mr. PETRI has been wonderful to work with on this issue and to acknowledge an extraordinary achievement that the gentleman from Florida (Mr. HASTINGS) has spelled out in such graphic detail, and well said.

Barrington Irving did something truly extraordinary in flying around the world. But more important than the flight was the inspiration he has served and has become for young people, young people younger than him, or his age, who are fascinated with aviation and with aerospace itself.

Mr. Irving established a nonprofit educational organization, created a travel blog for the purpose of empowering young people and encouraging minorities, in particular, to pursue careers in aviation. His around-the-world trip earned widespread community support and sponsorship, but more importantly as an inspiration for young people to aspire to something greater than themselves for the future.

The gentleman from Florida (Mr. HASTINGS) cited the initial investment in the college program that stimulated young Barrington's interest and facilitated his skill in aviation, and appropriately mentioned our former colleague, Bill Lehman, who served as Chair of the Transportation Appropriations Subcommittee, and that brought a very touching memory back to me as I worked with then-Chairman Lehman in my capacity as Chair of the Aviation Subcommittee to resolve a number of complex issues in aviation. He was always gracious and caring and helpful and astute. I appreciate the gentleman's reference.

And let us move quickly to enact this legislation to acknowledge Barrington Antonio Irving's contribution to aviation, an inspiration to young people.

Mr. COSTELLO. Mr. Speaker, H. Res. 661 is a resolution honoring the accomplishments of Barrington Antonio Irving, the youngest pilot and first person of African descent ever to fly solo around the world.

I want to thank our colleague, Mr. HASTINGS of Florida, for introducing this important legislation.

On June 27, 2007, Barrington Irving flew solo around the world to inspire youth, in particular inner-city youth and minority youth, throughout the Nation to consider pursuing careers in aviation and aerospace. In doing so, he became the first African American and youngest pilot to make such an extraordinary trip.

In order to make his dream a reality, he received donations from airplane manufacturers and others, which he used to assemble the plane that carried him around the world. He named his plane "Inspiration" in hopes that his flight would inspire others to reach for their dreams.

In addition to such an amazing accomplishment, Barrington continues to work tirelessly to provide additional resources for young people pursuing careers in the field of aviation.

Mr. Speaker, Mr. Irving is a remarkable man, which should serve as a motivation to us all that dreams can come true if you put your mind and heart into a project. That is why I support H. Res. 661 and urge my colleagues to do the same.

Mr. OBERSTAR. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and agree to the resolution, H. Res. 661, 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.

A motion to reconsider was laid on the table.

HONORING THOSE WHO HAVE VOLUNTEERED TO ASSIST IN THE CLEANUP OF THE NOVEMBER 7, 2007, OIL SPILL IN SAN FRANCISCO BAY

Mrs. TAUSCHER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 853) honoring those who have volunteered to assist in the cleanup of the November 7, 2007, oil spill in San Francisco Bay.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 853

Whereas the oil spill that occurred on November 7, 2007, in the San Francisco Bay resulted in the discharge of between 53,570 and 58,000 gallons of toxic bunker fuel, causing one of the Bay Area's worse environmental disasters;

Whereas 28 beaches were closed and over 1,300 birds so far have been severely impacted by the spill;

Whereas thousands of individuals throughout the San Francisco Bay Area immediately volunteered to assist with the cleanup;

Whereas Bay Area community non-profit organizations, such as San Francisco Connect, have also rallied to support the response and recovery work by supporting these volunteer efforts;

Whereas Bay Area environmental organizations, such as Baykeeper, Save the Bay, and the Bay Institute, have provided invaluable leadership in reporting, assessing, and helping to remediate the damage to the Bay's ecosystem;

Whereas the Pacific Coast Federation of Fishermen's Associations, members of the San Francisco Crab Boat Owners Association, commercial crabbers, and other Bay Area fishermen have all joined the cleanup efforts as well; and

Whereas the city of San Francisco, particularly through its Department of Emergency Management, has significantly contributed to the overall response, bringing considerable resources to bear: Now, therefore, be it

Resolved, That the House of Representatives honors those individuals and organizations who have volunteered to assist in the cleanup of the November 7, 2007, oil spill in one of our Nation's most beloved national treasures, the San Francisco Bay.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. TAUSCHER) and the gentleman from Ohio (Mr. LATOURETTE) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. TAUSCHER. Mr. Speaker, I rise in strong support of House Resolution 853, introduced by my good friend and distinguished Speaker of the House, NANCY PELOSI.

This resolution honors thousands of volunteers who helped clean up the Bay Area's beaches and wildlife after the harmful oil spill of November 7 of this year. The public's response to 58,000 gallons of fuel polluting the bay typified how the San Francisco Bay community comes together during a crisis. Our Bay Area constituents were eager to volunteer their time and help minimize the negative effects to the Bay Area's fragile ecosystem. For days and days after the spill, they cleaned birds and combed the shoreline for oil residue, and in some cases put their own health at risk in order to protect our bay.

In order to coordinate the volunteer efforts, numerous organizations mobilized their members in support of the cleanup, including Save the Bay, the Fishermen's Association and the Crab Boat Owners. I am so proud of our Bay Area constituents, how much energy they showed, how much passion they showed, and such dedication that they showed to the bay during this environmental disaster. These volunteers deserve recognition from the House of Representatives.

I strongly support House Resolution 853.

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

Mr. LATOURETTE. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, House Resolution 853 honors the efforts of all of those that volunteered to assist the response to the recent oil spill in San Francisco Bay. Last month a cargo vessel collided with a span of the San Francisco Bay Bridge, resulting in a gash to the vessel's hull and the release of approximately 58,000 gallons of fuel oil into the bay.

Following reports of the oil spill, the Coast Guard, with its Federal, State and local government partners, initiated a response to the spill which has resulted in the deployment of 440 personnel and the recovery of more than 4,000 cubic yards of oily solids.

In addition to the critical work performed by the Coast Guard and other government officials, literally thousands of volunteers have assisted in cleanup operations at beaches throughout the San Francisco Bay Area. Volunteers have assisted professional cleanup crews in removing oil from beaches and have reported sightings of oil-affected areas and impaired wildlife to oil spill response personnel.

Additionally, volunteers were required to undergo at least 4 hours of hazardous waste and emergency response training before participating in the cleanup efforts.

I want to commend the Speaker of the House, Ms. PELOSI, and join with her today in thanking these volunteers and honoring their efforts to respond to this unfortunate event.

I also want to take time to thank all of the Federal, State, and local officials for their efforts to contain and minimize the environmental and economic impacts of the spill.

I urge all members to support this resolution.

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

GENERAL LEAVE

Mrs. TAUSCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H. Res. 853.

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

There was no objection.

Mrs. TAUSCHER. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I want to speak personally from my position as someone who lives in the Bay Area. I live on the east bay in Alamo, California, far from where the spill was. But I have to tell you that of the 8 or 9 million people that live in the Bay Area, not one single one was completely unaffected by what happened on this terrible day of November 7. Many of us are deeply concerned that this was an accident that shouldn't have happened, that this was something that may have been prevented. And I have to commend the Speaker and the delegation from the Bay Area for moving very quickly on a bipartisan basis to begin hearings to be sure that we actually know what exactly happened so that it can be prevented in the future. But today we're really here to celebrate the thousands of Bay Area members that came forward so quickly to volunteer to assist in the cleanup of the bay at a time when it was in great jeopardy, at a time when they put their own health at risk when, for many of them, it was as simple as just going down the road to the beach near their house and attempting to do whatever kind of cleanup they could have.

The environmental impact of the spill is still being felt, and certainly for the wildlife of the Bay Area, it is still a question of how many will survive in the long term. When you have this kind of bunker oil, which is pretty toxic stuff, come into the bay and flow on to these wild fowl and other animals, it puts them in great jeopardy.

We believe that in San Francisco the bay is a national treasure. We believe it is not only a source of environmental pride, but it is also a place where many thousands of San Franciscans and Bay Area people work. We have obviously a very big crab industry, a big fishing industry; and tourism, of course, is a big part of what we do in the Bay Area. So we are deeply concerned about what happened on November 7.

But I think that this is a good time to celebrate the activism and the volunteerism of people of the Bay Area and the San Francisco area.

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

Mr. LATOURETTE. Mr. Speaker, I would advise my friend and colleague from California that I have no further speakers at this time and would reserve until she finds herself in a similar position.

Mrs. TAUSCHER. The Speaker became as concerned as we all were immediately upon hearing about this, and brought the California Bay Area delegation together to understand what we can do in our Federal capacity to move this issue. And it was the Speaker's intention today to speak about the volunteerism of the Bay Area people. Her speech will be in the RECORD.

At this time I ask all of my colleagues to support H. Res. 853.

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

Mr. LATOURETTE. Mr. Speaker, again I yield myself such time as I might consume just simply to thank the honorable Speaker of the House for introducing this resolution and, again, to commend the selfless acts, thousands of selfless acts of the volunteers in the San Francisco Bay Area, also my good friend on the Transportation Committee, Mrs. TAUSCHER, for her stewardship of this bill. I urge passage.

Ms. PELOSI. Mr. Speaker, on behalf of my constituents in San Francisco and my colleagues in the Bay Area delegation, I want to thank Chairmen OBERSTAR and CUMMINGS, and Ranking Members MICA and LATOURETTE, for their cooperation in bringing this resolution to the floor.

The San Francisco Bay is one of Northern California's most precious resources. Its biodiversity and fundamental role in commerce and recreation make it essential to the vitality of the entire Bay Area.

The Bay is special to San Franciscans. We bring our kids and grandkids here to play and learn about the environment. We surf and sail. And we appreciate the precious ecosystem that exists on the beaches, in the estuaries, under the water, and in the nearby National Marine Sanctuary—the Gulf of the Farallones. So protection of this Bay—its safety and its health—has always been a high priority. Any harm to the Bay is a serious matter, and when disaster struck on November 7th our community was quick to respond.

Thousands of Bay Area residents immediately volunteered to clean beaches, rescue wildlife and undo the damage caused by this devastating spill. City officials worked with federal authorities on a volunteer management agreement to train and deploy local volunteers who were qualified to assist with difficult shoreline and wildlife recovery efforts. As a result, over 1,000 members of the Bay Area community were quickly trained and credentialed.

In addition, community non-profit organizations such as San Francisco Connect and the San Francisco Volunteer Center rallied support; environmental organizations like Baykeeper, Save the Bay and the Bay Institute offered their expertise; and the Pacific Coast Federation of Fishermen's Associations, members of the San Francisco Crab Boat Owners Association, commercial crabbers and other Bay Area fishermen offered their equipment and experience.

Today's resolution honors all of the individuals, organizations and officials who volunteered their time, their skills and their energy in response to this disaster. Their commitment to both the environment and their community saved wildlife from oil residue, protected the Bay's ecosystem and made our beaches safe again for Bay Area families.

As it says in the Bible, 'to minister to God's creation is an act of worship. To ignore those needs is to dishonor the God who made us.'

To all of those who ministered to the Bay, I thank you as a San Franciscan, as one who is honored to represent our great city in this House, and as Speaker of the House.

Mr. FARR. Mr. Speaker, I rise today in support of House Resolution 853 honoring those who have volunteered to assist in the cleanup of the November 7, 2007 oil spill in San Francisco Bay.

My district lies roughly 50 miles south of the area affected by the oil spill. Even though they were not directly affected by the spill, the institutions and people in my district offered their help and support to their northern neighbors. The Marine Wildlife Center at the Long Marine Lab in Santa Cruz treated birds injured by this spill, the NOAA Weather Service in Monterey played a pivotal role in providing wind and sea forecasts necessary to predict the spill's trajectory and assist in containment, and local organizations such as the Santa Cruz Surfrider Chapter organized volunteers to assist cleanup efforts in the San Francisco Bay.

I am proud of all of the people who unselfishly volunteered to assist the cleanup. Their unselfish response to this environmental disaster highlights just how important marine resources are to our communities. But, despite our best intentions "business as usual" is killing our oceans. We can no longer rely on the generosity of the citizens of this country to clean up the mess created by big business and poor governance.

When my constituents invest their valuable time to take care of the environment, I take notice. Actions speak louder than words, and with their actions in November, the people of the Central Coast are asking us to do more to ensure that we protect the environment while we conduct our business. If there is one thing that this oil spill shows, it is that if we don't make protecting the environment a higher priority, it will come back to haunt us . . . look at climate change.

Ms. WOOLSEY. Mr. Speaker, we were reminded about just how fragile our waterways are when a ship ran into the San Francisco-Oakland Bay Bridge and spilled 58,000 gallons of oil into the San Francisco Bay. The spill spread and soiled the pristine beaches of Marin County, in my district. It also threatened the Point Reyes seashore and restoration projects in Richardson Bay and San Pablo Bay.

Thousands of volunteers, including many of my constituents, spent countless hours cleaning up. Fishermen volunteered their boats and their time to help with clean up efforts. Without their help, the cleanup efforts would have taken much longer, more birds could have died, and more of the oil would have been unrecoverable.

Unfortunately, not enough training sessions were offered and many potential volunteers were turned away from helping with the clean up efforts because they lacked the necessary training. We need to learn from this and provide more training opportunities and better utilize potential volunteers.

As we move forward, we must also look into new technologies to prevent spills and protect water and beaches. In Marin County, booms across Bolinas Lagoon and Drakes Estero failed and left these areas vulnerable to oil spill contamination. We need to ensure that we have enough equipment to respond quickly and effectively, especially for areas somewhat distant from spill mobilization centers. We also need to ensure that we have enough people trained to handle this equipment and manage the response efforts at these sites.

Thank you, Speaker PELOSI and Representative TAUSCHER for your leadership on this resolution. Thank you to my constituents and to all the volunteers who assisted with clean up efforts.

Mr. LANTOS. Mr. Speaker, I rise today in support of H. Res. 853 and to honor those selfless individuals who volunteered to help cleanup the recent San Francisco Bay oil spill.

On November 7, a cargo vessel inexplicably collided with the San Francisco Bay Bridge, spilling more than 58,000 gallons of toxic bunker fuel and causing one of the worst environmental disasters the region has ever seen. The impact on wildlife and surrounding beaches has been extremely detrimental, with over 28 beaches closing and severely impacting wildlife all around the bay.

However, in a strong testament to the American spirit, through this disaster we saw resolve and self-sacrifice. I am extremely proud of the thousands of individuals from around the area who immediately volunteered to assist with the cleanup. Bay Area non-profit community organizations like San Francisco Connect have supported the response and recovery of volunteers, while Bay Area environmental organizations like Baykeeper, Save the Bay, and the Bay Institute have provided invaluable leadership in assessing the damage and remediating this beautiful ecosystem.

Specifically, I want to recognize two of my constituents, Lynn Adams and Deborah Nagle-Burks who, with the Pacifica Beach Coalition, solicited volunteers while working through red tape to make sure anyone who wanted to participate in the clean-up was able to. They remain involved, and have advocated for a proactive approach to training volunteers before a spill occurs so that the response of local citizens can be faster and the damage limited.

In addition, the Pacific Coast Federation of Fishermen's Associations, members of the San Francisco Crab Boat Owners Association, commercial crabbers, and other Bay Area fishermen have all joined the cleanup efforts, making an indelible contribution.

The collaborative effort of state and local agencies deserves our thanks as well. The City of San Francisco, particularly through its Department of Emergency Management, has significantly contributed to the overall response.

Mr. Speaker, we owe a deep debt of gratitude to all the volunteers who have given their time, the fishermen who have given their boats, and the first responders who have given their expertise to this clean up. Without the extraordinary efforts of these men and women it is certain the scope of damage to the fragile Bay ecosystem would be even greater than what we face today.

I will never cease to be proud and amazed by the dedication of my constituents and of the American people. This why I rise in very strong support of H. Res. 853. It is my hope that this resolution will be swiftly passed and the selfless individuals who volunteered to clean up the oil spill will be duly recognized.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. TAUSCHER) that the House suspend the rules and agree to the resolution, H. Res. 853.

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

A motion to reconsider was laid on the table.

□ 1545

PROVIDING FOR CONCURRENCE BY HOUSE WITH AMENDMENTS IN SENATE AMENDMENT TO H.R. 797, DR. JAMES ALLEN VETERAN VISION EQUITY ACT OF 2007

Mr. FILNER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 855) providing for the concurrence by the House in the Senate amendment to H.R. 797, with amendments.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 855

Resolved, That upon the adoption of this resolution the bill (H.R. 797) entitled ''An Act to amend title 38, United States Code, to improve compensation benefits for veterans in certain cases of impairment of vision involving both eyes, to provide for the use of the National Directory of New Hires for income verification purposes, to extend the authority of the Secretary of Veterans Affairs to provide an educational assistance allowance for qualifying work study activities, and to authorize the provision of bronze representations of the letter 'V' for the graves of eligible individuals buried in private cemeteries in lieu of Government-provided headstones or markers.'', with the Senate amendment thereto, shall be considered to have been taken from the Speaker's table to the end that the Senate amendment thereto be, and the same is hereby, agreed to with the following amendments:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Dr. James Allen Veteran Vision Equity Act of 2007''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—LOW-VISION BENEFITS MATTERS

Sec. 101. Modification of rate of visual impairment for payment of disability compensation.

Sec. 102. Improvement in compensation for veterans in certain cases of impairment of vision involving both eyes.

TITLE II—MATTERS RELATING TO BURIAL AND MEMORIAL AFFAIRS

Sec. 201. Provision of medallion or other device for privately-purchased grave markers.

Sec. 202. Improvement in provision of assistance to States relating to the interment of veterans in cemeteries other than national cemeteries.

Sec. 203. Modification of authorities on provision of Government headstones and markers for burials of veterans at private cemeteries.

TITLE III—OTHER MATTERS

Sec. 301. Use of national directory of new hires for income verification purposes for certain veterans benefits.

Sec. 302. Extension of authority of Secretary of Veterans Affairs to provide an educational assistance allowance to persons performing qualifying work-study activities.

TITLE I—LOW-VISION BENEFITS MATTERS

SEC. 101. MODIFICATION OF RATE OF VISUAL IMPAIRMENT FOR PAYMENT OF DISABILITY COMPENSATION.

Section 1114(o) of title 38, United States Code, is amended by striking ''5/200'' and inserting ''20/200''.

SEC. 102. IMPROVEMENT IN COMPENSATION FOR VETERANS IN CERTAIN CASES OF IMPAIRMENT OF VISION INVOLVING BOTH EYES.

Section 1160(a)(1) of title 38, United States Code, is amended—

(1) by striking ''blindness'' both places it appears and inserting ''impairment of vision'';

(2) by striking ''misconduct;'' and inserting ''misconduct and—''; and

(3) by adding at the end the following new subparagraphs:

''(A) the impairment of vision in each eye is rated at a visual acuity of 20/200 or less; or

''(B) the peripheral field of vision for each eye is 20 degrees or less;''.

TITLE II—MATTERS RELATING TO BURIAL AND MEMORIAL AFFAIRS

SEC. 201. PROVISION OF MEDALLION OR OTHER DEVICE FOR PRIVATELY-PURCHASED GRAVE MARKERS.

Section 2306(d) of title 38, United States Code, is amended by adding at the end the following new paragraph:

''(5) In lieu of furnishing a headstone or marker under this subsection, the Secretary may furnish, upon request, a medallion or other device of a design determined by the Secretary to signify the deceased's status as a veteran, to be attached to a headstone or marker furnished at private expense.''.

SEC. 202. IMPROVEMENT IN PROVISION OF ASSISTANCE TO STATES RELATING TO THE INTERMENT OF VETERANS IN CEMETERIES OTHER THAN NATIONAL CEMETERIES.

(a) REPEAL OF TIME LIMITATION FOR STATE FILING FOR REIMBURSEMENT FOR INTERMENT COSTS.—

(1) IN GENERAL.—The second sentence of section 3.1604(d)(2) of title 38, Code of Federal Regulations, shall have no further force or effect as it pertains to unclaimed remains of a deceased veteran.

(2) RETROACTIVE APPLICATION.—Paragraph (1) shall take effect as of October 1, 2006 and apply with respect to interments and inurnments occurring on or after that date.

(b) GRANTS FOR OPERATION AND MAINTENANCE OF STATE VETERANS' CEMETERIES.—

(1) IN GENERAL.—Subsection (a) of section 2408 of title 38, United States Code, is amended to read as follows:

''(a)(1) Subject to subsection (b), the Secretary may make a grant to any State for the following purposes:

''(A) Establishing, expanding, or improving a veterans' cemetery owned by the State.

''(B) Operating and maintaining such a cemetery.

''(2) A grant under paragraph (1) may be made only upon submission of an application to the Secretary in such form and manner, and containing such information, as the Secretary may require.''.

(2) LIMITATION ON AMOUNTS AWARDED.—Subsection (e) of such section is amended—

(A) by inserting ''(1)'' before ''Amounts''; and

(B) by adding at the end the following new paragraph:

''(2) In any fiscal year, the aggregate amount of grants awarded under this section for the purposes specified in subsection (a)(1)(B) may not exceed $5,000,000.''.

(3) CONFORMING AMENDMENTS.—Such section is further amended—

(A) in subsection (b)—

(i) by striking ''Grants under this section'' and inserting ''A grant under this section for

a purpose described in subsection (a)(1)(A)''; and

(ii) by striking ''a grant under this section'' each place it appears and inserting ''such a grant'';

(B) in subsection (d), by striking ''to assist such State in establishing, expanding, or improving a veterans' cemetery''; and

(C) in subsection (f)(1), by inserting '', or in operating and maintaining such cemeteries,'' after ''veterans' cemeteries''.

(4) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall prescribe regulations to carry out the amendments made by this subsection.

SEC. 203. MODIFICATION OF AUTHORITIES ON PROVISION OF GOVERNMENT HEADSTONES AND MARKERS FOR BURIALS OF VETERANS AT PRIVATE CEMETERIES.

(a) REPEAL OF EXPIRATION OF AUTHORITY.—Subsection (d) of section 2306 of title 38, United States Code, as amended by section 201, is further amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraphs (4) and (5), as added by that section, as paragraphs (3) and (4), respectively.

(b) RETROACTIVE EFFECTIVE DATE.—Notwithstanding subsection (d) of section 502 of the Veterans Education and Benefits Expansion Act of 2001 (Public Law 107-103; 115 Stat. 995; 38 U.S.C. 2306 note) or any other provision of law, the amendments made by that section and by subsections (a), (b), (c), (d), and (f) of section 402 of the Veterans Benefits, Health Care, and Information Technology Act of 2006 (Public Law 109-461; 120 Stat. 3429) shall take effect as of November 1, 1990, and shall apply with respect to headstones and markers for the graves of individuals dying on or after that date.

TITLE III—OTHER MATTERS

SEC. 301. USE OF NATIONAL DIRECTORY OF NEW HIRES FOR INCOME VERIFICATION PURPOSES FOR CERTAIN VETERANS BENEFITS.

(a) AUTHORITY FOR INFORMATION COMPARISONS AND DISCLOSURES OF INFORMATION TO ASSIST IN ADMINISTRATION OF CERTAIN VETERANS BENEFITS.—Section 453(j) of the Social Security Act (42 U.S.C. 653(j)) is amended by adding at the end the following new paragraph:

''(11) INFORMATION COMPARISONS AND DISCLOSURES TO ASSIST IN ADMINISTRATION OF CERTAIN VETERANS BENEFITS.—

''(A) FURNISHING OF INFORMATION BY SECRETARY OF VETERANS AFFAIRS.—Subject to the provisions of this paragraph, the Secretary of Veterans Affairs shall furnish to the Secretary, on such periodic basis as determined by the Secretary of Veterans Affairs in consultation with the Secretary, information in the custody of the Secretary of Veterans Affairs for comparison with information in the National Directory of New Hires, in order to obtain information in such Directory with respect to individuals who are applying for or receiving—

''(i) needs-based pension benefits provided under chapter 15 of title 38, United States Code, or under any other law administered by the Secretary of Veterans Affairs;

''(ii) parents' dependency and indemnity compensation provided under section 1315 of title 38, United States Code;

''(iii) health care services furnished under subsections (a)(2)(G), (a)(3), or (b) of section 1710 of title 38, United States Code; or

''(iv) compensation paid under chapter 11 of title 38, United States Code, at the 100 percent rate based solely on unemployability and without regard to the fact that the disability or disabilities are not rated as 100 percent disabling under the rating schedule.

''(B) REQUIREMENT TO SEEK MINIMUM INFORMATION.—The Secretary of Veterans Affairs shall seek information pursuant to this paragraph only to the extent necessary to verify the employment and income of individuals described in subparagraph (A).

''(C) DUTIES OF THE SECRETARY.—

''(i) INFORMATION DISCLOSURE.—The Secretary, in cooperation with the Secretary of Veterans Affairs, shall compare information in the National Directory of New Hires with information provided by the Secretary of Veterans Affairs with respect to individuals described in subparagraph (A), and shall disclose information in such Directory regarding such individuals to the Secretary of Veterans Affairs, in accordance with this paragraph, for the purposes specified in this paragraph.

''(ii) CONDITION ON DISCLOSURE.—The Secretary shall make disclosures in accordance with clause (i) only to the extent that the Secretary determines that such disclosures do not interfere with the effective operation of the program under this part.

''(D) USE OF INFORMATION BY SECRETARY OF VETERANS AFFAIRS.—The Secretary of Veterans Affairs may use information resulting from a data match pursuant to this paragraph only—

''(i) for the purposes specified in subparagraph (B); and

''(ii) after removal of personal identifiers, to conduct analyses of the employment and income reporting of individuals described in subparagraph (A).

''(E) REIMBURSEMENT OF HHS COSTS.—The Secretary of Veterans Affairs shall reimburse the Secretary, in accordance with subsection (k)(3), for the costs incurred by the Secretary in furnishing the information requested under this paragraph.

''(F) CONSENT.—The Secretary of Veterans Affairs shall not seek, use, or disclose information under this paragraph relating to an individual without the prior written consent of such individual (or of a person legally authorized to consent on behalf of such individual).

''(G) EXPIRATION OF AUTHORITY.—The authority under this paragraph shall expire on September 30, 2011.''.

(b) AMENDMENTS TO VETERANS AFFAIRS AUTHORITY.—

(1) IN GENERAL.—Chapter 53 of title 38, United States Code, is amended by inserting after section 5317 the following new section:

''§ 5317A. Use of income information from other agencies: independent verification required before termination or reduction of certain benefits and services

''(a) INDEPENDENT VERIFICATION REQUIRED.—The Secretary may terminate, deny, suspend, or reduce any benefit or service specified in section 5317(c), with respect to an individual under age 65 who is an applicant for or recipient of such a benefit or service, by reason of information obtained from the Secretary of Health and Human Services under section 453(j)(11) of the Social Security Act, only if the Secretary takes appropriate steps to verify independently information relating to the individual's employment and income from employment.

''(b) OPPORTUNITY TO CONTEST FINDINGS.—The Secretary shall inform each individual for whom the Secretary terminates, denies, suspends, or reduces any benefit or service under subsection (a) of the findings made by the Secretary under such subsection on the basis of verified information and shall provide to the individual an opportunity to contest such findings in the same manner as applies to other information and findings relating to eligibility for the benefit or service involved.

''(c) SOURCE OF FUNDS FOR REIMBURSEMENT TO SECRETARY OF HEALTH AND HUMAN SERVICES.—The Secretary shall pay the expense of reimbursing the Secretary of Health and Human Services in accordance with section 453(j)(11)(E) of the Social Security Act, for the cost incurred by the Secretary of Health and Human Services in furnishing information requested by the Secretary under section 453(j)(11) of such Act, from amounts available to the Department for the payment of compensation and pensions.

''(d) EXPIRATION OF AUTHORITY.—The authority under this section shall expire on September 30, 2011.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 5317 the following new item:

''5317A. Use of income information from other agencies: independent verification required before termination or reduction of certain benefits and services.''.

SEC. 302. EXTENSION OF AUTHORITY OF SECRETARY OF VETERANS AFFAIRS TO PROVIDE AN EDUCATIONAL ASSISTANCE ALLOWANCE TO PERSONS PERFORMING QUALIFYING WORK-STUDY ACTIVITIES.

Section 3485(a)(4) of title 38, United States Code, is amended by striking ''June 30, 2007'' each place it appears and inserting ''June 30, 2010''.

Amend the title so as to read: ''An Act to amend title 38, United States Code, to improve low-vision benefits matters, matters relating to burial and memorial affairs, and other matters under the laws administered by the Secretary of Veterans Affairs, and for other purposes.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. FILNER) and the gentleman from Colorado (Mr. LAMBORN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. FILNER. Mr. Speaker, I rise in support of the Dr. James Allen Veteran Vision Equity Act of 2007.

I was glad to be able to work with my colleagues on the Committee on Veterans' Affairs, on both sides of the aisle and in both Houses, to get here. I want to thank Mr. RANGEL and his staff for their guidance on the provision that fell under the jurisdiction of the Ways and Means Committee.

I especially want to thank our colleague from Madison, Wisconsin, Congresswoman Tammy Baldwin, who led the effort for this, who got it to the floor today and who will explain it in whatever detail she thinks is important.

I note that this bill was previously introduced in the last Congress; however, it never became law. I am glad this Congress has the opportunity to do more for our blind and vision impaired veterans.

The Dr. James Allen Veteran Vision Equity Act of 2007, named after a noted physician and ocular pioneer who worked for over 35 years in the VA, would allow veterans who receive veterans' disability compensation for impairment of vision in one eye to be eligible to receive additional disability compensation for impairment of vision in the eye that is not service-connected, where the impairment in each eye is to a visual acuity of 20/200 or less or of a peripheral field of 20 degrees or less (the definition of "legal blindness" adopted by all 50 states and the Social Security Administration.)

H.R. 797 also directs the Secretary of Veterans Affairs and the Secretary of Health and Human Services to match and compare VA needs-based pension benefits data, parents' dependency and indemnity compensation data, health-care services data, and unemployability compensation data with the National Directory of New Hires maintained by DHHS, for the purpose of determining eligibility for such benefits and services.

It would also authorize $5 million for establishing, improving and expanding for the operation and maintenance of state-owned veterans' cemeteries. Additionally, the bill will repeal the time limitation for States to file for reimbursement costs for interring unclaimed veterans' remains, making it retroactive to October 1, 2006.

Finally, this measure extends the authorization of the veterans work study program until 2010.

This bill affects an estimated 5 percent of the 13,109 veterans who have service-connected blindness or loss of vision in one eye. As of September 17, 2007, 1,129 service members have sustained serious eye wounds in combat according to the Defense Armed Forces Institute of Surgical Pathology (any of which may later lead to blindness).

Also, it is reported that many of the over 4,400 traumatic brain-injured OIF/OEF servicemembers will likely suffer from serious vision-related complications and at least 57 percent of all eye injuries of this war are caused by IED explosions.

Walter Reed Army Medical Center alone has treated close to 540 Operation Enduring Freedom/Operation Iraqi Freedom service members for visual injuries and over 230 of our soldiers unfortunately have sustained legal blindness in one eye.

It is worth noting, that in 2002, Congress passed and the President signed Public Law 107–330, which included a provision to correct a similar deficiency in the Paired Organ law for hearing loss. In 2006, the Committee on Veterans' Affairs held a legislative hearing and received favorable testimony on H.R. 2963, a bill similar to H.R. 797. In that hearing, the VA supported H.R. 2963.

This is important and meaningful legislation for our men and women in uniform—who have fought and are fighting for our country.

I urge my colleagues to support passage of this resolution and urge swift consideration of the Dr. James Allen Veteran Vision Equity Act of 2007 by the Senate before the end of this session of Congress.

Mr. Speaker, I yield whatever time she may consume to the gentlewoman from Wisconsin (Ms. BALDWIN).

Ms. BALDWIN. Mr. Speaker, I thank Chairman FILNER.

I rise in strong support of H. Res. 855, the Dr. James Allen Veteran Vision Equity Act that I introduced earlier this year. This bill fixes an inequity in the current paired organ statute that has resulted in a denial of appropriate disability compensation to blinded veterans.

Congress has rightly recognized that some human organs or limbs are designed to work in pairs: legs, hands, kidneys, lungs, ears and, of course, eyes. In the instance of eyes, blindness in one eye profoundly affects depth perception even if sight is fully retained in the other eye. The paired organ statute was written to assist those veterans who experience a service-connected loss of a paired organ or limb. The statute recognizes the interdependency of paired organs and endeavors to treat the combined disability created by a nonservice-connected loss, injury or degeneration of the remaining paired organ or limb as though it was the result of a service-connected disability. In general, the paired organ statute accomplishes this task, with the exception of its treatment of eyes and loss of sight.

I want to share with you the story of Dr. James Allen, after whom this legislation is named. Dr. Allen is a professor of ophthalmology at the University of Wisconsin School of Medicine in my district. He has worked at the Veterans Affairs Hospital for 33 years and treated numerous eye patients, including veterans who are blind.

One example is Mr. Donald May. Don is a World War II veteran who lost his right eye in a hand grenade explosion. A few years ago, Mr. May became legally blind in the nonservice-connected left eye. He applied to the Department of Veterans Affairs for help and was denied further benefits. He was told that the current law in regard to paired organs did not apply to him, even though he was legally blind in his service-connected right eye.

After Dr. Allen brought the plight of his patients to my attention, I began to research why these veterans were being denied the benefits I felt they deserved, benefits that I believe Congress intended to grant them. Through my work with the Blinded Veterans Association, we discovered that while the current paired organ statute covers blindness, in practice few, if any, veterans have ever been able to qualify for such compensation.

In theory, the statute provides that a veteran who is service-connected for blindness in one eye could qualify for additional disability compensation if they become blind in the remaining eye for nonservice-connected reasons. However, the statute does not define the term ''blindness,'' nor is any provision made for impairment of vision in the nonservice-connected eye short of blindness.

Rather than using visual acuity of 20/200 or loss of field of vision to 20 degrees as the definition of legal blindness that has been adopted by all 50 States and the Social Security Administration, the Department of Veterans Affairs uses a much more restrictive definition, 5/200, as a rating for legal blindness, which in rough layman's term is the equivalent of having an eye with light perception only. As a result, few, if any, blinded veterans are able to qualify for additional compensation under the paired organ statute.

H. Res. 855, the Dr. James Allen Veterans Vision Equity Act, fixes this problem. It defines blindness as impairment of vision where the impairment is to a visual acuity of 20/200 or less or of a peripheral field loss of vision of 20 degrees or less. This change in the law would only affect a small percentage, estimated to be roughly 5 percent of the 13,000-plus veterans who are service-connected for loss of vision in one eye. Yet such a change would send a powerful message that our Nation's blinded veterans and the hardships that they have faced are not forgotten.

Indeed, our Nation's blinded veterans face significant challenges in the labor market. The National Institute on Disability and Rehabilitation Research found that for individuals with visual impairments, to the extent that they are unable to read letters, the employment rate is only 30.8 percent, compared to 82.1 percent for those without disability.

I want to mention that this resolution complies with the PAYGO rules. The costs associated with H. Res. 855 are fully offset. This bill directs the Secretary of Veterans Affairs and the Secretary of Health and Human Services to match and compare VA needs-based pension benefits data, parents' dependency and indemnity compensation data, health care services data and unemployability compensation data with the National Directory of New Hires maintained by DHHS, for the purpose of determining eligibility for such benefits and services. According to the GAO, such data matching will help reduce fraud and abuse within the VA system as it determines eligibility and benefits to those veterans thought to be unemployable but are indeed working.

I would like to just thank Chairman FILNER, Subcommittee Chairman JOHN HALL, as well as Congressmen JOHN BOOZMAN and VIC SNYDER for their unwavering support of this bill. I also want to thank the staff of the Veterans' Affairs Committee for their help in advancing this legislation.

H. Res. 855 is a modest but important step in restoring fair treatment to those veterans blinded due to their service to our country and to further our commitment to them. Their sacrifices and their service to this Nation should be matched by our desire to improve the quality of life for them and their families.

Earlier this year, the Blinded Veterans Association had found over 200 soldiers returning from Operation Enduring Freedom in Afghanistan and Operation Iraqi Freedom who are blinded in one eye due to their service-related injuries. They could be benefited in the future by this legislation.

I strongly encourage all my colleagues to support H. Res. 855.

Mr. LAMBORN. Mr. Speaker, I rise in strong support of H. Res. 855, which would amend H.R. 797, the Dr. James Allen Veterans Vision Equity Act, as amended by the other body. I would like to thank my colleagues, Chairman FILNER, Ranking Member BUYER, Mr. BOOZMAN of Arkansas and Ms. BALDWIN of Wisconsin, for their efforts on this bill. On March 21 of this year, this body

passed H.R. 797 with a unanimous vote of 424–0, and I am pleased to support it.

The first title of this resolution would allow veterans who receive veterans disability compensation for impairment of vision in one eye to be eligible to receive additional disability compensation for impairment of vision in the eye that is not service connected. This eligibility includes situations where the impairment in each eye is to a visual acuity of 20/200 or less, or of a peripheral field loss of 20 degrees or less. This is the same definition of legal blindness adopted by all 50 States and the Social Security Administration.

Title II of H.R. 797 incorporates several sections of H.R. 2696, the Veterans Dignified Burial Assistance Act of 2007, which I introduced in June to improve VA burial benefits and State veterans cemeteries.

From time to time, Mr. Speaker, a State locates the remains of veterans who were not interred at the time of their death for various reasons. When States inter these veterans, they cannot be reimbursed by VA because of the time limit on reimbursement costs. This legislation would repeal this limitation and helps ensure that all veterans will receive a proper interment with the honor and respect that they have earned.

Title II would also authorize the Secretary of the VA to make additional grants to States for improving and expanding State veteran cemeteries. States would be required to submit an application to the Secretary for this funding, of which the aggregate amount authorized for all State grants is $5 million.

The final provision of title II would provide families with the option of placing a medallion on a deceased veteran's grave denoting veteran status, in lieu of a VA headstone for graves already marked by a private marker.

Mr. Speaker, many private cemeteries do not allow a second marker on a grave site because it complicates routine maintenance. Therefore, a medallion would identify a veteran's grave in a manner that would be universally acceptable and would meet the family's desire to honor the deceased veteran and will be one more reminder to everybody of the sacrifices made by veterans. This provision is very similar to an amendment that I offered at the full committee markup of H.R. 797, and I'm very pleased to support it again now.

While not the specific intent of the provision, veterans' families may benefit financially from this measure. Currently, VA offers second markers for veterans' graves that already have a privately procured marker. While there is no cost for the markers, mounting of these second markers is at the family's expense, usually several times the cost of the stone itself. Since the new medallion could be applied directly to the current marker with an industrial-grade adhesive, families will be able to apply the medallion on their own, allowing them to avoid significant mounting costs.

Mr. Speaker, title III of the resolution extends the use of the New Hires Act and would save the government money by allowing the Secretary of Veterans Affairs to consult with the Secretary of Health and Human Services regarding unemployment compensation data in order to determine eligibility for VA needs-based pension benefits.

The Congressional Budget Office informally estimates that this section of the resolution would save the taxpayers $30 million over 10 years. I would note that this savings funds the vision, burial and work study provisions in this bill.

Also included in title III is a provision that extends work study jobs at VA through June 2009. Current law allows work study recipients to perform a variety of duties throughout the VA, as well as veteran-related paperwork at their schools.

Congress extended the provision for 6 months in PL 109–461 to prevent canceling benefits in the middle of the school year. I'm pleased that we're able to extend this provision even further in this bill.

Mr. Speaker, I urge my colleagues to support H. Res. 855, which would amend H.R. 797, as amended.

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

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

Mr. LAMBORN. Mr. Speaker, I yield such time as he may consume to my colleague, the gentleman from Arkansas (Mr. BOOZMAN).

Mr. BOOZMAN. Mr. Speaker, H.R. 797 is a very, very good bill, and I appreciate Ms. BALDWIN working so hard. I think we could actually use the adjective tirelessly on this one, in order to bring it forward.

It really has two provisions that I'm especially pleased to support. First, I'm pleased that this bill will help veterans with visual disabilities. To put this in perspective, VA compensates about 13,000 veterans for blindness in one eye.

□ 1600

DOD statistics show that about 1,169 servicemembers have experienced eye injuries in Iraq, and VA states about 111 of those are now receiving compensation. And let us not forget that with the number of traumatic brain injury casualties, and those that have gone undiagnosed, many of them will experience visual impairment as a result of those injuries. Thanks to Ms. BALDWIN's work in bringing this forward, the change in this law will make sure that all of these individuals will be treated fairly.

I am also greatly pleased that we have been able to fund reinstatement of the GI Bill work-study provisions that expired last June. These additional work-study jobs will benefit both the veteran student and veterans at large by increasing the resources available to assist VA employees in accomplishing their mission.

Mr. Speaker, this is a very good bill and I urge my colleagues to support it. I also want to thank Mr. FILNER and his staff for, again, bringing this forward, along with Mr. BUYER, the ranking member; and the staff over here. Again, this is a very good bill, and I urge support of its passage with my colleagues.

Mr. LAMBORN. I want to thank the gentleman from Arkansas for his remarks.

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

Mr. FILNER. Mr. Speaker, at this time I will include in the RECORD an article published in the Ophthalmic News on protective eye gear, and I urge my colleagues to unanimously support this resolution.

[From Ophthalmology Times, May 1, 2007]

PROTECTIVE EYE GEAR ESSENTIAL FOR MODERN SOLDIER: OCULAR INJURIES HAVE CLIMBED TO NUMBER 4 SLOT BEHIND AMPUTATION, TRAUMATIC BRAIN INJURY, PTSD

(By Lynda Charters)

BALTIMORE.—Ocular injuries during war have steadily increased from as far back as the Civil War because of the vulnerability of the face and eyes on the battlefield and the increasing use of fragmentary weapons. Thomas P. Ward, MD, described how ocular injuries have changed and how to prevent them here at the Current Concepts in Ophthalmology meeting in Baltimore.

The meeting was sponsored by Johns Hopkins University School of Medicine, Baltimore, and Ophthalmology Times.

''What we learned about eye injuries was not just learned from the current war in Iraq but from several previous wars,'' said Dr. Ward, a private practitioner in West Hartford, CT, and former ophthalmology consultant to the U.S. Army's surgeon general. The percentage of ocular wounds received on the battlefield has increased steadily over the past century, from less than 1% during the Civil War to about 13% in the early phase of the war in Iraq, he added.

''That 13% is much higher than would be expected if we were considering only the random chance of a projectile hitting the eye,'' Dr. Ward said. ''The eye has a very small profile, i.e., only 4% of the face and 0.27% of the body surface area.''

He recounted that, through June 2006 at the Echelon III-level combat support hospital in Iraq and Afghanistan, 1,086 ocular injuries occurred. Of these, 207 were primary eye injuries. In the remaining 879 eye injuries, another organ was the primary injury (usually the brain or a limb). The eye injuries represented 13% of all patients who sustained injuries. Many more ocular injuries occurred in the local populace, he said.

The eyes are so vulnerable, he explained, because they are preferentially exposed during combat, whereas the rest of the body, except for the limbs, is protected with armor.

In addition, the types of munitions used have changed over the past century. During the Civil War, if a soldier was hit by a cannonball or minnie ball, he likely would die, and ocular injuries were not an issue. Modern weapons, however, generate numerous fragments when they explode. ''Modern hand grenades, for example, fragment into about 2,000 individual projectiles, and the eye is exceptionally vulnerable to small fragments,'' Dr. Ward said.

Other lessons:

penetrating injuries are the most important type, accounting for up to 50% of all ocular injuries, and

there is no delayed primary closure in ophthalmology; the primary repair almost always is the definitive repair.

Finally, because of the nature of modern weaponry, ocular injuries often are bilateral. More than half of all eye injuries (57%) are caused by improvised explosive devices (IEDs). The remaining injuries were caused by rocket-propelled grenades, gunshot wounds, mortar and shrapnel, land mines, and other causes.

Surprisingly, according to Dr. Ward, the incidence of endophthalmitis was 0%, despite the fact that approximately 25% of ocular injuries are caused by intraocular foreign bodies. Another factor that did not seem to affect the incidence was that the foreign bodies were not removed for weeks in many cases. Dr. Ward wondered whether the lack of endophthalmitis may have been the result of the use of topical and systemic third- or fourth-generation fluoroquinolones.

The IEDs being used are increasingly more powerful, and Dr. Ward showed that the injuries sustained with more recent ones cause more damage.

Many more eye injuries do not result in evacuation to the combat support hospital, he said. ''As of late 2005, approximately 3,000 ocular injuries were reported as having been treated and the soldiers returned to duty. There were a total of 14,559 eye-related patient encounters by optometrists in the theater of war. This [number] from the Army is considered low as the result of inconsistent reporting,'' Dr. Ward emphasized.

Armor to protect the eyes has been used over the centuries, and it has been shown to be effective in eliminating war-related problems. Sympathetic ophthalmia, Dr. Ward pointed out, developed in about 0.3 percent of ocular injuries during World War II. Only one documented case has been reported by U.S. forces since the beginning of Operation Iraqi Freedom.

A statistic that emphasizes the importance of prevention is that ocular injuries hold the number four slot for disability behind amputation, traumatic brain injury, and posttraumatic stress disorder.

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

The SPEAKER pro tempore (Mr. ALTMIRE). The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and agree to the resolution, H. Res. 855.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. FILNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on House Resolution 855.

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

There was no objection.

DO-NOT-CALL REGISTRY FEE EXTENSION ACT OF 2007

Mr. BUTTERFIELD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2601) to extend the authority of the Federal Trade Commission to collect fees to administer and enforce the provisions relating to the ''Do-not-call'' registry of the Telemarketing Sales Rule, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2601

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 ''Do-Not-Call Registry Fee Extension Act of 2007''.

SEC. 2. FEES FOR ACCESS TO REGISTRY.

Section 2, of the Do-Not-Call Implementation Act (15 U.S.C. 6101 note) is amended to read as follows:

''SEC. 2. TELEMARKETING SALES RULE; DO-NOT-CALL REGISTRY FEES.

''(a) IN GENERAL.—The Federal Trade Commission shall assess and collect an annual fee pursuant to this section in order to implement and enforce the 'do-not-call' registry as provided for in section 310.4(b)(1)(iii) of title 16, Code of Federal Regulations, or any other regulation issued by the Commission under section 3 of the Telemarketing and Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6102).

''(b) ANNUAL FEES.—

''(1) IN GENERAL.—The Commission shall charge each person who accesses the 'do-not-call' registry an annual fee that is equal to the lesser of—

''(A) $54 for each area code of data accessed from the registry; or

''(B) $14,850 for access to every area code of data contained in the registry.

''(2) EXCEPTION.—The Commission shall not charge a fee to any person—

''(A) for accessing the first 5 area codes of data; or

''(B) for accessing area codes of data in the registry if the person is permitted to access, but is not required to access, the 'do-not-call' registry under section 310 of title 16, Code of Federal Regulations, section 64.1200 of title 47, Code of Federal Regulations, or any other Federal regulation or law.

''(3) DURATION OF ACCESS.—

''(A) IN GENERAL.—The Commission shall allow each person who pays the annual fee described in paragraph (1), each person excepted under paragraph (2) from paying the annual fee, and each person excepted from paying an annual fee under section 310.4(b)(1)(iii)(B) of title 16, Code of Federal Regulations, to access the area codes of data in the 'do-not-call' registry for which the person has paid during that person's annual period.

''(B) ANNUAL PERIOD.—In this paragraph, the term 'annual period' means the 12-month period beginning on the first day of the month in which a person pays the fee described in paragraph (1).

''(c) ADDITIONAL FEES.—

''(1) IN GENERAL.—The Commission shall charge a person required to pay an annual fee under subsection (b) an additional fee for each additional area code of data the person wishes to access during that person's annual period.

''(2) RATES.—For each additional area code of data to be accessed during the person's annual period, the Commission shall charge—

''(A) $54 for access to such data if access to the area code of data is first requested during the first 6 months of the person's annual period; or

''(B) $27 for access to such data if access to the area code of data is first requested after the first 6 months of the person's annual period.

''(d) ADJUSTMENT OF FEES.—

''(1) IN GENERAL.—

''(A) FISCAL YEAR 2009.—The dollar amount described in subsection (b) or (c) is the amount to be charged for fiscal year 2009.

''(B) FISCAL YEARS AFTER 2009.—For each fiscal year beginning after fiscal year 2009, each dollar amount in subsection (b)(1) and (c)(2) shall be increased by an amount equal to—

''(i) the dollar amount in paragraph (b)(1) or (c)(2), whichever is applicable, multiplied by

''(ii) the percentage (if any) by which the CPI for the most recently ended 12-month period ending on June 30 exceeds the baseline CPI.

''(2) ROUNDING.—Any increase under subparagraph (B) shall be rounded to the nearest dollar.

''(3) CHANGES LESS THAN 1 PERCENT.—The Commission shall not adjust the fees under this section if the change in the CPI is less than 1 percent.

''(4) PUBLICATION.—Not later than September 1 of each year the Commission shall publish in the Federal Register the adjustments to the applicable fees, if any, made under this subsection.

''(5) DEFINITIONS.—In this subsection:

''(A) CPI.—The term 'CPI' means the average of the monthly consumer price index (for all urban consumers published by the Department of Labor).

''(B) BASELINE CPI.—The term 'baseline CPI' means the CPI for the 12-month period ending June 30, 2008.

''(e) PROHIBITION AGAINST FEE SHARING.—No person may enter into or participate in an arrangement (as such term is used in section 310.8(c) of the Commission's regulations (16 C.F.R. 310.8(c))) to share any fee required by subsection (b) or (c), including any arrangement to divide the costs to access the registry among various clients of a telemarketer or service provider.

''(f) HANDLING OF FEES.—

''(1) IN GENERAL.—The commission shall deposit and credit as offsetting collections any fee collected under this section in the account 'Federal Trade Commission—Salaries and Expenses', and such sums shall remain available until expended.

''(2) LIMITATION.—No amount shall be collected as a fee under this section for any fiscal year except to the extent provided in advance by appropriations Acts.''.

SEC. 3. REPORT.

Section 4 of the Do-Not-Call Implementation Act (15 U.S.C. 6101 note) is amended to read as follows:

''SEC. 4. REPORTING REQUIREMENTS.

''(a) BIENNIAL REPORTS.—Not later than December 31, 2009, and biennially thereafter, the Federal Trade Commission, in consultation with the Federal Communications Commission, shall transmit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Energy and Commerce that includes—

''(1) the number of consumers who have placed their telephone numbers on the registry;

''(2) the number of persons paying fees for access to the registry and the amount of such fees;

''(3) the impact on the 'do-not-call' registry of—

''(A) the 5-year reregistration requirement;

''(B) new telecommunications technology; and

''(C) number portability and abandoned telephone numbers; and

''(4) the impact of the established business relationship exception on businesses and consumers.

''(b) ADDITIONAL REPORT.—Not later than December 31, 2009, the Federal Trade Commission, in consultation with the Federal Communications Commission, shall transmit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Energy and Commerce that includes—

''(1) the effectiveness of do-not-call outreach and enforcement efforts with regard to senior citizens and immigrant communities;

''(2) the impact of the exceptions to the do-not-call registry on businesses and consumers, including an analysis of the effectiveness of the registry and consumer perceptions of the registry's effectiveness; and

''(3) the impact of abandoned calls made by predictive dialing devices on do-not-call enforcement.''.

SEC. 4. RULEMAKING.

The Federal Trade Commission may issue rules, in accordance with section 553 of title 5, United States Code, as necessary and appropriate to carry out the amendments to the Do-Not-Call Implementation Act (15 U.S.C. 6101 note) made by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. BUTTERFIELD) and the gentleman from Florida (Mr. STEARNS) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, this legislation, which we refer to as H.R. 2601, was introduced by the distinguished ranking member of the Subcommittee on Commerce, Trade, and Consumer Protection, my good friend Mr. STEARNS from the State of Florida. This bill is to extend the authority of the Federal Trade Commission to collect the fees that administer and enforce the provisions relating to the national do-not-call registry.

In 2003, Mr. Speaker, Congress passed the Do-Not-Call Implementation Act, which authorized the FTC to establish fees sufficient to implement the national do-not-call registry as originally authorized by the Telemarketing and Consumer Fraud and Abuse Prevention Act of 1994. I don't think it's hyperbole, Mr. Speaker, to say that this may quite possibly be one of the most popular laws and government initiatives in our Nation's history. Consumers have registered more than 146 million telephone numbers since the registry became operational in 2003.

The FTC's authority to annually establish the appropriate level of fees to charge telemarketers for access to the registry expires, yes, it expires in 2007, and Mr. STEARNS's bill, as amended, in the Energy and Commerce Committee renders that authority permanent. If Members of Congress wish to avoid the wrath of millions of angry constituents who are being called by telemarketers during dinner time, it is in our best interest to facilitate the continuing operation of the do-not-call registry and vote for this bill.

As is the case with the vast majority of the legislation passed out of the subcommittee of which I am a member, this is a bipartisan bill. I'm proud to say that, Mr. Speaker. We worked on this measure together. This is a bipartisan bill that was crafted in consultation with the appropriate agency of expertise, in this case the Federal Trade Commission. The bill passed my subcommittee by a voice vote on October 23; and a week later, on October 30, it was unanimously approved by the full Energy and Commerce Committee. It is fully deserving of quick passage on the floor of the House today.

As usual, Mr. Speaker, the staff on both sides of the aisle worked together on this bill, and with Ranking Member STEARNS as well as Ranking Member BARTON of the full committee, they should all be commended for their ongoing cooperation with the chairman, the distinguished gentleman from Michigan (Mr. DINGELL), and the distinguished gentleman from Illinois (Mr. RUSH), who chairs the subcommittee.

So, Mr. Speaker, with that said, I am going to urge a ''yes'' vote.

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

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

I thank the gentleman from North Carolina for his support on this important bill.

I rise in support of H.R. 2601, the Do-Not-Call Registry Fee Extension Act of 2007. As the sponsor of the legislation and as ranking member on the committee with jurisdiction over the Federal Trade Commission and over consumer protection, I can assure the Members of the body that this is a necessary piece of legislation. It will have an immediate and meaningful impact on our constituents. I can remember when we marked this up when I was chairman of the Subcommittee on Commerce, Trade, and Consumer Protection and we started this whole process rolling.

The national do-not-call registry was enacted by Congress to provide citizens the ability to place their home phone numbers on a list that prohibits unsolicited phone solicitations. My colleagues, unfortunately, the authority of the Federal Trade Commission to collect fees to maintain the registry has expired. This legislation simply restores the commission's authority to collect the necessary fees to maintain and update the registry and provides businesses with certainty on the fees that they pay to access the registry.

The bill also includes input from both the Federal Trade Commission and industry. We asked for their support. Substantively, the amended legislation provides permanency for the program through a consistent fee structure. This will help both business with predictability of fees and help the Federal Trade Commission excel by providing certainty of funding for this popular program, and this obviously makes budgeting far easier from year to year.

The legislation also provides for certain biannual reports by the Federal Trade Commission on the effectiveness of this registry that will provide Congress with the necessary information to provide adequate oversight, and that's important too, Mr. Speaker.

As the gentleman from North Carolina has mentioned, the popularity of this program has been very high and success of the do-not-call registry was confirmed by almost every member of our committee and their district. Many of our constituents still express their gratitude for enacting a simple law like this, the original law in providing a means to stop unwanted commercial solicitation over their home phone.

For those who avail themselves of this option, and remember now, if people out there want to use it, they have to call the toll-free number to get it, but the people who avail themselves of this have expressed satisfaction. They have experienced a noticeable decrease in phone calls interrupting their dinner and their family life.

So I am proud to be a sponsor of the reauthorization legislation. It's important that the act and the list continue in effect. This is one example where our actions received near unanimous bipartisan support here in Congress. Here we are with the omnibus budget bill and all the controversy, but here is a good example of bipartisan support. It brings in both the public, industry, and the Federal Trade Commission. So I am confident that the reauthorization of the Do-not-call Act is supported by millions of Americans who have placed their number on the list. So I urge all Members to support and vote for this bill.

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

Mr. BUTTERFIELD. I want to thank the gentleman for his comments.

Mr. Speaker, I have no further requests for time, and I am ready to close this out. But I am sure the American people will be very appreciative that we are willing to extend this to become a permanent program, the do-not-call registry.

Mr. DINGELL. Mr. Speaker, I rise in strong support of H.R. 2601, the ''Do-Not-Call Registry Fee Extension Act of 2007'', of which I am the lead Democratic sponsor. This bill enjoys wide bipartisan support. Its passage will help to ensure the continued operation of one of the most popular Federal consumer protection programs ever adopted by the Congress, the registry that allows consumers to list their phone numbers and thereby protect themselves from unwanted telemarketing phone calls.

Congress originally assigned the task of implementing and enforcing the Do-Not-Call Registry to the Federal Communications Commission, but they proved less than enthusiastic and nothing ensued. Congress then directed the Federal Trade Commission (FTC) to perform these tasks. To date, the Registry established by the FTC includes more than 145 million telephone numbers, and the FTC has initiated 27 cases alleging Do-Not-Call violations, resulting in orders totaling $8.8 million in civil

penalties and $8.6 million in redress or disgorgement. This is a proud record indeed.

To maintain the success of this program, however, legislative action is needed. The authority of the FTC to collect fees to support maintenance of the Registry and the related enforcement program expired at the end on September 2007. H.R. 2601, whose lead sponsor is Rep. STEARNS, will provide the FTC with a permanent fee structure for this purpose, contingent on approval of the fees in annual appropriations acts. This will provide appropriate oversight over the funding mechanism. The bill also requires the FTC to prepare two reports on the use and effectiveness of the Registry, including allegations regarding abuse surrounding a number of exemptions. The Committee takes these consumer complaints seriously and intends to look into them, in connection with review of the FTC reports.

I urge my colleagues to vote for this important consumer protection bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. BUTTERFIELD) that the House suspend the rules and pass the bill, H.R. 2601, as amended.

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

A motion to reconsider was laid on the table.

DO-NOT-CALL IMPROVEMENT ACT OF 2007

Mr. BUTTERFIELD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3541) to amend the ''Do-not-call'' Implementation Act to eliminate the automatic removal of telephone numbers registered on the Federal ''do-not-call'' registry, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3541

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 ''Do-Not-Call Improvement Act of 2007''.

SEC. 2. PROHIBITION OF EXPIRATION DATE FOR REGISTERED NUMBERS.

The Do-Not-Call Implementation Act (15 U.S.C. 6101 note) is amended by adding at the end the following:

''SEC. 5. PROHIBITION OF EXPIRATION DATE.

''(a) NO AUTOMATIC REMOVAL OF NUMBERS.—Telephone numbers registered on the national 'do-not-call' registry of the Telemarketing Sales Rule (16 C.F.R. 310.4(b)(1)(iii)) since the establishment of the registry and telephone numbers registered on such registry after the date of enactment of this Act, shall not be removed from such registry except as provided for in subsection (b) or upon the request of the individual to whom the telephone number is assigned.

''(b) REMOVAL OF INVALID, DISCONNECTED, AND REASSIGNED TELEPHONE NUMBERS.—The Federal Trade Commission shall periodically check telephone numbers registered on the national 'do-not-call' registry against national or other appropriate databases and shall remove from such registry those telephone numbers that have been disconnected and reassigned. Nothing in this section prohibits the Federal Trade Commission from removing invalid telephone numbers from the registry at any time.''.

SEC. 3. REPORT ON ACCURACY.

Not later than 9 months after the enactment of this Act, the Federal Trade Commission shall report to Congress on efforts taken by the Commission, after the date of enactment of this Act, to improve the accuracy of the ''do-not-call'' registry.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. BUTTERFIELD) and the gentleman from Florida (Mr. STEARNS) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

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

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

There was no objection.

Mr. BUTTERFIELD. Mr. Speaker, at this time I yield myself such time as I may consume.

The bill that we now consider on the floor is related to the previous bill that we just adopted. H.R. 3541, the Do-not-call Improvement Act of 2007, ensures that Americans who signed up to be on the do-not-call list remain on the do-not-call list. As the law currently stands, consumers are automatically purged from the registry after a 5-year period and they are forced to re-register their phone numbers with the FTC. Consequently, if we do nothing, of the 132 million telephone numbers that are currently listed on the do-not-call registry, almost 52 million of those numbers will expire and once again be fair game for telemarketers.

I guarantee you, Mr. Speaker, that the vast majority of these consumers are unaware that they must relist their phone numbers. As was the case with the previous bill, I don't think Members of Congress want to incur the wrath of millions of angry constituents and family members who thought they were safe from the nuisance of telemarketers, but are once again getting their pestering phone calls every evening. I might also add that September 28, the date in which 52 million numbers will expire, is right before election day. Need I say more?

The authors of the bill, my good friend Mr. DOYLE, who will speak in just a few moments, the gentleman from Pennsylvania, and my friend Mr. PICKERING from Mississippi, are both valued members of the Energy and Commerce Committee, and they are to be commended for their bipartisan cooperation. On October 30 the bill was amended at the full committee markup to require the FTC to periodically scrub the do-not-call registry to remove phone numbers that have been disconnected or reassigned and further requires the commission to report to Congress on the accuracy of the registry. As such, H.R. 3541 ensures that the do-not-call list is fair and accurate and that only those American consumers who do not wish to be called by telemarketers are on the registry.

This is a thoughtful, bipartisan piece of legislation, and I urge its adoption.

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

□ 1615

Mr. STEARNS. Mr. Speaker, I rise in support of this bill, H.R. 3541, the Do-Not-Call Improvement Act, and I thank my colleagues from Pennsylvania and Mississippi for their initiative here of making a good bill even better. This legislation simply removes the requirement from the Federal Trade Commission to automatically remove consumers' phone numbers from the registry.

My colleagues, the original act would have required consumers to re-register their phone number every 5 years and was intended, in part, to keep the list accurate and up to date. This will result in tens of millions of Americans being dropped off the list each year contrary to their intention. Millions of Americans would have to re-up, so to speak, to stay on the list. Most of them, in their day-to-day life, would be unaware that their number is about to expire.

So, this bill does a great service. This bill corrects this and would make numbers on the registry permanent, but at the same time require the Federal Trade Commission to keep the list accurate by simply removing invalid and disconnected phone numbers. As further assurance of this, the Federal Trade Commission must study and report to Congress on the accuracy of these numbers. I think that's important. And we mentioned that earlier in the bill, that we're going to have the Federal Trade Commission come back with a report to us. And this is a good area for the Federal Trade Commission to come back and talk about the accuracy of these millions and millions of numbers. So, I applaud my two colleagues for doing that.

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

Mr. BUTTERFIELD. Mr. Speaker, at this time, I would like to yield 4 minutes to my good friend from Pennsylvania, a gentleman who works so hard for his constituents, Mr. DOYLE.

Mr. DOYLE. I thank my friend from North Carolina.

Mr. Speaker, I rise today to urge my colleagues to approve H.R. 3541, the Do-Not-Call Improvement Act of 2007.

The national do-not-call registry was established in 2003 and is managed by the Federal Trade Commission and enforced by the FTC, the Federal Communications Commission, and State law enforcement officials. Most telemarketers are not allowed to call your number once it has been on the registry for 31 days. If they do, you can

file a complaint against them with the FTC and they can be forced to pay a fine.

The Federal do-not-call registry is one of the most successful government programs ever created. Over 132 million telephone numbers have been added to the registry since its creation. Unfortunately, current regulations require that the registry remove individuals' numbers after 5 years. Consequently, starting in June of 2008, millions of people will begin receiving telemarketing calls again. Many of them don't realize that their listing has expired and that they need to add their number to the do-not-call list again if they want to block telemarketers' phone calls.

It makes no sense to force people to sign up every couple of years. Unfortunately, that's just what will happen if action isn't taken. And that's why I introduced this legislation along with my good friend from Mississippi, CHIP PICKERING, to make registration with the Federal do-not-call list permanent.

My legislation, the Do-Not-Call Improvement Act of 2007, would make the numbers on the Federal do-not-call registry permanent. Under this legislation, someone would only have to sign up for the do-not-call registry once. Without passage of this act, over 50 million phone numbers will be purged from the registry within the next year. The hassle for consumers will be tremendous, with no real payoff.

Now, when a consumer signs up for the do-not-call list, they expect a roach motel where their numbers go in and the telemarketers can't check them out. But for those few individuals who are worried that they might change their mind at some future date, I want to make clear that this bill will still allow individuals to take their names off if they choose to, and it gives the FTC explicit authority to scrub numbers that are invalid or don't belong on the list.

There is no need to risk Americans being removed from the do-not-call list unless they want to be removed, and the best way to deal with this nightmare is to end it before it starts. As I said when I introduced this legislation, I suspect there are very few people saying, ''Gee, I really miss those telemarketing calls at dinnertime. I wish the Government would just take me off that do-not-call list.'' Well, if this bill is enacted, individuals won't have to worry about signing up for the do-not-call list every 5 years.

Mr. Speaker, I want to thank the AARP, the Consumers Union, the Center for Democracy and Technology, Consumerist.com, and the American Teleservices Association for endorsing this bill. It's a great day when consumer groups, senior groups, privacy groups, and yes, even telemarketers, can agree on making the do-not-call list better.

I urge my colleagues to join me in passing this legislation. By signing up with the national do-not-call registry, over 130 million Americans have told telemarketers, ''Don't call us; we'll call you.'' Let's save them the hassle of having to have sign up time and time again.

In closing, I want to thank my friend CHIP PICKERING. I want to thank Energy and Commerce Committee Chairman DINGELL, Ranking Member BARTON, Commerce, Trade and Consumer Protection Subcommittee Chairman BOBBY RUSH and my good friend CLIFF STEARNS. And I also want to thank several staffers who have worked so hard on this bill: Gregg Rothschild, Consuela Washington, Shannon Weinberg, Brian McCullough, Will Carty. And finally, I want to thank Hugh Carroll of Mr. PICKERING's staff and Kenneth DeGraff of my staff for all of their hard work.

I encourage my colleagues to join me in passing this bill and making one of the most popular Federal services even better.

Mr. STEARNS. Mr. Speaker, I yield 3 minutes to the distinguished Member from Mississippi (Mr. PICKERING).

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

Mr. PICKERING. Mr. Speaker, I rise in support of H.R. 3541. I, too, want to join in commending my colleagues, Mr. BUTTERFIELD, Mr. STEARNS, and my good friend Congressman DOYLE from Pennsylvania. I thank the leadership of the committee, Chairman DINGELL and Congressman JOE BARTON. JOE has been a good friend, and he has provided the support on our side, and CLIFF STEARNS, the leadership on our side.

MIKE DOYLE has been a tireless champion on this, a bulldog, and a great advocate for keeping peace and goodwill through the Christmas season for the citizens of our country as we do something that is common sense and pretty straightforward and simple, and that is to extend the do-not-call.

We do not want the cold calls to fill the stockings. We simply want the good cheer that will come from the time around the dinner table and the Christmas tree and the holiday season that all of us who want to be protected in that sanctuary of home will be, and this bill will do that.

The other great benefit, if we're watching our budget around Christmastime as a country and in the Congress, this has no cost. And so for our friends on the Senate side who are known to be frugal, we can tell you this has no cost. It can be passed quickly. It should be passed quickly as a Christmas present for the citizens of the country.

This is good government. It is time. And we can do this together, House and Senate, on a bipartisan basis. It is one of the most widely popular programs that we've had in this country; over 150 million people have signed up. I'm proud to be part of this effort, and I'm proud that I've worked with friends on the other side of the aisle to achieve this.

This is good news, good legislation, and a good effort. And I do wish to commend the committee for their work. I thank Mr. DOYLE again for his good leadership.

As I previously stated, the Do Not Call legislation is extremely popular and has been effective in largely eliminating the unwanted intrusions associated with commercial telemarketing calls to the home. We should all be proud of the success of the legislation and I want to commend both the FCC and FTC for their efforts in this area. I am confident that this language will benefit both the American people and industry. FTC and industry concerns were well vetted and fully considered as the bill moved through normal process. We added the reporting requirement to ensure we are providing an accurate database to the telemarketing industry so they are not hindered by making registration permanent.

Since the Do Not Call registry falls within the jurisdiction and enforcement of both the FCC and FTC, I hope there is continued consistent application, direction, and enforcement by both agencies. We have all worked hard to develop and implement the Do Not Call legislation, and we must be cautious in protecting its integrity and enforceability, particularly as it applies to charities and nonprofits. Inconsistent direction or enforcement ultimately will weaken the enforceability of the restrictions and undermine the statutory intent of this successful Government program. Again, I thank the committee and look forward to passage of this legislation.

Mr. BUTTERFIELD. Mr. Speaker, this has been a good debate on this issue, and I want to thank both the gentlemen who have authored this bill for their passion and for their leadership and what they do for the Congress.

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

Mr. STEARNS. Mr. Speaker, I have no further speakers. I just want to add to Mr. PICKERING's comment about the frugality of the Senate. I think certainly if Mr. PICKERING was in the Senate, we wouldn't have that frugality.

Mr. PICKERING. Would the gentleman yield?

Mr. STEARNS. I would be glad to yield.

Mr. PICKERING. I would be regretful if I did not mention the good work of the staff, as did Mr. DOYLE. And for me, on my staff, Hugh Carroll has been tireless and has worked hard, and I appreciate his good work on this effort.

Mr. DINGELL. Mr. Speaker, I rise in strong support of H.R. 3541 the ''Do-Not-Call Improvement Act of 2007''. This bill enjoys wide bipartisan support. Along with H.R. 2601, legislation considered by the House immediately before this bill, these measures will strengthen and ensure the continued operation of one of the most popular Federal consumer protection programs ever adopted by the Congress, the registry that allows consumers to list their phone numbers and thereby protect themselves from unwanted telemarketing phone calls.

Current rules provide that telephone numbers be removed from the list after 5 years, thus requiring consumers to re-register their numbers in order to fend off pesky telemarketing calls. Most consumers are unaware

of this requirement. And I would observe that it places a particular burden on the elderly, the group most often victimized by telemarketing frauds.

The FTC testified before our Committee last month that they would not remove any expiring numbers from the Do-Not-Call Registry, that is, phone numbers will stay registered, pending action by Congress to address this issue.

To that end, H.R. 3541 will eliminate the automatic removal of telephone numbers registered on the Registry, subject to certain common sense exceptions, such as at the request of the individual to whom the number is assigned. To maintain the accuracy of the Registry, H.R. 3541 directs the FTC to ''periodically'' check telephone numbers on the Registry against national or other appropriate databases, and remove from such Registry telephone numbers that have been disconnected and reassigned. The Committee intends for the FTC or any subcontractor to check these numbers at least once a month and preferably more frequently as technology allows. Nothing in this bill prohibits the FTC from removing invalid telephone numbers from the Registry at any time. The Committee expects the FTC to work with industry and technology experts to ensure the accuracy of the Registry. The legislation directs the FTC to report to Congress, not later than 9 months after date of enactment, on efforts taken by the agency to improve the accuracy of the Registry. I commend Representatives DOYLE and PICKERING for their strong bipartisan leadership on this legislation.

I urge my colleagues to vote for this strong package of important consumer protections. Let us hope for swift action on H.R. 3541, as well as on the legislation establishing a permanent funding mechanism, leading to quick enactment so that Americans are not once again inundated with unwanted calls from telemarketers.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. BUTTERFIELD) that the House suspend the rules and pass the bill, H.R. 3541, as amended.

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

The title was amended so as to read: ''A Bill to amend the Do-not-call Implementation Act to eliminate the automatic removal of telephone numbers registered on the Federal 'do-not-call' registry''.

A motion to reconsider was laid on the table.

TRADE ADJUSTMENT ASSISTANCE PROGRAM EXTENSION

Mr. LEVIN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4341) to extend the trade adjustment assistance program under the Trade Act of 1974 for 3 months.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4341

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

SECTION 1. TEMPORARY EXTENSION OF TRADE ADJUSTMENT ASSISTANCE PROGRAM.

(a) ASSISTANCE FOR WORKERS.—Section 245(a) of the Trade Act of 1974 (19 U.S.C. 2317(a)) is amended by striking ''December 31, 2007'' and inserting ''March 31, 2008''.

(b) ASSISTANCE FOR FIRMS.—Section 256(b) of the Trade Act of 1974 (19 U.S.C. 2346(b)) is amended—

(1) by striking ''and $4,000,000'' and inserting ''$4,000,000''; and

(2) by inserting after ''October 1, 2007,'' the following: ''and $4,000,000 for the 3-month period beginning on January 1, 2008,''.

(c) ASSISTANCE FOR FARMERS.—Section 298(a) of the Trade Act of 1974 (19 U.S.C. 2401g(a)) is amended—

(1) by striking '', and there are authorized'' and inserting ''. There are authorized''; and

(2) by adding at the end the following: ''There are authorized to be appropriated and there are appropriated to the Department of Agriculture to carry out this chapter $9,000,000 for the 3-month period beginning on January 1, 2008.''.

(d) EXTENSION OF TERMINATION DATES.—Section 285 of the Trade Act of 1974 (19 U.S.C. 2271 note) is amended by striking ''December 31, 2007'' each place it appears and inserting ''March 31, 2008''.

(e) EFFECTIVE DATE.—The amendments made by subsections (a) through (d) shall be effective as of January 1, 2008.

SEC. 2. OFFSETS.

(a) TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.—The percentage under subparagraph (B) of section 401(1) of the Tax Increase Prevention and Reconciliation Act of 2005 in effect on the date of the enactment of this Act is increased by 0.25 percentage points.

(b) CUSTOMS USER FEES.—Section 13031(j)(3)(B)(i) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)(B)(i)) is amended by striking ''December 13, 2014'' and inserting ''December 20, 2014''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. LEVIN) and the gentleman from California (Mr. HERGER) will each control 20 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. LEVIN. TAA will run out very soon, and it's essential that that not happen. This is a vital program for workers in this country, for the firms for which they work, for farmers, and for their entire communities.

We've been trying to not only extend TAA, but we've been trying to reform it and to improve it. We have passed legislation in this House, legislation that, indeed, reformed and enhanced and expanded TAA, and it passed this House with some considerable bipartisan support. It addressed issues like this:

Expands TAA to service workers;

Improves funding, because a number of States have essentially run out of funds;

Streamlines the process for application for TAA because an unfriendly regimen of rules has too often made it difficult for people to access it;

Modernizes the unemployment system, which badly needs it;

Provides assistance to manufacturing communities hard hit by trade.

Unfortunately, though this bill passed comfortably in this House and was an important landmark supported by our Speaker, by the majority leader, by Chairman RANGEL, by others, many of us on the Ways and Means Committee and, as I said, with some considerable bipartisan support, but unfortunately, the bill has essentially not moved in the other body. And it has been blocked, I think, by a position in the other body that it should be linked to something else.

Also, the administration essentially has opposed this legislation. And it was really rather startling that that occurred. After all, earlier this fall the President said this about TAA: ''I understand that if you're forced to change a job halfway through a career it can be painful for your family. I know that. And that is why I'm a big believer in trade adjustment assistance that helps Americans make the transition from one job to the next.''

Unfortunately, it was only a few weeks after that that we received, on the eve of the markup of the bill in the Ways and Means Committee, a letter from the Secretary of Labor opposing the bill that was before the committee. And in the letter the Secretary said, ''negative impacts with trade that are borne by the few,'' that this does not warrant the changes we make in the legislation. Unfortunate language, indeed, because there has been an impact of trade very substantially across the board, not only in the manufacturing industries, but in the service industries and beyond, and that that impact has been borne by many, many more than a few.

So, what has happened is that we passed this legislation with some bipartisan support, legislation that, as I say, expanded and reformed TAA and also addressed overdue issues of unemployment counts. We're just stuck because of the opposition of the administration, and also because of inaction in the Senate.

So, here's what this legislation does:

It extends TAA for 3 months. Why 3 months? Three months because it's the intention the majority, after we return after the holidays, if we adjourn for the holidays, and I assume we will, to get moving quickly to take up this vital reform of TAA within the first few months, to make it a high priority in this House, and we hope in the entire Congress, and we hope in the White House.

□ 1630

So I come today on behalf of many of us viewing the importance of this legislation and asking that this House vote for a 3-month extension until March 31, 2008.

I reserve the balance of my time.

Mr. HERGER. Mr. Speaker, I yield back myself so much time as I may require.

I rise in support of this extension of the Trade Adjustment Assistance, or TAA program, for 3 months beyond its expiration of December 31. The TAA program provides important training,

health care, and other benefits to American workers adversely affected by trade. While this bill will continue the program for 3 months, I believe 6 months would be better and would allow the Senate sufficient time to pass the TAA reauthorization bill.

Also, the Senate and House must work together to develop what I hope will be truly bipartisan legislation that helps workers affected by trade and globalization get retrained and back to work sooner. Unfortunately, the House-passed Democrat bill was not the product of a bipartisan approach as I had hoped and did not include key Republican reform proposals.

In light of this, an overwhelming majority of the Republicans did not support it, and the bill drew a veto threat from the administration. In contrast, a TAA reauthorization bill that committee Republicans offered in an alternative on the floor was supported by 95 percent of all House Republicans and 11 Democrats. This strong support reflects the meaningful reforms in our 5-year TAA reauthorization, such as an increased health coverage tax credit.

As debate moves forward, I hope that at least some of the key TAA reforms in our bill will be considered and adopted. Several critical reforms in the House Republican TAA bill were not included with the House-passed language. They include providing more flexible training options to get people back to work sooner, such as training before layoffs, part-time training, and providing training scholarship for workers to use over 4 years, provisions to enhance the capacity of training providers, primarily community colleges to provide effective training programs, new accountability measures for TAA program funds, an extension and modernization of the Workforce Investment Act that will better integrate it with TAA to expand services to all workers and additional flexibility for States to operate UI programs that would help workers get back on the job faster.

I also want to reiterate my opposition to how the majority paid for the House-passed bill, and I hope we can revisit this issue as the process moves ahead.

Finally, Mr. Speaker, I believe we should discuss TAA expansion in the context of initiatives that would expand trade opportunities for U.S. workers, farmers, and producers. We must pass all of our pending trade agreements with Colombia, Panama, and South Korea and reauthorize trade promotion authority that allows the President a stronger hand to negotiate these beneficial agreements in the first place.

I yield back the balance of my time.

Mr. LEVIN. Mr. Speaker, this is not the time to have any lengthy debate about trade nor, I think, about TAA. But before I yield back my time, since this is going to be a 3-month extension, and that means there needs to be quick action and we intend to undertake it as soon as we come back, I do want to emphasize a few points. Number one, the bill that passed here addressed the issue of service workers. Essentially, what Mr. HERGER has referred to in his bill left the status quo and left out virtually all service workers, and that is simply inadequate and inappropriate.

It also did not touch the issue of funding. It did not streamline the processes so many people today in the manufacturing field for example when they lose their job because of trade simply can't work their way through all of the red tape. Also it doesn't address the issues within the unemployment compensation system and also doesn't refer to the needs of communities especially hard hit in manufacturing areas.

So we should pass this bill with notice that we here on the majority side intend to move quickly next year. I hope there can be a lot of bipartisan discussion. We need to do it quickly.

Let me say one last thing about the gentleman from California's statement about trade bills. We need to reform trade policy. We also need to pass trade adjustment assistance, and the attempt to link the two in terms of legislation simply will not work, and I don't think should or will happen.

TAA can stand on its own feet. TAA is necessary for those thrown out of work through no fault of their own because of the impact of trade. And to try to use TAA as an instrumentality to push particular trade bills simply shortchanges people in this country who lose their jobs, communities that lose their base, firms that are left out because of trade. Trade is not the only cause of dislocation in this country, but it is a substantial cause that needs to be addressed by reforming trade policy, number one, and we took major steps to begin to do that this year on the majority side, and also to pass TAA.

So I hope Mr. HERGER and the Republicans will join with us the first 3 months of next year, and let's get busy and pass TAA. I hope also that the administration will drop its resistance and also stop trying to use TAA as a bargaining tool. That is not fair to people who are hurting economically through no fault of their own.

GENERAL LEAVE

Mr. LEVIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4341.

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

There was no objection.

Mr. LEVIN. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. LEVIN) that the House suspend the rules and pass the bill, H.R. 4341.

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

A motion to reconsider was laid on the table.

ADDRESSING VULNERABILITIES IN AVIATION SECURITY

Mrs. LOWEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1413) to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to address vulnerabilities in aviation security by carrying out a pilot program to screen airport workers with access to secure and sterile areas of airports, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1413

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

SECTION 1. ENHANCED PERIMETER SECURITY AND ACCESS CONTROL THROUGH COMPREHENSIVE SCREENING OF AIRPORT WORKERS.

(a) PILOT PROGRAM.—Not later than 120 days after the date of the enactment of this Act, the Assistant Secretary of Homeland Security (Transportation Security Administration) shall carry out a pilot program at 7 service airports to screen all individuals with unescorted access to secure and sterile areas of the airport in accordance with section 44903(h) of title 49, United States Code.

(b) PARTICIPATING AIRPORTS.—At least 2 of the airports participating in the pilot program shall be large hub airports (as defined in section 40102 of title 49, United States Code). At least 1 of the airports participating in the pilot program shall be a category III airport. Each of the remaining airports participating in the pilot program shall represent a different airport security risk category (as defined by the Assistant Secretary).

(c) SCREENING STANDARDS.—

(1) IN GENERAL.—Except as provided under paragraphs (2) and (3), screening for individuals with unescorted access under the pilot program shall be conducted under the same standards as apply to passengers at airport security screening checkpoints and, at a minimum of 1 airport, shall be carried out by a private screening company that meets the standards in accordance with section 44920(d) of title 49, United States Code. That airport shall be an airport that uses such a private screening company to carry out passenger screenings as of the date of the enactment of this Act.

(2) DESIGNATED SCREENING LANE.—In addition to the requirements under paragraph (1), each airport participating in the pilot program shall designate at least one screening lane at each airport security screening checkpoint to be used to screen individuals with unescorted access on a priority basis under the pilot program. Such lane may also be used to screen passengers.

(3) ALTERNATIVE MEANS OF SCREENING.—At 1 of the 7 airports participating in the pilot program, the Assistant Secretary shall deploy, instead of the screening standards required under paragraphs (1) and (2), alternative means of screening all individuals with unescorted access to secure and sterile areas of the airport. Alternative means of screening may include—

(A) biometric technology for airport access control;

(B) behavior recognition programs;

(C) canines to screen individuals with unescorted access to secure and sterile areas of the airport;

(D) targeted physical inspections of such individuals;

(E) video cameras; and

(F) increased vetting, training, and awareness programs for such individuals.

(d) VULNERABILITY ASSESSMENTS.—As part of the pilot program under this section, the Assistant Secretary shall conduct a vulnerability assessment of each airport participating in the pilot program. Each such assessment shall include an assessment of vulnerabilities relating to access badge and uniform controls.

(e) TECHNOLOGY ASSESSMENTS.—Airport operators at each airport at which the pilot program under this section is implemented shall conduct an assessment of the screening technology being used at that airport and submit the results of the assessment to the Assistant Secretary. The Assistant Secretary shall compile the results of all the assessments and provide them to each airport participating in the pilot program.

(f) OPERATIONAL ASSESSMENTS.—As part of the pilot program under this section, the Assistant Secretary shall conduct an operational assessment at each airport participating in the pilot program. Each such assessment shall include an evaluation of—

(1) the effect on security of any increase in terminal congestion created as a result of screening individuals with unescorted access under the pilot program;

(2) the average wait times at screening checkpoints for passengers and individuals with unescorted access;

(3) any additional personnel required to screen individuals with unescorted access;

(4) the effect of screening individuals with unescorted access on other security-related activities at the airport;

(5) any lost productivity of individuals with unescorted access associated with airport participation in the pilot program; and

(6) the rate at which ''prohibited items'' are detected and confiscated from individuals with unescorted access.

(g) DURATION.—The pilot program shall be carried out for a period of not less than 180 days.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

(i) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the last day of the pilot program, the Assistant Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the pilot program.

(2) CONTENTS OF REPORT.—The report shall include the following:

(A) An assessment of the effect of screening all airport workers with access to secure and sterile airport areas on screening and logistical resources.

(B) An assessment of the security improvements that are achieved from screening such workers.

(C) An assessment of the costs of screening such workers.

(D) The results of the vulnerability assessments conducted under subsection (d).

(E) An estimate of the infrastructure and personnel requirements necessary to implement a screening program for individuals with unescorted access at all commercial service airports in the United States in order to process each such individual and each passenger through each screening checkpoint in fewer than 10 minutes.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. LOWEY) and the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. LOWEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on this bill and include therein any extraneous material.

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

There was no objection.

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

Mr. Speaker, H.R. 1413 creates a pilot program screening airport workers at seven airports. Screening passengers but giving workers open access is like installing a home security system but leaving the back door open. We know criminal activity has resulted from this loophole and we cannot take a chance that terrorists will exploit it. H.R. 1413 is a bipartisan approach to ensure security at our airports, and I urge my colleagues to support it.

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

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 1413, legislation sponsored by my good friend and fellow New Yorker, Nita Lowey, and me that seeks to close an important loophole in the airport security program.

Since 9/11, Congress and the airline industry have taken strong affirmative actions to tighten security at our Nation's airports. However, one of the few areas of security that has grown unchanged since the horrific events of 9/11 is airport workers screening. While airline passengers are searched from head to foot before we board a plane or reach the gate, most airports do not screen 100 percent of their employees when entering into secure areas.

Earlier this year at the Orlando International Airport just outside my congressional district, airport employees were able to smuggle loaded weapons onto a plane bound for Puerto Rico. This significant breach in security could have been avoided with 100 percent screening of airport workers. Thankfully, no one was hurt, and the employees' intent was not to incite terror. However, had those guns been used to hijack a plane to commit a larger terrorist act, I am confident that we would have 100 percent screening at all our airports and that would already be in place as we speak.

Let's not wait for such an attack to occur before we take action. H.R. 1413 will create a pilot program for TSA to test the plausibility of screening of all airport workers at seven airports. While some have objected to the 100 percent worker screening in principle, they have no broad federally operated test case upon which to base this opinion. The value of this pilot project is that it allows TSA to evaluate thoroughly the strengths and weaknesses of 100 percent airport worker screening on a small scale. While no one wants more bureaucracy for bureaucracy's sake, we do need to protect the traveling public.

I strongly urge my colleagues to support this bill.

I reserve the balance of my time.

Mrs. LOWEY. Mr. Speaker, I continue to reserve the balance of my time.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I yield to the gentleman from Florida from the airport that, I might add, does have 100 percent screening.

Mr. MICA. Mr. Speaker and my colleagues, I had the honor and privilege of chairing the House Aviation Subcommittee for some 6 years. I inherited that responsibility some months after September 11 and concluded my service as the Chair of that important subcommittee January of this year. I now am the ranking member on the Transportation and Infrastructure Committee.

Just by way of my background, I have been involved in both the creation of TSA and the evolution of TSA over these years, and, trying to make certain, as I know Ms. GINNY BROWN-WAITE is doing, Representative NITA LOWEY is trying to do, and I think they are very well intended and actually I hope to work with them, I just found out about this proposal coming up today last night, and I do pledge to work with them to try to make their intent the most effective intent, protecting the American public. And I know that is what Ms. GINNY BROWN-WAITE does. That is her intent. And I think that is Mrs. LOWEY's intent here.

But what we have got to do is make certain that we aren't doing something that really won't achieve the results. And I think the normal screening of workers, as it has been done as we screen passengers, would not be that effective. So I have no objection to a demonstration project, but I think what we need is one that is sophisticated to try to deal with finding out what the bad intent of supposedly good aviation system workers may be.

□ 1645

Most of what we have at the airport today, I hate to tell you, the technology does not deal with the current threat. The current threat is not someone taking a gun or a weapon, as we traditionally know it, through airport screening checkpoints. In fact, USA Today has shown even how flawed this system is, in revealing some of the results of taking through not only those type items but also other items that may pose a risk today.

The problem we have is people with bad intent who obtain employment in this industry can do great harm. What we need to do is focus the screening on going after that bad intent, because once they get past the worker screening or passenger screening point, a worker has access to chemicals, substances, tools, a treasure trove of items that can be used to take down an aircraft, and that is what we want to prevent.

So I am not going to try to kill this measure. That is not my intent. In fact, I didn't come out here to call for

a roll call vote on this. But what I would like to do is work with them to see that their intent, which is to make certain that workers who may pose danger to the system, we find a way to screen them that would be most effective in protecting our passengers.

The worst thing we can do, and I will tell you this, I helped create the Department of Homeland Security, I helped author the TSA bill. But TSA and the Department of Homeland Security is 177,000 employees. I compare it to sort of like pigeons you may see in a plaza, and when Congress claps its hands, they will all fly off in whatever direction we send them, but it may not always be the best-intended.

I give you one final example. We ban lighters from being carried onboard aircraft. We ban lighters, but we didn't ban cell phones or cameras with a battery. Here's my cell phone. This is much more dangerous as an ignition electronic device than any lighter that you can carry onboard.

So sometimes we do things here with good intentions, like the lighter ban, but they may not have the results we would like to achieve. So I came here to tell both of the sponsors I appreciate what they are trying to do, but I think we can take and craft their demonstration project into a demonstration project that truly screens workers in a way that will be beneficial to catch the potentially bad players and that we can make this system safer.

So I compliment you on your well-intended efforts. I pledge to work with you, and we will take it from there.

Mrs. LOWEY. Mr. Speaker, I thank the gentleman for his wisdom and for his willingness to work with us. I have no more speakers, and I urge the Members to support this critical legislation.

I reserve the balance of my time.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I am delighted Mr. MICA does want to work with us. Certainly, the type of screening he is talking about, where we are able to determine or hopefully determine the intent of the workers coming in, is a very good one. But I think we also need to be very vigilant to make sure that they are not bringing in suitcase bombs in what may look like a worker's toolbox.

This situation was actually brought to my attention by TSA workers who, at one of the airports that I was at, said to me, You know, we have to screen you, but would you believe people are coming in the back door without any kind of screening at all, other than a swipe card? These are people who may work at the airport; they work at the concession stands. And certainly the TSA workers are screened, Members of Congress are screened, candidates for President are screened when they go through the airport, but imagine this, that individuals are coming in the back door with just a swipe card.

We need to make sure that money is well spent, I agree with Mr. MICA, and I think that what we need is a variety of ways to deter any acts of terrorism, and that clearly is what this pilot program is all about. I look forward to working with Mr. MICA and being able to utilize his many years of experience on this.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today in strong support of H.R. 1413.

H.R. 1413 was introduced by Representatives LOWEY and BROWN-WAITE to establish a pilot program to test the viability of physically screening airport workers at seven (7) airports. I am pleased to report that this bipartisan bill, as amended in Committee, not only requires TSA to test physical screening but also alternative forms of screening, including: biometrics, behavior recognition, and canine teams.

Consideration of H.R. 1413 is timely in light of the October 2007 arrest of 10 airline employees for operating a drug smuggling ring at John F. Kennedy International Airport in New York. The ring leader allegedly directed JFK airport employees from inside the airport on how to move heroin and cocaine into so-called "safe areas" of the airport.

Mr. Speaker, most people that work in our nation's airports are hardworking, trustworthy people who pose no threat to the traveling public. However, in a post-9/11 world, we have to address the risk of an "inside job"—where an attack is planned and executed by an airport worker who exploits security gaps. H.R. 1413 does just that.

H.R. 1413 does so in a manner that strives to assure that that people that keep the planes flying are able to do their job. Specifically, H.R. 1413 creates a 180-day pilot program where all the people that access the terminal and the airplanes, not just the American Flying Public, are screened.

To those who think this can't be done, I'm here to tell you "it can be done." They do it at London's Heathrow airport. They do it at DeGaulle Airport in Paris. I understand that there are those who don't want us to look at this approach. But in a post-9/11 world, failing to do so is just plain wrong.

Under the leadership of Subcommittee Chairwoman JACKSON-LEE, H.R. 1413 was agreed to "as amended," on April 24th by voice vote. The full committee considered, voted and reported favorably on August 1. I strongly urge passage of this bill that takes a reasonable approach to exploring how to better secure our airports, airplanes and travelers.

Mrs. LOWEY and Ms. BROWN-WAITE are to be commended for their leadership on this critical legislation. I look forward to continuing to work with the bills sponsors and other interested parties to ensure that TSA structures the pilot in a manner that provides Congress with the best guidance on how to address this gap in security. I strongly urge passage on this important homeland security measure.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise in strong support of H.R. 1413, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to address vulnerabilities in aviation security by carrying out a pilot program to screen airport workers with access to secure and sterile areas of airports, introduced by my distinguished colleague from New York, Representative LOWEY. As a member of the Committee on Homeland Security and Chair of the Subcommittee on Transportation and Infrastructure Protect, I believe that this important piece of legislation, of which I am a proud cosponsor, is absolutely imperative for insuring the protection of our nation.

Today, aviation security is high on the list of priorities of air travelers, the Federal Government, and the international air community. Since September 11th we have made many improvements in the security of our nation's transportation infrastructure. However our job is far from over, whether it's more improvements to be made or gaps to close. In matters of security, we must not become complacent—as our enemies adapt, so must we. And we did, we now have a federal screening workforce, we screen 100 percent of the checked baggage, we are in the process of moving to 100 percent screening of air cargo and we are constantly trying to find new technology to help all of these functions. In addition we armed pilots and barricaded the cabin door, still there is much more that needs to be done and this legislation is an important step in the direction of making our nation more secure.

This important legislation includes a number of provisions that will make American airports safer by directing the Assistant Secretary of Homeland Security to implement a number of new programs. In this day and age when Presidential candidates and Members of Congress must go through airport security and screening, it is unfathomable that airport employees with access to sterile areas of the airport are still excused from such screening. This legislation calls for the implementation of a pilot program at five commercial service airports that will screen all airport workers with access to sterile areas of the airport. This program calls for screening of airport employees to be conducted under the same standards as apply to passengers at security screening checkpoints and to be carried out by private screeners at a designated screening lane for their exclusive use at a minimum of two airports. This will ensure that airport employees are held to the same standards as all other people wishing to enter an airport. In order to further ensure security, this bill requires that each airport participating in said program is subject to a vulnerability assessment by the Department of Homeland Security.

An endemic problem in the national security system is the lack of specificity of legislation that is meant to secure our nation's airports. This bill escapes that by specifying that at least two of the participating airports be large hub airports, with the remaining airports representing different airport security risk categories, therefore ensuring a holistic assessment of our airports current security risks. This legislation further specifies that each participating airport operator conduct an assessment of the screening technology used at the airport and to submit the results to the Assistant Secretary. Following this comprehensive program, the United States will be able to better assess the real security of its nation's airports.

Mr. Speaker, I am proud to cosponsor H.R. 1413 and I call on my colleagues to support this important piece of legislation because I strongly believe that it will strengthen our nation's efforts to confront the existing vulnerabilities our current airport security system and consequently make our nation more secure.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. LOWEY) that the House suspend the rules and pass the bill, H.R. 1413, as amended.

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

The title was amended so as to read: ''A bill to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to address vulnerabilities in aviation security by carrying out a pilot program to screen airport workers with access to secure and sterile areas of airports, and for other purposes.''.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY CHAIRMAN OF PERMANENT SELECT COMMITTEE ON INTELLIGENCE REGARDING AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS AND CLASSIFIED ANNEX

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

Mr. REYES. Mr. Speaker, I wish to announce to all Members of the House that the conference report to accompany H.R. 2082, the Intelligence Authorization Act of Fiscal Year 2008, has been filed in accordance with House rules and that the classified schedule of authorizations and the classified annex of the conference report is available for review by Members at the offices of the Permanent Select Committee on Intelligence in room H–405 of the Capitol. The committee office is open during regular business hours, and this evening during our votes, for the convenience of any Member who wishes to review this material prior to the consideration of the conference report by the House. Members wishing to review this material should contact the committee to arrange a time and a date for that review.

In addition to signing the oath for access to classified information specified in clause 13 of rule XXIII of the House of Representatives Rules, committee rules also require that Members agree in writing to a nondisclosure agreement that indicates that the Member has been granted access to the classified schedule of authorizations and classified annex, and that they are familiar with the rules of the House and the committee with respect to the classified nature of that information and the limitations on disclosure of such information.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 4 o'clock and 54 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ALTMIRE) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

House Resolution 842, by the yeas and nays;

House Resolution 847, by the yeas and nays;

H.R. 4343, by the yeas and nays.

The vote on H.R. 3985 will be taken later in the week.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

EXPRESSING SYMPATHY TO THE VICTIMS OF CYCLONE SIDR IN SOUTHERN BANGLADESH

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 842, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MEEKS) that the House suspend the rules and agree to the resolution, H. Res. 842, as amended.

The vote was taken by electronic device, and there were—yeas 388, nays 0, not voting 43, as follows:

[Roll No. 1142]

YEAS—388

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

Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—43

Alexander
Boswell
Brown, Corrine
Buyer
Carson
Cleaver
Conyers
Cubin
Davis (IL)
Doolittle
Everett
Feeney
Ferguson
Gilchrest
Graves
Hinojosa
Hooley
Hunter
Jindal
Johnson (IL)
Kind
King (IA)
Lantos
Lofgren, Zoe
Lucas
Marchant
Matheson
Miller (FL)
Miller, Gary
Moore (WI)
Murtha
Paul
Pryce (OH)
Reyes
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sessions
Smith (NJ)
Tancredo
Wexler
Wynn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1852

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECOGNIZING THE IMPORTANCE OF CHRISTMAS AND THE CHRISTIAN FAITH

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 847, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MEEKS) that the House suspend the rules and agree to the resolution, H. Res. 847, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 372, nays 9, answered ''present'' 10, not voting 40, as follows:

[Roll No. 1143]

YEAS—372

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

NAYS—9

Ackerman
Clarke
DeGette
Hastings (FL)
Lee
McDermott
Scott (VA)
Stark
Woolsey

ANSWERED ''PRESENT''—10

Conyers
Frank (MA)
Holt
Payne
Pence
Schakowsky
Schwartz
Wasserman Schultz
Welch (VT)
Yarmuth

NOT VOTING—40

Alexander
Boswell
Brown, Corrine
Buyer
Carson
Cleaver
Cubin
Davis (IL)
DeLauro
Dicks
Everett
Ferguson
Graves
Hooley
Hunter
Jindal
Johnson (IL)
Kind
King (IA)
Lantos
Lofgren, Zoe
Lucas
Marchant
Matheson
McHugh
McKeon
Miller (FL)
Miller, Gary
Moore (WI)
Murtha
Paul
Pryce (OH)
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sessions
Tancredo
Wexler
Wynn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1902

Mr. CONYERS changed his vote from ''yea'' to ''present.''

Mr. KUCINICH changed his vote from ''present'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. McHUGH. Mr. Speaker, on rollcall No. 1143, I was unavoidably detained. Had I been present, I would have voted "yea."

FAIR TREATMENT FOR EXPERIENCED PILOTS ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 4343, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and pass the bill, H.R. 4343.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 390, nays 0, not voting 41, as follows:

[Roll No. 1144]

YEAS—390

Abercrombie
Ackerman
Aderholt
Akin
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman

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

NOT VOTING—41

Alexander
Boswell
Brown, Corrine
Buyer
Carson
Chandler
Cleaver
Cubin
Davis (IL)
Everett
Ferguson
Graves
Hooley
Hunter
Jindal
Johnson (IL)
Keller
Kind
King (IA)
Lantos
Lewis (GA)
Lucas
Marchant
Matheson
Miller (FL)
Miller, Gary
Moore (WI)
Murtha
Olver
Paul
Pryce (OH)
Renzi
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sessions
Tancredo
Van Hollen
Wexler
Wynn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1908

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CLEAVER. Mr. Speaker, I was unavoidably detained for Rollcall votes 1142 through 1144 and ask for unanimous consent to enter into the RECORD the following statement on the series of votes held on Tuesday, December 11, 2007, beginning with Rollcall 1142.

Unfortunately, I was detained in my district; Missouri's Fifth, due to a massive ice storm, which is crippling our community. My heart goes out to those individuals who have lost power, and I salute the city and utility workers, who are working tirelessly to restore lost utilities in this freezing weather.

Mr. Speaker, had I been present, I would have cast the following votes on H. Res. 842, Expressing sympathy to and pledging the support of the House of Representatives and the people of the United States for the victims of Cyclone Sidr in southern Bangladesh; H. Res. 847, Recognizing the importance of Christmas; and H.R. 4343, the Fair Treatment for Experienced Pilots Act of 2007:

Mr. Speaker, had I been present for H. Res. 842, roll No. 1142, I would have voted "yea."

Mr. Speaker, had I been present for H. Res. 847, roll No. 1143, I would have voted "nay."

Mr. Speaker, had I been present for the H.R. 4343, roll No. 1144, I would have voted "yea."

PERSONAL EXPLANATION

Mr. BOSWELL. Mr. Speaker, I regret that inclement weather prevented me from being here to vote today. Had I been present, I would have voted "yea" on H. Res. 842, H. Res. 847, H.R. 4343, and I ask that my statement be placed in the appropriate place in the RECORD to reflect this.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4193

Mr. CUELLAR. Mr. Speaker, I ask unanimous consent to remove my name from H.R. 4193.

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

There was no objection.

HONORING ALBERT CAREY CASWELL OF THE CAPITOL GUIDE SERVICE

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

Ms. FOXX. Madam Speaker, I rise today to honor one of the unsung heroes of the United States Capitol. Here in the Capitol Building, we have a group of fine individuals who serve the public by giving tours of the Capitol and educating the public about the history of this great institution.

But during the few years I have had the honor to serve in Congress, I have noticed one member of the Capitol Guide Service who has consistently gone above and beyond the call of duty. Albert Carey Caswell has served as a Capitol guide for more than 20 years, and his tenure has been marked with an ethic of civic outreach. He routinely gives tours to disabled veterans from Walter Reed Medical Center and to children with life-threatening diseases through Make-a-Wish Foundation. Mr. Caswell does all of this on a volunteer basis on his own time. He insists that the tours he give to these children and brave veterans be coordinated and given on his watch.

Mr. Caswell is an accomplished poet and an extremely knowledgeable tour guide, but more importantly he is a great American. He embodies the spirit of a true patriot, someone who grasps the importance of a cause greater than himself and pursues it with energy and commitment. He is the model of a civically minded citizen who is selflessly committed to the greater good.

SPECIAL ORDERS

The SPEAKER pro tempore (Ms. CLARKE). 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.

□ 1915

ADMINISTRATION GETS TWO THUMBS DOWN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Madam Speaker, the holiday movie season usually begins each year around Christmas Day, but this year the holiday movie season has begun early. It began this week, in fact, when the administration premiered its new movie entitled, ''Iraq: The Sequel.''

As you will recall, the first Iraq movie began with the administration warning us about weapons of mass destruction and mushroom clouds. Then we invaded Iraq where we discovered that the weapons of mass destruction didn't exist. But the administration kept coming up with new reasons to keep the occupation going.

The American people gave this first Iraq two thumbs down, but that hasn't discouraged our leaders in the White House. They have been busy writing the same exact script for ''Iraq: The Sequel,'' which is all about Iran.

In this movie, the administration warns us about Iranian weapons of mass destruction, in this case a nuclear weapons program. Then it gives us new visions of mushroom clouds by warning us about World War III. Then we discover, as we did last week, that the nuclear weapons program does not exist. In fact, it was suspended back in 2003. But the administration continues to come up with new reasons to keep the crisis going.

Yesterday we were told that Iran was dangerous, Iran is dangerous, Iran will be dangerous. So the administration's drumbeat for war in general, and against Iran in particular, goes on. Before we go back to the dark days, Madam Speaker, the dark days of shock and awe, I have a few questions to ask.

First, why did it take 4 long years to discover the truth about the Iranian nuclear weapons program? Was this another example of intelligence being manipulated for political purposes?

Why did the administration warn us in October that Iranian nuclear weapons could start World War III when the Director of National Intelligence went to the White House in August to say that Iran's nuclear weapons system ''may be suspended''?

There is nothing, nothing more reckless and irresponsible than to terrify the world about World War III when there is no basis for it.

Why did the administration continue to use threatening language yesterday? Yesterday, when the truth was already known. Instead of looking for opportunities for peace, this administration continues to look for ways to keep tensions as high as possible.

My last question, Madam Speaker, is why does the administration seem so intent on wrecking America's credibility? By doing so, this administration has made the world a much more dangerous place and has undercut our own national security. We are like the boy who cries wolf. No one will believe what we say now, and that means we cannot lead the world effectively against terrorism and towards peace.

The movies of ''Iraq'' and ''Iraq: The Sequel'' have both bombed. We need a new plot, a plot that begins with responsible redeployment of our troops out of Iraq, which would be the essential, responsible first step.

When we do that, we can begin to bring together all the parties in the region that have a stake in keeping a lid on violence and reducing tensions. We must change course because that is the only way to regain the moral leadership. And we must reshape events, and we must reshape them in ways that are favorable to the United States and to peace around the world.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1201

Mr. PICKERING. Madam Speaker, I would like to ask unanimous consent to withdraw my name as a cosponsor of H.R. 1201.

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

There was no objection.

EYE ON THE SUPREME COURT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Madam Speaker, last week hundreds of citizens stood in the first snow of winter in Washington, D.C. for 2 hours, hoping to get a coveted seat in the United States Supreme Court building to see the oral arguments on the case of the detainees in Guantanamo prisoner of war camp and what rights, if any, they have under our Constitution; however, the Supreme Court gallery has a mere 50 seats for spectators.

One of those would-be viewers was a lawyer on my staff, Gina Santucci. I wanted her there to find out more about the case and take notes. But she, like most of the people in line, never got in to see the arguments. There was no room in the room. Those that were allowed into the proceedings were only permitted to stay 5 minutes before they had to leave and make room for other people in the room.

Public interest in what takes place in the Supreme Court is a good thing. It is important that Americans are concerned about what occurs in the Supreme Court, and citizens want to observe the most powerful court in action anywhere in the world. But most Americans will never have this opportunity to see the questions asked by the Justices of the Supreme Court or to hear the arguments over the meaning of our Constitution or hear constitutional cases that will go down in history.

Earlier this year, I introduced H.R. 1299 to allow television cameras to televise Supreme Court proceedings. Since then, both the House and the Senate Judiciary Committees have heard arguments as to why cameras should be allowed inside the Supreme Court.

Last week, the Senate Judiciary Committee marked up Senator SPECTER's bill to allow cameras in the Supreme Court. Some Senators were concerned that the Department of Justice opposed this bill. Justice Department opposed this bill because they say they want to protect the ''collegial environment'' of the Court. I don't mean to intrude on what a ''collegial environment'' is, but what is it?

I thought the business before the Supreme Court is a matter the American people have an interest in, not just the college of lawyers that appear before the court.

We have cameras in these House Chambers, and I never thought about whether the camera here on the House floor affects the collegiality between the fellow representatives that we work with. Most of us hardly notice the camera at all. And today's cameras are so small and unobtrusive, they are not noticed. They don't affect our daily routine here in the House, but they allow Americans across the vastness of the fruited plain to tune in to see what their government is up to every day.

Now, I doubt if the Supreme Court TV channel will win the fall sweeps, but it will allow Americans who live in the 50 States to observe the oral arguments that take place. Some say they are against cameras in the courtroom because attorneys play to the camera and try to impress the viewing audience.

Madam Speaker, attorneys don't play to the camera, they play to the jury. I know because I played to the jury for 8 years as a prosecutor in Texas. However, there isn't even a jury to impress in the Supreme Court. In fact, there really isn't a time to grandstand in the Supreme Court. Oral arguments in the Supreme Court involve the best appellate attorneys in the country, facing a spew of questions from nine Justices who are asking a barrage of legal questions to these lawyers making them justify their legal positions on their case.

I only explain how the oral arguments work in the Supreme Court because most Americans are unaware of the proceedings and the procedures since they don't have the opportunity to view Supreme Court oral arguments personally. Unless there are cameras, Americans will never have the chance to see what takes place in a courtroom, the most powerful courtroom in the whole world, the Supreme Court courtroom.

I know cameras can be placed in a courtroom without disruption or distraction because I did it. For 22 years,

I served as a felony court judge in Houston, Texas. I heard over 25,000 criminal cases and a thousand jury trials. Some of those were filmed by the TV media. I even televised a capital murder trial. My rules were simple and always obeyed by the media: No filming of rape victims, children, the jury, or certain other witnesses. The camera filmed what the jury saw and heard. And, Madam Speaker, I had no problem with the media at all. We need to let the public see a real trial in progress, and cameras have made that possible.

Americans have the right to watch Supreme Court proceedings in person. We have the best judicial system ever created in the history of the world. Why not prove it by filming these proceedings? Americans should not be deprived of the right to observe just because they cannot physically sit in the Supreme Court courtroom. It is time to remove the veil of secrecy from the hallowed halls of the Supreme Court and allow cameras to film these important proceedings.

Justice would be better served if we open the doors to the Supreme Court to cameras because justice is the one thing we should always find.

And that's just the way it is.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

(Mr. CUMMINGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

JOSH MILLER HEARTS ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. SUTTON) is recognized for 5 minutes.

Ms. SUTTON. Madam Speaker, there are no words to describe the pain we feel when a young life is lost.

To know Josh Miller was to know a kindhearted and generous young man with limitless potential. Josh was a Baberton High School sophomore with a 4.0 grade point average, a linebacker who dreamed of playing football for Ohio State one day.

But one day, without warning, these dreams were cut short. Josh had never shown any signs of heart trouble, but during the final game of the 2000 football season, he collapsed after leaving the field. By the time his heart was shocked with an automated external defibrillator, it was too late to save him.

Josh suffered a sudden cardiac arrest, which, according to the American Heart Association, claims the lives of about 330,000 Americans every year. The vast majority of these individuals, like Josh, will not have displayed any signs of heart trouble beforehand; yet there is an easy-to-use, relatively inexpensive piece of medical equipment that can more than double the odds of survival for someone experiencing such a sudden cardiac arrest.

An automated external defibrillator, or AED, is the single-most effective treatment for starting the heart after sudden cardiac arrest. And because chances of survival decrease up to 10 percent for every minute that passes, every second is critical.

It is incredibly important that we take steps to educate the public about the life-and-death difference that using these devices would make. I would like to thank and to commend my colleague, Mr. KUHL, for his efforts in promoting increased access to AEDs through the resolution passed this afternoon. Later this week, I will be introducing a piece of legislation that takes another step to increase the ability of AEDs in our communities.

The Josh Miller HEARTS Act will establish a grant program that will help schools across the country purchase these lifesaving devices. Schools are central gathering places in our communities, and placing AEDs in our schools will not only save the lives of students enrolled there, potentially, but they will be available for teachers and staff, parents and volunteers, and the many other members of the community who pass through the halls every single day.

This legislation will be modeled on a similar program recently completed in the State of Ohio. Dr. Terry Gordon, a cardiologist at Akron General Hospital, has dedicated his life to this campaign. And his tireless efforts in Ohio led to the adoption of a statewide initiative to put an AED into every school across the State. Already, this program has saved the lives of 12 children and adults as a direct result.

I hope we in Congress can build on Dr. Gordon's good work and carry out this program at the national level. Losing a young life full of promise, like Josh's, can bring about a sense of helplessness. But today, we have an opportunity to act. I urge my colleagues to join me in supporting this effort to bring AEDs into every single school across this country.

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HONORING THE U.S. MARINE CORPS' DECISION TO ALLOW FAMILY OF FALLEN MARINE TO ADOPT SON'S K–9 PARTNER, LEX

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. Madam Speaker, too often during wartime, tragedy takes center stage and heart-warming stories never get told. Tonight I would like to share a truly touching story with my colleagues in the House and with the American people.

Corporal Dustin Jerome Lee was a United States Marine Corps working-dog handler who was killed in action on March 21, 2007, in Fallujah, Iraq. Corporal Lee and his canine partner, Lex, a 7-year-old German shepherd from Camp Lejeune were a highly trained explosives detection team. Lex, who was due for retirement after his combat tour in Iraq, suffered shrapnel wounds from the same enemy-fired rocket-propelled grenade that took Corporal Lee's life.

Following Corporal Lee's death, the Lee family began seeking to adopt their son's canine companion who was with their son during the last moments on Earth. However, after filing the necessary paperwork, contacts at Marine Corps Logistic Base Albany indicated that Lex had been medically evaluated and, although injured, was fit for duty and not yet eligible for adoption.

I first learned of the Lee family's situation by reading the short story, ''My Partner Dustin,'' written by John Burnam, author of ''Dog Tags of Courage.''

Madam Speaker, at this time I will submit the text of the story for the CONGRESSIONAL RECORD.

MY PARTNER DUSTIN

(By John C. Burnam)

I'm a U.S. Marine and the primary element of a two-member team trained to hunt and locate explosives. My partner and I trained as a team for many months honing our expertise to save American lives in the War on Terrorism in Iraq.

The date is March 21, 2007 and I was on the job in Fallujah, Iraq when an enemy fired Rocket Propelled Grenade (RPG) exploded in our midst. I was blasted to the ground. I'm Stunned. My head is ringing and my body feels numb. My eyes can't quite focus on anything.

My partner is lying next to me severely wounded and bleeding. I move to him and touch him but he's not responding. I feel sharp pains in my side and back. I'm bleeding but deal with it and concentrate on comforting my partner and protecting him from further harm.

Everything happened so fast that it caused disorientation and confusion. My senses pick up the lingering smell of burnt powder and smoke from the explosion. I hear lots of American voices and heavy boot-steps hurrying all around us. They reach our location and immediately attend to my partner. And then they carry him away. I'm separated from my partner for the first time. I'm not clear of thought and then I too am carried way but to a different hospital.

I'm in a building lying on a table with lights above and people talking. Still dazed and confused I hear a strange voice say my name, ''Lex!'' I gesture a slight reflex of acknowledgement. ''Lex! You are going to be okay buddy! Just lay still. We are going to take care of your hurts, so stay calm okay, Lex?'' My eyes dart around the room searching for my partner, but he's not there and no one can interpret my thoughts.

I'm released from the hospital and well enough to travel so they transfer me from Iraq to a U.S. Marine Corp base in Albany, Georgia. I really miss my partner, Dusty. I know something has happened to him because he would never have left me alone for so long.

Yes, my name is Lex. I'm a seven year old German shepherd Military Working Dog. My master and loyal partner is Corporal Dustin Jerome Lee, U.S. Marine Corps canine handler from Mississippi. I'm well disciplined to

my master's commands and expertly trained to sniff out bombs and explosives. Where's my master, Dusty? Where's Dusty, my partner? No one can understand me but Dusty. Where's Dusty?

Iraq was to be my last combat tour before retirement. Dusty talked to me all the time about going home and adopting me. I sure do miss my Dusty. He is the best friend I've ever had. I love that crazy Marine from Mississippi!

No one can measure the love and unconditional loyalty I have for Dusty. I'd sacrifice my own life for him and he knows it. I just wish I could have stopped that RPG or pushed Dusty away from that powerful blast. It all happened in a blink of an eye and I didn't see it coming until it was too late. Now I sit alone in my kennel-run waiting for the day Dusty shows up.

The U.S. Marines are treating me very well. I get enough food and water and exercise each day. And the Veterinarian comes by to examine my wounds on a regular basis. I just can't sleep well at night. I wake up to every little noise and I think about Dusty. Where can that Marine be?

The nights are long. The days turn into weeks. Still no Dusty! My wounds are healing and the hair is growing back. The pain still resides in my back but I can walk okay. I have a piece of shrapnel near my spine that the Veterinarians avoided removing for fear of further health complications. I've been fortunate to be declared physically unable to perform in a combat zone.

One of the dog handlers gave me a real good bath and grooming. I felt so refreshed because I was on my way to meet Dusty's family. Maybe Dusty will be there waiting for me. When I arrived I sensed something was not quite right. Dusty wasn't there and everyone was sad, but very happy to greet me. I then realized that I was attending Dusty's funeral. Everyone showed up to pay their respects.

Dusty is a real American hero and he was buried with full military honors. I was so proud to have been his last best friend and partner. At one particular moment of total silence during the ceremony, I sniffed a slight scent in the air that was very familiar. It smelled like Dusty. I figured he sent me a signal that he knew I was there! I moaned a sigh of grief that he would only hear and understand.

I was greeted by the Lee family with joy in their hearts. The picture is of Dustin's mom, Rachel, and me in church. It felt so warm and comfortable to be with my partner's loving family. I wanted to stay but I was escorted away after the funeral and back to Albany, Georgia. What is going to happen to me now?

Wait a minute! I was due for retirement, right? Why did the military take me to see Dusty's family and not leave me there? I belong with them in Mississippi not here in Georgia. There is something very wrong with this picture!

The Lee family adopting me would not be too much to ask considering they will never again see their son, grandson, brother, nephew and friend. Adopting me will keep a big part of Dusty's life alive for them and for me too! I will enable Dusty's family to experience what he already knew about me. I loved and protected him everywhere we went and even on the battlefield in Iraq. It's time the U.S. Marine Corps allowed Dustin's family to adopt me. I'm not a young pup anymore, you know! I'm of retirement age and I want to spend the rest of my life with the Lee family. It's where I now belong!

After learning this story, I spoke with Corporal Lee's father, Jerome Lee, by phone on several occasions. Mr. Lee continued to express the joy and comfort that caring for Lex would bring to him and his family, and he requested my assistance in securing the adoption of Lex.

After speaking with Mr. Lee, I began contacting the United States Marine Corps to communicate and endorse their request. Recently, the Marine Corps confirmed to me that the request would be granted and the Lee family would be able to retrieve Lex from Marine Corps Logistic Base Albany within the next 2 weeks.

Allowing the Lee family to adopt Lex will not only help lessen the family's ongoing grief, but also serve as a fitting thank you to parents who gave the ultimate gift of their son for this country.

I am so grateful to the United States Marine Corps and Commandant James Conway for the tremendous gift they have chosen to bestow upon Jerome and Rachel Lee.

I am also very grateful to Brigadier General Michael Regner and Major General Robert Dickerson for their role in enabling the adoption to proceed.

Although Lex will never replace their son, caring for Lex will bring such joy and comfort to the Lee family, as well as to the dog himself. Welcoming Lex into the Lee family will keep a big part of Corporal Lee's life alive for their family.

Lex loved and protected Corporal Lee on the battlefield, and now Corporal Lee's family will have the opportunity to love and protect Lex in the peaceful surroundings of their home in Mississippi.

The United States Marine Corps has demonstrated its tremendous compassion and understanding by making this adoption a reality for the parents of one of our Nation's fallen heroes.

I close, Madam Speaker, by asking God to please bless the United States Marine Corps and all of our men and women in uniform, and may God continue to bless America.

Mr. TAYLOR. Madam Speaker, will the gentleman yield?

Mr. JONES of North Carolina. I yield to the gentleman from Mississippi.

Mr. TAYLOR. The Lee family is from Quitman, Mississippi. The dad is a State Trooper. The mom is a public school teacher. I want to thank you for doing this. I regret that the request was not made of my office. But it just once again proves what a decent Joe you are, WALTER. Thank you for doing that

Mr. JONES of North Carolina. I appreciate the gentleman. And I will tell the gentleman, before he sits down, when I read this story it brought tears to my eyes. And I asked Mr. Burnam, who had been in Vietnam himself as a dog handler, What should I do, what could I do. He said, Do what your heart tells you to do. And my dear friend from Mississippi, I didn't even know where this man was in Mississippi. I just picked up the phone because Camp Lejeune was in my district. But thank you for what you said. And may God continue to bless America.

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.)

WHAT HAS NOT BEEN ACCOMPLISHED IN THIS CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

Ms. FOXX. Madam Speaker, I am here tonight to talk about what has not been accomplished in this Congress, and what it looks like we may be facing in an omnibus bill.

Last week we were told that we would be here on Friday of this coming week, after we had been told about a month ago that we would be able to be in our districts on Friday. I know that I made many plans to be in the district, speak to school groups that had been asking me to speak, meet with chamber of commerce people to talk about concerns that they had, and to do lots of things in the district.

We have been denied many opportunities this year to be in our district to hear from the folks in the district the things that are on their minds and what's really important in the country, because the majority has insisted that we stay in session 5 days a week. But if you look at the bills that have been passed in those days that we've been here, you'd see that they were not things that primarily the Congress needs to be concerning itself with.

We do need to be concerning ourselves with the appropriations bills, funding the war on terror, taking care of tax relief for middle-income Americans, many, many things that we should be doing. But, instead, we are literally wasting our time on insignificant issues and not dealing with those things we should be dealing with.

It was announced last week that we would be dealing with an omnibus appropriations bill. Why an omnibus appropriations bill? Because the majority has been unable to pass 10 of the vital appropriations bills that our government relies for its funding on.

We have passed the Defense bill and the President has signed it. We've passed the Labor-HHS bill. The President vetoed it and the veto was upheld. So we are coming to the end of a continuing resolution that was passed that expires on Friday, and we're facing the prospect of lumping 11 appropriations bills together and passing them in one fell swoop. Well, we know that is just a recipe for disaster.

Last week we were given the Energy bill, 15 hours before we voted on it, a 1,000-plus page bill, and it had all kinds of problems with it. Buying Lexus hybrids for the Beverly Hills police,

many, many things in there that the American people would not approve of. And I fear that in the omnibus bill we're going to see a lot of those kinds of things.

Now, we don't know yet what's going to be in the omnibus bill, but in addition to a tremendous number of earmarks, we are probably going to see sanctions against Cuba weakened. We are probably going to see the Mexico City policy overturned. The House and Senate versions of the State Department appropriations bill permits grants and subsidies for organizations that perform or actively promote abortion as a method of family planning, overturning the Bush administration's Mexico City policy. We don't need to be doing that. The American people do not want us to take their hard-earned money to fund abortions.

It is probably going to provide federally funded benefits for domestic partners. Before being stripped from the House-passed Financial Services general government appropriations bill, a provision would have allowed unmarried cohabiting couples in the District of Columbia to qualify for Federal benefits on the same basis as legally married couples. That provision could be brought back to life in the majority's omnibus legislation.

Ending an IRS private debt collection program, the majority spending bill could limit funding to implement the Internal Revenue Service's use of private collection firms to collect unpaid taxes. The private debt collection initiative is expected to collect $1.3 billion in taxes owed to the government that would otherwise go uncollected.

Undermining regulatory reform, a provision in the House-passed Financial Services general government appropriations bill, again, H.R. 2829, would kill efforts to increase the quality, accountability, and transparency of the Federal Government's regulatory review process. It would result in a fox guarding the hen house approach to approving Federal rules and regulations.

We don't need an omnibus bill. We need to vote on these bills one at a time, Madam Speaker.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. LARSON) is recognized for 5 minutes.

(Mr. LARSON of Connecticut addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

BLOOD LEVELS OF MERCURY ARE RELATED TO DIAGNOSIS OF AUTISM

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. Madam Speaker, it's late at night here in the Capitol, and most of my colleagues are in their offices or have gone home. But I want to talk about an issue that's very, very important that we've been talking about now for the last 8 years.

I was chairman of the Government Reform Committee for 6 years, and during that time, my grandson became autistic; and we checked to find out what was the cause, trying to find out, because my daughter and her husband were just extremely upset about it, as we were as grandparents. And we found that he had received nine shots in one day, seven of which had a product called themarasol, a preservative, in it. And the themarasol was 50 percent ethylmercury. And so I decided to have hearings to try to find out if the ethylmercury in those vaccines had anything to do with the autistic problem my grandson had. And we found, by having many, many hearings over a 4-year period, we found that scientists from all over the world and leading doctors and educators here that work with autistic children, that the mercury in the vaccines did contribute to the autistic epidemic that we had.

We used to have one in 10,000 children that were diagnosed as being autistic. One in 10,000. Today the Centers for Disease Control will tell you it's one out of 150. It's an absolute epidemic in this country. And we have been fighting and fighting and fighting to make sure that those families who have been damaged and those children who have been damaged by autism get some kind of compensation. And that's why, and I think in 1986 we passed what was called the Vaccine Injury Compensation Fund, and it took some of the money from the pharmaceutical companies when they sold their vaccine products to put into this fund to take care of people who are damaged by vaccines. And one of the reasons we did that was because of the issue of autism, although at that time I didn't know much about it.

In any event, the Vaccine Injury Compensation Fund has about $3 billion in it, and the people who's children have been adversely affected by mercury and have autism have not been able to get anything out of that. They have to go through a process and see a special master, and he has to judge whether or not the information that he has and the information they have lead them to believe that the mercury in the vaccines caused autism. And so far the special masters have not been able to ascertain, according to them, that the mercury in the vaccines does cause autism.

Well, last week, 2 years ago, let's see, 4 years ago there was a report, 2004, that said that there was definitely no connection between the mercury and the vaccinations and the children getting autism. Well, this past November, just last month, two doctors, Dr. Catherine DeSoto and Dr. Robert T. Hitlan, both very renowned doctors across this country, they have Ph.D.s in medicine, they wrote an article in the Journal of Child Neurology. And you can't discount this. What they're saying is fact. I want to read to you the summary of what they said. They said: ''The question of what is leading to the apparent increase in autism is of great importance. Like the link between aspirin and heart attack, even a small effect can have a major health implication. If there is any link between autism and mercury, it is absolutely crucial that the first reports of the question are not falsely stated and that no link occurs.''

Now, get this: ''We have reanalyzed the data set forth originally reported in 2004 and have found that the original P value was in error and that a significant relation does exist between the blood levels of mercury and diagnosis of an autism spectrum disorder. Moreover, the hair sample analysis results offer some support for the idea that persons with autism may be less efficient and more variable at eliminating mercury from the blood.''

The fact of the matter is the mercury in the vaccines has autism. It's not the only cause of autism. But now we have scientific evidence by two leading doctors in the Journal of Child Neurology that says without doubt, the mercury in the vaccines does cause autism, is a major contributing factor.

Well, I've written, contacted Congressman KUCINICH, who's chairman of the subcommittee that deals with this in the Capitol, and I've also contacted the special masters that decide these cases and have urged them to re-evaluate all of these cases where people who have autistic children have found that the mercury in the vaccines may have been a major cause.

Now we know that it is a cause of autism, and those people who have suffered, and those kids who have suffered need to be compensated out of the Vaccine Injury Compensation Fund.

So I'd like to say to my colleagues, I hope you will join me in making sure that the information I just read gets out to everybody. These kids are going to live to be 50, 60, 70 years old, and unless there's some help for them, they're going to be a real burden on the taxpayers and on society. We have an obligation to make sure they're taken care of.

I hope all of my colleagues will read this statement tonight and help us to change the attitude of our health agencies and the special masters dealing with this problem.

In November 2007, the well-respected scientific journal, the Journal of Child Neurology, published an article authored by Drs. M. Catherine DeSoto and Robert T. Hiltlan (PhDs), detailing their findings on the relationship between mercury and autism spectrum disorders. The article was entitled "Blood Levels of Mercury are Related to Diagnosis of Autism: A Reanalysis of an Important Data Set."

To summarize the article, Drs. DeSoto and Hiltlan reanalyzed a data set the subject of a 2004 study that found no relationship between mercury and autism. By reexamining the data set, Drs. DeSoto and Hiltlan determined that the conclusions of the 2004 study were wrong,

and that a relation does exist between the blood levels of mercury and diagnosis of an autism spectrum disorder.

As Drs. DeSoto and Hiltlan noted in their article, there has been a marked increase in the diagnosis of autism in this country over the last 20 years. In fact we have gone from an autism rate of 1 in 10,000 to 1 in 150. So, answering the question of what is (and is not) a possible contributing cause of autism is crucial, not only to the millions of American families currently affected by autism but to future generations.

We simply cannot dismiss or downplay scientific research, which has the potential to unlock the mysteries surrounding what is causing our Nation's autism crisis. We owe it to the thousands of families living with autism to follow the science wherever it may lead.

That's why in late November, I wrote to the Chairman of the House Subcommittee on Domestic Policy, Representative DENNIS KUCINICH; and the Special Masters assigned to the Congressionally-created Office of Vaccine Program within the U.S. Court of Federal Claims, alerting them to the findings in Drs. DeSoto and Hiltlan's latest research.

Specifically, I asked the Special Masters to take Drs. DeSoto and Hiltlan's latest findings into consideration as they carry out their mandate of managing and adjudicating childhood vaccine claims. I asked Chairman KUCINICH to hold a hearing on the environmental risks of mercury in childhood vaccines before the 110th Congress ends.

Given the high stakes involved, scientific reports discussing a connection between blood mercury levels and autism deserve serious consideration and review by the medical and scientific community.

During my tenure as Chairman of the House Committee on Government and Reform, I spent 6 years researching and hearing testimony from the autism advocacy and scientific communities about the autism epidemic sweeping our country. Over and over again, questions of causation, namely the use of thimerosal—the mercury-based vaccine preservative—in childhood vaccines were raised.

Here's what I learned:

A number of credible national and international scientists testified before the Committee that mercury in vaccines is a contributing factor in developing neurological disorders, including, but not limited to, modest declines in intelligent quotient, autism, and Alzheimer's disease. And the body of evidence to support that conclusion gets larger everyday.

Experience tells us that, as with any other epidemic, while there may be underlying genetic susceptibilities, there usually is also some type of environmental trigger as well—be it exposure to a virus, fungus, heavy metal, or pollutant. There has never, to the best of my knowledge, been a purely genetic epidemic.

Genetics alone cannot explain how we went from 1 in 10,000 children with autism spectrum disorders 20 years ago to 1 in 150 today. The increase happened far too quickly for a genetic shift.

As mercury is a known bio-accumulative neurotoxin, it is biologically plausible that it is a contributing factor to our Nation's autism epidemic.

Autism has no cure, and while it is a life-changing condition, it is not a life-threatening disease. This means that the autistic children of today will be the autistic adults and autistic seniors, 20, 30, 50, even 70 years from now. Our Nation is ill prepared to deal with the complex educational, financial, housing, and health care challenges posed by a generation of autistic individuals.

My only grandson is autistic, so this is an issue that is very close to my heart; and for the last several years I have fought hard to raise awareness of this disease, and increase research into the causes of autism, as well as new treatments for those suffering with autism.

As a Nation, I believe, we have a collective responsibility to do everything we can to not only stop the further spread of this disease but to help the millions of children, adults and families afflicted with it.

JOURNAL OF CHILD NEUROLOGY

BLOOD LEVELS OF MERCURY ARE RELATED TO DIAGNOSIS OF AUTISM: A REANALYSIS OF AN IMPORTANT DATA SET

(By M. Catherine DeSoto, PhD, and Robert T. Hitlan, PhD)

The question of what is leading to the apparent increase in autism is of great importance. Like the link between aspirin and heart attack, even a small effect can have major health implications. If there is any link between autism and mercury, it is absolutely crucial that the first reports of the question are not falsely stating that no link occurs. We have reanalyzed the data set originally reported by Ip et al. in 2004 and have found that the original *p* value was in error and that a significant relation dose exist between the blood levels of mercury and diagnosis of an autism spectrum disorder. Moreover, the hair sample analysis results offer some support for the idea that persons with autism may be less efficient and more variable at eliminating mercury from the blood.

Keywords: autism; mercury; environmental health; neurotoxin; neurodevelopment; blood.

There is a marked increase in the diagnosis of autism. The question of what is (and is not) related to this increase is crucial to millions of persons affected by the disorder. This article reanalyzes an original data set regarding the relation between blood levels of mercury and diagnosis of an autism spectrum disorder (ASD) by Ip et al. based on our finding of discrepancies in the original article.[1]

A review of what is known about the neurotoxic effects of mercury is beyond the scope of this paper,[2] but the observable symptoms of acute mercury poisoning have been reported to match up with many of the problems observed in autism.[4] Furthermore, mercury poisoning has sometimes been presumptively diagnosed as autism of unknown etiology until the mercury poisoning has been uncovered.[4] Because there has been a several-fold increase in environmental mercury exposure, the hypothesis that the rise in autism could be related to an environmental increase in mercury levels is a reasonable one to pursue. Autism may result from a combination of genetic susceptibility (perhaps in the form of reduced ability to remove mercury or other neurotoxins from the system) and environmental exposure at key times in development.[5,7] This would mean a generalized increase in mercury levels would be expected to co-occur with a generalized increase in autism. but some people exposed to relatively high mercury would not be affected if, for example, their bodies were very efficient eliminators of such toxins. Only if an exposed infant or fetus also had a genetic susceptibility that makes one less able to remove mercury (or other heavy metals) would normal levels of mercury exposure lead to problems. Alternatively, it could be that genes that help detoxify get switched on and start to express themselves a little later than normal in those genetically predisposed to autism; or perhaps. autism results from some combination of these theories.

Nevertheless, if mercury does play any causal role in facilitating a diagnosis of autism, there would likely be at least some relation between high mercury measured in the blood and symptoms of autism even if ability to metabolize mediates the relationship between exposure and neural toxicity. This is because even if exposure is identical, those who remove mercury less effectively should still have higher levels in the blood. Interestingly, results of hair samples could be expected to be somewhat mixed. The level of mercury in hair may be better understood as an indication of how much mercury has been removed by the body as opposed to the level in the body.[6] If people are approximately equal in their ability to remove circulating mercury from the bloodstream, then these 2 indicators should match up closely, but if a person's ability to excrete is low, their hair samples might not be elevated even when their blood levels are high.

Fido and Al-Saad found that mercury levels in hair samples were higher in children diagnosed with autism.[8] These children were aged 4 to 7. In contrast, Kern et al. reported that mercury hair levels were not significantly different, but were lower at a marginally significant level.[9] Kern et al. used younger children, ages 1 to 6. Holmes et al. performed the most direct test of the hypothesis that autistic children may be deficient in terms of ability to remove mercury from circulation.[6] This study estimated mercury exposure of the mothers via a mercury exposure survey questionnaire. They then analyzed the first haircuts of the autistic children and a group of controls (the first haircuts would reflect mercury excretion in utero and very early life). In the autistic group, severity of autism was inversely related to hair mercury levels. This means that the more severe autistic cases actually had less excretion of mercury. Furthermore, among the normal children, hair levels of mercury were correlated to the mother's mercury exposure (as would of course be expected). But among the autistic children, there was no linear relation between the mother's mercury exposure and excretion of mercury in the hair. As the authors state, this pattern of results is easily understood if one considers ''detoxification capacity of a subset of infants,''[6] such that the bodies of those diagnosed with autism appeared to be less able to excrete and/or metabolize the mercury they were exposed to.

As the rise in autism is relatively recent, it is not surprising that research into the etiology has not kept pace. Indeed, there are few published articles that consider blood levels of children with mercury that utilize a control group; a psycInfo search using the words ''autism,'' ''mercury,'' and ''blood'' yields only one hit.[1] Given the high stakes involved, it is crucial that early reports of the connection between blood mercury levels and autism not be misstated. Even a small effect size would be of great theoretical and practical consequence.

In 2004, Ip et al. reported that no relationship existed between mercury blood levels and diagnosis of autistic spectrum disorder among a group of children with an average age of approximately 7 years. While attempting to estimate the effect size based on the Ip et al. statistics, we realized that the numbers reported by Ip et at could not be correct. The means and standard deviations reported in the 2004 article yielded an easily

significant t value (autism mean = 19.53 nmol/L, SD = 5.6, n = 82; control mean = 17.68 nmol/L, SD = 2.48, n = 55 gives a t = 2.283, two-tailed P = .024 or one-tailed P = .012). Ip et al. wrote that the P value was ''(P) = .15,'' [1(p432)] and that their data indicate ''there is no causal relationship between mercury and as an environmental neurotoxin and autism.''[1] After the error was brought to the attention of the authors, a new analysis was conducted by the original authors and they found the original t test to be in error and the P value to be a mistake (refer to Erratum, p. 1324). Based on their corrected analysis, the authors report the revised P value for their t test to actually be P = .056. We disagree on several grounds that these data indicate no significant effect exists, and report on a completely new reanalysis of the original data set.

METHODS

Outliers were removed prior to statistical analysis. An outlier is defined as a score that is ''substantially greater or less than the values obtained from any other individual.''[10] Outliers have an unduly large influence on the outcome of a statistical test. What actually qualifies as an outlier differs depending on the research question and the statistician analyzing the results; however, values greater than 3 standard deviations either above or below the mean generally qualify as extreme cases.[11] Within the Ip et al. data, there were 2 such values that were not removed prior to our reanalysis. These 2 values were more than 3 standard deviations above the mean, and both of these values were far from any other score. (Other scores were within 3 points of the next individual; these 2 scores were each 15 or more points away from any other score in the distribution.) To avoid the appearance that these 2 outliers were removed to influence the statistical outcome as opposed to objective criteria for cleaning a data set, it should be noted that the biggest outlier of the 2 was an unusually high blood mercury level of 98, which was in the autistic group. To be clear—if anything, removal of the outliers resulted in a more conservative test as it actually decreased the mean difference between the 2 groups.

RESULTS

Logistic regression was performed using blood mercury level as the predictor and the autistic/control group as the criterion. Results of this reanalysis indicate that blood mercury level can be used to predict autism diagnosis. Data included: r = .20, r^2 = .04, F(1, 133) = 5.76, P = .017. This finding indicates that there is a statistically significant relationship between mercury levels in the blood and diagnosis of an autism spectrum disorder.

There was no difference in the mean hair levels where t(135) = .24 and one-tailed P = .40; this is essentially the same result reported in the original article. However, given that hair levels would normally be expected to be highly correlated to blood levels, it might be surprising that blood levels could predict an autism spectrum diagnosis, but that hair mercury levels could not. Indeed, hair and mercury levels for the full sample were correlated (r = .86, P < .001) indicating that about 75% of the variance in hair levels was accounted for by the mercury level in the blood. To us, the question turned to what the other 25% of the variance might be due, and whether the assumptions of the t test were violated. Although not the central focus of this report, these results could certainly help to inform future researchers of the nature of the relation between autism and mercury, and we include this information for completeness.

Exploratory Analysis. If one hypothesizes that persons with autism are less able to excrete mercury, especially when their blood levels get in the higher range, one might expect that the correlation between blood and hair levels would break down at the higher blood levels among the autism spectrum group (a type of heteroscedasticity).[5] Another way of looking at it, the relationship between blood level and hair excretion may be different for persons with autism than those without autism. Levine's test of equality of variance indicated the variance in hair mercury was not evenly distributed between the autism and control groups (F = 5.98, P = .017). We calculated the correlation for persons whose circulating levels of mercury were in the top quartile separately for the autism and control groups. The correlation between blood and hair levels of mercury was r = .91 for the control group (accounting for 84% of the variance). For the autistic group, the correlation was r = .73, meaning only about 55% of the variance in the hair mercury levels was attributable to the blood mercury level differences.

To check the hypothesis that hair excretion was overall lower than would otherwise be predicted based on a certain blood level in the autistic group, a best fit regression line was calculated (y = 10.3, x = −2.48) indicting that for each unit increase in hair level, blood level increased by 10.3 units. Attest on the residuals showed that autistic participants were significantly more likely to have lower hair mercury levels than would be predicted as a function of their blood levels, t(133) = −2.92, P < .005; see Figure 1). It should also be noted that the presence of unequal variances or nonrandom residuals (in this case, autistic persons are both more likely to have greater variability at high levels of circulating mercury and a lower hair value for a given blood level) are both violations of important assumptions of the t test; a t test of hair mercury is therefore probably not a valid means to predict autism diagnosis as a function of mercury exposure. We performed an analysis of covariance (ANCOVA) with autism diagnosis as the independent variable and hair mercury level as the dependent predictor using blood levels as a covariate. Results indicate that hair level may be related to diagnosis of autism, not as a predictor in terms of absolute value, but such that for equivalent circulating levels of mercury in the body, those with ASD excreted less than normal such that F(1,134) = 3.9 and P = .05. To sum, the relationship between blood levels of mercury and mercury excreted in the hair is reduced for those with autism compared with nonautistic persons; furthermore, the difference between autistic and nonautistic persons is most pronounced at high levels of mercury.

DISCUSSION

In statistics, obtaining a probability value of P < .05 indicates that the obtained test statistic (based on one's sample) is extremely unlikely (less then 5% chance) to have been obtained by chance alone. By convention, this value is usually set at .05 (as a balance of type 1 and type 2 errors); however, this value is, in fact, arbitrary and statistical probability tables for hypothesis testing always include a range of probability values—not only probability at the .05 level. Given that this is the first direct test of this hypothesis and considering the potential importance of finding a relation between mercury blood levels and autism, it is just as important to avoid a false negative as a false positive. As the original authors have now currently calculated, the obtained difference suggests that there is probably a real difference (specifically that the chance that a real effect exists is about 94%, or, conversely, that the chance null effect is true is less than 6%, which misses the conventional .05—or 5%—mark of statistical significance). Given the close value to conventional significance, most researchers would not call this a firm rejection of the hypothesis, but might say it was marginally significant. Most researchers facing a P value of .056 would not want to categorically state that results ''indicate that there is no casual relation between mercury level . . . and autism.''[1] It concerns us that the original authors would want to let this conclusion stand in light of the new P value (which differs markedly from the .15 previously reported in 2004).

Another issue to consider is the question of a one-tailed or a two-tailed hypothesis test. Usually, researchers use a two-tailed test, which tests if there is a ''difference'' between 2 groups. However, when the literature leads a researcher to propose a specific direction of the difference, a one-tailed test is called for, ''Often a researcher begins an experiment with a specific prediction about the treatment effect. For example, a special training program is expected to increase student performance, or alcohol consumption is expected to slow reaction times . . . The result is a directional test, or what is commonly called a one-tailed test.''[10]

Whether to use a one-tailed test or a two-tailed test can be decided based on considering what would happen if the results ended up in the opposite direction of what one suspects. In this case, it would mean that the blood mercury levels were lower in the autistic group. Would this support the original hypothesis? (No!) However, if this were to happen, that is, if the autistic group were significantly lower in their blood mercury levels than the normal group, the researchers would find themselves in the incongruous position of having to accept their hypothesis that autism is related to elevated levels of mercury in the blood! The key point here is that their hypothesis was directional, and a one-tailed test should have been used. In this case, the just missed significance of their new analysis using a two-tailed t-test (P = .056) would have reached a conventional level of statistical significance (with P <.03).

Although the statistics can be tedious, the bottom line is that only by an apparent error in the original data analysis was the original lack of effect found. The authors' revised calculation (t test) still has problems (two-tailed test for a directional hypothesis, not removing clear outliers). And finally, the willingness to characterize a t test with a .056 level of statistical significance as no effect is questionable, especially in this particular case.

Of utmost importance (which outweighs the discomfort of writing about an error made by colleagues whom we know are generally competent researchers) is that potential researchers who are trying to understand what is and is not behind the rise in autism are not misled by even the slightest misinformation. It is imperative that researchers, medical professionals, and the public at large have the full set of information. To put it in perspective, the connection between taking aspirin and prevention of heart attack has an effect size equal to .038 which represents an effect size approximately equal to what we find between circulating levels and ASD diagnosis in this age group.[12] Just as important is the fact that for those physicians in the aspirin group who did have a heart attack, the heart attack was less likely to be fatal. The effect size for this latter effect was .08 and did not represent a significant difference from the placebo group by traditional dichotomous significance testing.[13] Yet, this does not mean no effect exists or that the effect is not of practical importance. We would encourage all researchers to not only report whether a

test of mercury and autism reaches significance with the sample size used, but to report the exact statistic and also effect sizes to help future researchers resolve all the factors involved in the etiology of autism.

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The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. PELOSI) is recognized for 5 minutes.

(Ms. PELOSI addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

PUBLICATION OF THE RULES OF THE COMMITTEE ON ENERGY AND COMMERCE, 110TH CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. DINGELL) is recognized for 5 minutes.

Mr. DINGELL. Madam Speaker, in accordance with clause 2(a) of rule XI of the Rules of the House of Representatives, I respectfully submit the rules of the Committee on Energy and Commerce for printing in the CONGRESSIONAL RECORD. The Committee on Energy and Commerce adopted these rules by a voice vote, a quorum being present, at our organizational meeting on January 10, 2007.

RULES FOR THE COMMITTEE ON ENERGY AND COMMERCE

U.S. HOUSE OF REPRESENTATIVES 110TH CONGRESS

(Adopted January 10, 2007)

RULE 1.—GENERAL PROVISIONS

(a) Rules of the Committee.—The Rules of the House are the rules of the Committee on Energy and Commerce (hereinafter the ''Committee'') and its subcommittees so far as is applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, is nondebatable and privileged in the Committee and its subcommittees.

(b) Rules of the Subcommittees.—Each subcommittee of the Committee is part of the Committee and is subject to the authority and direction of the Committee and to its rules so far as applicable. Written rules adopted by the Committee, not inconsistent with the Rules of the House, shall be binding on each subcommittee of the Committee.

RULE 2.—TIME AND PLACE OF MEETINGS

(a) Regular Meeting Days.—The Committee shall meet on the fourth Tuesday of each month at 10 a.m., for the consideration of bills, resolutions, and other business, if the House is in session on that day. If the House is not in session on that day and the Committee has not met during such month, the Committee shall meet at the earliest practicable opportunity when the House is again in session. The chairman of the Committee may, at his discretion, cancel, delay, or defer any meeting required under this section, after consultation with the ranking minority member.

(b) Additional Meetings.—The chairman may call and convene, as he considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such purposes pursuant to that call of the chairman.

(c) Vice Chairmen; Presiding Member.—The chairman shall designate a member of the majority party to serve as vice chairman of the Committee, and shall designate a majority member of each subcommittee to serve as vice chairman of each subcommittee. The vice chairman of the Committee or subcommittee, as the case may be, shall preside at any meeting or hearing during the temporary absence of the chairman. If the chairman and vice chairman of the Committee or subcommittee are not present at any meeting or hearing, the ranking member of the majority party who is present shall preside at the meeting or hearing.

(d) Open Meetings and Hearings.—Except as provided by the Rules of the House, each meeting of the Committee or any of its subcommittees for the transaction of business, including the markup of legislation, and each hearing, shall be open to the public including to radio, television and still photography coverage, consistent with the provisions of rule XI of the Rules of the House.

RULE 3.—AGENDA

The agenda for each Committee or subcommittee meeting (other than a hearing), setting out the date, time, place, and all items of business to be considered, shall be provided to each member of the Committee at least 36 hours in advance of such meeting.

RULE 4.—PROCEDURE

(a)(1) Hearings.—The date, time, place, and subject matter of any hearing of the Committee or any of its subcommittees shall be announced at least one week in advance of the commencement of such hearing, unless the Committee or subcommittee determines in accordance with clause 2(g)(3) of rule XI of the Rules of the House that there is good cause to begin the hearing sooner.

(2)(A) Meetings.—The date, time, place, and subject matter of any meeting (other than a hearing) scheduled on a Tuesday, Wednesday, or Thursday when the House will be in session, shall be announced at least 36 hours (exclusive of Saturdays, Sundays, and legal holidays except when the House is in session on such days) in advance of the commencement of such meeting.

(3) Motions.—Pursuant to clause 1(a)(2) of rule XI of the Rules of the House, privileged motions to recess from day to day, or recess subject to the call of the Chair (within 24 hours), and to dispense with the first reading (in full) of a bill or resolution if printed copies are available shall be decided without debate.

(B) Other Meetings.—The date, time, place, and subject matter of a meeting (other than a hearing or a meeting to which subparagraph (A) applies) shall be announced at least 72 hours in advance of the commencement of such meeting.

(b)(1) Requirements for Testimony.—Each witness who is to appear before the Committee or a subcommittee shall file with the clerk of the Committee, at least two working days in advance of his or her appearance, sufficient copies, as determined by the chairman of the Committee or a subcommittee, of a written statement of his or her proposed testimony to provide to members and staff of the Committee or subcommittee, the news media, and the general public. Each witness shall, to the greatest extent practicable, also provide a copy of such written testimony in an electronic format prescribed by the chairman. Each witness shall limit his or her oral presentation to a brief summary of the argument. The chairman of the Committee or of a subcommittee, or the presiding member, may waive the requirements of this paragraph or any part thereof.

(2) Additional Requirements for Testimony.—To the greatest extent practicable, the written testimony of each witness appearing in a non-governmental capacity shall include a curriculum vitae and a disclosure of the amount and source (by agency and program) of any federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years by the witness or by an entity represented by the witness.

(c)(1) Questioning Witnesses.—The right to interrogate the witnesses before the Committee or any of its subcommittees shall alternate between majority and minority members. Each member shall be limited to 5 minutes in the interrogation of witnesses until such time as each member who so desires has had an opportunity to question witnesses. No member shall be recognized for a second period of 5 minutes to interrogate a witness until each member of the Committee present has been recognized once for that purpose. While the Committee or subcommittee is operating under the 5-minute rule for the interrogation of witnesses, the chairman shall recognize in order of appearance members who were not present when the meeting was called to order after all members who were present when the meeting was called to order have been recognized in the order of seniority on the Committee or subcommittee, as the case may be.

(2) Questions for the Record.—Each member may submit to the Chairman of the Committee or the subcommittee additional questions for the record, to be answered by the witnesses who have appeared. Each member shall provide a copy of the questions in an electronic format to the clerk of the Committee no later than ten business days following a hearing. The Chairman shall transmit all questions received from members of

the Committee or the subcommittee to the appropriate witness, and include the transmittal letter and the responses from the witnesses in the hearing record.

(d) Explanation of Subcommittee Action.—No bill, recommendation, or other matter reported by a subcommittee shall be considered by the full Committee unless the text of the matter reported, together with an explanation, has been available to members of the Committee for at least 36 hours. Such explanation shall include a summary of the major provisions of the legislation, an explanation of the relationship of the matter to present law, and a summary of the need for the legislation. All subcommittee actions shall be reported promptly by the clerk of the Committee to all members of the Committee.

(e) Opening Statements.—(1) All written opening statements at hearings conducted by the committee or any of its subcommittees shall be made part of the permanent hearing record.

(2) Statements shall be limited to 5 minutes each for the chairman and ranking minority member (or their respective designee) of the Committee or subcommittee, as applicable, and 3 minutes each for all other members. With the consent of the Committee, prior to the recognition of the first witness for testimony, any Member, when recognized for an opening statement, may completely defer his or her opening statement and instead use those three minutes during the initial round of questioning.

(3) At any hearing of the full Committee, the chairman may limit opening statements for Members (including, at the discretion of the Chairman, the chairman and ranking minority member) to one minute. At any hearing conducted by any subcommittee, the chairman of that subcommittee, with the consent of its ranking minority member, may reduce the time for statements by members or defer statements until the conclusion of testimony.

RULE 5.—WAIVER OF AGENDA, NOTICE, AND LAYOVER REQUIREMENTS

Requirements of rules 3, 4(a)(2), and 4(d) may be waived by a majority of those present and voting (a majority being present) of the Committee or subcommittee, as the case may be.

RULE 6.—QUORUM

Testimony may be taken and evidence received at any hearing at which there are present not fewer than two members of the Committee or subcommittee in question. A majority of the members of the Committee shall constitute a quorum for the purposes of reporting any measure or matter, of authorizing a subpoena, or of closing a meeting or hearing pursuant to clause 2(g) of Rule XI of the Rules of the House (except as provided in clause 2(g)(2)(A) and (B)). For the purposes of taking any action other than those specified in the preceding sentence, one-third of the members of the Committee or subcommittee shall constitute a quorum.

RULE 7.—OFFICIAL COMMITTEE RECORDS

(a)(1) Journal.—The proceedings of the Committee shall be recorded in a journal which shall, among other things, show those present at each meeting, and include a record of the vote on any question on which a record vote is demanded and a description of the amendment, motion, order, or other proposition voted. A copy of the journal shall be furnished to the ranking minority member.

(2) Record Votes.—A record vote may be demanded by one-fifth of the members present or, in the apparent absence of a quorum, by any one member. No demand for a record vote shall be made or obtained except for the purpose of procuring a record vote or in the apparent absence of a quorum. The result of each record vote in any meeting of the Committee shall be made available in the Committee office for inspection by the public, as provided in Rule XI, clause 2(e) of the Rules of the House.

(b) Archived Records.—The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House. The chairman shall notify the ranking minority member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the Rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any member of the Committee. The chairman shall consult with the ranking minority member on any communication from the Archivist of the United States or the Clerk of the House concerning the disposition of noncurrent records pursuant to clause 3(b) of the Rule.

RULE 8.—SUBCOMMITTEES

There shall be such standing subcommittees with such jurisdiction and size as determined by the majority party caucus of the Committee. The jurisdiction, number, and size of the subcommittees shall be determined by the majority party caucus prior to the start of the process for establishing subcommittee chairmanships and assignments.

RULE 9.—POWERS AND DUTIES OF SUBCOMMITTEES

Each subcommittee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the Committee on all matters referred to it. Subcommittee chairmen shall set hearing and meeting dates only with the approval of the chairman of the Committee with a view toward assuring the availability of meeting rooms and avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings whenever possible.

RULE 10.—REFERENCE OF LEGISLATION AND OTHER MATTERS

All legislation and other matters referred to the Committee shall be referred to the subcommittee of appropriate jurisdiction within two weeks of the date of receipt by the Committee unless action is taken by the full committee within those two weeks, or by majority vote of the members of the Committee, consideration is to be by the full Committee. In the case of legislation or other matter within the jurisdiction of more than one subcommittee, the chairman of the Committee may, in his discretion, refer the matter simultaneously to two or more subcommittees for concurrent consideration, or may designate a subcommittee of primary jurisdiction and also refer the matter to one or more additional subcommittees for consideration in sequence (subject to appropriate time limitations), either on its initial referral or after the matter has been reported by the subcommittee of primary jurisdiction. Such authority shall include the authority to refer such legislation or matter to an ad hoc subcommittee appointed by the chairman, with the approval of the Committee, from the members of the subcommittee having legislative or oversight jurisdiction.

RULE 11.—RATIO OF SUBCOMMITTEES

The majority caucus of the Committee shall determine an appropriate ratio of majority to minority party members for each subcommittee and the chairman shall negotiate that ratio with the minority party, provided that the ratio of party members on each subcommittee shall be no less favorable to the majority than that of the full Committee, nor shall such ratio provide for a majority of less than two majority members.

RULE 12.—SUBCOMMITTEE MEMBERSHIP

(a) Selection of Subcommittee Members.—Prior to any organizational meeting held by the Committee, the majority and minority caucuses shall select their respective members of the standing subcommittees.

(b) Ex Officio Members.—The chairman and ranking minority member of the Committee shall be ex officio members with voting privileges of each subcommittee of which they are not assigned as members and may be counted for purposes of establishing a quorum in such subcommittees.

RULE 13.—MANAGING LEGISLATION ON THE HOUSE FLOOR

The chairman, in his discretion, shall designate which member shall manage legislation reported by the Committee to the House.

RULE 14.—COMMITTEE PROFESSIONAL AND CLERICAL STAFF APPOINTMENTS

(a) Delegation of Staff.—Whenever the chairman of the Committee determines that any professional staff member appointed pursuant to the provisions of clause 9 of Rule X of the House of Representatives, who is assigned to such chairman and not to the ranking minority member, by reason of such professional staff member's expertise or qualifications will be of assistance to one or more subcommittees in carrying out their assigned responsibilities, he may delegate such member to such subcommittees for such purpose. A delegation of a member of the professional staff pursuant to this subsection shall be made after consultation with subcommittee chairmen and with the approval of the subcommittee chairman or chairmen involved.

(b) Minority Professional Staff.—Professional staff members appointed pursuant to clause 9 of Rule X of the House of Representatives, who are assigned to the ranking minority member of the Committee and not to the chairman of the Committee, shall be assigned to such Committee business as the minority party members of the Committee consider advisable.

(c) Additional Staff Appointments.—In addition to the professional staff appointed pursuant to clause 9 of Rule X of the House of Representatives, the chairman of the Committee shall be entitled to make such appointments to the professional and clerical staff of the Committee as may be provided within the budget approved for such purposes by the Committee. Such appointee shall be assigned to such business of the full Committee as the chairman of the Committee considers advisable.

(d) Sufficient Staff.—The chairman shall ensure that sufficient staff is made available to each subcommittee to carry out its responsibilities under the rules of the Committee.

(e) Fair Treatment of Minority Members in Appointment of Committee Staff.—The chairman shall ensure that the minority members of the Committee are treated fairly in appointment of Committee staff.

(f) Contracts for Temporary or Intermittent Services.—Any contract for the temporary services or intermittent service of individual consultants or organizations to make studies or advise the Committee or its subcommittees with respect to any matter within their jurisdiction shall be deemed to have been approved by a majority of the members of the Committee if approved by the chairman and ranking minority member of the Committee. Such approval shall not be deemed to have been given if at least one-third of the members of the Committee request in writing that the Committee formally act on such a contract, if the request is made within 10 days after the latest date

on which such chairman or chairmen, and such ranking minority member or members, approve such contract.

RULE 15.—SUPERVISION, DUTIES OF STAFF

(a) Supervision of Majority Staff.—The professional and clerical staff of the Committee not assigned to the minority shall be under the supervision and direction of the chairman who, in consultation with the chairmen of the subcommittees, shall establish and assign the duties and responsibilities of such staff members and delegate such authority as he determines appropriate.

(b) Supervision of Minority Staff.—The professional and clerical staff assigned to the minority shall be under the supervision and direction of the minority members of the Committee, who may delegate such authority as they determine appropriate.

RULE 16.—COMMITTEE BUDGET

(a) Preparation of Committee Budget.—The chairman of the Committee, after consultation with the ranking minority member of the Committee and the chairmen of the subcommittees, shall for the 110th Congress prepare a preliminary budget for the Committee, with such budget including necessary amounts for professional and clerical staff, travel, investigations, equipment and miscellaneous expenses of the Committee and the subcommittees, and which shall be adequate to fully discharge the Committee's responsibilities for legislation and oversight. Such budget shall be presented by the chairman to the majority party caucus of the Committee and thereafter to the full Committee for its approval.

(b) Approval of the Committee Budget.—The chairman shall take whatever action is necessary to have the budget as finally approved by the Committee duly authorized by the House. No proposed Committee budget may be submitted to the Committee on House Administration unless it has been presented to and approved by the majority party caucus and thereafter by the full Committee. The chairman of the Committee may authorize all necessary expenses in accordance with these rules and within the limits of the Committee's budget as approved by the House.

(c) Monthly Expenditures Report.—Committee members shall be furnished a copy of each monthly report, prepared by the chairman for the Committee on House Administration, which shows expenditures made during the reporting period and cumulative for the year by the Committee and subcommittees, anticipated expenditures for the projected Committee program, and detailed information on travel.

RULE 17.—BROADCASTING OF COMMITTEE HEARINGS

Any meeting or hearing that is open to the public may be covered in whole or in part by radio or television or still photography, subject to the requirements of clause 4 of Rule XI of the Rules of the House. The coverage of any hearing or other proceeding of the Committee or any subcommittee thereof by television, radio, or still photography shall be under the direct supervision of the chairman of the Committee, the subcommittee chairman, or other member of the Committee presiding at such hearing or other proceeding and may be terminated by such member in accordance with the Rules of the House.

RULE 18.—COMPTROLLER GENERAL AUDITS

The chairman of the Committee is authorized to request verification examinations by the Comptroller General of the United States pursuant to Title V, Part A of the Energy Policy and Conservation Act (Public Law 94–163), after consultation with the members of the Committee.

RULE 19.—SUBPOENAS

The Committee, or any subcommittee, may authorize and issue a subpoena under clause 2(m)(2)(A) of Rule XI of the House, if authorized by a majority of the members of the Committee or subcommittee (as the case may be) voting, a quorum being present. Authorized subpoenas may be issued over the signature of the chairman of the Committee or any member designated by the Committee, and may be served by any person designated by such chairman or member. The chairman of the Committee may authorize and issue subpoenas under such clause during any period for which the House has adjourned for a period in excess of 3 days when, in the opinion of the chairman, authorization and issuance of the subpoena is necessary to obtain the material set forth in the subpoena. The chairman shall report to the members of the Committee on the authorization and issuance of a subpoena during the recess period as soon as practicable but in no event later than one week after service of such subpoena.

RULE 20.—TRAVEL OF MEMBERS AND STAFF

(a) Approval of Travel.—Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, travel to be reimbursed from funds set aside for the Committee for any member or any staff member shall be paid only upon the prior authorization of the chairman. Travel may be authorized by the chairman for any member and any staff member in connection with the attendance of hearings conducted by the Committee or any subcommittee thereof and meetings, conferences, and investigations which involve activities or subject matter under the general jurisdiction of the Committee. Before such authorization is given there shall be submitted to the chairman in writing the following: (1) the purpose of the travel; (2) the dates during which the travel is to be made and the date or dates of the event for which the travel is being made; (3) the location of the event for which the travel is to be made; and (4) the names of members and staff seeking authorization.

(b) Approval of Travel by Minority Members and Staff.—In the case of travel by minority party members and minority party professional staff for the purpose set out in (a), the prior approval, not only of the chairman but also of the ranking minority member, shall be required. Such prior authorization shall be given by the chairman only upon the representation by the ranking minority member in writing setting forth those items enumerated in (1), (2), (3), and (4) of paragraph (a).

BLUE DOG COALITION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Arkansas (Mr. ROSS) is recognized for 60 minutes as the designee of the majority leader.

Mr. ROSS. Madam Speaker, this evening, as most Tuesday evenings, I'm joined by members of the fiscally conservative Democratic Blue Dog Coalition as we come to the floor of the United States House of Representatives to talk about the debt and the deficit and what that means for the future of this country and how so many of today's priorities continue to go unmet because of this.

Today's national debt is $9,169,206,830,867 and some change. For every man, woman and child in America, their share of the national debt, $30,205.

As you walk the halls of Congress, Madam Speaker, as you walk the halls of the Cannon, Longworth and Rayburn House Office Buildings, you will easily know when you're walking by the door of a fellow Blue Dog member because you will see this poster that reminds us of the national debt, as well as your share.

This evening we want to talk about PAYGO. It's an acronym for pay-as-you-go, and basically there was a lot made to do about the first 100 legislative hours in this new Democratic majority. Well, the 47 of us in the fiscally conservative Democratic Blue Dog Coalition were proud of what we were able to accomplish in this first legislative hour under this new Democratic majority, and that was reinstating the PAYGO rules, which means pay-as-you-go. If you have got a new program you want to fund, you've got to show us how you're going to pay for it. If you want to cut a tax, you've got to show us how you're going to pay for it.

The business of borrowing money from China to fund programs and tax cuts in this country are over, and we want to thank the new Democratic leadership for their commitment, their commitment not to bring a bill to this floor that's not paid for.

At this time to talk more about this issue and a lot of talk about AMT, the alternative minimum tax is going to touch a lot more people this year. We want to protect those people. We want to make sure they're not taxed, but we also want to make sure that that bill that comes to this floor is paid for. It doesn't make sense to protect people from taxes if we're simply borrowing the money from China and then asking our children and grandchildren to foot the bill.

That's why I was very disappointed last week when the Senate voted 88–5 to fix the AMT. They took the easy way out. It wasn't paid for. The Senate's plan borrows $50 billion just for this year, $50 billion from China to pay for a fix to the alternative minimum tax. We have a plan in the House not only to fix it but to pay for it, and we voted for that a couple of weeks ago on the House floor and we're going to vote on it again this week.

And to talk more about this and what it all means for this country and for future generations is one of the founders of the Blue Dog Coalition, my friend, JOHN TANNER from Tennessee.

Mr. TANNER. Madam Speaker, thank you very much, and I will be brief because we have a lot of Blue Dogs here tonight that are going to speak to this issue, and they will elaborate on what I have to say.

The PAYGO rule, as we have here now as Mr. ROSS pointed out, is basically what all of us do in our private lives. We live within our means. We pay our bills, and we hope we have some left to invest in the future. This

government has done none of that. And some people around here have argued about the AMT situation that you alluded to, that we don't have to pay for that because it wasn't intended to affect these people; therefore, it doesn't exist. If I said that in Tennessee, they would say that fellow's been in Washington too long. Only in Washington would somebody even dare make a statement as ludicrous as that is.

We've also heard people here in this town say deficits don't matter. Well, if deficits don't matter, why don't we abolish the tax code and just borrow what we need? Of course deficits matter; they matter to all of us.

Some people around here think the laws of arithmetic stop at the steps of the Capitol and the front door of the White House. Well, they don't, and this is why.

As we are plunging this country into debt that's been done on a massive scale in the last 6 years, that no political leadership in the history of this country has gone there, we are transferring more and more of our assets to foreign-held powers. We transferred over $700 billion in the form of interest payments overseas just in the last 72 months.

They talk about, well, we don't have to pay for this because we didn't intend it. Somebody's going to pay for it. There's no free lunch. People have been looking for a free lunch since the dawn of civilization. It does not exist, and I would contend that if we are going to keep our moral authority to govern as stewards of this country, then the time and place where we are now, elected to public office, if we do not reverse this and start paying our bills, we will undermine, I believe, that and we'll also undermine this country.

I think this is a defining moment for us, and we're going to fight. Davy Crockett was from my district. We're going to make this an Alamo-type situation around this issue because this is a critical tool of this Congress and the American people in order to act financially and responsibly.

I can't thank the Blue Dogs enough for their devotion to this idea of we're going to leave this place better than when we found it, and that's what this is all about.

Mr. ROSS. Madam Speaker, I want to thank the gentleman from Tennessee, a founder of the Blue Dog Coalition, JOHN TANNER, for joining us this evening for this Special Order.

Madam Speaker, there's 47 of us in the fiscally conservative Democratic Blue Dog Coalition. The Blue Dog Coalition is just another name for fiscally conservative Democrats, and one of our newest members who has joined us for the 110th session of Congress, and we're just delighted to have her, is our friend KIRSTEN GILLIBRAND from New York's 20th district.

Mrs. GILLIBRAND. Madam Speaker, I thank Congressman ROSS.

For the sake of our children's future, I'm strongly urging the Senate to ensure that the AMT patch that we're going to be considering this week complies with the PAYGO rules. The House has already passed a responsible AMT bill, which will prevent 23 million taxpayers from being hit by the AMT, while also finding appropriate offsets so that the national debt will not be increased.

I have introduced a resolution, H.J. Res. 45, which is a balanced budget amendment to the United States Constitution. If my constituents in upstate New York have to balance their checkbook every month, so should the Federal Government.

The AMT affected 4.2 million Americans last year. If Congress does not act, it will affect 23 million Americans this year, most of them middle-class families.

In my district, 66,000 families will be affected if this bill is not passed. Almost half of the 23 million taxpayers that will be affected are married with children. The average AMT taxpayer will owe over $6,000 in additional taxes. Small business owners are going to be one of the hardest hit by the AMT.

The reason why we have to pay for this and ensure we follow pay-as-you-go standards is because America's debt is over $9 trillion. Our Federal debt increases by $1.4 billion a day, at an astonishing rate of $1 million a minute. Our national debt is equal to over $30,000 for every man, woman and child and infant in this country.

The Federal Government spent over $400 billion last year on interest payments on the national debt. After Social Security, Medicare and defense spending, interest payments on the debt are the third largest expenditure by the Federal Government. The amount of money that we spend on interest payments will decrease the amount of money America will have in the future for spending on our national priorities such as health care, education, energy independence, our troops.

Lowering the debt is essential not only for our economic security, but it is essential for our national security. Foreign governments and investors now hold $2.2 trillion, which is 44 percent of all publicly held U.S. debt. That's up nearly 10 percent from last year. China owns the second-most amount of our debt, and oil exporting countries such as Saudi Arabia account for the fourth-most held U.S. debt.

Paying for AMT is possible. The House has already passed in a bipartisan way a PAYGO-compliant bill. For future generations, we must be responsible and not add to the national debt.

Just to give folks at home an understanding of what this money means, let me just give you a couple of translations. This year we paid $239 billion in interest on the national debt. That same amount of money, if we use it for other purposes, would literally pay for every U.S. family's refrigerator to be stocked for 7 months. It would pay for filling every U.S. family's gas tank for 10 months at today's gas prices. It would pay for providing 4 years of in-state public tuition for 10 million students, and it would pay 1 year's salary for 8 million new teachers.

The Federal Government has sent over $709 billion abroad in the form of interest payments since President Bush took office, $155 billion in 2007 alone. The same amount would fund any of the following: 12,000 new elementary schools, 7,000 new veterans clinics, and all road and bridge construction and improvements for the next 10 years.

I beseech the Senate to follow a fiscal, responsible and prudent course of action and pay for the AMT.

Mr. ROSS. Madam Speaker, I thank the gentlewoman from New York. For those just joining us, to set the stage, Madam Speaker, the Senate, we sent the Senate an AMT fix, alternative minimum tax fix, to ensure people didn't get hit with this unfair tax, and we paid for it. They sent it back to us without being paid for. Instead, they want to borrow $50 billion from China, and that's what got 47 members of the fiscally conservative Democratic Blue Dog Coalition worked up, and for a good reason.

I'm pleased to be joined by a fellow Blue Dog member from California's 20th Congressional District, my friend JIM COSTA.

Mr. COSTA. Madam Speaker, I rise this evening to discuss the importance of this pay-as-you-go system that my colleague from Arkansas, Congressman ROSS, and my other colleagues have spoken on thus far.

What you're going to hear this evening across the breadth and width of Representatives from throughout the country is a common and reoccurring theme, and that is, as Blue Dogs, we believe that putting our fiscal House in order is among the highest of priorities that we are sent here back to Washington to do. And so, therefore, it is a very important discussion that we are having with you this evening, as many Americans sit at their home having dinner and wondering just really what's going on in Washington.

What's going on is really trying to draw a line in the sand. Are we about trying to establish and stay with fiscal responsibility or not?

Now, PAYGO is a tool, as was mentioned, to try to ensure that any additional expenditures of our Federal budget be paid for. That's not the only tool, but it is one of the few tools that we now have in place. Certainly as Blue Dog members, we are looking and trying to figure out how we can do other efforts to focus on budget cutting and reestablishing our priorities. But right now pay-as-you-go is the most important tool that we have available to us.

Now, let me give you a little history of how all this took place. In 1990, when the Budget Enforcement Act was passed, there was an attempt to reign in deficits that had occurred for over 30 years, Federal deficits that had been

experienced since 1970. This Act, passed by a Democratic Congress in 1990 and signed by a Republican President, President George Bush the First, sought to control the budgetary impact of legislation through the enforcement of the provisions that we now refer to as pay-as-you-go.

Now, that was law and that was enforced for 10 years, about. Then in 2001, with a new Republican majority in Congress, our current President, President George Bush the Second, abandoned the PAYGO provisions.

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And that, I think, among other factors took our projected budget surplus, then at $5.6 trillion over a 10-year period, and created the current budget deficit that we have today, which is over $2 trillion over that same time period. Yes, I think it's disappointing for all Americans that a sensible tax policy, an investment in smart growth in our country that was achieved between 1990 and 2001 on a bipartisan basis, has been squandered in the last 6 years to the large unsustainable deficit that we have today.

Now, where are we? Well, at the beginning of this year, the new Democratic majority returned to Congress a path of fiscal responsibility. As Congressman ROSS and others mentioned, PAYGO was one of the first provisions we enacted. Under these rules we have in every piece of legislation that we have acted on this year enforced the PAYGO principle. This promise we made to the American people we intend to keep true to our word. We have already made great strides in bringing our fiscal house in order; but if we want to continue that, we must include this with all legislation, which includes the alternative minimum tax. It needs to comply with PAYGO.

Currently, our national debt is over $9 trillion, with much of it being held by foreign governments. In 2007, China alone had increased the holdings of U.S. Treasury securities by nearly 500 percent in the last 6 years, from $74 billion in July, 2001, to $408 billion in July of this year. Overall, and it has been said before, this administration has borrowed more money from foreign sources throughout the world than the previous 42 Presidents combined. Let me repeat that: overall, this administration has borrowed more money from foreign sources than all the previous 42 Presidents combined.

As a proud member of the Blue Dog Caucus, I strongly believe that fiscal responsibility and balanced budgets are essential to make our economy and our country strong and prosperous. Government should not be allowed to spend more than it takes in. Common sense tells us that. Any strategy of our Nation's budget must include a strategy for reducing these record deficits so that we don't pass them on to our children. Without adequate controls, prolonged deficit spending will weaken our ability to fund worthwhile domestic spending programs and jeopardize our national security. That's at the heart of this discussion.

I further believe that it's fiscally and morally irresponsible, therefore, to place the burden of today's deficit on our children and grandchildren. And that's why PAYGO is so important, that we draw the line and make this fight this week.

The alternative minimum tax is important. We passed that relief on that over a week ago. But it's not worth borrowing from China to pay for the alternative minimum tax. We can do this in a commonsense way, and that's what the Blue Dogs are asking you to support our efforts in.

Mr. ROSS. I thank the gentleman from California for joining us.

And, Madam Speaker, this is a Special Order hosted by the fiscally conservative Democratic Blue Dog Coalition. And at this time, as we discuss this PAYGO and AMT issue deeper and further and put it in context, I'd like to call on a former co-Chair of the Blue Dog Coalition, BARON HILL from Indiana.

Mr. HILL. I thank the gentleman for yielding to me.

Madam Speaker, we have a lot of Blue Dogs here this evening to talk about this issue because Blue Dogs feel very passionate about PAYGO rules and our national debt. The national debt exceeds over $9 trillion. One of the largest expenditures in our Nation's budget, second or third only to military spending, is the interest that we pay on that national debt.

Now, we are at a critical time because now we are at a stage of the legislative process where the rubber meets the road. As has already been mentioned here, there is a large issue looming next year for millions of Americans, and that issue is the alternative minimum tax. The alternative minimum tax was passed many years ago with the idea that only the wealthy who didn't pay any income taxes ought not to have that advantage, and so the alternative minimum tax was put in place. Little did we know when it was passed many years ago that we would advance up to 2007, which is the present time, and we would find that next year when people have to pay their income taxes, they will learn that many middle-class Americans will have to pay this tax as well.

So not only the wealthy will have to pay the alternative minimum tax but also many millions of middle-class people will have to pay the AMT. We need to fix that. And the Blue Dogs are committed to making sure that we provide tax relief for those millions of middle-class Americans who are going to be hit with this tax next year.

But this is where the rubber meets the road, because by giving millions of middle-class Americans tax relief, it's going to cost more than $50 billion. We have got to figure out a way to pay for that because in this House, we have pay-as-you-go rules, which simply means that if we are going to cut taxes or we are going to increase spending, we have got to figure out a way to pay for it. The many Blue Dogs here this evening are here passionately to make sure that we hold our ground because a storm is brewing here, Madam Speaker.

By passing this new alternative minimum tax, there are those in this Chamber and those in the other Chamber who do not want to pay for it. And the Blue Dogs stand before you today in front of America to make sure that we have the political courage to pay for this tax relief for millions of Americans in this country. Because if we don't do this, that $9 trillion that we are already in debt increases to $10 trillion and $11 trillion and then $12 trillion, and it goes on and on and on and on.

There are those in this body and the other who don't believe that this is an important enough issue and therefore we should ignore the PAYGO rules. That's the storm that is brewing in the next couple of days. And the Blue Dogs stand before the American people to say that we are still going to fight the battle of making sure that we restore fiscal discipline to this body. And that's the reason why so many passionate Blue Dogs are here this evening, because that storm is brewing. The time is ticking away. The threat of exceeding our expenditures over what we take in from income is at a threshold. And that's the reason why so many Blue Dog Democrats are here to talk about it this evening. And I hope the American people are listening.

To put it in perspective and why these rules are so important to be in place, it's important to note that since President Bush took office, the gross national debt has increased by $3.427 trillion. And since President Bush took office, we have borrowed $1.2 trillion from foreign sources. We've got to stop this madness.

Now, there are those in this body and outside this body, certain newspapers that consider themselves conservative newspapers like the Wall Street Journal, who believe that this issue is not important, that the Blue Dogs are wrong on this. We are not wrong on this. We have got to stop this madness, and we have to implement those PAYGO rules. It worked in the 1990s up until 2002 when we actually reversed our Nation's budget deficits and had surpluses. And it was because we stuck to the very rules that we are talking about tonight. And if we don't stick by these rules, then the days of deficit spending are going to return.

When the Democrats took over control of Congress in last year's elections, we promised to implement these PAYGO rules and stop the madness of these huge deficits that we had in place. And now we're on the verge of breaking the very rules that we put in place, and that is the reason why the Blue Dogs stand before you this evening.

I am proud to be a Blue Dog. I'm proud that the Blue Dogs have pushed

this issue to restore fiscal sanity to our Nation's budget. And I think it's the reason why we have so many that are about to speak about it.

I give the gentleman from Arkansas my appreciation for allowing me to speak on this very important issue.

Mr. ROSS. I thank the gentleman from Indiana (Mr. HILL) for his insight on this issue.

Madam Speaker, let me make it clear that the Blue Dog Coalition wants to ensure that no additional taxpayers are liable for the AMT tax this year. Let me also make it clear that, unlike the Senate, we want a bill that's paid for. We don't want to simply borrow the money from China to fund a tax cut or to provide tax relief in this country. And that's what makes us different in this new Democratic majority from what we had in the previous Congresses under the Republican control. They have given us the largest debt ever, the largest deficit ever; and the time has come to put an end to that. And someone that understands that better than anyone is the Blue Dog co-Chair for policy, my friend DENNIS MOORE from Kansas.

Mr. MOORE of Kansas. Thank you, Congressman ROSS, for the time this evening to speak to the American people about what's happening in our country with our deficit, with our debt, and what we need to do to correct this problem for future generations in our country.

You've heard several speakers talk tonight about the debt that our Nation has accumulated, $9.1 trillion. That's gone up almost $3.4 trillion in the past 6 years since President Bush took office.

As policy co-Chair, I had an opportunity to go with about eight other Democrats to the White House to meet with the President a few months ago. We each had 2 minutes to speak. And when it was my turn, I said, Mr. President, I'm a year older than you are. I had 7½ grandchildren at the time, eight now, and I said, Mr. President, we have mortgaged their future. I said, We've got to start living like most American families living within a budget. This should not be about Democrats and Republicans. We have got to be responsible. It's our moral duty to our kids and grandkids.

And he looked at me and he said, You've got a point.

Well, I know I have a point, but we need to work on this together. That's what we are all saying here tonight is we have mortgaged the future of our children and grandchildren, and that's absolutely the wrong thing to do.

In the first days of this new Congress this year, Congress, at least the House, passed a pay-as-you-go rule and reinstated a rule that expired in 2002. And for several years without that rule, our deficit and our debt rose dramatically. That's why all of us, the 47 Blue Dog Democrats here, think it is so important that we reinstate that rule, and it has been reinstated now, but that we follow this rule and make sure that we don't spend more money as a Nation than we take in; that we live within our means like most American families do.

You've been told by other speakers here tonight that China, Japan, and other foreign nations own more than $1 trillion of United States debt. That is a disgrace. It's something that we have got to change. We can't afford to let other nations make important decisions about our future. It's our future. It belongs to future generations in this country. And we have got to make sure that we are in control and not other nations in this world.

And I will just stop by saying this: PAYGO sounds funny. All it is, is pay-as-you-go. If you have a new spending proposal, a new program proposal, or a tax cut, section 1 is here is my proposal and section 2 is here's how it's paid for so it's revenue neutral, doesn't add to our deficit or our debt.

Again, Madam Speaker, we need to start living like most American families do within a budget. It's the right thing to do for our country, and it's certainly the right thing to do for future generations in our country.

Thank you, Congressman ROSS.

Mr. ROSS. I want to thank the gentleman from Kansas for joining us.

Madam Speaker, in the next 35 minutes, we've got a number of Blue Dogs, fiscally conservative Democrats, that have taken to the floor of the House tonight to join me in talking about the importance of PAYGO, pay-as-you-go, the kind of principle that was in place in this Chamber when President Clinton gave us the first balanced budget of any Democrat or Republican in about 40 years.

At this time I would like to call on a former co-Chair of the Blue Dogs from the State of Tennessee, someone that has helped lead this effort and who brings a lot of insight to this issue, the former co-Chair for policy of the Blue Dogs, and that's my friend JIM COOPER from Tennessee.

Mr. COOPER. I thank my friend from Arkansas for yielding, and I will be very brief.

This PAYGO principle is fundamental to good government. All it means is that you pay as you go, you pay your bills. That's what this Congress should do, just as every American family knows that they should pay their bills. It's a fundamental principle. We cannot afford to let this principle lapse. It was in place from 1990 to 2002. That was the period of the greatest economic expansion in American history, under the Clinton administration.

Unfortunately, the Republican majority in this House allowed PAYGO to lapse. But none other than Alan Greenspan, the former head of the Federal Reserve, has said that this is the single most important reform that this Congress could undertake to address fiscal discipline.

So I support my colleagues in supporting PAYGO. We have got to make this principle stand. I thank the gentleman from Arkansas.

Mr. ROSS. I want to thank the gentleman from Tennessee, former co-Chair of the Blue Dogs, for joining us and in being a part of standing firm on the floor of the House of Representatives in support of PAYGO.

Some people may say, what's this business all about? Well, the House passed a bill to provide tax relief for millions of people, and it was paid for. We sent it to the Senate and they didn't like it; so they sent it back unpaid for. Their idea was to borrow $50 billion from someplace like China to pay for it.

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Well, we're going to send it back again, probably tomorrow, Madam Speaker, with another pay-for. And some people are maybe saying, ''Huh? So how are you going to pay for it?'' Well, it's not glamorous, but it makes sense to me. We're going to pay for it by closing loopholes allowing hedge fund managers to defer compensation in offshore accounts. There's no reason why the Senate shouldn't be able to join us in supporting that. It pays for it instead of borrowing the money from China and provides the tax relief that we need for middle-class working families all across this country.

I would like to call on a former co-chair for communications of the Blue Dogs, my friend from California, a member of the Rules Committee, very involved in this whole issue, and that's DENNIS CARDOZA.

Mr. CARDOZA. I would like to thank the chairman for recognizing me and yielding to me. I also want to thank Mr. ROSS for being such a leader on this issue and for being a leader on so many of the Blue Dog causes that he brings to the floor every week. And there is no question, Mr. ROSS, that there is no issue that's more important to the Blue Dogs than this issue of PAYGO.

Madam Speaker, passing PAYGO rules at the beginning of the 110th Congress fulfilled an absolute pledge to the American people that this new Congress was going to spend taxpayers' dollars and money responsibly and without continuing to run up the deficit. It was a very important initial step when we passed the House rules this year. Waiving this rule now would break that pledge to pay for the alternative minimum tax and would be a rollback in what we've committed to do for the American people. And I believe that breaking the PAYGO rules would return us to the disastrous fiscal policies of the past Congresses under the Republican administration of this House and would be a terrible mistake.

After allowing the PAYGO rules to expire, the Republicans enacted legislation increasing the national debt by nearly $1.4 trillion over 6 years. Twenty-one percent of all individual income taxes of the year 2008 will go towards paying the interest on the national

debt. They won't help cure a sick child, they won't help educate one of our bright young people in this country, your tax dollars, 21 percent of which will go strictly to pay interest on the $9 trillion that have been run up in the national debt.

This ''debt tax,'' as we call it, is a direct consequence of the reckless fiscal policies that have happened, for the most part, over the last 6 years. The President and the Republican majority have put us on a fiscally unsustainable path, and the Blue Dogs are unwilling to pass this undue burden onto future generations of Americans.

The Blue Dogs demanded a new rule, as we talked about earlier, that put PAYGO back into place. And when we took over the Congress, the Democrats restored the PAYGO rules to ensure that the government spends within its means, just like American families have to do.

In complying with the PAYGO rules, this House has overwhelmingly relied on spending cuts to offset increases in higher priority programs. Over 80 percent of the increases in spending for priority programs passed by this House have been offset by cuts in lower priority or wasteful spending programs.

The Blue Dogs are committed to addressing this country's long-term fiscal challenges, and that is why we have insisted that PAYGO rules be applied to all mandatory spending increases.

This Democratic Congress has made great strides to get our fiscal house back in order. If we want to continue down this path towards fiscal sanity, we must ensure that every piece of legislation we consider, including the AMT bill that we're going to be considering this week, comply with the PAYGO rules.

Mr. Chairman, again, I very much appreciate your leadership, and I thank you for recognizing me and yielding me time.

Mr. ROSS. I thank the gentleman from California, who has contributed greatly as the former cochair of the Blue Dogs and now a member of the Rules Committee.

The reason all of this is so important is because of this: Today, the U.S. national debt, $9,169,206,830,867, you divide that by every man, woman and child in America, and your share, Madam Speaker, is $30,205.

Since President Bush took office, the gross national debt has increased by nearly $3.5 trillion, $3.427 trillion. That's $41.54 billion per month. That's $9.57 billion per week. That's $1.37 billion per day. That's $56.93 million per hour. That's $948,907 per minute. And that's $15,815 per second. Any way you divide it out, Madam Speaker, for a country boy from south Arkansas, that's a whole lot of money. And this group, the Blue Dogs, fiscally conservative Democrats, are trying to restore common sense, accountability, and fiscal discipline to our national government. And right in the middle of it all is my friend from Louisiana, a fellow Blue Dog member, CHARLIE MELANCON.

Mr. MELANCON. I want to thank you, Congressman ROSS, for reserving this time. And I would like to thank the leadership, Madam Speaker, for taking the initiative to reinstate the PAYGO rules.

As has been stated previously by my counterparts, my colleagues and the Blue Dogs, this is one element of government that we need to adhere to. It's shameful that the government hasn't been doing this all along. As stated earlier, we have a debt that far exceeds all 42 previous administrations collectively. That does not bode well for this country.

We were a strong Nation prior to World War II. We have been a strong Nation for centuries. But as you look at the devaluation of the dollar, the fact that China controls a large portion of our debt, that they, at one point in time last January, considered selling off some of their treasury notes, but were fearful that they may devalue the American dollar, thus lowering their value of their investments, that tells you something. And now that the dollar is sliding, China is reconsidering that.

And where does that put us? That puts us really in a trick bag. We are facing a comparative value of dollars, or currencies. Canada has passed us up. The Euro is far and away. The British pound is far exceeding the value that the average American can even afford to think about going to Europe to visit.

You know, I grew up in south Louisiana in a conservative household, in a conservative community for that matter, but one of the things that we were taught by our parents in our household was if you don't have it, you can't spend it. And even if you get a credit card, you've still got to pay for it someday. And that's basically what the Blue Dogs are about, trying to bring some fiscal responsibility to our government. Regardless of what party you're in, this is about our future.

Now, up until recently I was not a grandfather, but now I am. Before, when I ran for the Congress in my late fifties, I wasn't running for the Congress as a career, I wasn't running for the Congress to make a career later, I was coming to the Congress that the people so decided to try and help right this government and do what's right by the people of this country. The frustration is that you can't have it both ways. And the both ways is you can't help the people back home that need the help, whether it's building schools, whether it's building, in our case, levees, building highways and roads and bridges, educating the kids, doing cancer research. These things cost money. And without the involvement of our government, we wouldn't be the most advanced country that we are today. But we're moving down a slippery slope. We have spent ourselves into a debt that is estimated to be in excess of $9 trillion, $30,000 plus for every man, woman and child. So, that means my two kids and their spouses and my grandson have a debt that will take them quite a bit of time if they were to decide, well, I want to pay my share, take them quite a bit of their lifetime to put that money aside. And that money that they would put aside would be better served to educate my grandson, for them to build a house when the time comes, for them to be able to afford to do things, to live a quality of life that all Americans would love to and expect to have.

Madam Speaker, I stand here today with my colleagues, the Blue Dogs, and worry about the people of this country. That's what we were sent here to do, worry about their welfare, worry about their well-being, and to take action that illustrates that we do care about them and this country. And by not adhering to the PAYGO rule, by not finding the pay-fors in these pieces of legislation, we endanger the future of all citizens of this country.

Mr. ROSS. I thank the gentleman from Louisiana. And as our friend JOHN TANNER from Tennessee has said so eloquently, this administration, this President has borrowed more money from foreigners than the previous 42 Presidents combined.

Since President Bush took office, our Nation has borrowed $1.23 trillion from foreign sources. That's a big number. Let's break it down. That's $15.45 billion per month. That's $3.54 billion per week. That's $505.6 million per day. That's $21.07 million per hour. That's $351,113 per minute. And that's $5,852 per second.

So, Madam Speaker, that's why we're here. We want to restore common sense and fiscal discipline to our national government. We want to put an end to this reckless spending and this debt and this deficit, and to help us do that is my friend from Ohio, new member of the Blue Dogs, serving his first term in the 110th session of Congress, ZACK SPACE from Ohio's 18th congressional district.

Mr. SPACE. I thank my friend from Arkansas.

Madam Speaker, I am honored to be a part of this group that places such a high priority on fiscal responsibility, the Blue Dogs.

I really believe that we live in a crossroads of history and that there are several seminal issues of our day that in and of themselves would be considered the seminal issue of virtually any other era, whether you're talking about the war in Iraq, the war on terror, the challenges posed by globalization, the challenges facing our environment, all very important issues, and indeed, seminal. But yet another seminal issue, one which is much more insidious and not so readily identifiable, but nonetheless serious, is that posed by our national debt. $9.17 trillion, a number that by any account is virtually incomprehensible; $236 billion a year being paid in interest on that debt. I have not done the math, but I suspect that if you broke that

down for every one of the 435 congressional districts in our country, you would find that each Member of Congress, each congressional district could use several hundred million dollars a year from that figure to build roads, repair bridges, cure diseases, educate children and do the kinds of things that make us a strong Nation.

This debt is sapping us of vital resources, and it is, in the words of my colleague earlier today, the gentleman from Tennessee, one of our leaders, JOHN TANNER, making us a weaker Nation.

PAYGO, a simple concept, one that, again, my colleague from Tennessee referenced as something we expect of our government in the same way that we expect it from our families, live within our means. The alternative minimum tax is poised to draw in 23 million Americans who were never intended to be the victims of that tax. We need to fix it. We must fix it. This House has voted to fix it in a fiscally responsible way, in a way that is paid for.

Now, the Blue Dogs stand for the proposition that we stand behind that and that we don't irresponsibly fix the tax, we do it in a responsible fashion. Back home in Ohio's 18th District, in towns like Chillicothe and Zanesville and New Philadelphia, Ohio, we can't understand what $9.1 trillion is. I certainly don't get it. It's incomprehensible. But we do understand the need, the pressing need of this Nation to once again engage in fiscal responsibility, acting in a way that we expect our citizens to act.

And with that, I am very proud to be a member of this organization and will continue to stand behind that basic and fundamental principle of fiscal responsibility.

□ 2030

Mr. ROSS. I thank the gentleman from Ohio for his insight.

Madam Speaker, at this time, I would like to yield to the gentleman from Indiana, BRAD ELLSWORTH, from Indiana's Eighth Congressional District. A new member of the Blue Dogs in the 110th session of Congress, BRAD ELLSWORTH.

Mr. ELLSWORTH. I appreciate the gentleman from Arkansas recognizing me, Madam Speaker.

It is an honor to follow my good friend from Ohio in his eloquent words about what we are here to talk about tonight. When I ran for Congress, the good people of the Eighth District of Indiana sent me and gave a message. I heard that message loud and clear, that they wanted me to come, if they would hire me to come and do my part to get the House's fiscal orders back in shape.

When I came to Congress a year ago in January, I started looking for people that thought the same way I did, that pay-as-you-go was just a natural thing. And I found a group called the Blue Dogs. Now, I have got to admit I didn't know what a Blue Dog was. And I would venture to guess that most of the people in Indiana didn't know what a Blue Dog was. But I know now. And it is a group that I am proud to associate myself with.

I have got to tell you, Madam Speaker, that the folks back in the Eighth District in Indiana in Terre Haute, Greencastle, and Evansville probably feel like they are being choked blue now. That is how the Blue Dogs got their name. They were being choked blue. And the people of our country are being choked blue by our constant running up the debt and deficit in this country.

One thing I learned as a little kid growing up in school was you say what you are going to do, and then you do what you say you are going to do. And that includes everybody in this House, the 435 Members. People like to complain about their taxes. They like to complain about this debt, and they have a right to. But what they do know is they expect government services, and they expect us to spend their money wisely. And so they know that when they want to drive on our Federal highways, and they know that when they call, they want our homeland protected by border security. So when they hear about government contracts gone bad, military spending, that waste, fraud and abuse accounts up to $88 billion in a few investigations, they get a little weary of that, and so do I.

We can't run this House like this. We wouldn't run our personal homes like this, we wouldn't run a personal business like this, and we can't run the people's House like this. We have done some good in this House. We passed the PAYGO legislation, one of the first things we did in the first week of this 110th Congress. We have cut earmarks in half. We have closed tax loopholes. But it is not enough.

Congressman ROSS, the poster you show when you speak has gone up since I came into this office and displayed my poster. It was $29,000 per person for every man, woman and child in this country when we started, and now it is 30, even though we have done some good. So we can't relax now until we start chipping away piece by piece, chunk by chunk and bring that back down so that we are not strapping every man, woman and child in this country with now a $30,000 debt.

It is imperative that we continue to observe the PAYGO rules of this House. And when and only when we do that will we see this number start going in the reverse and get our affairs back in order.

Mr. ROSS. I thank the gentleman from Indiana. Madam Speaker, if you have any questions, comments or concerns you can e-mail us, Madam Speaker, at bluedog@mail.house.gov.

The gentleman from Ohio (Mr. SPACE) was saying that he didn't have his calculator with him, but he knew it was a lot of interest that had been paid. This year we have paid $239 billion in interest on the national debt. That is close to $1 billion a day, without a calculator. But with a calculator, and to put it in perspective, the same amount we would pay for any of the following, stocking every family in America's refrigerator for 7 months, filling every U.S. gas tank, and that is not easy to do this these days, for 10 months, filling every American's gas tank for 10 months at today's gas prices, providing 4 years of in-state public tuition for 10.2 million students. I have a daughter in college now. I can appreciate that one. Paying 1 year of salary for 8 million new teachers. We could do any one of those things, Madam Speaker, with the amount of interest we have paid on the national debt this year.

The whole point here, Madam Speaker, is we will continue, this demonstrates it right here, the reds, the amounts we are spending on interest, the light blue, or the turquoise as we would say back home, is the amount we are spending on education. The dark green is how much we are spending on veterans. And the purple is how much we are spending on homeland security.

America's priorities, Madam Speaker, are out of whack. And they are going to remain out of whack until we get our fiscal house in order. And no one understands this better than the leader of the Blue Dogs, the administrative co-Chair for the Blue Dogs who spends a lot of time on these issues, and I can't thank him enough for being here and waiting patiently all night and letting all our fellow Blue Dog members go, we have had a dozen tonight, that is a lot, to come to the floor of the House tonight to talk about these issues. We have about 10 minutes left. The gentleman from Florida, ALLEN BOYD, can have as much of it as he wants.

Mr. BOYD of Florida. I thank my friend, Madam Speaker, for yielding, and it is a great privilege to join my Blue Dog colleagues here on the House floor to talk about these issues that are of such great import to the American people and to the children of America today, because they are the ones who will be, in the end, mostly affected by these policies that we are having great debates about today.

Now, my fellow Blue Dog colleagues have spoken very eloquently and succinctly about PAYGO, what it is, how it got started, how it works, and the importance of it. Just in brief summary, I will remind our viewers that PAYGO was a principle that was first put in place in 1990 by then-President George H.W. Bush, commonly referred to around these parts of the country as Bush 41.

With a Democratic Congress and Republican administration, they began to realize the misguided policy of deficits, large annual deficits, so they did something about it. After the election in 1992, when President Clinton became President, and then in 1994, the Republican revolution where you had a

Democratic President and Republican-led Congress, in 1997, those principles of PAYGO were continued in the Balanced Budget Act of 1997.

In 1999, we saw for the first time in 30 years a balanced budget. And we could see surpluses, Madam Speaker, as far as the eye could see. It looked great for America at that point in time. We had money to deal with national security. We had money to fix the problems that we know exist in Medicare and Social Security, the long-term problems, which are so important. Those two programs are so important to the future of this country.

What happened? In 2001, we got a new President, President George W. Bush, commonly known in these circles as Bush 43. And this administration, along with the Congress back then, decided that PAYGO wasn't a good idea because they couldn't do the policies of their tax cuts they wanted, as much as they wanted to do and live within those rules of PAYGO, so they abandoned the PAYGO rule, the PAYGO principle.

As a result, from 2000 to today, 2007, you have had a swing of several trillion dollars in terms of the surpluses versus the deficit. So we are in a bad situation. We are in a bad situation; and during the campaigns last year, people running for the House and the Senate across this country campaigned on this issue, that we had to restore fiscal responsibility to our government. You heard from four members of the Blue Dog, freshmen members, who are brand-new here tonight. This is their first term as Members of Congress. They campaigned on this issue. They understand it. They understand the importance of it. Their constituents back home do.

Madam Speaker, our Speaker, NANCY PELOSI, our majority leader, STENY HOYER, our Ways and Means chairman, CHARLIE RANGEL, and our budget chairman, JOHN SPRATT, and other Democratic leaders, in addition to the Blue Dogs, vowed to put an end to the reckless fiscal policy that has existed in our government for the last 6 years. And under the leadership of Speaker PELOSI and Majority Leader HOYER, and with the help of the Blue Dogs, we put in place this PAYGO principle on the very first day when this new Congress took power in early January of this year.

That is what the American people wanted us to do. They wanted us to stop acting foolishly when it comes to fiscal management. We are like a board of directors, Madam Speaker, of a major corporation. It is our job to manage the resources, the fiscal financial resources, of this country in a prudent way for our stockholders, who are our people back home.

And we said we have to stop spending more than we take in. There are lots of tools that you can use, as has been said here earlier, but the one that we have in place right now, the one that we have been able to get in place, given the current political environment, is this PAYGO rule, and we need to abide by it. We don't need to abandon it.

Congress without those tools in place has not exhibited the willpower, if you will, to make tough choices when it comes to spending or tax cuts. So that is why it is important that we have tools like PAYGO. If you don't have the ability, the will or the backbone to make choices about how we responsibly spend the taxpayers' money, then what are we doing here? This Congress, under the leadership, under the Democratic leadership of NANCY PELOSI and STENY HOYER has shown that it has the ability and the will and the backbone to be good stewards of the taxpayers' tax dollars that they send here for us to spend. Every single bill, Madam Speaker, that is passed by the House this year has complied with PAYGO rules. Whether it was the farm bill, SCHIP reauthorization, or AMT relief, every bill has complied with the PAYGO rules. And do you know what, Madam Speaker? Seventy-five percent of the pay-fors have been spending cuts and not revenue raisers.

Sadly, very sadly, the Senate last week failed in their duties as leaders of this country and as responsible stewards of our taxpayer dollars when they passed an AMT bill that was not paid for. The Senate was held hostage by the Republican caucus in the Senate and they blocked a House AMT bill that was paid for from even being heard on the Senate floor.

The Blue Dogs, Madam Speaker, and the House leadership are standing behind PAYGO for one simple reason: it is the right thing to do. It may not be the easy thing to do or the politically easy thing to do, but, Madam Speaker, I didn't take this job because I thought it was going to be easy. I took this job to do right by the people of the Second Congressional District of Florida and the American people.

The House of Representatives will again pass an AMT bill this week that is paid for. It is possible to do it. The Senate will have another opportunity to do what is right and responsible. And I strongly urge the Senate to have the gumption and the will and the good sense to keep the promise they made to the American people to be good stewards of the taxpayers' dollars and pass an AMT bill that does not violate the PAYGO rules and that is paid for.

□ 2045

Again, I want to thank my fellow co-chair, MIKE ROSS from Arkansas, for his steady leadership on this issue and so many others, but also steady leadership in forming these Tuesday night Special Orders, in which we have had a chance to come talk to the American people about issues of much importance.

Mr. ROSS. I thank the gentleman from Florida, the administrative co-chair of the Blue Dogs, Mr. ALLEN BOYD from Florida's Second Congressional District, for being a part of this Special Order this evening, as he is so many Tuesday evenings.

What we are talking about here, Madam Speaker, is the Republican Congress, the Republican administration, after having a balanced budget under President Clinton for the first time in 40 years, gave us the largest debt ever in our Nation's history, largest deficit ever in our Nation's history, and there has been a lot of talk about all this.

Mr. TANNER was talking earlier about how this administration has borrowed more money from foreigners than the previous 42 Presidents combined. That has to be paid back with interest. And to put it in perspective, the Federal Government has sent $709 billion abroad in the form of interest payments since President Bush took office, and $155 billion in 2007 alone. The same amount would fund any of the following: The amount of money this administration has sent to foreigners to pay interest on the debt that we have borrowed from them to fund tax cuts in this country for folks earning over $400,000 a year. With the interest paid on this debt, this foreign debt, the amount of your tax money, Madam Speaker, that we have sent overseas, with that amount of money, we could have built 12,000 new elementary schools, 7,000 new veterans clinics, and I might remind you, Madam Speaker, we have a new generation of veterans coming home from Afghanistan and Iraq. And get this: We could have funded all road and bridge construction and improvements for 10 years.

It's about priorities, and it's time this Nation got its priorities in order. It's time we got our fiscal house in order. Make no mistake about it, Madam Speaker, for the second time this week we are going to send to the Senate an AMT fix that ensures that no, not one, additional taxpayer is liable for the AMT tax. Not one. Madam Speaker, we are paying for it, and as conservative Democrats we are reaching across the aisle and we are begging, we are begging Republicans to join us in doing the right thing and fixing this the right way.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 2082, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2008

Mr. CARDOZA (during the Special Order of Mr. ROSS), from the Committee on Rules, submitted a privileged report (Rept. No. 110–487) on the resolution (H. Res. 859) providing for consideration of the conference report to accompany the bill (H.R. 2082) to authorize appropriations for fiscal year 2008 for the intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 1585, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008

Mr. CARDOZA (during the Special Order of Mr. ROSS), from the Committee on Rules, submitted a privileged report (Rept. No. 110–488) on the resolution (H. Res. 860) providing for consideration of the conference report to accompany 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 referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4351, AMT RELIEF ACT OF 2007

Mr. CARDOZA (during the Special Order of Mr. ROSS), from the Committee on Rules, submitted a privileged report (Rept. No. 110–489) on the resolution (H. Res. 861) providing for consideration of the bill (H.R. 4351) to amend the Internal Revenue Code of 1986 to provide individuals temporary relief from the alternative minimum tax, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4299, TERRORISM RISK INSURANCE PROGRAM REAUTHORIZATION ACT OF 2007

Mr. CARDOZA (during the Special Order of Mr. ROSS), from the Committee on Rules, submitted a privileged report (Rept. No. 110–490) on the resolution (H. Res. 862) providing for consideration of the bill (H.R. 4299) to extend the Terrorism Insurance Program of the Department of the Treasury, and for other purposes, which was referred to the House Calendar and ordered to be printed.

RELIGIOUS FREEDOM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FRANKS) is recognized for 5 minutes.

Mr. FRANKS of Arizona. Madam Speaker, I thank Congressman GARRETT for this privilege of this time.

Madam Speaker, I believe the cornerstone of all human freedom is that of religious freedom. Indeed, a small separatist church congregation in England possessed a desire so strong to practice their faith freely that it compelled them to cross the ocean in a little wooden ship called the Mayflower.

While theirs was a quest to be able to practice the faith of Christianity, a central tenet of their Christian faith was the belief that all human beings were given the right by God to embrace whatever religious conviction they truly held in their hearts, and that human beings should protect that right for each other.

Madam Speaker, today we considered and passed H. Res. 847, ''recognizing the importance of Christmas and the Christian faith.'' Of course, Madam Speaker, there will be those who will criticize any effort to recognize a particular faith or holiday. However, Madam Speaker, aside from the debatable aspects of this resolution, or any other, those who are even slightly acquainted with history know that the Bible, the founding document of the Christian faith, was the essential rationale and substance that inspired our Declaration of Independence and was, further, the bedrock foundational document of the Western world.

The objective of this resolution is to honor those Judeo-Christian principles that have shaped American history and policy since the founding of our Nation and that have informed and influenced our ideas of justice and equality 7 years into the 21st century. Indeed, Madam Speaker, it was the Christian principles hailed in this resolution that led our country to be the very first beacon of religious freedom in the history of the world and, further, to finally reject the practice of human slavery that had plagued civilization across the world for nearly 7,000 years.

Madam Speaker, I believe that it would be wrong for this body to ever pass any law that would compel or forbid any person in this Nation or any other nation to accept or reject any article of faith, so long as they did not deprive their fellow Americans or human beings of those same constitutional rights. However, in recognizing the influence of Christianity upon Western civilization, we are also commending the unshakable commitment of Christian principles, the very ones that compelled our Founding Fathers to resolutely declare that all men are created equal by God himself, and that because they are created equal, they are also created free, Madam Speaker, and that includes being free to embrace the religion of their own conviction.

Religious freedom is a central component of the Christian faith this resolution references. Indeed, the message of the one born on Christmas Day was from a savior who came to offer every member of the human family ultimate and eternal freedom, even at the cost of his own life.

Madam Speaker, as we enjoy our religious freedom in this season of peace, may we not forget that at this very moment American men and women in uniform are fighting a battle across the world so that all Americans might continue to freely exercise their faith, and that that right might ultimately some day be extended to all of mankind. President Roosevelt probably said it best, Madam Speaker. He said in his Christmas Eve Nation message to the Nation, December 24, 1941, ''Our strongest weapon in this war is that conviction of the dignity and brotherhood of man, which Christmas Day signifies more than any other day or any other symbol. Against enemies who preach the principles of hate and practice them, we set our faith in human love and in God's care for us and all men everywhere.''

So, Madam Speaker, with those feelings in mind and with love in my heart for people of every faith, let me here on this floor exercise my own religious freedom and wish you and everyone else under the sound of my voice a happy, holy, and merry Christmas.

FISCAL RESPONSIBILITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from New Jersey (Mr. GARRETT) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARRETT of New Jersey. As I come to the floor tonight, the first week of December, standing here in the Nation's Capitol of the greatest Nation on Earth, today, and has ever been, I think about our constituents back home in the great State of New Jersey and across the country as well as they look to our Nation's Capitol and expect us to do the responsible things on their behalf and on the behalf of freedom and liberty around the world as well. And a portion of that responsibility, of course, is handling their hard-earned tax dollars as they send them to us here in Washington to administer this government and spending, some of which was just addressed by the other side of the aisle.

For the next hour, I would like to engage in a discussion of these issues and shed some light on them, perhaps pointing out some of the fallacies in some of the arguments that we just heard from the other side of the aisle on these points.

As we begin there, I think there is no place better to begin as to try to address some of those points that have been raised. So at this time I would be honored to have a fellow colleague join us at the floor right now. I yield the floor to Ms. FOXX.

Ms. FOXX. Thank you so much, Congressman GARRETT. I appreciate your putting together this Special Order tonight and focusing on spending and on where we are here, as you said, in the second week of December in the greatest country in the world.

I was listening for a few minutes to our colleagues who preceded us, who called themselves the Blue Dog Democrats, and I was really fascinated to hear them talk about how fiscally responsible they have been, and I know that you're going to talk a little bit later about the total tax increases that they have proposed, the total spending that they have proposed. And I am fascinated that our colleagues can stand

here and talk about being fiscally responsible, I think, and assume that nobody is adding up what it is they are doing. And they show their charts about the debt and how much each person is responsible for that debt, and I am intrigued that if you look at the record, you would see that most of the Blue Dogs vote every time for these fiscally irresponsible bills that are being brought up. So I want to say to the American people, if they believe that these folks have been fiscally responsible, then I have got some swampland in Mexico that I'd like to sell them.

I felt like, in listening to them, that I was like Alice in Wonderland, where the language means the opposite of what it is, or 1984, particularly 1984, where white is black and black is white. That is what it feels like when you're listening to them talk about being fiscally responsible. It's unbelievable.

One thing I do agree with them, it is about priorities, and it's obvious that their priorities and our priorities and the priorities of the American people are two different things. For one thing, our colleague used the example that we could be building 12,000 new elementary schools. Well, the Federal Government has absolutely no business building elementary schools. There is absolutely nothing in the Constitution which gives us any right to be involved in education, and particularly in building buildings at the local level.

I am astonished at some of the things that they say, again, and assume that nobody is going to question them.

Mr. GARRETT of New Jersey. Will the gentlelady yield?

I think the gentlelady makes an interesting but important point at the same time, in that if we see our role here in Congress as to satisfy every desire, wish, whim, and I am not saying education is a whim, but desires, wish, needs, as well of our constituency back at home, in your State and mine, then of course that wish list or the desire list or that need list would go on ad infinitum. Then we can become here, as one may say, as the 51st State, the 51st State legislature, trying to solve every single issue, whether it's building new schools, filling in potholes back at home on the street in front of someone's house, or any other minutia that is back in the States. Obviously, some of these things are quite vital to you and I and our constituents, but the question is where do those dollars and cents come from, where do the responsibilities lie? If we are going to assume at all, then I can tell you that this budget is going to balloon even further than where the Democrats already want the budget to balloon.

But it is, just as you said before, an issue of, and I will probably say it 22 more times before the night is over, an issue of setting priorities, and part of setting priorities is setting what are our responsibilities. So you hit the nail on the head when you begin to look at that, how do you set priorities, what is our responsibility. If we can just hone in on what our responsibility is and if we can get doing those things well first, then everything else comes in time.

I yield back.

Ms. FOXX. Well, I hope you will repeat that 22 more times tonight, and we need to be repeating that every single day. It's one of the issues I talk about over and over again, what are our priorities, what is the role of the Federal Government. As you say, we could be seen as a 51st State and be trying to deal with every single issue, but the Constitution is really clear about what our role is, I think.

As you point out, here we are in the middle of December, and what has this Congress accomplished? So much was promised by the majority last year when they were running for office and condemning Republicans for being profligate spenders and being irresponsible about the way we spent money. I will tell you that we can't hold a candle to what it is they want to do.

□ 2100

I think it was bad enough that Republicans before I got here ballooned the budget beyond where it should have been. And I have to say that I understand why the American people got upset with us last year, why we lost our majority. They felt that we were profligate spenders, as I said. But the Democrats promised something different. We are standing on our principles now, and they are stunned by that. We are earning our way back into the majority by living up to the image and the reputation that Republicans have had over the years of being careful with the way money is spent.

And, of course, today I heard other Democrats talking about the fact that this was going to be a cut in the budget. Well, only in Washington is a smaller increase than what they want considered a cut or level funding considered a cut. The increase in what the President asked for, and again I know you are going to go into much greater detail about this, a 3.1 percent increase in spending overall was requested by the President; and yet, the majority party is saying that the fault is with the White House and it refuses to negotiate, that the President won't negotiate with them. They say we are engaged in political posturing. If that isn't the pot calling the kettle black, I certainly have never seen that. They are totally surprised by the fact that the President and we are standing on our principles.

They think they can get by with simply increasing spending. They asked for $22 billion plus a lot of money in emergency spending; so then they come back and say, well, we will just split the difference. It will only be $11 billion and you should compromise with us. And the fact that we don't want to increase spending that much more over the 3.1 percent requested by the President stuns them. So the way they get around it is, here we are again the middle of December, and they have not passed the appropriations bills that we should have passed. And I want to talk some about what they promised they would do and what they have done. And we have compiled a list of promises.

On November 8 of last year, Speaker-elect PELOSI said: Democrats are prepared to govern and ready to lead.

Here we are, only one appropriations bill that has passed, and that is the Defense bill. Thank goodness that has happened.

Another Democratic promise: open, honest, and ethical Congress. Speaker-elect PELOSI: we will make this the most honest, ethical, and open Congress in history.

And what do we get? We get bills brought on the floor at the last minute, thousand-page bills. We get no time to read them, and we are asked to vote on them.

We are also told by the Blue Dogs and by others that they believe in something called PAYGO. Now, PAYGO, they would have you believe, is a way for us to get back fiscal responsibility. Well, I want to say that if you look up PAYGO in the dictionary, it means new taxes. That is what PAYGO means to them, new taxes. It doesn't mean cutting spending. And it only applies to a very small part of our budget, but they want to try to fool the American people into thinking that it means something different than what it means.

They criticize the Senate for having passed an AMT bill last week, which is a clean bill. It simply delays the increase in taxes that would go to about 23 million Americans, something they have never paid. And to the House, the fiscally responsible way to do this is to add new taxes to other Americans to, quote, pay for, that is, offset, taxes that have never been paid by another group of Americans.

That is some of the most twisted logic that I have ever heard in my entire life. I know that these people never could have taken logic in high school or in college.

They also promised no more borrowing from Social Security. But what that means is that the money that is currently being spent from the Social Security fund will not be spent from the Social Security fund. But that is not what they are doing. They are spending that and a whole lot more. And ROB ANDREWS last year, or this year, promised that we would not borrow any more money from the Social Security fund. Every one of their promises has been broken, and they are taking us down a very fiscally irresponsible budget.

The energy bill that was passed last week is a no-energy bill. It included nothing to increase domestic energy production. As Christmas approaches, 5,000 troops are going to return from Iraq; but they are holding hostage the bipartisan legislation to fund key benefits for them and their families. It has

been 6 months since the House overwhelmingly passed the veterans and troops funding bill and 3 months since the Senate did the same, but they have put that bipartisan bill into this omnibus bill that we are going to be dealing with, which will have billions in wasteful, unrelated pork.

We are seeing a tremendous problem here with only one of the 12 appropriations bills passed, a year wasted while they have brought before us unnecessary bills to vote on and while they have voted 41 times on measures to withdraw from Iraq, and they have let the important work of this Congress go by the by.

I hope again that the American people are paying close attention and reading between the lines on the things that they are saying, and I am going to yield back to my colleague from New Jersey (Mr. GARRETT).

Mr. GARRETT of New Jersey. I thank the gentlelady from North Carolina, and I do believe that the American public is paying attention; and they are doing better than that, they are reading between the lines. And they know when they are being talked to straight and honestly, just as you have been for the last few moments now setting forth what the record is with regard to what the Republicans' intentions have been and will be in the future with regard to getting the fiscal house in order of this country, and what the actual record has been for the last 11-plus, almost 12, months now, as we stand here under Democrat control.

Some of the numbers, I must say, that we talk about when we discuss this issue are quite large. It is really hard to get your hands around them, to get a handle on them. When you are talking about total spending in 2008 in the fiscal budget of $2.9 trillion, who can imagine that size number? When you are talking even a smaller number about an increase of $118 billion over 2007, $118 billion? We just can't relate to it.

What we have to all bring it right down to is the fact that this is the American public tax dollars at heart, and it does mean dollars and cents to people at home listening to us tonight, working all week long, paying their bills. It does mean something to the American family's budget, how the tax increases that have been proposed by the other side of the aisle are going to impact upon them and their lack of responsibility when it comes to the issue that curbing spending will have an impact upon them as well.

I am very pleased that I have been joined here tonight by another strong stalwart leader on this entire issue of fiscal responsibility. I have the pleasure of serving with him on several committees, but most importantly right now on the Budget Committee where he has been an outspoken critic of wanton expenses and spending, both now under Democratic control but also, too, when the Republicans controlled. So I would like to yield such time as he needs to the gentleman from Texas.

Mr. HENSARLING. I thank the gentleman from New Jersey for leading this Special Order this evening. I thank him for his leadership on behalf of the people of New Jersey and behalf of the people of New York. The gentleman from New Jersey (Mr. GARRETT) never loses an opportunity to fight for the family budget.

And we know that families are struggling during this Christmas season; we know that their energy bills have increased. We know the price at the pump is high. Home heating oil for those, particularly in the Northeast, not in my part in the country in Texas, they face challenges there. They face challenges in trying to deal with their health care costs.

And what is the answer of this new Democrat majority? Well, it is the same answer as all Democrat majorities: tax more and spend more.

I am unacquainted with any society in the history of the world that somehow has taxed its way into prosperity. And, ultimately, more spending leads to more taxation; and this is a Congress that continues to spend more and more and more. Already, the Federal Government is spending on average over $23,000 per family of four, Mr. Speaker. And this is the highest level, the highest level since World War II on an inflation-adjusted basis. And yet this Democrat majority wants to spend even more of the people's money.

Earlier in the year, in their budget they had the single largest tax increase in American history that, when fully implemented over a 5-year period, is going to add $3,000 per year for an average family of four.

Now, I wonder, Mr. Speaker, what will that extra $3,000 in taxes taken away from American families to be given to the Federal Government, what is that going to do to the hopes and dreams of the average American family? How is that going to help them fill up their F–150 pickup trucks? How is that going to help them pay their home heating oil bills? How is that going to help them send a child to college? Well, the answer is that it is not.

Often, when we are having spending debates in the Nation's Capitol, Mr. Speaker, we are not really debating how much we spend, but we are debating who is going to do the spending. Is it going to be American families? Are they going to be allowed to keep what they have earned, what they have worked hard for? Are they going to be able to keep the bread on their table? Or are they going to have to give even a larger share to Washington? Notwithstanding the fact, notwithstanding the fact that they are already paying on average $23,000 per family of four.

Now, when you come to the floor of the House, you often hear our Democrat colleagues decry how we are not investing in this budget function or we are not investing in this budget function enough. Well, people are entitled to their own opinions; they are just not entitled to their own facts. And if you look over the last 10 years, for example, the international affairs budget has increased 130 percent; the energy budget, 293 percent. Now, transportation, 71 percent; health, 79.4 percent. And the list goes on and on. And in that same 10-year period, the family budget has grown by about 34, 35 percent. And so you have government on average growing over twice the rate of the family budget, and inflation over that same period has been just a little over 2 percent. So if you wanted to keep the same government that you had, you would have grown it at 2 percent a year; and, instead, it is being grown at closer to 6 to 7 percent.

Ultimately, American families will not be able to pay this bill. More and more taxes are being imposed on them. And so every time one of our Democrat colleagues comes to the floor to suggest another great new government program to be added to the other 10,000 programs, Federal programs that are already on the books, it puts pressure on the family budget. And, again, it is not fair to their dreams, their hopes, their aspirations for their families, on top of this $3,000 a year increase to the average family of four that will be phased in over 5 years in their budget. They have gone through and offered to increase taxes at least half a dozen times on American families and the American economy.

□ 2115

Mr. HENSARLING. We passed H.R. 6, $7.7 billion over 10 years; H.R. 976, $1.3 billion over 10 years; H.R. 1562, $241 million over the next 10 years; H.R. 2419, $12.1 billion, and the list goes on and on and on.

Again, as Americans are striving to pay for their health care costs, their transportation costs, their education costs, why should they be giving more money to Washington, D.C.? And at this time when they are trying to make ends meet on top of the tax increase in their budget, on top of at least seven or eight tax increases propose this year, you have the chairman of the Ways and Means Committee, the gentleman from New York (Mr. RANGEL), propose what has now become known in the press as the mother of all tax increases.

He will put a huge, almost 30 percent tax on millions of small businesses all across this Nation. Ninety percent of all Americans will pay more taxes under this bill. It will bring in an estimated $3 trillion taken away from American families and American small businesses. This threatens millions of jobs.

If we truly care about the American family and the economic perils and struggles that they face, then we want to make sure, number one, they keep the job that they already have instead of sending jobs overseas through excess taxation, regulation and litigation. And again, all of this spending ultimately has to be paid for, and it has to be paid for by a larger tax burden on

the American family and a job-killing tax burden on American small business.

So here we are when most American families are trying to put together a budget so they can participate and make sure that all of the children and grandchildren are taken care of at Christmas, and here we have a Democrat majority in Congress who are trying to pass an even larger budget, the largest budget in the history of the Federal Government, taking more money away from their Christmases, taking away the goodies in their stockings to feed this ever-increasing, tax-and-spend beast that they have created.

Again, I am unfamiliar with any society in history that somehow has taxed its way into prosperity, and that's what all this spending is resulting in now. So I am happy to join the gentleman from New Jersey to come to the floor now and make sure that the American people are seeing what is happening.

There is a process, and process ultimately leads to policy. We had a process in place that was supposed to pass separate spending bills so Members of Congress could actually read the bills. Wouldn't that be a novel idea, that you actually have an opportunity to read the bill before you vote on it. And Democrats would absolutely come to the House floor and criticize and excoriate Republicans if they didn't pass these bills on time, and now they have passed one out of a dozen. So they are going to roll them all into this thing called an omnibus, and the only bus quality about it is it is a fiscal bus; it is going to flatten the American taxpayer.

So, soon we will be presented with a thousand-page bill that we have hours to read that will be filled with pork-laden special interest projects which this Democrat majority claimed they were going to clean up. But instead, they have made it worse with all of their special earmarks, be it the tribute to the chairman of the Ways and Means Committee who takes $2 million of American family money to create a museum to himself; be it the gentleman from Pennsylvania who set up what the Wall Street Journal has referred to as Murtha, Inc., where now companies go out and hire lobbyists, and if they locate in his district, all of a sudden earmarks appear. There is no transparency there. There is no accountability there. But all of this is going to get wrapped up into one great big omnibus bill.

So when many of us would like to be with our families, and many of us have our families back home in our districts, not in Washington, D.C., instead we are here doing what we have to do, and that is protect the American families out there from this tax-and-spend machine that threatens their education and housing dreams, threatens their health care dreams, to ensure that the Federal budget does not grow beyond the ability of the family budget to pay for it.

Already the unfunded obligations of the Federal Government are in excess of $144,000 per individual, and yet the Democrats keep on spending along. There will be a day of reckoning. And so I am sure that the Democrats will come to this House floor and say we are only debating $22 billion in this omnibus spending bill.

Number one, I hope I am never in Washington so long that I have concluded that $22 billion is not a lot of money. $22 billion is more than we are spending on veterans health care in this Nation. It is a lot of money. And due to this artifice called baseline budgeting, that is going to grow in 5 years to be a $200 billion figure, imposing again thousands of dollars of taxes on the average American family when they are struggling to make ends meet.

And so this debate is really about two different roads. One road leads us to the largest tax increase in American history to be followed by an even larger tax increase in American history, one that threatens our children and grandchildren with a lower standard of living. And that is not my words. Those are the words of the comptroller general, the chief fiduciary officer of the Federal Government. He said right now the government we have, and I paraphrase, the government we have, if left on automatic pilot, no new spending programs, no new benefit increases, threatens the next generation with either, one, a doubling of their tax burden or, two, a Federal Government that consists of little more than Medicare, Medicaid and Social Security. And yet the Democrats won't reform these programs. They keep on taxing and they keep on spending.

I don't plan to be a party to that. There is another path. It is a path to fiscal responsibility. It is a path to make sure that the Federal budget does not grow beyond the ability of the family budget to pay for it. That is why Republicans will come to this House floor to make sure that this omnibus doesn't run over the American taxpayer and to make sure that the American people can have greater freedom and opportunity than we have had before. But to do that, we have to put America on the path of fiscal responsibility and to live within a budget.

Don't let the Federal budget grow beyond the family's budget to pay for it. You cannot grow government at 6 and 7 and 8 percent a year and have the family budget grow at 3 percent a year. You can't sit here and tax American families at 3 and 4 and $5,000 more per year and then somehow claim that you have the Nation's priorities right. The priority of this Nation ought to be protecting the pocketbooks and security and freedoms of the American family.

So again, I thank the gentleman from New Jersey. He is one of the stellar leaders in this body in fiscal responsibility. He is a man who is always committed to principle, a real workhorse in this institution, and I am honored to be on the House floor tonight.

Mr. GARRETT of New Jersey. I again thank the gentleman from Texas for your work and for coming to the floor and for the points you make here.

You point out several significant points. One is the dichotomy between what has been said by the other side of the aisle, both before the election and now during the course of the year, and literally just moments ago before I came to the floor this hour as the Blue Dogs were on the floor speaking.

Let me take a moment to remind those here with us what was said by the other side when it comes to fiscal responsibility and their ability to get going rolling forward, because the gentleman from Texas made reference to the point we are likely to see an omnibus bill that none of us had an opportunity to consider, just as has been the case with other bills that have come to the floor.

Back on November 8, 2006, a little over a year ago, Democrat Speaker PELOSI said Democrats are prepared to govern and ready to lead.

Would that be true, whether she was prepared to govern and lead a year ago, here we are a year later, and we are still waiting for their appropriation bills to make the way through the process. Here we are in the second week in December, which means we are already, October, November, December, all those months, a quarter into the next fiscal year, and we are still waiting for those appropriation bills to make it through the House, Senate, and onto the President's desk. Were they really ready to lead a year ago if they can't get it done at this point in time? I guess not.

A year ago their Democrat caucus chairman, Mr. CLYBURN, said Democrats offer a new direction which includes fiscal responsibility. If you just put the period after ''they offer a new direction,'' maybe that would be more telling. Their direction is deeper in debt for the country, and therefore for the American family's budget as well, because their solution is always increase taxes.

You might find that odd to think their solution is always to increase taxes if you simply listen to their rhetoric, because back in March of this year their majority leader said there are no tax increases in this budget, referring to the budget which came through the Budget Committee and eventually came to the floor of the House.

If there are no tax increases, why do we know that the tax increases are going up significantly, upwards to $400 billion on the American public because of the bills that the Democrat majority has put through?

I would point out to the gentleman from Texas that just prior to coming to the floor, the other side was speaking. It was the Blue Dog Democrats, and their solution, and you don't have to, as the gentlelady from North Carolina

says, read between the lines. Their solution to this issue of fiscal responsibility is only one-sided, and that is revenue, revenue enhancement, which is a nice way of saying tax increases.

How do we know that? The RECORD proves the case. The chart to my left shows the Republican minority attempted during various appropriation bills that were coming down to say that maybe the solution when your fiscal house is not in order is not always to raise taxes; maybe part of the solution is to rein in spending, something that every family has to do from time to time. When an American family has a problem with their budget and they are not able to make ends meet at the end of the month or week, what do they do? They usually have to rein in spending and set priorities. We suggested that. I know that the gentleman from Texas was part of this process as well to suggest perhaps what we should do is not make any draconian cuts, not say we are going to eliminate this program or that program, although some programs are certainly worthy of being eliminated. We had a much more modest proposal, and that was simply to say can we go for a 1-percent reduction in spending.

What was the Democrats' response to that? Well, on bill after bill after bill after bill, one, two, three, four, five, six, seven of the House appropriation bills proposed by the House Democrat majority, on each case we suggested can we afford a 1-percent across-the-board reduction to try to bring our House in fiscal responsibility.

Mr. HENSARLING. Would the gentleman yield on that one point?

Mr. GARRETT of New Jersey. I would definitely yield.

Mr. HENSARLING. Correct me if I'm wrong, but isn't that really a 1-percent reduction in the requested increase? And so, for example, the Democrats may have suggested that some account grow by 6.7 percent, and this amendment said no, let's let it grow at 5.7 percent instead. So what we are calling a reduction, was that not really a reduction in the requested increase? Because at the end of the day, the Federal budget was still going to grow.

Mr. GARRETT of New Jersey. I appreciate that point. The gentleman is absolutely correct. It is not a reduction in overall spending so we can say today we are spending a dollar and tomorrow we would be spending 99 cents. In fact, today we are spending a dollar and we may be going up to $1.05, let's bring it down to $1.04-something as far as the actual spending. So the actual spending would still be going up, but we were suggesting going up on a slightly lower curve.

□ 2130

Democrats voting in favor of that modicum of fiscal responsibility. Well, we could get into single digits several times, with 10, 7, 11, 13, 11, 11, 11; only 11 votes out of that entire side of the aisle. I'm not sure where any of the Blue Dogs were on that one when they had the opportunity to rein in spending.

You know, I think if I recall correctly, and you can correct me if I'm wrong, the reason they said that they could not be supportive of being more fiscally responsible and support any measure was that we were not being compassionate enough. But the element of compassion in Washington, DC. apparently is measured by simply how much more money you throw at the problem. Whether or not that program is efficient, whether that program has been rated as being adequate and getting the job done, the measure of compassion in Washington is always whether or not you are throwing even more money than the party next to you is doing.

I guess it comes down to a very simply thing like this: at the end of the day they want to be able to go home to their kids or grandkids and say, well, we were more compassionate than those Republicans because we spent more money than they did on a particular problem.

Mr. HENSARLING. Would the gentleman yield on that point?

Mr. GARRETT of New Jersey. I shall yield, yeah.

Mr. HENSARLING. It is interesting. Rarely do you come to the House floor that somebody says, don't you have compassion? Don't you want to take money away from this American family and hand it over to this program over here?

And, again, I want our society to spend more money on education. I want them to spend more money on health care. I want them to spend more money on housing. I'm just not indifferent as to who does the spending. I want American families to do the spending. They want the Federal Government bureaucrats to do the spending after taking a huge hair cut for all the waste and fraud and abuse and duplication that takes place in the Nation's Capitol.

What I hear from my constituents, and I have the great honor of representing the Fifth Congressional District of Texas, which is Dallas and east Texas, and I hear from people like the Kirkendahls in Garland who wrote me: ''Congressman, at this point, between taxes and utilities we are at the breaking point of being able to keep a home. If we have an increase of over $2,000 per year in taxes, it may well be the straw that broke the camel's back.''

Well, where is the Democratic compassion for the Kirkendahl family as they try to keep their home?

I heard from the Taylor family in Forney, Texas also in my district: ''Dear Congressman, I'm on the verge of foreclosure after 15 years in my house. I won't be able to make it if taxes continue to rise.''

Well, where is this Democrat compassion for the Taylor family in Forney? I'm having trouble seeing it.

And so they forget about the people who actually do the work and pay the taxes, because it's their dreams once again. And so compassion, I believe that compassion ultimately shouldn't be measured by the size of a government check. It ought to be measured by the size of a paycheck. And all this Democrat spending is fueling more taxes, which will kill the jobs, kill jobs in this American economy. We start replacing paychecks with welfare checks; there's no compassion in that.

And I'll yield back to the gentleman from New Jersey.

Mr. GARRETT of New Jersey. Just a quick two points, one on the compassion issue is perhaps it is appropriate when you're dealing with money to say that if I'm taking money out of my own pocket and deciding that I will spend this on a particular program, I can honestly say if I wish to be so boastful that I am being compassionate for that individual.

But we know that the Federal Government is in debt right now. We are involved in deficit spending, which means that we are not only spending more money than we are currently taking in from the current taxpayers in this country, but also we are going into debt borrowing as well. So where are we borrowing from?

Well, we are borrowing from the next generation. So in that hypothetical conversation that a Member from the other side of the aisle must have when they go back to their children and say, well, I was compassionate today because I decided to vote ''no'' on all these fiscally responsible measures that the Republicans propose as far as reining in the spending on this side. Well, the compassion that the father or mother Member would have to say to his child, I am being compassionate because I am simply basically giving you an additional debt on my children, and my children and your children will be obligated for all of these expenses.

Now, to the other point that you were raising as far as the letters and the phone calls that you get from your members or from your constituents who are concerned about what we are doing here and that they are on the brink of foreclosure, or brink of fiscal solvency in their own right, well, that's perfectly understandable, especially in light of all that has transpired over the last 11 months with regard to new taxes that have been proposed by this Democrat majority. And I'll just refer to the chart here for a moment. And if you care to speak on any of these, you're welcome to.

These are new majority proposals, new taxes at every turn. I digress. What was Senator HILLARY CLINTON's statement with regard as running as a Presidential candidate, which I believe she said something to the effect of, I have more ideas than this country can afford to spend dollars on, or something to that effect. Well, apparently the other side of the aisle, the Democrat side of the aisle, has the same idea, that they have more proposals, more bright ideas to spend on than we

have money in the bank nor does the American family have in their bank as well. But they're going to still go and try and spend them, and they're going to do it by raising taxes.

So what do we have here? One, two, three, four, five, about seven different new tax proposals. Fiscal year 2008 budget $392.5 billion tax increase. Of course the gentleman from Texas recalls that we saw that at the very beginning of this year in about March or April of this year when we saw at that time that was the largest tax increase in U.S. history. The largest tax increase. And where is that going to be on? It's going to be on the backs of American families.

Secondly, $15 billion in new energy taxes. Well, we just passed 2 weeks ago, or last week I guess it was, we passed the energy bill, and that's even in addition to that as far as the tax increases that will be on energy production in this country. $5.8 billion in new tobacco taxes, $7.5 billion, again these are all in billions. If you can't get your hands around it, those large numbers, but that's what we're talking about. $7.5 billion in new taxes in the farm bill. A nickel-per-gallon tax increase on gas for infrastructure. So if we're not already paying enough at the pump and, remember, that also was one of the promises that the gentlelady from North Carolina was referring to before, a whole list, before you came in a whole list of promises made by the new majority that they were going to do.

One of them was an energy policy to reduce the price of gasoline. I can tell you in my neck of the woods prices are higher now substantially than when the majority came in. Now they want to add a nickel tax on top of that. A 50 cent-per-gallon tax, increase on gas for global warming. So now you're up to 55 cents on gas.

New taxes on homeownership by ending mortgage deductions and a new tax on every American with a private health plan. And actually this list is an abbreviated list that can go even further than this as far as taxes on the American public.

And with that I'll yield to the gentleman.

Mr. HENSARLING. Well, I thank the gentleman for yielding once again. And it is sometimes difficult for people to understand billions and trillions of dollars. But they certainly understand hundreds and thousands of dollars coming out of their paycheck. And so to put this in some kind of context, this largest single tax increase in history that was part of the Democrat budget resolution earlier this year, that equates to roughly $3,000 per year per family of four tax increase, $3,000. So I hope people all across America who are listening to this debate will listen very closely and write their Members of Congress, call their Members of Congress, e-mail their Members of Congress.

Do you really want that $3,000-per-year tax increase on your family? Can you afford that, to send more money to Washington, D.C. when they're already spending an average of $23,000 per family of four, the highest level since World War II?

Mr. GARRETT of New Jersey. And if the gentleman will yield.

Mr. HENSARLING. I'd be happy to yield to the gentleman.

Mr. GARRETT of New Jersey. The gentleman and I also, besides being on the Budget Committee, I also have the honor of serving with him on the Financial Services Committee. And one of the issues that we're dealing with right now of course is with the subprime situation, subprime situation as far as the tightening of the credit market of course and the decline of home prices that is probably going to continue for some period of time, peaking with regard to the resets sometime in February or March of next year. But most experts would agree that the price of homes in this country on average will be going down 3, 4, 5 percent; and this will continue during the course of 2008. And it's one of the reasons, as well, why we see consumer confidence beginning to erode, after a substantial period, a lengthy period of where consumer confidence was up.

So when you think about the economic situation of the American family right now, energy costs going through the roof. I heard a figure the other day, I think they said on average American homeowners are going to spend around $2,000 more this year just to heat their homes. There's 2,000 bucks more out of their wallets. That's in addition to more money out of their pockets for gasoline, going to and from work. And that's in addition to the fact that the values of the house in certain pockets of this country will be going down. Their financial situation for the American public is being constricted.

And what is the solution that we are hearing from the other side of the aisle while the family budget is being tightened like that?

Well, it's Uncle Sam reaching out and saying, can we have, Washington, have 2, $3,000 more so we can spend it down here on who knows what. And some of those who-knows-whats, you remember earlier on in this year, with all the pork spending that was coming from the other side of the aisle, you recall this discussion of some of the pork that was thrown into legislation, $50 million for wild blueberry subsidies, farm bill, $17 million for the National Sports program, $20 million for the National Writing Project, $6 million for unused plane tickets, $36,000 for Kentucky to protect bingo halls and on and on infinitum.

Anyone who listens to the gentleman from Texas or the gentleman from Arizona talk about earmarks will know about the wasteful spending that goes on here. But that's what's going to continue to go on so long as Washington is controlled by the other side of the aisle that says we can continue to spend without limitation because we are not setting those priorities. But we will be willing, the Democrats will be willing to reach out and take more money out of the family's pocket. So that really is the issue here at home.

And I always remember this expression from the gentleman from Texas: the focus has got to be on the family budget and not on the Washington budget. The other side of the aisle obviously has misplaced that axiom and has put the focus entirely on the Washington budget, as opposed to the Federal, the individual budget.

Again, if you were here earlier when the other side of the aisle was saying that their solutions to the fiscal dilemma that we're in right now and the problems need to be addressed in a fiscally responsible manner, never once during that entire hour discussion, and never once during any of our hearings that I can recall in the Budget Committee, have we heard from them the basic suggestion that the answer lies in the spending side of the equation as opposed to revenue.

In Washington, we really do have a spending problem, not a revenue problem. The revenue continues to come in at unprecedented rates, and that despite the fact that we had tax cuts going back as far as 2003, despite the fact that we lowered the tax rates for Americans so that they can keep more money in their pockets. The amount of revenue coming into Washington continues to go up, most times over the last several years, actually in the double-digit range year over year.

So it's not a revenue problem that we have experienced. It is a spending problem. I'm just waiting for the day that the other side of the aisle begins to realize that and will begin to work with us on some of these issues that you and I and others in the RSC as well have decided is the appropriate approach, reining in this budget as the family does.

Mr. HENSARLING. I thank the gentleman for yielding once again. And although I haven't kept a running tally, to the best of my knowledge, I'm unacquainted with any Federal program that has met its demise in this Congress. Instead, when you think about the 10,000 Federal programs that are already on the books, this Democrat majority is adding to them, with the exception of one agency in the Department of Labor that's supposed to provide accountability to labor union bosses to make sure that they don't misuse labor union funds. That was the only single agency that I'm aware of that has received a budget decrease of roughly 10,000 Federal programs, one to ensure the integrity of labor union funds to be protected from misuse and fraudulent use and criminal use by labor union bosses.

And so, again, the tax and spend machine goes on. And American families have to decide for themselves as they watch this debate during the holiday season what's going to be best for their families. Do they want to have a tax

increase in the neighborhood of $3,000 per family of four? Is that going to help them? Will sending that money to Washington help them with their fuel bills? Will sending that money to Washington better help them send their children to college? Will sending that money to Washington help them meet their mortgage payments, particularly if they have an adjustable rate mortgage and it resets?

□ 2145

We're talking about the here and now, but we also have to look at the future. As the gentleman was talking about, we hear the word ''compassion'' thrown on this floor frequently. People will quote scripture and talk about what have you done for the least of these. I always thought the least of these were those who do not vote and those who have yet to be born. They're the ones who tend to get ignored in this process.

So why now with all of this spending that the Democrat majority is doing, where is it leading us? Well, let me quote from the Chairman of the Federal Reserve, Ben Bernanke: Without early and meaningful action to address the growth of the Federal budget, particularly entitlement spending, the U.S. economy could be seriously weakened with future generations bearing much of the cost. Again, where is the compassion there?

Let me quote from the Brookings Institution, not exactly a bastion of conservative thought: The Nation's fiscal situation is out of control and could do serious damage to the economy in coming decades, sapping our national strength, making it more difficult to respond to unforeseen contingencies and passing on an unfair burden to future generations. Again, the least of these.

The General Accountability Office: The rising costs of government are a fiscal cancer that threatens catastrophic consequences for our country and could bankrupt America.

And these aren't my words. These aren't the words of the Republican minority. I mean, this is the Chairman of the Federal Reserve, the head of the General Accountability Office, the liberal Brookings Institution.

Mr. GARRETT of New Jersey. And to get an idea, again, as to how that all plays out or actually where that all comes from, I gave you before a list, just a partial list of the tax increases that would be coming down the pike under the new Democrat majority.

Let's look at it as you would look at your own income tax return in a way. Part of the tax increases that you will see will go from the top to the bottom. So you can say compassion to either the richest or the poorest. The ordinary income tax at the top rates will be going up, 35 percent to 39.6 percent. Capital gains tax, which are not only for the rich, it's for our senior citizens as well who are relying on their retirement accounts, the annuities that they have put away during the course of their life, their pensions and the like which are invested, and now they're taking those funds out as far as capital gains. That's what they're living on on a fixed income. What do we see there with capital gains, 15 percent to 20 percent. That's a 5 percent increase, or actually a 30 percent increase over the 15 percent.

Dividends, likewise, increase 15 percent up to 39.6 percent, more than a double increase there.

Estate taxes. Well, estate tax, of course, is something we've debated on this floor for a long time, for the small farmer, for the small business person. Their taxes are going to go from 0 percent to 55 percent, basically making a lot of small farmers and little families when they sit down at the end of the year saying we may actually have to sell our business to hold on, and this is why.

Finally, for the lower income tax bracket, child tax credit from $1,000 to $500. Now, to people who actually really need that money, that extra $500 can be crucial. That could be a month's rent payment. That could be a food bill. That could be a car payment. They're reducing it from $1,000 down to $500.

And finally, the lowest income earners, the bottom income individuals and families in this country, they, too, will be bearing the brunt of the tax increases and the prolific spending that we see down here by seeing the lowest tax bracket go from 10 percent to 15 percent. Percentage-wise, of course, that's a 50 percent tax increase when you think about it, from 10 percent up to 15 percent, as far as a percentage increase.

So from the richest to the poorest will all be suffering, and the dollars and cents, as you make out, the gentleman from Texas, very well, comes out to how they pay their bills at the end of the month.

I yield back.

Mr. HENSARLING. I thank the gentleman from New Jersey in talking about how terrible these tax increases are going to be on the American family, but it will be not only in direct terms to having a lesser paycheck, it also threatens the very existence of their paycheck.

I toured a small business in my district about a year ago called Jacksonville Industries. They're kind of an aluminum dye cast manufacturer, and before we had passed tax relief, they were on the verge of having to lay off two people.

And when I look at what's happening in capital gains and dividends, which really help fuels job creation, you can't have capitalism without capital.

Because of the tax relief the Republican Congress has passed, they were able to go out and buy some new machinery. I don't recall what it's called, and I don't exactly know what it does, but it was big and it was noisy, and most importantly, it made them more competitive. And because they were more competitive, and I want to say they had about 20 workers, instead of laying off two workers, they hired two new workers, all because of tax relief. Tax relief allowed them to invest in the American free enterprise system.

And so instead of having four people who could have been on unemployment and four people who could have been on welfare and four people who could have been on food stamps, instead, you had four people who had jobs, who had a future, who put a roof over their head, who put groceries on the table because of a paycheck, and yet the Democrat tax increases threaten that very paycheck.

Now, they offer compassion. Oh, we have this welfare check over here. We're going to increase the government budget over here. But you cannot increase the Federal budget without decreasing the family budget, and that's what this debate is going to be about this week.

Which path do you want to be on? Do you want to be on the path of increasing the Federal budget, threatening future generations with bankruptcy, with this fiscal cancer that's going to grow throughout our Nation, or do you want to be on the path where the Federal budget doesn't grow beyond the family budget ability to pay for it, a budget that doesn't include tax increases at a time when American families are struggling to pay their health care bills, their heating bills, their housing bills?

That's what it really is. It's a debate about two different paths. Now, they may look small to Democrats. They claim $22 billion isn't a lot of money. Maybe $22 billion today, and that is a lot of money, but that's quickly going to grow to $200 billion, and within a generation that's going to cause a doubling of taxes on the next generation. And children and grandchildren of America, if we don't stop this and stop it this week, will have a lower standard of living, less freedom and less opportunity, and that's why it so's critical that we win this debate this week.

Mr. GARRETT of New Jersey. I thank the gentleman again.

You can see this sort of going on in a microcosm from the State that I'm from, the great State of New Jersey, where a poll was done a month or so ago I understand that said if you had the opportunity, would you leave the State, and 50 percent of the respondents said, yes, they would. If you look at the actual demographic numbers over the last year, between 72- or 76,000 New Jerseyans have left the State of New Jersey. One of the reasons why they indicate they've left the State is because taxes are so high. They cannot afford to live in that State. So the individuals leave, the families leave, businesses leave the State, which will cause obviously a death spiral, if you will, to the overall economy of the State of New Jersey if it's going to continue.

Mr. HENSARLING. Would you be happy to tell the citizens of New Jersey who are fleeing the high taxes that they can come to the Lone Star State where we have low taxes and great economic growth? We'd be happy to have them.

Mr. GARRETT of New Jersey. I'm sure the gentleman would like to have them. I would like them to stay in the State of New Jersey and just see that our fiscal house is set in order in the State of New Jersey, where the Democrats just raised the sales tax by a penny and corporate taxes as well, and property taxes continue to go through the roof.

But that's a microcosm of the United States of America as well. People are doing what Ronald Reagan once said, and that is they're voting with their feet and leaving the State. Businesses will be doing the exact same thing as we begin to see taxes go up across the board in the United States if those hard decisions are not being made of prioritization.

I believe we're getting near the end of our time here. I will extend a hand to the other side of the aisle, as we continue this debate during the course of the week, to the Blue Dogs or any other Members who came down to the floor during this night or other nights as well who are looking for fiscal responsibility. If we can come to an agreement that the answer is not raising taxes but, rather, reining in spending, I believe it was the RSC a year ago that came up with a list of, correct me if I'm wrong, approximately a half a billion dollars in savings in overall spending by the Federal Government. We'd be glad to share that information with the Democrat majority if they would just take even just less than 5 percent of that to rein in their spending to keep it under the control of where the American public would like to have it.

A NEW VISION FOR OUR ENERGY FUTURE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Washington (Mr. INSLEE) is recognized for 60 minutes.

Mr. INSLEE. Mr. Speaker, I come to the floor this evening to talk about a great vision for America's clean energy future, and it's very timely that America adopts a new vision for our energy future because we know Americans have some challenges when it comes to energy right now.

We're going to, tonight, talk about a vision for a way to revolutionize how we use and how we generate our energy that will solve some of the problems that Americans are experiencing tonight, and I think there shouldn't be any debate about what those challenges are.

We are paying well over $3 a gallon for gasoline, with no relief in sight. We've seen it go from, I don't know, $30 or $40 a barrel during the start of the Bush administration to now approaching $100, $95, $100 a barrel. Again, fossil fuel costs continue to go up.

We're engaged in a security threat from the Middle East where we are sending about a half a million dollars a minute to the Middle East to the place, to the terrorists who come to attack us, and sending money to the Middle East and have them turn around and attack us as the 22 generals who testified in front of our global warming committee told us is not a very prudent security policy.

We're engaged in a war in the Middle East, the place that there is security concerns because that's where a significant part of the oil is in the world.

So we know we have economic challenges because of rising gas prices. It's hitting us right in the pocketbook every time we go to the pump. We know we have security concerns because of our addiction to the Middle East, and now we know that global warming is an additional threat that we simply have to respond to.

Now that Americans have seen 1 million square miles of the Arctic melt, the size of six Californias simply disappeared, melted in the Arctic this year, together with the melting of the tundra, the changing weather patterns. We've certainly seen it with our rainstorms we had in my State. I represent the State of Washington. We had 10 inches of rain in 24 hours, an unprecedented event. This type of heavy precipitation events are consistent with global warming. We know we have a global warming threat that we've got to deal with.

So we know that we have some challenges when it comes to energy, and we know none of those challenges are going to get better unless we do something about it. This energy problem is not going to get solved by the tooth fairy or simply sort of pleasant wishes for the market to solve the problem. We know we have to act. We know we have to have a plan. We know we have to have a vision. And we know it has to rely on something that we're rich in in America.

And there's one thing I've got some good news tonight we'll talk about at length. We are rich in intellectual talent in America. We are the best innovators, best tinkerers, the best inventors humans have ever seen. And there was a fellow back in May 25, 1961, who really understood that. He came to this Chamber on May 25, 1961, John F. Kennedy, and John F. Kennedy came and stood right behind me in here and said that America was going to accept the challenge of putting a man on the Moon in 10 years and bringing him back safely. Now, that was a President who understood the innate capability of the American people to invent their way to solve any challenge we set our mind to.

And President Kennedy really, that was a gutsy thing to say again. He was ahead of the curve. He was ahead of the technology. That technology to get to the Moon was hardly even on the back of an envelope at that time. You know, at that moment, our missiles were blowing up on the launch pad. The Russians were way ahead of us in the space race. We'd only put Spam in a can up for 15 minutes. We hadn't even invented Tang yet.

We didn't know how we were going to get to the Moon, but John F. Kennedy knew that we could invent our way to solve this technological challenge and we did it. And we're here tonight to say that Americans have the same level of can-do spirit, the same level of optimism, the same level of technological prowess that we had in the 1960s, and that we can do for clean energy what John F. Kennedy did for space, which is to create a whole new clean energy revolution for the economy of America and grow our economy at the same time.

So I've introduced with some of my colleagues a bill called the New Apollo Energy Act. The New Apollo Energy Act basically uses the word ''Apollo'' because it's the inspiration for what we know we can do, which is to invent our way to a new clean energy future just like Kennedy in the original Apollo project did for the Moon project.

□ 2200

Well, I have some really good news. The House of Representatives last Thursday, with 235 votes, with some bipartisan support, essentially committed ourselves and accomplished five steps towards this clean energy future, and we are shortly going to take a fifth large leap for mankind in clean energy. So stealing a little bit of the language from the original Apollo 11 project, we now have had five small steps for energy independence and clean energy, and we are now starting to work on one giant leap for America's clean energy revolution.

And I wanted to talk tonight about those five steps that we have taken in the House, and the bill is now over the Senate, and one of the reasons we are here tonight is to encourage the Senate to follow the House's lead to the extent we can and move forward on these clean energy steps. And before I yield to my friend, RON KLEIN, who has been a great leader in the freshmen class on these issues, I want to start with just the first step that we took last Thursday.

Last Thursday the House of Representatives, in a history-making step forward, passed the first improvement in our fuel economy standards in 30 years. For 30 years Americans' efficiency standards have been frozen, locked in stone and haven't made 1-mile-per-gallon improvement since 1983. In fact, and this blows my mind, the cars we drive get less mileage today than they did in 1983. We have mapped the human genome. We have invented the Internet. But the cars we drive get less mileage.

Well, we're doing something about that. After 30 years of Congress being

captured by forces against and in opposition of progress, we have increased by 40 percent the mileage standards by the year 2022 from 25 miles a gallon to 35 miles a gallon. That is a square deal for Americans. It is common sense, and we have done it in a way that protects our domestic manufacturers so that they are not exposed to a flood of new imports from across the seas, and we do that by having what is called the two-fleet rule that has been preserved.

Now, the reason this makes sense and the reason it's going to work is a combination of a couple of factors. First, it is a fact that we have got the best geniuses in the world right here in America when it comes to designing cars, and I know because they are designing some cars that are going to blow this record out of the way. By 2022 we are going to have cars that are way beyond 35 miles a gallon. I want to talk about one of those cars.

One of them is the General Motors Volt. And I have here today a picture of the General Motors Volt, a car that General Motors hopes to have in production 5 years from now. This car exists. I saw it at the Anaheim Electric Car Association Convention last weekend in Anaheim, California. And this car is a miracle because it is what's called a plug-in hybrid car. This car uses new lithium-ion batteries designed by A123 Battery Company in Massachusetts. And this car you plug in. You go home at night and plug it into your garage outlet. You unplug it in the morning. You drive 40 miles with no gasoline at all, free of gasoline from the Mid East or anywhere else, for that matter; 40 miles, zero pollution for 1 to 2 cents a mile. Gasoline costs 9 to 12 cents a mile to run your car for 40 miles. After 40 miles if you want to drive 40 miles, and 40 percent of Americans' average trips are over 40 miles a day, then you use hybrid technology to use a combination of gasoline and someday cellulosic ethanol and electricity like the hybrids now run to run your normal 250-, 300-mile range.

Now, that is a tremendous deal for Americans who get low-priced fuel for 40 miles, zero CO_2. Similar cars that are on the road today get 100 miles a gallon of gasoline today using this combination of electricity. And when we use cellulosic ethanol, we'll get 500 miles a gallon of gasoline using a combination of electricity, a hybrid. Now, this technology is going to blow that CAFE standard away. And after talking to the scientists at this electric car convention, I am very convinced that this is going to happen, and GM has certainly put big money behind this. So I'm very excited about the first step, which is to improve automobile efficiency, to talk about that tonight.

With that I would like to yield to my friend RON KLEIN from Florida, who has been a leader in the freshmen class. Thank goodness this freshmen class has shown up. That's one of the reasons we are making these strides tonight.

Mr. KLEIN of Florida. I would like to thank my good friend from Washington, who has been working on these issues and talking and moving toward getting the Congress to act on behalf of the American people on energy issues for 10 years-plus.

And as you and I have talked about this this year, I have learned a lot from you. I know that I personally have had 20 years of my own personal beliefs that Americans can accomplish anything. You've talked to me about the Manhattan Project. We all know about Sputnik. And these were callings of a generation ago to say when America wants to do something, we want to focus our scientists, our education, our entrepreneurs, all the elements that come together so that Americans can accomplish anything, we did it. And this is the moment in time in the national security side in making sure that we never have to make another foreign policy decision based on where the next drop of oil is coming from; the new economy side, and that's the job creation that you are talking about and many people are talking about, the entrepreneurs at home in our communities that are developing the GM Volt and the other car companies and all the entrepreneurs that are developing the alternative means of furnishing energy that are different from fossil fuels; and certainly the environmental side.

And being from Florida and your being from the other corner of our country, we have a great sensitivity to our environment. And I represent a coast of 75 miles at sea level; so we are particularly sensitive that we do everything we can to make sure that our environment is protected, that we don't do things to affect the global temperature, which may, in fact, change the level of the ocean and, of course, do a lot of other damage.

These are very exciting times. And, again, as a member of the freshman class and with Democrats and Republicans in our class, we have all come to that same conclusion that you have come to along with many others and the leadership of this Congress to say this is not a choice of drilling more off the coast of Florida or in Alaska. Those are false choices. When you hear the discussion that we have to drill or we can't become energy independent, that's ridiculous. What we really need to be doing is focusing, as this bill does, on alternative renewable energy sources.

And one of the things that I am very excited about also is the correcting of something that Congress did a year or so ago, and I know you were against this at the time, but it was passed by the leaders at that time in the Congress and the President signed it. The President correctly said a couple of years ago in his State of the Union we are addicted to oil.

So what did Congress do over your objections and others? They basically gave some $15 billion or some number like that to the oil companies to subsidize them for more oil drilling. Now, we all believe in a capitalist system. We believe in for-profit and companies prospering. And the oil companies right now are making more money than any company in the history of the United States. So I find it particularly offensive as a taxpayer like everybody in the country to have to add frosting on the cake and give Federal tax subsidies to those oil companies over and above that. That's not right.

And what this bill does, and I know you are going to talk about this, is it redirects that type of incentive, those tax incentives, to change consumer behavior, to incentivize our entrepreneurs and our scientists to come up with the kinds of products that will move us toward energy independence, because it is all about this next generation. And when I speak to kids in school, I know we charge them up and say this is your calling. This is something that we as adults and our children have to really work together to make sure that we do this together.

So I'm very happy to be here in support of what you are doing tonight. And I look forward, when you are done with that, talking about a specific kind of energy alternative that is very exciting that I have been watching in my community. But I appreciate your bringing this up tonight.

Mr. INSLEE. Yes. And I want to dovetail the second step. We've got five steps we're going to talk about tonight. The second step is on the taxes to really level the playing field for new technologies.

I don't think our constituents are very happy about paying $3-plus for gasoline. They are less happy on top of that to then throw in some serious change, about $21 billion, with a ''b,'' of the money they send to Uncle Sam on April 15 that is now shelled out to the largest oil companies that are making more profits than any corporation in the history of this solar system. And there is nothing wrong with profits, but there is something wrong with taxing Americans to add to those profits to, frankly, a very mature industry. This is not like this is a new industry that we are helping to get going. They've been around since 1880 or 1890 from the fields of Pennsylvania. This is a very mature, very profitable industry.

So what we have done in this bill is reel back in the misbegotten largesse that has been shelled out to the oil and gas industry to the tune of $21 billion. And what we are using that for is to help Americans adopt new clean energy technology. And it's going to be taken away from about five major oil companies, and it is going to be given to 300 million Americans that can use tax breaks when they buy a fuel-efficient car like this plug-in hybrid car or when they weatherize their house and put in more insulation or when they want to buy energy-efficient heating or cooling.

This is like taking from the few, if you will, who never deserved it and giving to the many who need this help

now to adopt their old infrastructure, houses, cars, businesses, to the new clean energy. And it is going to do something for our business community too, and I want to talk about that. And this is Florida-specific. Mr. KLEIN represents Florida. I want to talk about a technology that is a kind of technology that we should be assisting.

This is a picture of technology called solar thermal technology. This is designed by the Ausra Company, A-u-s-r-a. The Ausra Company has developed a way to concentrate the Sun's radiant energy on a pipe. You can't see this very well, but this is a pipe of water that is essentially heated up by the reflected Sun rays. And they have discovered a way to make these mirrors very inexpensively and then heat this water and develop steam and drive a steam turbine and generate electricity. This company just signed a contract for 300 megawatts for a utility in Florida, enough for somewhere between 250,000 and 300,000 homes that they are going to produce electricity for with zero carbon dioxide, zero greenhouse gas emissions in Florida, 177 megawatts in California. And they believe that, within about a decade, once you make enough mirrors so you bring down the cost per unit of mirror, they will be able to compete with coal-based electricity.

Now, what makes sense, and what we have done, with a few Republicans' help, and it's not many but a few, we have reeled back in that $21 billion from the oil and gas companies and we have redirected some of that assistance to a company like the Ausra Company so they can develop this new technology. Now, that is a proactive action, and I am very happy to report that second small step.

Now, the gentleman wanted to talk about a specific technology. I would like to yield to him to talk about that.

Mr. KLEIN of Florida. I would like to thank the gentleman for the recognition about solar. Being from Florida, we call ourselves the Sunshine State. It seems like one of the most appropriate places to be one of the founding areas of solar, and yet many other States, including the State of Washington, which has a fairly active solar program, have been developing this further. But I am very excited about this project that you have mentioned in Florida or anywhere in the United States. Of course, we all know about wind power. We have large utilities in the country. We have one in our area, Florida Power and Light, FPL, that is one of the largest wind generators in the country, in Texas and other places, California. There is no one solution here.

The good news is there is a competitive economy out there. There are competitive scientists that are coming up with different ideas. I am going to mention another very interesting one.

Part of what this bill does, as you correctly mentioned, is it provides grants and seed money and challenge grants to new industries and entrepreneurs that are developing new ideas. The Gulf Stream, we have all heard about the Gulf Stream, it is a current that runs along the eastern United States from the southern part all the way up to the eastern coast of the United States and Nova Scotia. It's a fast-moving current. Billions of gallons per minute pass off the coast of Florida, for example. We have a Centers of Excellence at Florida Atlantic University that has been developing, and there is a program out in Oregon that is doing something similar, where with turbines in the Gulf Stream itself, they can generate enough electricity, they believe, over time, to power one-third of the power needs of the whole State of Florida.

Now, we have 18 million people that live in the State of Florida. Think about that opportunity. And there are other places along the eastern seaboard of the United States that if this technology can be captured and the electricity can be generated, again, as you point out, no greenhouse gas emissions. This is totally 100 percent clean, renewable. They are working through all the environmental issues right now. They believe there will not be any as they continue to develop this.

□ 2215

It is still at midstage testing, but the opportunity is there.

And again, what's exciting now is we're capturing this excitement. The American people understand this is a necessity that we have to do these kinds of things. This is one particular program I'm interested in because I've already seen the potential that it may accomplish.

But along with solar, along with some of the other things that we're going to talk about, there are great opportunities for the United States to become energy independent in a relatively short period of time, no different than Brazil, no different than other countries around the world that have found their own natural resources that can be used, Iceland and other places, that can be used to generate the power needs for growth, for success, for a clean environment. And again, it's just very exciting.

I'm glad to be here to support this bill and encourage not only the Senate, but the President, too, when this bill gets to him, because I'm confident that Congress is going to pass a bill that's going to include most of these items that we're talking about today. When it does pass, we are going to really get the American people behind this. So, Mr. President, I hope that as we get this to you, that you join us in really taking this mission that we have to the American people and our next generation.

Mr. INSLEE. Well, I hope that that occurs.

And I'm really excited about power off our coastline as well. We have a little coastline off the Pacific coast which actually has the potential to generate power from waves. Mr. KLEIN talked about power from currents, where you can have turbines that turn, like a windmill or rotary moving mechanisms, but we also have huge power from waves that simply go up and down that are generated by the wind. And off our coast right now, we have some buoys going into the water, and as they bob up and down, they compress water, and that generates compression that turns the turbine that generates electricity. And this is a technology that is in its infancy, but there is enormous power in our wave power. In a 10x10 mile stretch off the Pacific coast, there is enough electricity for all the electrical needs of California, for instance. So, here's another technology.

I want to compare this technology to wind power. I've got a picture here of the largest wind farm in the western hemisphere, it's in southeastern Washington, in my State. These are, I think, almost three-quarters to one megawatt. That's enough for 1,000 homes, each one of these turbines. They are somewhere between 250 and 300 feet high. And what that power represents now is absolutely clean power, which today is the least expensive power that we can buy in the Pacific Northwest. If you want to get the cheapest power you can buy right now, this is the cheapest power essentially that you can buy, cheaper compared to even coal fire, or as cheap as a coal fire plant. That's why there is huge demand for these turbines. Actually, the pricing has gone up because there is so much demand for them, people want to buy them.

The reason I mention wind in conjunction with wave power and tidal power is a lot of people think that wave power and tidal power is sort of where the wind industry was about 20 to 25 years ago, in its infancy. When this started, people laughed at it. They thought it was like a big tinker toy with a bunch of folks living in a teepee that were dreaming up. And for a long time it was ahead of its time. Now it is commercially viable, it is supporting thousands of jobs. The Speaker's State of Pennsylvania has a company called Gamesa that is manufacturing these turbines. In Iowa, the Clipper Turbine Company is manufacturing. We want to make these and put them out to the world.

That's why the third step, we've talked about the first two, the auto efficiency standards, the tax fairness provisions, and now the third step we've taken is what we call the renewable electricity standard, which requires 15 percent of our electricity to come from a combination of renewable energy, clean energy sources, wind, solar, wave, enhanced geothermal, and efficiency. And we believe if we simply create those demands for these technologies, if you demand it, they will come. And these technologies will take off once we have these demands.

So, this is an important part of the package. Some of our colleagues across

the Chamber and in the Senate are balking at this. If we don't get this through now, we will next time. We will make some adjustments to it and get it through, because once people find out about these technologies, they're ready to rock and roll.

I yield to Mr. KLEIN.

Mr. KLEIN of Florida. If I can just add something to the gentleman's thoughts about that.

Part of what we're doing here is creating market. That is the exciting part. Obviously entrepreneurs are going to invest and make the capital investments if they know that they can sell the product. As you said with the windmills, the turbines, a market has been created. It has now justified itself to the point where the price is actually going up because the demand is there, which is great. That's great news. And some of these technologies that are being developed are at different stages. But the whole notion of creating an obligation to have 15 percent of the electricity we generate, instead of from fossil fuels, coming from these renewable energy sources will, again, move in a way which are your public utilities will come together and find ways to enhance and encourage companies to come forward and provide these products.

We are behind the curve in Europe. Europe is way ahead of us on this. Most European countries already generate a much larger percentage of their energy from renewable energy sources. And they have recognized and they've taken it upon themselves to do this, by law, voluntarily, or otherwise.

The whole notion of the environmental impacts of global warming and things like that, these are not limited to anybody's border. They're not limited to the United States' borders. They're not limited to any State. They're not limited to China. It's a worldwide issue. But Europe, in fact, has shown some good leadership here. And I think that the United States, and I know that Americans, as I said before, are very innovative people who respect their environment, that we can all work together. And this notion in this bill of making the 15 percent obligation is good because it not only makes the statement, but it creates the market which will in turn create the jobs and the new economy that will sustain and build these types of products, which is very exciting.

Mr. INSLEE. And what we have found, the genius of this, like you said, once the demand is created for these renewable energy prices, there is a very, very tried and tested rule that kicks in, which is, they become cheaper over time. And people say, well, gee, some of these things cost more than coal right now or oil and gas. Well, that's true right now, but look at what the experience has been over the last two decades. These are graphs from the National Renewable Energy Laboratory of the renewable energy cost trends over the last 25, 27 years, and there is remarkable consistency.

Wind energy started out in 1980 about 30 cents, 32 cents a kilowatt hour. It came down dramatically, until now it's down to in the range of 6 to 8 cents in this graph, that actually might be a little optimistic, in the year 2000. Look at this enormous reduction over the last 20 years because of improvements in technology, and the fact that once you have scales of economy, you manufacture more of these, they cost less.

Same thing with solar thermal technology, that type of technology I showed earlier with the mirrors, heating up the water, started out at 60 cents a kilowatt hour in 1990, gone down to about 8 cents a kilowatt hour now in the year 2000. Again, these are, frankly, a little optimistic. These charts are a little less than the numbers I've heard quoted, but you get the general trend that it's incredibly down.

Photovoltaic solar energy, that's the kind most of us are familiar with, which you have a silicone panel, and it just takes the sun's energy and spins off an electron and creates an electrical current, started at 100 cents a kilowatt hour, now it's down to 22, 24 cents a kilowatt hour.

And what we find in these charts, in almost all these technologies there is almost this kind of law, I don't know if it's got a name yet, when you increase by a factor of 10 the number of units of these renewable sources, the price comes down 20 cents. Now, what does that tell us? We know two things for sure; the cost of fossil fuels is going up, and it isn't coming down. China is coming on like gang busters. They're demanding. They want to start buying the oil for their cars, too. And as their economy grows, that demand is going up. And we know we're not producing, we're not keeping up with the pace of demand for the increase in our oil production, so fossil fuel is going up over time.

We know these renewable sources are coming down over time, including geothermal, which is coming down dramatically again, from 1 dollar in 1980 down to about 26, 28 cents now. So, we know these are coming down. These lines are going to cross. And if we're going to hitch our economic star to some technology, let's hitch our star to the technologies that are getting cheaper, not the ones that are getting more expensive over time. And that's what this bill has done.

I yield to Mr. KLEIN.

Mr. KLEIN of Florida. And to further your point, the supply is indefinite. It's infinite. It's perpetual. It's forever. Oil is not. And it's not a question of whether there is going to be enough oil on the ground for the next generation; it's the question of the people that are supplying the oil are not reliable sources, they're not necessarily friends of the United States. We're at their whim. We've seen the statistic, when President Bush was sworn into office in 2000, oil was at $28 a barrel. It is now $90 to $100 a barrel, depending on what day is going on here. OPEC, we have no control over that. This is a cartel of people that are not acting in our best interests at best, and at worst, in some cases, some of these organizations, these countries are financing people who are out to harm the United States. So, we are totally off in the wrong direction in terms of oil, and that has obviously been a mainstay.

Now, oil will continue to be part of our source, and that's fine. But in terms of our future, as you correctly said, where do we want to put our efforts, our resources, our energy? It should be in these renewable resources because they are coming to the point where there is going to be a crossover, and the sooner we have total control over our energy destiny, the better off we're going to be from a national security point, from an economic growth point, and everything else.

Mr. INSLEE. I would now like to turn to the fourth small step that we've taken, and the fourth step that we've taken is to embrace what we call the first fuel of clean energy. And the first fuel of clean energy is not wasting it. What we have found, and I've done a lot of research in this field, almost always the cheapest energy and the most effective energy you can get is the energy you don't waste. The efficient use of energy is the first place we've got to look.

Our bill in many ways demanded more efficiency for Americans. It demands that our lighting industry produce lighting that is 40 to 60 percent more energy efficient. It demands that our air conditioning units become much more efficient, that our buildings become much more efficient. There is a provision in there that we want to create model building codes, that when we build our buildings they won't waste as much energy as they do.

Many people believe that probably 30 to 40 percent of the road we have to travel we will get there simply by not wasting energy. And I want to go to exhibits A and B on that, show you a picture of a couple of folks in Redmond, Washington, Mike and Meg Town. They're standing in their doorway here. Mike is a science teacher at Redmond High School. It's a rainy environment out northeast of Seattle. And a few years ago when he was teaching his kids about clean energy, one of his kids said, Hey, Mr. Town, if you think this is so hot, why don't you build a house like this? And he said, I think I'll do just that.

So he basically set out to build a zero electrical net usage home by using efficiency, conservation, and a little bit of photovoltaic, and he did it. And here is a picture of his home. It didn't cost much of anything more than a normal home of this site. I think you'll agree it's a nice-looking place. It's in a rainy environment, but he managed to make it zero net electrical usage by doing some commonsense things. He used a little additional insulation. He used energy-efficient windows. He designed a home that uses a little bit of what's

called passive solar heating, so the solar rays, when we get them in Seattle, which is twice a year, I think, on August 12th and 13th, heats the inside of the home. And he did some photovoltaic array. He put on himself these darker panels up here on the roof that he actually put on.

And now Mike says one of the great joys is, first off, he uses about half as much energy as a normal home. And when he does use it, he's producing it largely with his PV system. And when he's generating more than he uses, his meter runs backwards. And he says there is nothing more fun than going out and watching your meter run backwards as you're feeding electricity back into the grid.

So, Meg and Mike Town are sort of walking examples of what our bill is going to do, which is to help Americans weatherize their homes, make sure their businesses are using energy-efficient appliances, and when we do that, we're going to use this first fuel. That's kind of a commonsense thing to do.

So, I want to move to the fifth step now. And the fifth step that we took is we adopted what's called a renewable fuel standard. In a renewable fuel standard, we guaranteed that we will have 32 billion gallons of biofuels that will be homegrown in the United States in the next 20 years. And the reason we said that is we think it makes more sense to get our energy from middle western farmers rather than Middle Eastern sheiks. And it doesn't make a lot of sense to take our subsidized agricultural products, export them, take the money from the international buyers, and then just ship it to Saudi Arabia. It's just kind of a shell game with money. Let's cut out the middle man and grow our own.

For those who doubt we can do that, I want to refer them to a little company in Grays Harbor, Washington, and I like to tell a little story about this company.

□ 2230

This is a picture of the Imperium Biofuels biodiesel plant in Grays Harbor, Washington. It is on the coast of Washington State. Imperium Biofuels is the largest biodiesel plant in the world, and it is in Washington State. It produces 100 million gallons of biodiesel, principally using canola oil, some additional oils that they are using, soybean and a couple of others. This company started from a guy in Seattle, Washington, who was a pilot, who got tired of flying airplanes, he got bored of flying airplanes and decided he would start an energy company. He started brewing up biodiesel in his garage. And the part of this story I like is he went to the Rainier Brewing Company and he got two old brewing vats from the Rainier Brewing Company, and he started brewing up biodiesel. What a great can-do story. He went out and raised some capital and now built the largest biodiesel plant in the world, and plans on building 10 or 20 more of these.

Now, with the capacity of biodiesel and with advanced forms of ethanol, and I am talking about advanced forms of ethanol, we have the capacity to provide 25 to 30 percent of all our transportation fuels from homegrown United States crops without jeopardizing our food chain, without jeopardizing the production of our domestic food supplies. And the reason for this is, and if you talk to John Plaza he will tell you about this, we have the capability of using whole new types of biofuels. We know we use corn ethanol now. But we only use the seed of the corn. We only use the kernel. We are now going to have cellulosic ethanol which uses the whole plant, all of the carbohydrates, from the stalk, the stem, what they call the corn stover, from wheat chaff that is now left on the ground. There is a company called Iogen in Idaho that is planning to bale it up and make that into cellulosic ethanol. When we do this, we will be able to produce a significant part of our transportation fuel.

So this is our fifth step. It is common sense. It is home grown. And for those who have heard a lot of controversy about corn ethanol, I have been talking to the scientists on this. You will be blown away by what is coming. There are crops now in development, one called miscanthus by a company called Mendel Biotechnology in Hayward, California. It is a crop they have developed that is four to five times more productive than corn per acre of ethanol. Now when farmers can start selling four to five times more ethanol per acre than they are today, we will decrease the pressure on our land. This crop uses less fertilizer and less water than corn today. So we look at corn ethanol as sort of the DC–3 of biofuels. It is a start. We are going to move forward to the Boeing 787, which is cellulosic ethanol.

Mr. KLEIN of Florida. I am going to add another form of ethanol out there that I think people around the world are familiar with in Brazil, which is a very large country, it is a fully industrialized country. They decided a generation ago to move towards energy independence for the same reasons we are having these discussions here today in this country. And they have oil. They have lots of other things, but they use sugar-based ethanol, a different type of ethanol based on a sugar product, and it is cellulosic based.

I have heard and some of the research that has been done, well, it is not as efficient, and there are food-chain issues and everything else. As far as I am concerned, and I know that many Members of Congress and most Americans believe, where there's a will there is a way. If there are any technological limitations to anything we have talked about tonight, they can be overcome. I think this entire conversation needs to be about how can we move forward in all these areas. If there is a limitation, let's figure out how to overcome that.

Again, sugar-based ethanol in Brazil, their ethanol that is a big part of their production. The cost is slightly different from here, but, again, let's figure it out. It could be a question of production; it could be a question of greater efficiency of production of sugar cane, where in Florida we have a very large production of sugar cane, and obviously most of it is used for production of food. In other parts of the country, sugar beet and other things are used to produce sugar.

But the point of all this, and I think the part that is so interesting, is that various types of alternative or renewable energy sources are already in production as you have in Washington in different stages. And we are allowing every one of these to compete. That is the greatest thing about our economy. It is a system where the great ideas, the great science will move forward and whatever is most efficient over time, it could be any combination of ways that we are going to achieve energy independence in this next generation, we will do it. So when I hear people, the naysayers, the people who say, oh, we can't do this, there is this problem, there is that problem, we can do it. We are going to do it. We will do it. It is going to require everybody to partner together, consumers to drive this, industry to drive it, education and scientists to drive it, government partnering with the private sector to drive it. It is going to happen.

Again, I am so proud to be part of a Congress that recognizes this and is moving this notion forward, and I'm proud the American people are finally coming together and saying, hey, this is something that is all about who we are, how we define ourselves, we being the great leaders in the world; and science and other things are going to use our scientists and our technology to achieve these great goals. It is exciting to see a plant like that with all the silos and all the great things going on there. They are already the largest in the world. That is pretty exciting.

Mr. INSLEE. What is neat about this is a lot of these things are happening in areas that have previously been quite depressed. This is an area that has really been hurt when the timber industry has had some tough times. And now we have got this, and there are two other very green industries that have developed in Grays Harbor, Washington.

You look around the Midwest where the ethanol plants have gone up, these communities have really revitalized. A lot of them have been using co-ops. This is not all money from Wall Street. These are co-ops where people have banded together and built their own industry. It is a very unifying experience when these communities do this.

We see this happening in the inner city where we are developing green collar jobs, where we are improving the efficiency of older buildings. When you have a green collar job to rebuild a building to make it energy efficient, that job doesn't get shipped to China.

It is right here. It is a local green collar job. That is why we are excited about that.

We talked about the five steps we took last Thursday: number one, auto efficiency, which we are calling for; number two, commonsense tax fairness to move some of these things away from oil and gas to these new businesses and consumers to help them; number three, the renewable energy standards so we can have clean energy electricity; number four, the efficiency standards that Mike and Meg Town used to such effect to allow your home to be efficient; and, number five, the renewable fuels standard where we are calling for advanced fuels.

And by the way, our renewable fuels standard requires these advanced biofuels. It requires about two-thirds of this to be from these advanced forms, not just corn ethanol, but advanced forms of ethanol in the future. So those are five significant steps.

Just to note how significant they are, there has been an independent group that evaluates energy policy that has evaluated a very similar plan to this and concluded that when this plan is implemented, it will save more carbon dioxide from going into the atmosphere, the principal global warming gas, than all of our cars and trucks are putting into the atmosphere today. This is a big, big deal. We know we have to reduce our carbon dioxide by probably 80 percent by the year 2050 to prevent carbon dioxide from going over twice preindustrial levels. This is about maybe 35 or more percent of the way we need to go. So it is a very significant first five steps on that path.

For those who are interested in this subject, I want to congratulate Vice President Al Gore for winning the Nobel Peace Prize. I read his acceptance speech, which anyone who is interested in the subject I would recommend it to them. It is available on some Web site somewhere. It is a brilliant statement of the planetary emergency we now have, and I would encourage people to take a look at it because it will give you a sense of urgency that we have.

Mr. KLEIN of Florida. I am going to give you a plug because not only did Al Gore obviously earn the Nobel Prize for what he did, but Mr. INSLEE you have also taken upon yourself not only to work in this Congress, but you also have independently written about this subject and you have brought forward a publication called ''Apollo's Fire.'' I don't know if you talked about it in the very beginning. I am going to give you a little plug because I have had a chance to take a look at it. It is an inspirational book that talks about what we have talked about tonight and where the country is going.

I will read one quote which I thought was very self-descriptive, and this is a quote out of your book. It says: ''A new Apollo Project for energy is really a mission to rebuild our economy. Smart energy policy is, in fact, good economic policy. The two are inextricably intertwined. Done right, solving our crisis of climate change and oil dependence can create tremendous opportunity for America and the world, not only by avoiding the severe economic harm of climate disruption, but also by driving new investment into local and metropolitan economies, increasing social justice and reducing economic disparity by creating new career ladders and skilled domestic jobs across the economic spectrum.''

And I think in that quote you have captured a lot of what America is interested in: the environmental issues, the impact on our whole society and the job opportunities that go on. It doesn't touch the national security issues because I think people clearly already know it is a bad deal for us to depend on other countries. But the internal things that operate inside the United States, our economy, our daily lives, our jobs, the fact you are spending $60 for a tank of gas on something that is creating problems in the economy, in the environment, and instead we can go in a totally different direction. The book you have entitled ''Apollo's Fire'' I think lays it out very nicely. And I just wanted to mention that because I commend you and I recommend the Members of this body to take a look at that because I think it lays it out very clearly in a very simple fashion so that Americans can take that charge and move forward with it.

Mr. INSLEE. Well, this is why this is something that can unify us, because it is an economic growth plan, it is something that can unify us, red State, blue State, urban, rural, all of us can get behind economic development. And we have seen instances of that tonight when we have talked about that. I think the bill that we have promoted ought to be able to promote that economic development in rural and urban areas, red and blue States. I really think it is a unifying message.

We mentioned these five steps, but there is a giant leap for mankind that will be on our plate when we return in January, that is, we have to find a way to limit the amount of carbon dioxide that is going into the atmosphere. And the ultimate way to do that is what we call a cap-and-trade system, which we hope to embrace and pass in this House next year.

A cap-and-trade system does two things. First, it caps the amount of total carbon that goes into the atmosphere, the total amount of pollution, the total amounts of carbon dioxide and methane that contribute to global climate change. And we have done this in a variety of pollutants, particularly sulfur dioxide, which we have a cap on. Previous Congresses have put a cap on sulfur dioxide. But we have a giant loophole in that there is no cap today for carbon dioxide and some of these other global warming gases.

So next year, we will be working on a plan to cap the total amount of these global warming gases that go into the atmosphere and give the Americans the confidence and the security to know that their grandkids aren't going to be exposed to runaway climate change associated with global warming. And then we are going to insist that polluting industries that put that pollution in the air have to pay for that. They can't do it for free any more.

Essentially, they have been using the atmosphere like a private garbage dump, like they back their truck full of junk and dump it into your county park. We don't let them do that, dump their junk in our county park, and we are not going to let them dump their CO_2 in the atmosphere any more with zero cost.

So there will be a charge associated with that and that will be tradable amongst industries to make it efficient. So when we adopt this cap-and-trade system, we will truly have the ultimate incentive for the geniuses of America to create these technologies, and we will be looking for people's input on this. We hope to have a bipartisan bill to do this, because there is no Republican or Democrat, or shouldn't be in this debate. We want to have something that all our kids can have a future on and we hope to do that. So, Mr. KLEIN, I wonder if you have any final comments.

Mr. KLEIN of Florida. I thank the gentleman for bringing this issue forward and allowing us to discuss this in the Congress. I certainly am going to recommend to our colleagues here in the Congress, the House and the Senate, while we go home and have a chance to have some working days at home during the holidays, to speak to our business entrepreneurs in our local communities, speak to our universities, speak to the scientists, speak to consumers.

I think, number one, that people are excited about these ideas; but as you are suggesting, this is just the first step. Whatever law we pass ultimately you can pass all the laws you want and it is up to Americans to say, this is our priority. This is something we are going to embrace. And this is something we are going to follow through. The private sector ultimately is going to drive this. We encourage our businesses. We encourage our academics to work together and come up with new ideas, express those ideas to the extent that government can partner, if there are things we can do to eliminate regulation or change policy to make things easier to move it in a direction where businesses and homeowners can do things to create more environmentally friendly pieces of property improvements, things like that and industry. It is good for all of us.

So I look forward to working with you and the rest of the Members of Congress and moving our country forward on this very important topic.

□ 2245

Mr. INSLEE. Well, we have a ways to go, but we have made five maybe not-

so-small steps for a few people here in Congress and in America. We have one giant leap for mankind to come. But we have got a great start, and this is going to help Americans, both their environment, their security and their economy, and that is three bold steps.

Thanks for your participation, Mr. KLEIN.

THE GROWING AND DISTURBING TREND OF FOOD AND CONSUMER PRODUCT SAFETY RECALLS

The SPEAKER pro tempore (Mr. ALTMIRE). Under the Speaker's announced policy of January 18, 2007, the gentleman from Texas (Mr. BURGESS) is recognized for 60 minutes.

Mr. BURGESS. Mr. Speaker, I wanted to come to the floor tonight and discuss a growing problem that we seem to be seeing, a disturbing trend in food and consumer product safety recalls.

Mr. Speaker, the danger is very real. It has been widely documented, discussed in the media, in committee hearings, and around the water cooler at work. We have just come through a summer of recall after recall after recall after recall.

What is the upshot of this, Mr. Speaker? The upshot is that parents are afraid. Parents are afraid that their children are playing with lead-tainted toys. Parents are afraid that magnets in toys or charms may cause internal damage if a child accidentally swallows them. Families are afraid that the food they feed their pets may actually have little bits of plastic in it and poison their beloved pet. People are afraid that their toothpaste may contain antifreeze and poison them. People are afraid that the fish they serve to their families may have dangerous levels of antibiotics contained within them.

Mr. Speaker, I could go on and on about specific concerns, but generally people are afraid. They are afraid about the source of these products and dangers, and rightfully so.

Mr. Speaker, people are afraid about defective products being imported into our country, and it seems like almost all of those imports come from a single source, a single country, the People's Republic of China.

Consumers' health and well-being are being endangered on two fronts; in the food we eat and the goods we use. I want to use some time tonight to talk about both fronts and what we in Congress are doing, what we have done, and what we should be doing to protect American families from harmful products.

Let's first consider the issue of consumer product safety recalls. It seems like the Nation has also turned its attention to this issue. Every time you turn on the TV, every time you open up a newspaper, you learn about yet another consumer product safety recall. While people are concerned generally about the issue of recalls, many people, many people, myself included, are concerned with the source of the recall. Again, Mr. Speaker, I stress, it appears that the majority of recalled products originate in and from the People's Republic of China.

Now, I have signed up for e-mail notification for recalled products through the United States Consumer Product Safety Commission, and I seem to get almost daily e-mails announcing the latest recalls. And, yes, most of the recalled products were manufactured in China.

As a parent, as a physician, one recall that was announced last month was extremely disturbing. I am referring to the infamous recall that literally had a child's product, the Spin Master Aqua Dots, laced with the chemicals that are contained in the drug Rohypnol, the infamous date rape drug.

Mr. Speaker, it is an innocent enough looking product, an innocent enough looking toy, a little bit interesting. I bet if my daughters were still little, they would have loved this. However, while it may look innocent, this product is actually a wolf in sheep's clothing.

In the recall notification, and I encourage everyone to sign up for the recall notification at CPSC.Gov, the Consumer Product Safety Commission listed the injuries that these beads caused, these beads that were available just a few weeks ago on the shelf of any store that any of us could go to in our communities back home.

''The Consumer Product Safety Commission has received two reports over the last several days of children swallowing Aqua Dots. A 20-month-old child swallowed several dozen beads. He became dizzy and vomited several times before slipping into a comatose state for a period of time.''

Well, that is a pretty serious situation. A 20-months-old child? It doesn't say how long the comatose state lasted, but I submit to you any length of time that a 20-month-old child spends in a comatose state is alarming, frightening, disturbing and upsetting to the parents. And to think it was caused by a toy that they bought to amuse their child, well, it is almost unthinkable, unthinkable as a parent, that that could happen.

A second child also ingested some dots, vomited and slipped into a comatose state and was hospitalized for 5 days.

Mr. Speaker, according to a report on ABC News, quoting here, ''Scientists say a chemical coating on the beads, when ingested, metabolizes into the so-called date rape drug gamma hydroxy butyrate. When eaten, the compound, made from common and easily available ingredients, can induce unconsciousness, seizures, drowsiness, coma and death.''

While it is not yet clear how the chemical wound up in the child's product, it is clear, it is very clear, where this product was manufactured. It was manufactured in the People's Republic of China.

Now, Mr. Speaker, we are here working away trying to finish up our business, because Christmas is right around the corner, and with the Christmas season upon us, I cannot help but think there has to be a huge market in this country for something that not only doesn't say ''made in the People's Republic of China,'' but says ''made in America,'' ''made in America'' on the toy, on the goods that we buy. Wouldn't that be something?

I encourage retailers to stock as many ''made in America'' products as they can. Since the majority of products that are being recalled this year were made in China, this year, this year my family and I have made the personal decision to try not to buy anything with the ''made in China'' label. Given all of the circumstances, it seems like the right thing to do for my family. And I am certain that other American families have come to a very similar conclusion. You can't turn on the television at night without hearing Lou Dobbs talk about this, and I bet his family is one of those families as well.

Mr. Speaker, let's look at just a few of the products that have been recalled, shall we? The concern about these imported products is real and it has been substantiated with real data. The United States Consumer Product Safety Commission, which is tasked with the job of trying to safeguard our society from unreasonable risk of injury and death associated with consumer products, informed me in that in fiscal year 2007 there were a record-breaking 472 consumer product safety recalls. Of the 472 recalls, more than 60 percent, over half, were manufactured in the People's Republic of China.

Mr. Speaker, more than 60 percent of all recalled products this past year were made in China.

Furthermore, of the 472 total consumer product recalls, 61 of those recalls affected our most innocent and vulnerable members of society, our children. Sixty-one consumer product recalls were toys. And how many of those products were manufactured in the People's Republic of China, you might ask? Well, Mr. Speaker, I am glad you did. That figure is even more staggering. In the United States, the Consumer Product Safety Commission estimated that over 90 percent of the toy recalls originated in the country of China. It is clearly now becoming a common business practice for Chinese toys.

So here is the question: Does the label ''made in China'' translate into ''this product may be hazardous to your health or to your child's health?'' Here they are, just a few of the products. This poster was actually made a little bit earlier, it was close to Halloween and you see some Halloween type motifs here, but products that any child would delight in owning. But these are products that have been found to be unsafe and recalls have been issued by the Consumer Product Safety Commission.

Well, let's look at a little bit more recent picture. How about today? Is that recent enough? December 11, 2007. From today's Wall Street Journal, ''China stands for quality'' was the title of the piece, and it had this cute little teddy bear cartoon associated with the article.

In the article, China's Vice Premier says some interesting things, and I would like to share some of those interesting things with you tonight, Mr. Speaker, and perhaps I will even offer an opinion or two about those claims.

First she says, ''The Chinese government takes product quality and food safety seriously.'' I say prove it.

She also states, quoting again, ''China has come a long way in strengthening product quality and food safety control supervision.'' I would tell you, I would submit that that country has not gone nearly far enough in this regard.

Here is the kicker, Mr. Speaker. She ends the piece by saying, and I am going to paraphrase here for brevity, China will live up to its responsibilities, but we would appreciate understanding, support and help from our trade partners. That is the end of the paraphrase.

Well, Mr. Speaker, with all due respect, with all due respect, we are past the point of understanding. Mr. Speaker, there are lives on the line. These are the lives of our friends, our neighbors, our children, our neighbors' children. It is time, it is time, Mr. Speaker, that we act, that we act in this Congress.

Mr. Speaker, I previously was a physician in my former life before coming to Congress 5 years ago, just a simple country doctor. But you have got to keep asking yourself over and over again, what can we do to protect ourselves and our families? For the safety of our families, we have to get to the bottom of what is the cause behind all of these recalls.

Mr. Speaker, I am a member of the House Energy and Commerce Committee. I sit on four subcommittees that have conducted intense investigations on the issues of food and product safety matters. One subcommittee on which I serve, the Commerce, Trade, and Consumer Protection Subcommittee, which has jurisdiction over consumer product safety issues, has systematically investigated this issue this past fall.

We passed individual bills recently that have dealt with specific issues of consumer product safety concerns, including a bill that I amended in order to increase the safety of ornamental pools in our parks and public spaces in our cities.

The House Energy and Commerce Committee will be marking up bipartisan legislation later this week that will strengthen the consumer product safety system in this country. Mr. Speaker, the bill is H.R. 4040, for those keeping score at home, the Consumer Product Safety Modernization Act, and almost 80 other Members of this body have cosponsored the legislation, and I am an original cosponsor of the legislation as well.

It is an important piece of legislation, and it has, as promised, promised by our chairman of the subcommittee, it has come through the regular process. All Members have a chance to comment and, if they wish, to submit amendments, to try to make amendments to try to perfect this important bill. This, quite honestly, is the way we should formulate legislation. Not just in the Committee on Energy and Commerce, but in the whole House as well. I want to thank the leadership of the House Energy and Commerce Committee for being committed to the legislative process, because I think it has worked and served to make this a better bill as it has come through the process.

The version in the House is truly a bipartisan effort. I commend the chairman of the full committee, Chairman DINGELL, and Ranking Member BARTON, for their participation and leadership in getting the process to this point.

I would also like to commend the United States Consumer Product Safety Commission Acting Commissioner Chairwoman Nancy Nord for her honest assistance in trying to get a good bill through the committee. We asked for technical assistance and we asked for constructive criticism, and it was provided to us.

Mr. Speaker, in H.R. 4040, the Consumer Product Safety Modernization Act, the House was able to craft a comprehensive, commonsense bill that boosts the funding for the Consumer Product Safety Commission. It boasts their personnel. It bans lead in children's products. It requires third party testing. It increases the penalties for those that break the law.

H.R. 4040, again which has almost 80 bipartisan cosponsors, also has the support from consumer groups, industry, and in fact from the Consumer Product Safety Commission. The full committee, the Committee on Energy and Commerce, has realized finally that in order to protect our children, we have to work together.

□ 2300

We were able to put politics aside and do it in a very pragmatic, cooperative way. The House, the Consumer Product Safety Commission, the consumer groups, and the industry all worked together to get this done. A lot has been reported about a bill in the Senate, but in reality it is because our House committee worked in such a cooperative manner with all of the stakeholders that we are now just perched on the very threshold, literally the eve, of passing H.R. 4040 through our committee. The Senate hasn't been able to do this, so the legislation may languish a bit longer, but I hope they take the lead from this inspired and bipartisan piece of legislation.

Now, both sides of the aisle, both sides of the dais in the committee had to compromise on several things, but I don't believe we ever compromised the safety of our children. I am an original cosponsor of the bill; I don't think it is a perfect bill. I have proposed amendments in the subcommittee process, and I am going to propose amendments when we mark the bill up later this week. For instance, I firmly believe that we have to improve the United States Consumer Product Safety Commission's ability to notify consumers and retailers about dangerous products more quickly and in a much broader scope.

During a hearing earlier this year with the chief executive officer of a large toy company in this country, I started wondering about some of the nonprofits in my district, people that do good work. They collect items for resale; they sell a large amount of resale items and collect money for other good works that they do. But I wondered, how do they find out about recalls? If the product is recalled, do they know it? Will they be able to remove it from their shelves so it doesn't then pass into the hands of some other unsuspecting consumer or child? And if they don't know about them, what can we do? What can we do in the United States Congress to make sure that they are indeed aware?

Well, after discussing this issue, I must tell you, I have got an outstanding nonprofit corporation in my district back in Denton County, back in north Texas, Christian Community Action. After talking about it with them, I became very concerned that there may be a large group of people and associations that are not receiving the information about product recalls in a timely manner. As we all know, products are recalled because they have been found to have some element of danger to the consumer, and they need to be immediately discarded or handled in some other way.

Nonprofits like the Salvation Army, Goodwill, and my own community Christian Community Action, and even smaller nonprofits that serve an even more specialized segment of the community, they provide many valuable resources. Often, these nonprofits run second-hand retail shops to additionally help some of the neediest members of society, certainly members of society that you really don't want a recalled product ending up in their hands. However, as I said before, I have been informed by some of the nonprofits in my district that, through no fault of their own, they are unaware of the recalls. And, therefore, the fear is that they may inadvertently sell a recalled product to a family or to an individual or to a child.

This gap had to be closed, and I was able to offer an amendment that subsequently was accepted and the amendment will help us close the gap. This happened in the subcommittee markup on the Commerce, Trade, and Consumer Protection Subcommittee. That

amendment makes it unequivocally clear that the United States Consumer Product Safety Commission must reach out and educate second-hand retailers, like Christian Community Action back home in my district, and must provide additional educational materials about the recalls. This new provision will help make our second-hand retail shops safer, and that makes our communities safer. It makes our children safer.

Now, I am pleased that the amendment was accepted, and I have also been working on other ideas. I want to talk about them just a little bit more in a moment. But I have also introduced legislation dealing with food imports, which basically will give the Food and Drug Administration a big red button to push to be able to stop a dangerous food or drug from entering the country. We see the little teddy bear coming down a conveyor belt there. Well, if we know that the teddy bear has got rohypnol in his running shoes or polonium in his paws or formaldehyde in his fur, we want to be able to stop this product from coming into the country. And this is something that I have become very concerned about.

I want to give similar authority to the Food and Drug Administration to give them a big red button to push to stop dangerous foods from entering the country. At a hearing that we had at the beginning of November, I asked Chairwoman Nord if she had the authority, that same authority for the Consumer Safety Commission that I was trying to give to the FDA, and she said no.

Therefore, over the past several weeks I have been working on trying to incorporate these same ideas into H.R. 4040, which, again, deals with consumer product safety. So this Thursday, when we do our markup in full committee on H.R. 4040, I will be offering two additional amendments at the full committee markup.

Right now, the current law lists five ways that an imported product can be refused admission into the United States. Now, I was somewhat chagrined to learn that the list did not include products that had been recalled. That seems just common sense. Do we ever need that stop button. We need to stop dangerous products from other countries from entering into our shores and certainly from entering into our stream of commerce. It seems to be common sense that products that have been found to be dangerous should be stopped at the border and denied entrance into this country; but, unfortunately, that is not always the case.

And think about that for a minute, Mr. Speaker. You have got a product that has been recalled because it has lead in some part of the product, but we don't stop it from coming into this country. What happens to all that stuff? It accumulates in a warehouse somewhere, presumably. Presumably it is not diverted into the stream of commerce at some point along the line. But even just aggregating a lead contaminated product in a warehouse somewhere means at some point someone has got to do something with it. They can't just keep paying rent on a warehouse for a product that is not moving and not going anywhere and not making them any money. This product is going to have to be destroyed.

Well, you can't bury it in a landfill because then you contaminate the groundwater. You can't burn it because then it goes in the air; we all breathe it. We know that is not a good thing for a lead-contaminated product. We need to stop that stuff from even coming into our country.

So I will be offering an amendment that would immediately add recalled products to the list of reasons as to why a product should be refused admission. I know it sounds simplistic and that is something that should already be done, but apparently that is not the case.

Unfortunately, while the leadership of the committee agrees that the stop button approach has much merit, to avoid possible violations of trade laws, and for the life of me I don't know why we would be concerned about that; it seems like someone is violating the trade laws on the other end. But the committee thinks, in order to avoid violations of trade laws, that we need to hold an additional hearing on this very subject on this idea before enactment.

I am going to offer the amendment when we mark up the bill on Thursday. Because of this concern, it likely will not be accepted. And I would like to get the understanding from the committee that we have got to go forward with this idea and enact legislation that will give the Federal Government a true measure, a true way to stop dangerous products from other countries, from coming into our country and hurting our families and our children.

Now, while this amendment may not be successful this run, I have been able to gather support from the committee on another and equally important amendment. As I mentioned before, right now, current law in the United States of America, there are five ways that a product can be refused admission into the United States. As I began my study of this section of the law, my first question was: If the Federal Government already has a law in place to stop harmful imported products from entering the United States of America, then why, why, why are we seeing recall after recall after recall, a record-breaking number of recalled products being manufactured and imported into this country?

The second question was: What types of inefficiencies are there in the laws that need to be remedied?

Well, after looking at a list of the five ways we could refuse admission of an imported product, two of the five ways immediately caught my attention. The law reads that a product can be refused admission if the product ''is or has been determined to be an imminently hazardous consumer product in a proceeding.''

Now, what does that mean? Well, the law defines an imminently hazardous consumer product as a consumer product which presents imminent and unreasonable risk of death, serious illness, or severe personal injury.

I think it fits the bill. So the Federal Government already has a way to stop products from entering into America if they pose a risk of death, serious illness, or serious injury.

When I originally learned of this, I thought that this section of the law could and should keep Americans safe. But when I asked the United States Consumer Product Safety Commission how many times the law had actually been used, the answer was five times. Five times. Mr. Speaker, do you want to hazard a guess when the last time this law was used? Let me give you a hint: Ronald Reagan was President of the United States. The year 1998 was the last time the law was used.

Realizing that this section posed an incredibly high bar in order for it to be used, especially since a proceeding had to be held prior to enforcement, I turned to the next way that a product could be denied admission. The law also reads that ''a product can be refused admission,'' and again quoting here, ''if it has a product defect which constitutes a substantial product hazard.''

Again, what do they mean by that? The law defines a substantial product hazard as a product defect which, because of the pattern of the defect, the number of defective products distributed in commerce, and the severity of the risk or otherwise creates a substantial risk of injury to the public.

It seems to be a little bit lower bar, to me, so I thought surely, surely this section could be used to keep Americans safe. Well, I was wrong again. The United States Consumer Product Safety Commission did not have the exact number of times that this section had been used to deny admission of imported products, but the information I got back was that it was ''rarely used.'' Rarely used. Rarely used. Rarely used to protect Americans from dangerous products.

Well, Mr. Speaker, as a Member of Congress, if we see inefficiencies in the law, we have a duty to make changes, to make changes in the law to make it work, make it more efficient.

I don't pretend to have all of the answers to make this law more perfect, but I know that we must do something to increase the effectiveness of these provisions. Americans are relying on us. Americans are relying on their Members of Congress, on the United States Congress to do just that. Therefore, I will be offering an amendment to our bill when we mark it up on Thursday to H.R. 4040 that will require the United States Consumer Product

Safety Commission to study the effectiveness of these five ways to refuse admission of an imported product, especially the first two ways that I just went over: the Commission must report back to Congress on a specific strategy, including any new legislation needed to implement such a plan which will be used to increase the effectiveness of their ability to stop unsafe products from entering into the United States.

I have been informed that I have the support of the leadership of the committee on a bipartisan basis to allow this, what I consider a very vital amendment, very basic but vital amendment to go forward. We desperately need a way to stop defective products at our borders. The American public should know that these products will not come into this country. I want the American people to know that I for one am not going to stop working on this until we have the problem solved.

Let's move on from our friend the teddy bear. And just as a matter of public service, while we continue to work on legislation regarding consumer product safety, Mr. Speaker, I realize that I can't speak directly to people who might be watching on C–SPAN, whether they be Members of Congress or just ordinary Americans; but if I could speak to them in their living rooms, what I would want to say is I would encourage them to sign up for product recall alerts. It is easy, it is free, and it can save a life. If you have access, again, Mr. Speaker, if I were able to speak directly to people watching this on C–SPAN or Members watching in their office, I would say that if you have access to the Internet or if you have access to e-mail, all you need to do to receive these alerts is go to the Consumer Product Safety Commission's home page, which is www.cpsc.gov, and sign up for free recall and safety news. Again, the Web address, www.cpsc.gov, and you can sign up for the product alerts. I have done that. You get about an alert a day. It is a little disconcerting at first, but it is important information. And the Consumer Product Safety Commission also has a neighborhood safety network which is for organizations, for civic-minded individuals to help disseminate information about recalls, provide posters to members of society who may not be aware that the recall has happened and that the recall may affect products that they have in their home.

Mr. Speaker, we all know education can save lives. Unfortunately, though, certain groups of Americans, some of them elderly, some of them living in urban settings, some living in very rural settings, and I have got both in my district, some low-income families, minority groups, often don't hear about the safety messages from the government, and so we need additional ways of outreach.

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Please, I would ask, Mr. Speaker, we ask our fellow Members of Congress to help make communities safer by getting the word out about product recalls.

I am a member of the Neighborhood Safety Network and we disseminate information about recalls via my Web site, www.house.gov/burgess.

Mr. Speaker, we have talked a lot about consumer product safety recalls. Let's talk about food safety. You think it is the same thing, but it is an entirely different process. We have had so much discussion about this that I feel people probably are asking is Congress doing anything, has Congress paid any attention to the safety of the food we eat?

The answer is, yes, we have paid a lot of attention. We haven't got a lot of press about it, but I am again a member of the Energy and Commerce Committee, and we are pursuing an active investigation and then subsequent legislation to confront the problem. As a member of the Oversight Investigation Subcommittee, we have taken an active role in investigating the safety of our Nation's food supply.

In August, our subcommittee sent a bipartisan group of investigators to China to see firsthand some of the causes of the problem. In the committee's staff report, the investigators came to the following conclusion from their trip and investigation thus far. Quoting directly from the staff report:

Number one, it would appear that the Chinese food safety supply chain does not meet international safety standards. It is, in fact, responsible for very serious domestic Chinese food poisoning outbreaks. It is happening in their own backyard.

Number two, findings of the bipartisan field investigators, the Chinese government appears to be determined to avoid embarrassing food safety outbreaks in export markets due to the damaging and potentially lasting effect this would have upon their ''Made in China'' branding.

Well, that is pretty powerful. In fact, Mr. Speaker, if I can digress for a moment, you almost wish if American importers and manufacturers had that same concern about what damage they may do to their individual brands by continuing to import, albeit inexpensive products, but products that aren't safe.

Americans want to feel safe. If it cost an extra $1 for a Barbie doll, I bet they are willing to fork that out.

Finding number three, the lack of meaningful regulation of farming and food processing in China and the advanced development of the document counterfeiting industry and the willingness of some entrepreneurs in both China and the United States to smuggle foodstuffs that do not meet quality standards necessitates a much more vigorous program of inspection and laboratory testing in China and the United States ports of entry than the Food and Drug Administration has been willing or able to provide to date.

Mr. Speaker, these are important conclusions and we simply cannot sit by and watch the problem worsen. We have to transform the Food and Drug Administration into an agency that can fully cope with the importation problems of the 21st century.

The Energy and Commerce Committee is doing our part. In addition to the staff trip to China, we have had five hearings to discuss the topic ''Can the Food and Drug Administration Commission Assure the Safety of the Nation's Food Supply?''

What have we learned so far? At a hearing on July 17, 2007, on this very topic, former FDA Associate Commissioner William Hubbard testified that in 1999 the FDA drafted a legislative proposal which would have given the Food and Drug Administration authority to require foreign countries to take more responsibility for the foods that they send to the United States. The agency's proposal would have allowed the Food and Drug Administration to embargo a given food from a given country if there were repeated instances of that food being found contaminated when it arrived in the United States.

Countries that send safe food would have no reason to be concerned because they would be unaffected. But countries that demonstrated a pattern of disregard of United States safety standards would have to increase their oversight of food exported from their country. They would have to do it. Unfortunately, Congress did not accept this recommendation in 1999, and the situation with imported foods has gone from bad to worse to truly awful.

Now, Congress had a chance to examine the problem and consider recommendations on how to solve the problem, and that was back in 1999. The world was a different place, and it was perhaps difficult to anticipate the acceleration of foreign products that are coming into our country that occurred over the last decade or decade and a few years more.

Was the safety of food products from foreign countries not a priority for Congress back in 1999? And the answer to that question is not as much as it should have been. Why we have allowed this problem to persist when they know how much harm these unsafe products have potential to cause, I can't answer. We may never know the answer to that question. But as I stand here tonight, I will absolutely, absolutely assure you this is a priority of mine and I intend to do something about it.

Now, October 11 of this year, the Energy and Commerce Subcommittee on Oversight and Investigations had the third of a five-part series of hearings on the Food and Drug Administration's ability to ensure the safety and security of our Nation's food supply. According to testimony given by Mr. David Nelson, the senior investigator for the Energy and Commerce Committee, currently the Food and Drug Administration does not go over and see if the food products that are produced in China are done under the

same standards as here in the United States of America. These are the products that are produced in China and sent over here for our consumption. These are the products that Americans will be consuming, and they are not being produced under American standards.

When we had that hearing, Ranking Member WHITFIELD on the subcommittee asked Mr. NELSON if you were speaking to a group and a member of the audience asked how safe it is to consume products produced in China, he answered, You would be taking your chances on any imported food.

Mr. Speaker, that is a chance we simply can't afford to take. America has to have the authority to prohibit these foods from coming into our country if they are not safe. We have to have the ability to determine if they are produced according to our standards. We have to be able to stop foods that we would, according to Mr. NELSON, be taking our chances on.

Now, Chairman DINGELL asked Mr. NELSON whether or not the Food and Drug Administration can protect the United States' citizens from unsafe imports with the resources the Food and Drug Administration currently has. Mr. NELSON's answer was, That would be an emphatic no. Just not just no, but an emphatic, underlined, bolded no.

When I got a chance to ask a question, I asked Mr. NELSON what did they do about food to eat while in China. He sort of laughed and sort of didn't laugh and said, Well, we ate what everyone else ate. And I asked how he was feeling, and he said, Just fine. But actually, some of the members of our committee staff did become ill when they were traveling in China.

Now, I was very interested in the protocol that they follow in China after discovering a contaminated supply of food, and the hearing we were having that day really concentrated on poultry and poultry products.

During my questioning of Mr. James Rice, the vice president and country manager of Tyson Foods in China, I asked what I thought was a fairly simple question. I said, When you find a problem, do you communicate that to, say, the United States authorities so they can be on the lookout for similar products in other facilities?

This was a little bit disturbing, Mr. Speaker. He said, No, we don't.

He explained to me, because Tyson was using local Chinese suppliers and the products are mostly for the Chinese market, they didn't feel that was necessary. So, in essence, there is no dialogue whatsoever. Mr. Rice told me if persistent problems from one supplier were identified, no one would alert others as to the presence of this problematic supplier. There is no system in place, no early warning system, no system of surveillance, not even any honor among thieves, it appears, to let people know about a bad supplier in their midst.

Mr. Speaker, that is a serious, serious problem. And it is so important, so important that I introduced legislation that relates to this 1999 proposal, H.R. 3967, the so-called Imported Food Safety Improvement Act of 2007, because I firmly believe the Food and Drug Administration needs the ability and the explicit authority to immediately stop dangerous foods and products from coming into this country.

And it is a pretty simple concept. Goods are coming into this country. If goods are coming into this country on a long conveyer belt and you find a bad apple on the belt, the Food and Drug Administration needs to be able to push a big red button that says ''stop'' and immediately stop that contaminated product from continuing on downstream into our stream of commerce.

My legislation would give the Food and Drug Administration that big red button to push. The idea is simple. If enacted, the Food and Drug Administration would have the authority to embargo a specific food from a specific country if there were repeated instances that that type of food or product had been contaminated. It seems so simple. We have got to be able to stop countries from sending harmful food products into the United States.

My bill, H.R. 3967, will allow us to finally take control of the food being sent to America. And this is important as well, Mr. Speaker. It sends a strong message to countries that in the past have played fast and loose with our regulations, that in the past have not seen a problem with continuing to send contaminated products into our country.

Well, we are going to tell them it is a new day and it is a different set of rules. You solve the problem on your end or we will end the problem over here. After summer of recall upon recall upon recall, it is time to take matters into our own hands, and I will no longer tolerate hearing a different news story every day of the week about a new and dangerous product coming into the United States of America from the People's Republic of China. China is sending these products to America and then they are being recalled. We can do a little better than that.

The Health Subcommittee of Energy and Commerce, of which I am also a member, had a legislative hearing on September 26 regarding Chairman DINGELL's bill, H.R. 3610, the Food and Drug Import Safety Act of 2007. Having reviewed this legislation, I think the chairman's intentions are good, and obviously I look forward to working with the chairman on this issue. I cannot support every single provision in the bill, but I do support the spirit of the proposed law.

I believe we need to look toward how other Federal agencies have dealt with this issue and whether it would be appropriate to give the Food and Drug Administration similar authority or authorities.

According to the Government Accountability Office, 15 Federal agencies collectively administer 30 laws related to food safety. Do you think we are suffering a little bit from too much division of labor?

The Food and Drug Administration, which is part of the United States Department of Health and Human Services, and the Food Safety and Inspection Service, which is part of the United States Department of Agriculture, together comprise the majority of both the total funding and the total staffing for the government's food, safety and regulatory system.

However, food safety laws and regulations vary greatly from one agency to the other and not all foods are treated equally. For instance, the United States Department of Agriculture has jurisdiction over meat, poultry and eggs, and has established equivalency determination standards for those specified foods.

On October 11 at the third Oversight and Investigation hearing on the FDA's ability to assure the safety and security of our Nation's food supply, the Under Secretary for Food Safety at the United States Department of Agriculture, Dr. Richard Raymond, gave the following testimony and provided a definition for equivalency: ''Equivalency is the foundation of our system of imports. It recognizes that an exporting country can provide an appropriate level of food safety even if those measures are different from those applied here at home.

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''The Food Safety and Inspection Service has always required an assessment of foreign inspection systems before those nations can export into the United States of America. This prior review was mandated by our laws, which originally required that a foreign system be equal to our system before that foreign product can be admitted.''

He further went on to state: ''An exporting country has the burden of proving that its system is equivalent to our own if that country wishes to export to the United States.''

Well, Mr. Speaker, I understand in applying a system of equivalency to the Food and Drug Administration, which, in fairness, has an 80 percent jurisdiction over all food imported, as compared to 20 percent for the United States Department of Agriculture, I recognize that that system of equivalency for the Food and Drug Administration is going to be difficult. It's going to be onerous. Currently, only 33 countries are eligible to ship meat or poultry into the United States because of those very high standards established by that equivalency protocol. If the exact standard that the United States Department of Agriculture employs was used by the Food and Drug Administration, it would drastically change. Some people would even say it would cripple the food import system if there were not enough resources to support it.

Again, remember, the United States Department of Agriculture which has a system of equivalency, oversees 20 percent of the imports. The Food and Drug Administration, which does not have a system in place for inspecting sites in other countries, has jurisdiction over 80 percent of the food imports. You can begin to see some of the discrepancy there and the magnitude of the problem that faces us.

Mr. Speaker, the former Speaker of our House, Speaker Newt Gingrich, is famous for quoting in his second principle of transformation: ''Real change requires real change.'' This is just such a situation. This system needs to be drastically changed.

Consider this, Mr. Speaker: in 2005, nearly 15 percent of the overall United States food consumption was imported. Between 1996 and 2006, the amount of United States imports of agriculture and sea food products from all countries increased 42 percent. Furthermore, in the last decade the volume of Food and Drug Administration-regulated imports has tripled.

Chinese imports to the United States of America have increased more rapidly than the global average. And between the years 1996 to 2006, the volume of imports of Chinese agriculture and sea food products increased by 346 percent. China is now the third largest exporter of agricultural and sea food products to the United States of America, only surpassed by our neighbors to the north and south.

So perhaps our food import safety system should change. It needs to change drastically. The Food and Drug Administration was created at a time where we were still domestically growing and producing the majority of our own foods. And we've got some real issues here at home to deal with regarding our food regulatory system. But at least we have a regulatory system with which to deal with the problem. This is not the case for all countries from which we receive food.

It seems that it would be common sense that we would only import food from a country if they can prove that their system is just as good as ours. And yet only the United States Department of Agriculture can require this, which, once again, controls only 20 percent of the imported food. The Food and Drug Administration, which cannot control that issue of equivalency, is responsible for 80 percent of the food imports. It seems to be very arbitrary that the system that the United States Department of Agriculture can employ is so much tougher than the system employed by the Food and Drug Administration. Yet, at the end of the day, where does all that food end up? It's on your table, and it looks the same whether it's regulated by the United States Department of Agriculture or regulated by the Food and Drug Administration. Americans don't discriminate from which agency had the regulatory control over the food that was imported from other countries. And it's kind of curious that in Congress we make that distinction. Congress is responsible for these dual standards and Congress must have a candid discussion on whether or not we need to make these systems more comparable, if we need to establish the same system of safety for the Food and Drug Administration that we already have in place for the United States Department of Agriculture.

It is my goal to encourage this frank discussion at the committee level and here on the floor of the House, Members on both sides of the aisle. And we've both got to continue to have input on this important issue. As we all know, the system works best and we have the most effective legislative product if bills are allowed to go through the regular process. And I implore leadership to allow this important piece of legislation to go through that regular legislative process.

We've seen two instances this year on our Committee on Energy and Commerce with H.R. 4040, the bill that we're going to mark up on Thursday, being the second one. The first was when we reauthorized the prescription drug user fee and the medical device user fee for the Food and Drug Administration. That bill came through regular process. And I didn't like everything in the bill at the end of the process, but you know what? It was a good bill. And it passed the House and it passed the Senate and the President signed it into law at the end of September.

And for the first time we've got a robust, data-gathering capability within the Food and Drug Administration which the country has needed and has lacked for 40 years. We did this. This Congress did this, accomplished this by working together in a bipartisan fashion through regular order. We've got the same opportunity here on the Consumer Products Safety bill that's before the full committee on Thursday.

And the other side of the equation is, look what we've done with reauthorizing the State Children's Health Insurance Plan. Here's a bill that every one of us, when we stood in this Congress and we raised our right hand and we swore the oath and were sworn into Congress, every single one of us, man and woman, knew that the State Children's Health Insurance Program had an expiration date of September 30 of 2007. And what did we do? We languished; we didn't have hearings. We didn't have a markup in subcommittee. We crammed some great big obnoxious bill through the full committee, came to the House floor without even being discharged by our committee. The bill was so bad that the Senate wouldn't even touch it. Now that's a bad bill.

And then we got this process from the Senate; and instead of taking the Senate bill back to our committee and working on it and trying to improve it, we treated it as if it was a conference report, but everyone in Congress knew it wasn't a conference report. But it was brought to the floor like a conference report so you couldn't amend it, you couldn't change it, you couldn't try to make it better and it was rammed down our throats; and it was passed and the President vetoed it; and we sustained the veto, and then we're going to go through the same gyration again here this week.

And that's not necessary. We have a way of doing things right. We have a way of producing for the American people, if we'll just do it and put the politics aside for a little while.

Well, let's not allow the issue of protecting our families from harmful and dangerous goods coming from other countries also become the debate of Republican versus Democrat. That is something that I am certain holds residence in the minds of all of us working together to find the most efficient and the most effective method of solving this crisis now, making it a priority for everyone and getting the problem solved now and then moving on to other things.

Now, I would be remiss if I didn't also mention that last month the President's working group on import safety presented their proposal to both the President and to Congress. While I wish that the working group had been able to present their proposal somewhat earlier than they did, I do believe that they have presented many sound policies and that we should incorporate this while formulating our legislation. I, myself, am still reviewing the group's findings.

It is pretty voluminous, but I was pleased to read that they would also like to see a legislative proposal that would give the Food and Drug Administration additional authority for preventive controls for high-risk foods. If you'd like to read their proposal, it is available on the Internet at www.importsafety.gov. Import safety is all one word, all lower case.

Now, I know many people watching this are asking themselves, you know, is there a down side to all of this that we should consider. The answer is, yes. We've always got to be cautious about jumping over the line and encroaching the, increasing the ever expanding grasp of the Federal Government.

There's no doubt that the Federal Government has an important duty to the safety and welfare of all Americans, but the last thing you want is for the Federal Government to control absolutely every aspect of every little item that you buy.

There is a balancing test and I, for one, am going to continue to be cognizant of that fact. But there is also a very clear and present public safety danger that has to be dealt with. We must be vigilant in our plight in restoring safety and trust back to the foods we eat and the products that we use. I believe that H.R. 3967, the Food Import Safety Improvement Act, will further this goal, as will amendments that I'm going to make in H.R. 4040 later this week.

Compromising the safety of foods that we put on our tables is not an option. Compromising the consumer products that we buy for our families is not an option. Compromising the security of Americans will not be an option. Compromising cannot be an option that we turn to because we lack the power. H.R. 3967 and my amendments to H.R. 4040 will restore some of that power to Americans.

Mr. Speaker, again I started off this talk with the notion that when people are out shopping this Christmas season and they pick up something and they look at the underside of it and it says ''made in China,'' maybe that translates into ''use at your own risk.'' I do encourage consumers to beware, be aware of where the products are made, be careful about the products that you bring into your home.

Mr. Speaker, we can no longer sit back and allow these harmful products to reach our homes. All Americans, myself included, have a choice to take a stance individually and to not buy products if we don't think they're safe. And if you see ''made in China,'' remember, that's a warning label. But we can go a little further than that. Stricter rules are necessary. Funding, increased funding, increased personnel are necessary. And now it's up to Congress. It's up to Congress to create and enact those rules.

Mr. Speaker, you've been very indulgent, and I'm going to yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ALTMIRE). Members are reminded to address their remarks to the Chair.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MATHESON (at the request of Mr. HOYER) for today and December 12 on account of attending a family funeral service.

Mr. LUCAS (at the request of Mr. BOEHNER) for today on account of inclement weather.

Mr. GARY G. MILLER of California (at the request of Mr. BOEHNER) for today on account of personal reasons due to family matters.

Mr. RYAN of Wisconsin (at the request of Mr. BOEHNER) for today on account of travel delays.

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 Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. SUTTON, for 5 minutes, today.

Mr. LARSON of Connecticut, for 5 minutes, today.

Ms. PELOSI, for 5 minutes, today.

Mr. DINGELL, for 5 minutes, today.

(The following Members (at the request of Mr. JONES of North Carolina) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, December 17 and 18.

Mr. BURTON of Indiana, for 5 minutes, today and December 12, 13, 14, 17, and 18.

Mr. JONES of North Carolina, for 5 minutes, December 17 and 18.

Mr. HASTINGS of Washington, for 5 minutes, December 12.

Mr. FRANKS of Arizona, for 5 minutes, today.

Ms. FOXX, for 5 minutes, today.

ENROLLED BILLS SIGNED

Ms. Lorraine C. Miller, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 710. An act to amend the National Organ Transplant Act to provide that criminal penalties do not apply to human organ paired donation, and for other purposes.

H.R. 3315. An act to provide that the great hall of the Capitol Visitor Center shall be known as Emancipation Hall.

H.R. 3688. An act to implement the United States-Peru Trade Promotion Agreement.

H.R. 4118. An act to exclude from gross income payments from the Hokie Spirit Memorial Fund to the victims of the tragic event at the Virginia Polytechnic Institute & State University.

ADJOURNMENT

Mr. BURGESS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 42 minutes p.m.), the House adjourned until tomorrow, Wednesday, December 12, 2007, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4414. A letter from the Acting Director, Program Development and Regulatory Analysis Rural Development Utilities Programs, Department of Agriculture, transmitting the Department's final rule — Servicing of Water Programs Loans and Grants (RIN: 0572-AB59) received October 25, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4415. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Dried Prunes Produced in California; Increased Assessment Rate [Docket No. AMS-FV-07-0103; FV07-993-1 FR] received November 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4416. A letter from the Chairman and CEO, Farm Credit Administration, Farm Credit Administration, transmitting the Administration's final rule — Disclosure to Shareholders; Annual Report to Shareholders (RIN: 3052-AC37) received December 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4417. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting the Selected Acquisition Reports (SARs) for the quarter ending September 30, 2007, pursuant to 10 U.S.C. 2432; to the Committee on Armed Services.

4418. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting the Department's report on the cost effectiveness of the Defense Commissary Agency and specified nonappropriated fund instrumentalities purchasing commercial insurance, as directed by Section 663 of the John Warner National Defense Authorization Act for Fiscal Year 2007; to the Committee on Armed Services.

4419. A letter from the Secretary, Department of Energy, transmitting a report concerning plutonium storage at the Savannah River Site, located near Aiken, South Carolina, pursuant to Public Law 107-314, section 3183; to the Committee on Armed Services.

4420. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket No. FEMA-7997] received November 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4421. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received October 25, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4422. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket No. FEMA-B-7738] received October 25, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4423. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket No. FEMA-B-7745] received November 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4424. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Federal Credit Union Bylaws — received November 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4425. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — REVISIONS TO RULES 144 AND 145 [Release No. 33-8869; File No. S7-11-07] (RIN: 3235-AH13) received December 7, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4426. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — EXEMPTION OF COMPENSATORY EMPLOYEE STOCK OPTIONS FROM REGISTRATION UNDER SECTION 12(g) OF THE SECURITIES EXCHANGE ACT OF 1934 [Release No. 34-56887; International Series Release No. 1305; File No. S7-14-07] (RIN: 3235-AJ91) received December 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4427. A letter from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy,

transmitting the Department's ''Major'' final rule — Energy Conservation Program for Consumer Products: Energy Conservation Standards for Residential Furnaces and Boilers [Docket Number: EE-RM/STD-01-350] (RIN: 1904-AA78) received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4428. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's report on the project to monitor the location of radioactive sources of concern, the National Source Tracking System (NSTS); to the Committee on Energy and Commerce.

4429. A letter from the Secretary, Department of Commerce, transmitting a six-month report prepared by the Department of Commerce's Bureau of Industry and Security on the national emergency declared by Executive Order 13222 of August 17, 2001, and continued on August 14, 2002, August 7, 2003, and August 6, 2004 and August 15, 2007 to deal with the threat to the national security, foreign policy, and economy of the United States caused by the lapse of the Export Administration Act of 1979, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

4430. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 13-07 informing of an intent to sign the Research, Development, Test, and Evlauation of Overhead Non-Imaging Infrared Data Exploitation Tools and Techniques Memorandum of Understanding Among Australia, Canada, the United Kingdom and the United States, pursuant to 22 U.S.C. 2767(f); to the Committee on Foreign Affairs.

4431. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 08-28 concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to Saudi Arabia for defense articles and services; to the Committee on Foreign Affairs.

4432. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 08-29 concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to Saudi Arabia for defense articles and services; to the Committee on Foreign Affairs.

4433. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 08-23, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to Kuwait for defense articles and services; to the Committee on Foreign Affairs.

4434. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 08-25 concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to United Arab Emirates for defense articles and services; to the Committee on Foreign Affairs.

4435. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 08-17, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to United Arab Emirates for defense articles and services; to the Committee on Foreign Affairs.

4436. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed license for the export of defense articles and services to the Government of Canada (Transmittal No. DDTC 102-07); to the Committee on Foreign Affairs.

4437. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed license for the export of defense articles and services to the Kingdom of Saudi Arabia (Transmittal No. DDTC 091-07); to the Committee on Foreign Affairs.

4438. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the 2007 annual report on the Benjamin A. Gilman International Scholarship Program, pursuant to Public Law 106-309, section 304; to the Committee on Foreign Affairs.

4439. A communication from the President of the United States, transmitting an alternative plan for locality pay increase payable to civilian Federal employees covered by the General Schedule (GS) and certain other pay systems in January 2008, pursuant to 5 U.S.C. 5305(a)(3); (H. Doc. No. 110-78); to the Committee on Oversight and Government Reform and ordered to be printed.

4440. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-182, ''Appointment of the Chief Medical Examiner Temporary Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

4441. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-184, ''Real Property Tax Benefits Revision Temporary Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

4442. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-185, ''Closing Temporary Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

4443. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-186, ''Washington Convention Center Authority Advisory Committee Continuity Temporary Amendment Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

4444. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-190, ''Neighborhood Investment Clarification Temporary Amendment Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

4445. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-189, ''Fire Hydrant Inspection, Repair, Maintenance, and Fire Preparedness Temporary Amendment Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

4446. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-188, ''East of the River Hospital Revitalization Tax Exemption Temporary Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

4447. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-187, ''Access to Youth Employment Programs Temporary Amendment Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

4448. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-181, ''Uniform Prudent Management of Institutional Funds Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

4449. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-180, ''District of Columbia Consumer Protection Fund Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

4450. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-179, ''Doubled Fines in Construction or Work Zones Amendment Act of 2007,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

4451. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Board's Performance and Accountability Report for FY 2007, as required by the Government Performance and Results Act and the Accountability of Tax Dollars Act of 2002; to the Committee on Oversight and Government Reform.

4452. A letter from the Chief Human Capital Officer, Department of Energy, transmitting the Department's first of three annual reports on the category rating system, pursuant to 5 U.S.C. 3319(d); to the Committee on Oversight and Government Reform.

4453. A letter from the White House Liaison, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

4454. A letter from the Audit Liason Group, Department of Justice, transmitting the Semiannual Management Report to Congress for April 1, 2007 through November 30, 2007, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

4455. A letter from the Chairman, Farm Credit System Insurance Corporation, transmitting the Corporation's consolidated report addressing the Federal Managers' Financial Integrity Act and the Inspector General Act Amendments of 1978, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

4456. A letter from the Administrator, General Services Administration, transmitting a semiannual report on Office of Inspector General auditing activity, together with a report providing management's perspective on the implementation status of audit recommendations for the period April 1, 2007 through September 30, 2007, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

4457. A letter from the Special Counsel, Office of Special Counsel, transmitting the Office's FY 2007 Performance and Accountability Report; to the Committee on Oversight and Government Reform.

4458. A letter from the President and CEO, Overseas Private Investment Corporation, transmitting the Corporation's annual report in compliance with the Inspector General Act Amendments of 1988; to the Committee on Oversight and Government Reform.

4459. A letter from the Interim Director, Pension Benefits Guaranty Corporation, transmitting the Corporation's Annual Management Report for Fiscal Year 2007, as required under OMB Circular No. A-11, Section

230-3, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

4460. A letter from the Chairman, Postal Regulatory Commission, transmitting the Commission's Semiannual Report for the period of Late June 2007 through September 30, 2007, pursuant to the Inspector General Act of 1978, as amended; to the Committee on Oversight and Government Reform.

4461. A letter from the Assistant Secretary for Fish, Wildlife and Parks, Department of the Interior, transmitting the Department's ''Major'' final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Five Endangered and Two Threatened Mussels in Four Northeast Gulf of Mexico Drainages (RIN: 1018-AU87) received November 2, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4462. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish, Crab, Salmon, and Scallop Fisheries of the Bering Sea and Aleutian Islands Management Area and Gulf of Alaska, Essential Fish Habitat Rule Correction [Docket No. 0612242862-7534-03; I.D. 013006I] (RIN: 0648-AU93) received November 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4463. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Monkfish Fishery; Framework Adjustment 4 [Docket No. 0612243159-7456-03; I.D. 020507A] (RIN: 0648-AU34) received October 9, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4464. A letter from the Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Extension of Effective Date of Gulf Red Snapper Management Measures [Docket No. 0612243157-7522-05; I.D. 112006B] (RIN: 0648-AT87) received October 9, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4465. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Procedures for Designating Classes of Employees as Members of the Special Exposure Cohort Under the Energy Employees Occupational Illness Compensation Program Act of 2000; Amendments (RIN: 0920-AA13) received December 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4466. A letter from the Assistant Secretary of the Army for Civil Works, Department of Defense, transmitting the St. Clair River and Lake St. Clair, Michigan, Comprehensive Management Plan; to the Committee on Transportation and Infrastructure.

4467. A letter from the Assistant Secretary of the Army for Civil Works, Department of Defense, transmitting the Department's report on the technical evaluation of the three different approaches specified in Pub. L. 110-28, Sec. 4303; to the Committee on Transportation and Infrastructure.

4468. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Hawaii Superferry Arrival/Departure, Nawiliwili Harbor, Kauai, Hawaii [Docket No. USCG-2007-29153] (RIN: 1625-AA87) received December 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4469. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Sacramento River, Rio Vista, CA [Docket No. CGD11-07-014] received December 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4470. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Upper Mississippi River, Clinton, IA [CGD08-07-026] (RIN: 1625-AA09) received December 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4471. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation, Gulf Intracoastal Waterway, Belle Chasse, Louisiana. [CGD08-07-024] received December 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4472. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Atlantic Intracoastal Waterway (AIWW), at Scotts Hill, NC [CGD05-07-095] received December 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4473. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Lake Champlain, North Hero and Grand Isle, VT [CGD01-07-135] received December 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4474. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operating Regulations; Gulf Intracoastal Waterway, Morgan City to Port Allen Alternate Route, Lower Grand River, Bayou Sorrel, Louisiana [CGD08-07-035] received December 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4475. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Kennebec River, Bath and Woolwich, ME [CGD01-07-152] received December 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4476. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Rigolets Pass, Mile 6.2, between Orleans and St. Tammany Parishes, LA. [CGD08-07-031] (RIN: 1625-AA09) received December 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4477. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Taunton River, Fall River and Somerset, MA [CGD01-07-148] received December 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4478. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Tchefuncta River, Madisonville, LA. [CGD08-07-037] received December 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4479. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Bonfouca Bayou, Slidell, LA. [CGD08-07-034] received December 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4480. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Gulf Intracoastal Waterway (GIWW), mile 49.8 near Houma, Lafourche Parish, Louisiana. [CGD08-07-039] received December 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4481. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Gowanus Canal, Brooklyn, NY [CGD01-07-130] (RIN: 1625-AA09) received December 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4482. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Milhomme Bayou, Stephensville, LA. [Docket No. CGD08-07-022] received December 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4483. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Sabine River (Old Channel) behind Orange Harbor Island, Orange, TX [CGD08-07-040] (RIN: 1625-AA09) received December 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4484. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operating Regulations; Sabine Lake, near Sabine Pass, Port Arthur, Texas [CGD08-07-043] received December 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4485. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Atlantic Intracoastal Waterway, Mile 1134, Key Largo, FL [Docket No. CGD07-07-252] (RIN: 1625-AA09) received December 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4486. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Cheesequake Creek, Morgan, NJ [CGD01-07-158] received December 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4487. A letter from the Chief, Regulations and Administrative Law, Department of

Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Ouachita River, Louisiana [CGD08-07-020] (RIN: 1625-AA09) received December 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4488. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Liberty Bayou, Slidell, LA. [CGD08-07-032] received December 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4489. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Raccoon Creek, at Bridgeport, NJ [CGD05-07-109] received December 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4490. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Atlantic Intracoastal Waterway, New Smyrna Beach, Volusia County, FL [Docket No. CGD07-07-251] received December 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4491. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Tar River, Washington, NC [CGD05-07-107] received December 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4492. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Kotzebue, AK [Docket No. FAA-2007-28146; Airspace Docket No. 07-AAL-07] received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4493. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Fire Penetration Resistance of Thermal/Acoustic Insulation Installed on Transport Category Airplanes [Docket No. FAA-2006-24277; Amendment No. 121-330] (RIN: 2120-AI75) received October 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4494. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-9-10, -20, -30, -40, and -50 Series Airplanes; Model DC-9-81 (MD-81), -82 (MD-82), -83, (MD-83), and -87 (MD-87) Airplanes; and Model MD-88 Airplanes [Docket No. 2003-NM-198-AD; Amendment 39-15176; AD 2007-17-18] (RIN: 2120-AA64) received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4495. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model MD-90-30 Airplanes [Docket No. 2003-NM-194-AD; Amendment 39-15177; AD 2007-17-19] (RIN: 2120-AA64) received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4496. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 Series Airplanes [Docket No. FAA-2007-28379; Directorate Identifier 2007-NM-077-AD; Amendment 39-15182; AD 2007-18-02] (RIN: 2120-AA64) received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4497. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135BJ Airplanes [Docket No. FAA-2007-28158; Directorate Identifier 2007-NM-018-AD; Amendment 39-15168; AD 2007-17-10] (RIN: 2120-AA64) received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4498. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model 717-200 Airplanes [Docket No. FAA-2007-28282; Directorate Identifier 2007-NM-068-AD; Amendment 39-15169; AD 2007-17-11] (RIN: 2120-AA64) received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4499. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 777 Airplanes [Docket No. FAA-2006-24270; Directorate Identifier 2005-NM-200-AD; Amendment 39-15170; AD 2007-17-12] (RIN: 2120-AA64) received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4500. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-100, -200B, -200C, and -200F Series Airplanes [Docket No. FAA-2007-28257; Directorate Identifier 2007-NM-034-AD; Amendment 39-15171; AD 2007-17-13] (RIN: 2120-AA64) received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4501. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pacific Aerospace Limited Model 750XL Airplanes [Docket No. FAA-2007-28436 Directorate Identifier 2007-CE-055-AD; Amendment 39-15178; AD 2007-17-20] (RIN: 2120-AA64) received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4502. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A321 Airplanes [Docket No. FAA-2007-28358; Directorate Identifier 2007-NM-019-AD; Amendment 39-15172; AD 2007-17-14] (RIN: 2120-AA64) received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4503. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 Series Airplanes [Docket No. FAA-2007-28300; Directorate Identifier 2006-NM-292-AD; Amendment 39-15173; AD 2007-17-15] (RIN: 2120-AA64) received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4504. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Lady Lake, FL [Docket No. FAA-2007-28549; Airspace Docket No. 07-ASO-15] received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4505. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Live Oak, FL [Docket No. FAA-2007-28102; Airspace Docket No. 07-ASO-8] received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4506. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Winfield, FL [Docket No. FAA-2007-28554; Airspace Docket No. 07-ASO-13] received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4507. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Gainesville, FL [Docket No. FAA-2007-28548; Airspace Docket No. 07-ASO-14] received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4508. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Forest Hill, MD [Docket No. FAA-2006-24320; Airspace Docket No. 06-AEA-13] received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4509. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Removal of Class D and E Airspace; Utica, NY Amendment of Class D and E Airspace; Rome, NY Establishment of Class E Airspace; Rome, NY [Docket No. FAA-2007-28559; Airspace Docket No. 07-AEA-03] received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4510. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — High-Intensity Radiated Fields (HIRF) Protection for Aircraft Electrical and Electronic Systems [Docket No. FAA-2006-23657; Amendment Nos. 23-57, 25-122, 27-42, and 29-49] (RIN: 2120-AI06) received October 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4511. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Fort Yukon, AK [Docket No. FAA-2007-28145; Airspace Docket No. 07-AAL-06] received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4512. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Removal of Class E Airspace; Columbus, GA [Docket No. FAA-2007-28669; Airspace Docket No. 07-ASO-18] received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4513. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Everett, WA [Docket No. FAA-2007-27374; Airspace Docket No. 07-ANM-2] received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4514. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Centreville, AL; Correction [Docket No. FAA-2007-28022; Airspace Docket No. 07-ASO-7] received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4515. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Hoquiam, WA [Docket No. FAA-2006-25788; Airspace Docket No. 06-ANM-9] received December 5, 2007, pursuant

to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4516. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airspace Designations; Incorporation By Reference [Docket No. 29334; Amendment No. 71-39] received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4517. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Hailey, ID [Docket No. FAA-2007-27911; Airspace Docket No. 07-ANM-8] received December 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4518. A letter from the Director of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule — Reasonable Charges for Medical Care or Services (RIN: 2900-AM35) received December 3, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

4519. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Tier 1 — Domestic Production Deduction (DPD) [LMSB-Control Number: LMSB-04-0707-049] received December 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4520. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Industry Overview Series Trucking Industry [LMSB Control Number: LMSB-04-1107-075] received December 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4521. A letter from the Deputy Secretary, Department of Defense, transmitting the Department's report on potential furloughs within the Department of the Army, the Marine Corps, and the Combatant Commands, pursuant to 10 U.S.C. 1597(e); (H. Doc. No. 110—79); jointly to the Committees on Armed Services and Appropriations, and ordered to be printed.

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. THOMPSON of Mississippi: Committee on Homeland Security. H.R. 1413. A bill to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to address vulnerabilities in aviation security by carrying out a pilot program to screen airport workers with access to secure and sterile areas of airports; with amendments (Rept. 110–482). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 123. A bill to authorize appropriations for the San Gabriel Basin Restoration Fund; with an amendment (Rept. 110–483). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 3739. A bill to amend the Arizona Water Settlements Act to modify the requirements for the statement of findings (Rept. 110–484). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 2601. A bill to extend the authority of the Federal Trade Commission to collect fees to administer and enforce the provisions relating to the ''Do-not-call'' registry of the Telemarketing Sales Rule; with an amendment (Rept. 110–485). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 3541. A bill to amend the ''Do-not-call'' Implementation Act to eliminate the automatic removal of telephone numbers registered on the Federal ''do-not-call'' registry; with an amendment (Rept. 110–486). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Florida: Committee on Rules. House Resolution 859. Resolution providing for consideration of the conference report to accompany the bill (H.R. 2082) to authorize appropriations for fiscal year 2008 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. 110–487). Referred to the House Calendar.

Ms. CASTOR: Committee on Rules. House Resolution 860. Resolution providing for consideration of the conference report to accompany 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 (Rept. 110–488). Referred to the House Calendar.

Mr. CARDOZA: Committee on Rules. House Resolution 861. Resolution providing for consideration of the bill (H.R. 4351) to amend the Internal Revenue Code to provide individuals temporary relief from the alternative minimum tax, and for other purposes (Rept. 110–489). Referred to the House Calendar.

Mr. ARCURI: Committee on Rules. House Resolution 862. Resolution providing for consideration of the bill (H.R. 4299) to extend the Terrorism Insurance Program of the Department of the Treasury, and for other purposes (Rept. 110–490). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. OBERSTAR (for himself, Mr. MICA, Mr. COSTELLO, Mr. PETRI, Ms. CORRINE BROWN of Florida, Mr. HAYES, Mr. HINOJOSA, and Mr. CUMMINGS):

H.R. 4343. A bill to amend title 49, United States Code, to modify age standards for pilots engaged in commercial aviation operations; to the Committee on Transportation and Infrastructure. considered and passed.

By Mr. WALBERG (for himself, Mr. MCKEON, Mr. EHLERS, Mr. KLINE of Minnesota, Mr. BOUSTANY, Mr. LUCAS, and Mr. PRICE of Georgia):

H.R. 4344. A bill to amend section 435(o) of the Higher Education Act of 1965 regarding the definition of economic hardship; to the Committee on Education and Labor.

By Mr. TIM MURPHY of Pennsylvania:

H.R. 4345. A bill to extend the suspension of duty on Bayowet FT-248; to the Committee on Ways and Means.

By Mr. TIM MURPHY of Pennsylvania:

H.R. 4346. A bill to extend the suspension of duty on Thionyl chloride; to the Committee on Ways and Means.

By Mr. TIM MURPHY of Pennsylvania:

H.R. 4347. A bill to extend the suspension of duty on Baypure DS; to the Committee on Ways and Means.

By Mr. TIM MURPHY of Pennsylvania:

H.R. 4348. A bill to extend the suspension of duty on Bayowet C4; to the Committee on Ways and Means.

By Mr. TIM MURPHY of Pennsylvania:

H.R. 4349. A bill to extend the temporary suspension of duty on Disflamoll TOF; to the Committee on Ways and Means.

By Mr. TIM MURPHY of Pennsylvania:

H.R. 4350. A bill to extend the temporary suspension of duty on Disflamoll DPK; to the Committee on Ways and Means.

By Mr. RANGEL:

H.R. 4351. A bill to amend the Internal Revenue Code of 1986 to provide individuals temporary relief from the alternative minimum tax, and for other purposes; to the Committee on Ways and Means.

By Mr. TOWNS:

H.R. 4352. A bill to provide $30,000,000 in funding to the Department of Education to provide assistance to public school districts for the prevention of drug resistant infections; to the Committee on Education and Labor, 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 Mrs. CUBIN (for herself and Mr. REHBERG):

H.R. 4353. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to make certain technical corrections; to the Committee on Natural Resources.

By Mr. DENT:

H.R. 4354. A bill to suspend temporarily the duty on Ancamine 2432 Curing Agent; to the Committee on Ways and Means.

By Mr. BOOZMAN (for himself, Mr. ROSS, and Mr. KUHL of New York):

H.R. 4355. A bill to impose a moratorium on certain Medicaid payment restrictions; to the Committee on Energy and Commerce.

By Mr. WILSON of South Carolina:

H.R. 4356. A bill to suspend temporarily the duty on 4,4-Diaminostilbene-2,2-Disulphonic; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4357. A bill to extend the temporary suspension of duty on 1,4-Benzenedicarboxylic acid, polymer with N,N'-bis(2-aminoethyl)-1,2-ethanediamine, cyclized, methosulfate; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4358. A bill to extend the temporary suspension of duty on Formaldehyde, reaction products with 1,4-benzenediol and m-phenylenediamine, sulfurized; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4359. A bill to extend the temporary suspension of duty on Reduced Vat Blue 43; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4360. A bill to extend the temporary suspension of duty on Sulfur Black 1; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4361. A bill to extend the temporary suspension of duty on Cyanuric chloride; to the Committee on Ways and Means.

By Mr. BAIRD:

H.R. 4362. A bill to clarify the temporary suspension of duty on 9, 10-Anthracenedione; to the Committee on Ways and Means.

By Mr. BAIRD:

H.R. 4363. A bill to extend the temporary suspension of duty on 9, 10-Anthracenedione, 2 pentyl-; to the Committee on Ways and Means.

By Mr. BAIRD:

H.R. 4364. A bill to extend the temporary suspension of duty on certain magnesium peroxide; to the Committee on Ways and Means.

By Mr. BAKER:

H.R. 4365. A bill to extend the suspension of duty on DEMBB; to the Committee on Ways and Means.

By Mr. BAKER:

H.R. 4366. A bill to extend the suspension of duty on Mesotrione; to the Committee on Ways and Means.

By Mr. BARRETT of South Carolina (for himself, Mr. INGLIS of South Carolina, Mr. BROWN of South Carolina, Mr. WILSON of South Carolina, and Mr. SPRATT):

H.R. 4367. A bill to name the Department of Veterans Affairs outpatient clinic in Aiken, South Carolina, as the ''Matthew V. Dillon Department of Veterans Affairs Outpatient Clinic''; to the Committee on Veterans' Affairs.

By Mr. BARTON of Texas (for himself and Mr. BOUCHER):

H.R. 4368. A bill to amend the Internal Revenue Code of 1986 to provide special disposition rules for unused benefits in flexible spending arrangements of individuals called to active duty; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4369. A bill to extend the temporary suspension of duty on diphenyl sulfide; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4370. A bill to extend the temporary suspension of duty on 4,4-Dimethoxy-2-butanone; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4371. A bill to extend the temporary suspension of duty on 3-Amino-5-mercapto-1,2,4-triazole; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4372. A bill to extend and modify the temporary suspension of duty on ADTP; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4373. A bill to extend and modify the temporary suspension of duty on Cyhalofop; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4374. A bill to extend the temporary suspension of duty on 2-Phenylphenol sodium salt; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4375. A bill to extend and modify the temporary suspension of duty on 2-Cyanopyridine; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4376. A bill to extend the suspension of duty on Styrene, ar-ethyl-, polymer with divinylbenzene and styrene beads with low ash; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4377. A bill to extend the temporary suspension of duty on Benfluralin; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4378. A bill to extend the temporary suspension of duty on DMDS; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4379. A bill to extend the temporary suspension of duty on 1,3-Dimethyl-2-imidazolidinone; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4380. A bill to extend the temporary suspension of duty on DCBTF; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4381. A bill to extend the temporary suspension of duty on mixtures of fungicide; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4382. A bill to extend the temporary suspension of duty on MCPA ester; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4383. A bill to extend the temporary suspension of duty on MCPA acid; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4384. A bill to extend the temporary suspension of duty on Halofenozide; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4385. A bill to extend the temporary suspension of duty on isoxaben; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4386. A bill to extend the temporary suspension of duty on Fenbuconazole; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4387. A bill to extend the temporary suspension of duty on Ethalfluralin; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4388. A bill to extend the temporary suspension of duty on Tebufenozide; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4389. A bill to extend the temporary suspension of duty on Quintec; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4390. A bill to extend the temporary suspension of duty on Quinoline; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4391. A bill to extend the temporary suspension of duty on Propiconazole; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4392. A bill to extend and modify the temporary suspension of duty on Myclobutanil; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4393. A bill to extend and modify the temporary suspension of duty on Methoxyfenozide; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4394. A bill to extend the temporary suspension of duty on mixed isomers of 1,3-dichloropropene; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4395. A bill to extend and modify the temporary suspension of duty on Trifluralin; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4396. A bill to extend the temporary suspension of duty on 1,2-Benzisothiazol-3(2H)-one (9Cl); to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4397. A bill to extend the temporary suspension of duty on -Bromo- -nitrostyrene; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4398. A bill to amend the Harmonized Tariff Schedule of the United States to clarify and extend the temporary duty reduction on cellulose nitrate; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4399. A bill to extend the temporary suspension of duty on mixtures of insecticide; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4400. A bill to extend the temporary suspension of duty on diiodomethyl-p-tolylsulfone; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4401. A bill to extend the temporary suspension of duty on 2-Propenoic acid, polymer; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4402. A bill to extend the temporary suspension of duty on methyl hydroxyethyl cellulose; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4403. A bill to extend the temporary duty suspension on methyl hydroxyethyl cellulose products; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4404. A bill to extend the temporary suspension of duty on 1,2-Benzenedicarboxaldehyde; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4405. A bill to extend the temporary suspension of duty on 2-Phenylphenol; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4406. A bill to extend the temporary suspension of duty on 3, 4-Dichlorobenzonitrile; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4407. A bill to extend the temporary suspension of duty on DEPCT; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4408. A bill to extend the temporary suspension of duty on 2,6-Dichloroaniline; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4409. A bill to suspend temporarily the duty on Dimethyl Malonate; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 4410. A bill to suspend temporarily the duty on Tebuthiuron; to the Committee on Ways and Means.

By Mr. CAMP of Michigan:

H.R. 4411. A bill to suspend temporarily the duty on shield asy-steering gear; to the Committee on Ways and Means.

By Mr. CAMP of Michigan:

H.R. 4412. A bill to suspend temporarily the duty on hydraulic control units; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4413. A bill to suspend temporarily the duty on certain synthetic staple fibers that are not carded, combed, or otherwise processed for spinning; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4414. A bill to suspend temporarily the duty on certain synthetic staple fibers that are not carded, combed, or otherwise processed for spinning; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4415. A bill to suspend temporarily the duty on certain synthetic staple fibers that are not carded, combed, or otherwise processed for spinning; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4416. A bill to suspend temporarily the duty on certain synthetic staple fibers that are not carded, combed, or otherwise processed for spinning; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4417. A bill to suspend temporarily the duty on certain synthetic staple fibers that are not carded, combed, or otherwise processed for spinning; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4418. A bill to suspend temporarily the duty on certain synthetic staple fibers that are not carded, combed, or otherwise processed for spinning; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4419. A bill to suspend temporarily the duty on certain synthetic staple fibers that are not carded, combed, or otherwise processed for spinning; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4420. A bill to suspend temporarily the duty on 2,4-Diamino-3-[4-(2-

sulfoxyethylsulfonyl)-phenylazo]-5-[4-(2 sulfoxyethyl sulfonyl)-2-sulfophenylazo]-benzenesulfonic acid potassium sodium salt; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4421. A bill to extend the suspension of duty on 1-(3H)-Isobenzofuranone, 3,3-bis(2-methyl-1-octyl-1H-indol-3-yl)-; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4422. A bill to extend the suspension of duty on 2-methyl-4,6-bis[(octylthio)methyl]phenol; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4423. A bill to extend the suspension of duty on 2-Methyl-1-[4-(methylthio)phenyl]-2-(4-morpholinyl)-1- propanone; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4424. A bill to extend the suspension of duty on 2,2 -(2,5-Thiophenediyl)bis(5-(1,1-dimethylethyl) benzoxazole); to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4425. A bill to suspend temporarily the duty on certain synthetic staple fibers that are not carded, combed, or otherwise processed for spinning; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4426. A bill to suspend temporarily the duty on certain synthetic staple fibers that are not carded, combed, or otherwise processed for spinning; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4427. A bill to suspend temporarily the duty on certain synthetic staple fibers that are not carded, combed, or otherwise processed for spinning; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4428. A bill to suspend temporarily the duty on certain synthetic staple fibers that are not carded, combed, or otherwise processed for spinning; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4429. A bill to extend the suspension of duty on Reactive Black 5; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4430. A bill to extend the suspension of duty on a certain chemical; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4431. A bill to extend the suspension of duty on a certain chemical; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4432. A bill to extend the suspension of duty on a certain chemical; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4433. A bill to suspend temporarily the duty on acrylic or modacrylic synthetic filament tow; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4434. A bill to suspend temporarily the duty on acrylic or modacrylic synthetic filament tow; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4435. A bill to suspend temporarily the duty on acrylic or modacrylic synthetic filament tow; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4436. A bill to suspend temporarily the duty on certain synthetic staple fibers that are not carded, combed, or otherwise processed for spinning; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4437. A bill to suspend temporarily the duty on certain synthetic staple fibers that are not carded, combed, or otherwise processed for spinning; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4438. A bill to suspend temporarily the duty on certain synthetic staple fibers that are not carded, combed, or otherwise processed for spinning; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4439. A bill to suspend temporarily the duty on acrylic or modacrylic synthetic filament tow; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4440. A bill to suspend temporarily the duty on synthetic staple fibers not carded, combed, or otherwise processed for spinning; to the Committee on Ways and Means.

By Mr. HOLDEN:

H.R. 4441. A bill to suspend temporarily the duty on MDA50; to the Committee on Ways and Means.

By Mr. HOLDEN:

H.R. 4442. A bill to suspend temporarily the duty on Nourybond 276 Modifier; to the Committee on Ways and Means.

By Mr. HOLDEN:

H.R. 4443. A bill to suspend temporarily the duty on 11-Aminoundecanoic Acid; to the Committee on Ways and Means.

By Mr. LEWIS of Kentucky:

H.R. 4444. A bill to suspend temporarily the duty on Polycaprolactone Acrylate; to the Committee on Ways and Means.

By Mr. LEWIS of Kentucky:

H.R. 4445. A bill to suspend temporarily the duty on Polycaprolactone Diol #1; to the Committee on Ways and Means.

By Mr. LEWIS of Kentucky:

H.R. 4446. A bill to suspend temporarily the duty on Polycaprolactone Triol; to the Committee on Ways and Means.

By Mr. LEWIS of Kentucky:

H.R. 4447. A bill to suspend temporarily the duty on Polycaprolactone Diol #2; to the Committee on Ways and Means.

By Mr. OLVER:

H.R. 4448. A bill to suspend temporarily the duty on capacitor grade homopolymer polypropylene resin in primary form; to the Committee on Ways and Means.

By Mr. PAYNE (for himself and Mr. SOUDER):

H.R. 4449. A bill to aid and support pediatric involvement in reading and education; to the Committee on Education and Labor.

By Ms. SOLIS (for herself and Mrs. BONO):

H.R. 4450. A bill to improve and enhance research and programs on cancer survivorship, and for other purposes; to the Committee on Energy and Commerce.

By Mr. STEARNS:

H.R. 4451. A bill to amend the Public Health Service Act to establish a competitive grant program for research on preventing, treating, and finding the cure for Methicillin Resistant Staphylococcus Aureus; to the Committee on Energy and Commerce.

By Mr. THORNBERRY:

H.R. 4452. A bill to amend title XVIII of the Social Security Act to restore State authority to waive the 35-mile rule for designating critical access hospitals under the Medicare Program; to the Committee on Ways and Means.

By Mr. TOWNS (for himself, Mr. WHITFIELD, Ms. BERKLEY, Ms. JACKSON-LEE of Texas, Mr. PORTER, Ms. ROS-LEHTINEN, Mr. WYNN, and Mr. GORDON):

H.R. 4453. A bill to establish a grant to increase enforcement of laws to prohibit underage drinking through social sources, to improve reporting of Federal underage drinking data, to establish grants to increase parental involvement in school-based efforts to reduce underage drinking, and for other purposes; to the Committee on Education and Labor, 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. YARMUTH:

H.R. 4454. A bill to designate the facility of the United States Postal Service located at 3050 Hunsinger Lane in Louisville, Kentucky, as the ''Iraq and Afghanistan Fallen Military Heroes of Louisville Memorial Post Office Building'', in honor of the servicemen and women from Louisville, Kentucky, who died in service during Operation Enduring Freedom and Operation Iraqi Freedom; to the Committee on Oversight and Government Reform.

By Mr. YOUNG of Alaska (for himself and Mr. SAXTON):

H.R. 4455. A bill to authorize the Secretary of the Interior to provide international wildlife management and conservation programs through the Wildlife Without Borders Program in the United States Fish and Wildlife Service, and for other purposes; to the Committee on Natural Resources.

By Mr. BOREN (for himself, Mr. COLE of Oklahoma, Mr. SHULER, Mr. BACA, Mr. KENNEDY, Mr. GRIJALVA, Mr. ROTHMAN, Ms. MCCOLLUM of Minnesota, Mr. WAMP, Ms. HERSETH SANDLIN, Mr. GONZALEZ, Mr. HARE, Mrs. MYRICK, Mr. RANGEL, Mr. CARDOZA, Mr. ENGLISH of Pennsylvania, Mr. HONDA, Mrs. CAPPS, and Ms. SOLIS):

H.J. Res. 68. A joint resolution to acknowledge a long history of official depredations and ill-conceived policies by the United States Government regarding Indian tribes and offer an apology to all Native Peoples on behalf of the United States; to the Committee on Natural Resources.

By Mr. TERRY (for himself, Mr. YOUNG of Alaska, Mr. SHIMKUS, Ms. HOOLEY, Mr. SHAYS, Mr. BOSWELL, Mr. TOM DAVIS of Virginia, Mr. BILBRAY, Mr. KING of Iowa, Mr. POE, Mr. COOPER, Mr. WELCH of Vermont, Mr. HILL, Mr. SMITH of Nebraska, Mr. FORTENBERRY, Ms. FOXX, Mr. HENSARLING, Mr. BLUMENAUER, Mrs. JONES of Ohio, Mr. WESTMORELAND, Mr. MICA, Mr. JORDAN, Mr. GILCHREST, Mr. LAMBORN, Mr. MOORE of Kansas, Mr. BRALEY of Iowa, Mr. SESSIONS, Ms. PRYCE of Ohio, Mr. MORAN of Kansas, Mrs. EMERSON, Mr. GRAVES, Mr. TIAHRT, Mr. SALI, Mrs. CUBIN, Mr. MCCOTTER, Mr. BLUNT, Mr. PICKERING, Mr. BOEHNER, Mr. KELLER, Mr. MARCHANT, Mr. TANCREDO, Mr. MCHENRY, Mr. TURNER, Mr. WILSON of South Carolina, Mr. SAXTON, Mr. FERGUSON, Mr. DOYLE, Mr. SULLIVAN, Mr. PORTER, Mr. MCCARTHY of California, Mr. WHITFIELD, Mr. LATHAM, Mr. WALDEN of Oregon, Mr. BURTON of Indiana, Mr. BOUCHER, Mrs. MYRICK, Mr. DREIER, Mr. CAMPBELL of California, Mr. COHEN, Mr. FORBES, Mr. WELLER, Mr. UPTON, Mr. NEUGEBAUER, Mr. KLINE of Minnesota, Mr. PETRI, Mr. CAMP of Michigan, Mr. KNOLLENBERG, Mr. BROWN of South Carolina, Ms. ROS-LEHTINEN, Mr. MCKEON, Mr. CALVERT, Mr. BARTLETT of Maryland, and Mr. PITTS):

H. Res. 856. A resolution expresses heartfelt sympathy for the victims and families of the shootings in Omaha, Nebraska, on Wednesday, December 5, 2007; to the Committee on Oversight and Government Reform.

By Ms. SHEA-PORTER:

H. Res. 857. A resolution calling on the Kingdom of Saudi Arabia to take immediate actions to drop all charges against the Saudi rape victim known as the ''Qatif Girl''; to the Committee on Foreign Affairs.

By Mr. ANDREWS (for himself, Mrs. MCCARTHY of New York, Mr. BISHOP of Georgia, and Ms. SUTTON):

H. Res. 858. A resolution supporting the goals and ideals of the National Congenital Heart Defect Awareness Week; to the Committee on Energy and Commerce.

By Mr. BURGESS:

H. Res. 863. A resolution expressing the sense of the House of Representatives that the Medicare physician payment system must be immediately reformed in a long-term manner in order to stabilize Medicare payment to doctors, return equity to the program, and ensure that Medicare patients have access to a doctor of their choice; 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 Ms. CASTOR (for herself, Ms. DELAURO, and Mrs. LOWEY):

H. Res. 864. A resolution condemning Saudi Arabia for sentencing a gang-rape victim to 200 lashes and 6 months in prison and calling for King Abdullah to overturn the verdict; to the Committee on Foreign Affairs.

By Ms. CLARKE (for herself, Mr. ENGEL, Mr. BURTON of Indiana, Ms. JACKSON-LEE of Texas, Mr. RANGEL, Ms. WATERS, Mr. FORTUÑO, Mr. MEEKS of New York, Mr. PAYNE, Mr. FALEOMAVAEGA, Mr. HARE, Ms. MCCOLLUM of Minnesota, Mr. HASTINGS of Florida, Mr. DOGGETT, Mr. MCNULTY, Mr. SIRES, Mr. DAVIS of Illinois, Mr. AL GREEN of Texas, Mr. RUSH, Mr. FATTAH, Mrs. CHRISTENSEN, Mr. ARCURI, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LEE, Mr. TOWNS, Mrs. MALONEY of New York, Mr. ACKERMAN, Ms. WATSON, Ms. LINDA T. SÁNCHEZ of California, Mr. SCOTT of Georgia, Mr. JOHNSON of Georgia, Mr. CROWLEY, and Mr. KLEIN of Florida):

H. Res. 865. A resolution expressing the sense of the House of Representatives that the March 2007 report of the United Nations Office on Drugs and Crime and the International Bank for Reconstruction and Development makes an important contribution to the understanding of the high levels of crime and violence in the Caribbean, and that the United States should work with Caribbean countries to address crime and violence in the region; to the Committee on Foreign Affairs.

By Mr. COBLE:

H. Res. 866. A resolution honoring the brave men and women of the United States Coast Guard whose tireless work, dedication, and commitment to protecting the United States have led to the Coast Guard seizing over 350,000 pounds of cocaine at sea during 2007, far surpassing all of our previous records; to the Committee on Transportation and Infrastructure.

By Mr. GENE GREEN of Texas (for himself, Ms. JACKSON-LEE of Texas, Mr. CULBERSON, Mr. AL GREEN of Texas, Mr. LAMPSON, Mr. POE, and Mr. MCCAUL of Texas):

H. Res. 867. A resolution commending the Houston Dynamo soccer team for winning the 2007 Major League Soccer Cup; to the Committee on Oversight and Government Reform.

By Ms. WOOLSEY:

H. Res. 868. A resolution recognizing the 100th anniversary of the declaration of Muir Woods National Monument by President Theodore Roosevelt; to the Committee on Natural Resources.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

221. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 109 urging the United States Secretary of State to increase efforts to urge the People's Republic of China to halt its violation of the human rights of its citizens, specifically the persecution of and forced harvesting of organs from practitioners of Falun Gong; to the Committee on Foreign Affairs.

222. Also, a memorial of the General Assembly of the State of Ohio, relative to Senate Concurrent Resolution No. 5 urging the Congress of the United States to recognize the significance of the eastern states, including Ohio, in the preparation for, and return of, the Lewis and Clark Expedition by enacting legislation extending the Lewis and Clark National Historic Trail east to its origin at Monticello; to the Committee on Natural Resources.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. TERRY introduced a bill (H.R. 4456) for the relief of Luis A. Gonzalez and Virginia Aguilla Gonzalez; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 21: Mr. SESTAK.
H.R. 39: Mr. CHANDLER.
H.R. 158: Mr. BAKER.
H.R. 160: Mr. BAKER and Mr. LANGEVIN.
H.R. 241: Mr. SOUDER and Mr. HENSARLING.
H.R. 261: Mr. JOHNSON of Georgia.
H.R. 471: Mr. SESTAK.
H.R. 549: Mr. WALDEN of Oregon.
H.R. 583: Mr. HASTINGS of Florida.
H.R. 621: Mr. FILNER.
H.R. 676: Mr. BISHOP of Georgia.
H.R. 677: Mr. SARBANES.
H.R. 770: Mr. FILNER.
H.R. 854: Mrs. NAPOLITANO and Mr. SIRES.
H.R. 940: Mr. MCCOTTER.
H.R. 971: Mr. DEFAZIO.
H.R. 997: Mr. BARTLETT of Maryland.
H.R. 1043: Mr. ARCURI.
H.R. 1055: Mr. WELCH of Vermont.
H.R. 1078: Mrs. TAUSCHER.
H.R. 1108: Mrs. JONES of Ohio, Mr. SCOTT of Virginia, Mr. MCNERNEY, and Ms. MOORE of Wisconsin.
H.R. 1131: Mr. HOLT and Mr. HINCHEY.
H.R. 1198: Mr. SESTAK.
H.R. 1279: Mrs. DAVIS of California and Mr. LANTOS.
H.R. 1283: Mr. DENT.
H.R. 1299: Mr. BAIRD.
H.R. 1394: Mr. SESTAK.
H.R. 1461: Mr. SESTAK.
H.R. 1497: Mr. ROTHMAN and Mr. SIRES.
H.R. 1527: Mr. NEUGEBAUER.
H.R. 1537: Mr. REYNOLDS.
H.R. 1576: Mr. LANGEVIN, Mr. KAGEN, Mr. SPACE, Mr. MARSHALL, and Mr. UPTON.
H.R. 1609: Mr. DUNCAN and Mr. CARTER.
H.R. 1665: Ms. JACKSON-LEE of Texas, Mrs. WILSON of New Mexico, Mr. PORTER, and Mr. FILNER.
H.R. 1671: Mr. PAYNE.
H.R. 1738: Mr. GONZALEZ, Ms. DEGETTE, and Mr. WEXLER.
H.R. 1742: Mrs. MYRICK.
H.R. 1776: Ms. DELAURO.
H.R. 1809: Mr. FATTAH.
H.R. 1831: Mr. WEXLER.
H.R. 1866: Mr. BOUCHER.
H.R. 1881: Mr. HALL of New York.
H.R. 1981: Mr. SULLIVAN.
H.R. 1983: Mr. UDALL of New Mexico.
H.R. 1992: Mrs. MCCARTHY of New York and Mrs. NAPOLITANO.
H.R. 2046: Mrs. TAUSCHER.
H.R. 2049: Ms. SCHWARTZ.
H.R. 2070: Mr. ROSS, Mr. ROTHMAN, Mr. COHEN, and Mr. JEFFERSON.
H.R. 2074: Ms. WASSERMAN SCHULTZ.
H.R. 2103: Mr. MCDERMOTT and Mr. MANZULLO.
H.R. 2158: Mr. KLINE of Minnesota and Mr. THORNBERRY.
H.R. 2164: Mr. PASTOR.
H.R. 2169: Mr. ANDREWS.
H.R. 2266: Mr. UDALL of New Mexico.
H.R. 2327: Mrs. TAUSCHER.
H.R. 2436: Ms. SUTTON.
H.R. 2464: Mr. MARKEY, Mrs. WILSON of New Mexico, Mr. GONZALEZ, Mr. BOUCHER, and Mrs. NAPOLITANO.
H.R. 2478: Mr. MORAN of Virginia.
H.R. 2548: Mr. ALLEN and Ms. LEE.
H.R. 2578: Mr. NUNES.
H.R. 2585: Mrs. MUSGRAVE.
H.R. 2606: Mr. FILNER, Mr. MEEKS of New York, and Mr. RAHALL.
H.R. 2702: Ms. MATSUI and Mr. MURPHY of Connecticut.
H.R. 2762: Mr. BERRY, Mr. SCOTT of Georgia, Mr. KING of New York, Ms. SCHWARTZ, Mr. CULBERSON, Mr. FORTENBERRY, Ms. LEE, and Mr. SIRES.
H.R. 2802: Mr. WILSON of South Carolina, Mr. KAGEN, and Ms. MOORE of Wisconsin.
H.R. 2807: Mrs. MUSGRAVE.
H.R. 2821: Mr. SALI.
H.R. 2866: Mr. MEEKS of New York.
H.R. 2885: Mr. CASTLE.
H.R. 2923: Mr. MURTHA.
H.R. 2954: Mr. LINDER.
H.R. 2990: Mr. SMITH of Nebraska.
H.R. 2994: Ms. DEGETTE and Mr. TIBERI.
H.R. 3010: Mr. SCOTT of Virginia, Mr. DELAHUNT, Mr. MURTHA, Mr. CONYERS, Mr. WALZ of Minnesota, and Mr. POE.
H.R. 3026: Mr. SESTAK and Mr. COHEN.
H.R. 3085: Mrs. NAPOLITANO.
H.R. 3109: Mr. CAMP of Michigan.
H.R. 3119: Mr. UDALL of New Mexico.
H.R. 3289: Mr. BLUMENAUER and Mr. STARK.
H.R. 3329: Mrs. NAPOLITANO, Ms. MOORE of Wisconsin, and Mr. GUTIERREZ.
H.R. 3339: Mr. MORAN of Virginia.
H.R. 3368: Mrs. TAUSCHER, Mr. HINOJOSA, Mr. WEXLER, Mr. COSTELLO, Ms. ROS-LEHTINEN, Mr. PRICE of North Carolina, and Mr. BRALEY of Iowa.
H.R. 3412: Mr. JORDAN.
H.R. 3419: Mr. MARSHALL, Mr. LANGEVIN, Mr. BLUMENAUER, and Mr. SESTAK.
H.R. 3425: Mrs. TAUSCHER.
H.R. 3448: Ms. DEGETTE.
H.R. 3457: Mr. WYNN.
H.R. 3533: Mr. PAYNE, Mrs. NAPOLITANO, Ms. BEAN, and Mr. BOUCHER.
H.R. 3543: Mr. COHEN.
H.R. 3610: Mr. DELAHUNT.
H.R. 3616: Mr. BAIRD.
H.R. 3634: Mrs. BOYDA of Kansas.
H.R. 3636: Ms. DEGETTE.
H.R. 3637: Mr. HODES.
H.R. 3654: Mr. CAMPBELL of California, Mr. PORTER, Mr. HUNTER, and Mr. WESTMORELAND.
H.R. 3660: Mr. MORAN of Virginia, Mr. BOREN, Mr. WYNN, Mr. ALLEN, and Mrs. DRAKE.

H.R. 3663: Mr. KUCINICH, Mr. LIPINSKI, Mrs. DAVIS of California, Mr. BAIRD, and Mr. BISHOP of New York.
H.R. 3679: Ms. SCHAKOWSKY.
H.R. 3733: Mr. COHEN and Mr. MORAN of Virginia.
H.R. 3737: Mr. WELCH of Vermont.
H.R. 3750: Mr. ROSS.
H.R. 3762: Mr. HONDA.
H.R. 3783: Mr. UDALL of Colorado.
H.R. 3793: Mr. KING of New York, Mrs. MYRICK, and Mr. PEARCE.
H.R. 3829: Mr. CLAY and Mr. FARR.
H.R. 3876: Mr. GEORGE MILLER of California.
H.R. 3892: Mr. FILNER.
H.R. 3908: Mr. WILSON of South Carolina.
H.R. 3934: Mr. PASCRELL, Mr. BROWN of South Carolina, and Mr. ORTIZ.
H.R. 3968: Mr. FILNER.
H.R. 3980: Mr. GUTIERREZ and Mr. ELLISON.
H.R. 3981: Mr. KENNEDY, Mr. SERRANO, Mrs. CHRISTENSEN, and Mr. LEVIN.
H.R. 3995: Ms. WOOLSEY and Mr. ETHERIDGE.
H.R. 4011: Mr. UDALL of New Mexico and Mr. SALAZAR.
H.R. 4040: Mr. HONDA, Mr. BOUCHER, Mr. FORTENBERRY, Ms. RICHARDSON, Mr. HARE, Ms. CLARKE, Mr. COURTNEY, and Mr. SARBANES.
H.R. 4055: Mrs. TAUSCHER and Mr. MORAN of Virginia.
H.R. 4083: Mrs. CAPPS and Ms. DEGETTE.
H.R. 4088: Mrs. CUBIN, Mrs. EMERSON, and Mr. WOLF.
H.R. 4091: Mr. BLUMENAUER, Mr. KAGEN, and Mr. COHEN.
H.R. 4105: Mr. LATHAM, Ms. ROYBAL-ALLARD, Mr. CARDOZA, Mr. OBERSTAR, Mr. MURTHA, and Mr. NADLER.
H.R. 4107: Mrs. NAPOLITANO.
H.R. 4129: Ms. DELAURO and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 4133: Mr. PAUL, Mr. FERGUSON, Mr. RENZI, Mr. GOHMERT, and Mr. WAMP.
H.R. 4152: Mr. SCOTT of Georgia, Mr. SHAYS, Mr. COHEN, and Ms. DEGETTE.
H.R. 4157: Mr. LINDER, Mr. WAMP, and Mr. TERRY.
H.R. 4173: Mrs. CHRISTENSEN.
H.R. 4185: Mrs. DAVIS of California, Mr. HONDA, Mr. LANTOS, Ms. LINDA T. SÁNCHEZ of California, and Mr. SHERMAN.
H.R. 4203; Mr. LEWIS of Georgia, Mr. SCOTT of Georgia, Mr. MARSHALL, Mr. LINDER, and Mr. DEAL of Georgia.
H.R. 4204: Mr. SERRANO, Mrs. NAPOLITANO, and Mr. COHEN.
H.R. 4220: Mr. EHLERS, Mr. BLUMENAUER, and Mr. SOUDER.
H.R. 4226: Mr. SHAYS.
H.R. 4230: Mr. UDALL of New Mexico, Mrs. CAPPS, Mr. DEFAZIO, Mr. TOWNS, Mr. GRIJALVA, Ms. WOOLSEY, and Ms. DEGETTE.
H.R. 4247: Mr. PRICE of North Carolina and Mr. THOMPSON of Mississippi.
H.R. 4248: Ms. ROS-LEHTINEN and Mr. RAHALL.
H.R. 4280: Mrs. TAUSCHER.
H.R. 4287: Mr. STARK and Mr. COHEN.
H.R. 4296: Mrs. TAUSCHER, Mr. HERGER, Mr. COHEN, Mr. CROWLEY, Mr. KIND, and Mr. ALLEN.
H.R. 4312: Mr. JINDAL.
H.J. Res. 54: Mrs. EMERSON, Mr. HERGER, Mr. WEXLER, and Mr. WOLF.
H. Con. Res. 2: Mr. FATTAH, Mr. JEFFERSON, and Mr. RANGEL.
H. Con. Res. 4: Mr. HALL of Texas.
H. Con. Res. 154: Ms. BERKLEY and Mr. LANTOS.
H. Con. Res. 198: Ms. MCCOLLUM of Minnesota and Mr. CLAY.
H. Con. Res. 223: Mr. ABERCROMBIE.
H. Con. Res. 239: Mr. HOEKSTRA and Mr. SENSENBRENNER.
H. Con. Res. 240: Mr. MCCARTHY of California, Mr. SALI, Mr. UDALL of Colorado, Mr. CONAWAY, Mr. KLINE of Minnesota, Mr. PATRICK MURPHY of Pennsylvania, Mr. PAYNE, Mr. SNYDER, Mr. JONES of North Carolina, Mr. KUHL of New York, Mrs. MCMORRIS RODGERS, and Mr. MCCOTTER.
H. Con. Res. 253: Ms. LORETTA SANCHEZ of California and Mrs. NAPOLITANO.
H. Con. Res. 257: Mr. BURTON of Indiana, Mr. Fortuño, and Mr. POE.
H. Con. Res. 261: Mr. HAYES, Ms. BORDALLO, and Mr. COURTNEY.
H. Con. Res. 264: Mr. HINOJOSA and Ms. BORDALLO.
H. Con. Res. 265: Mr. ROTHMAN, Mr. HONDA, and Mr. NADLER.
H. Con. Res. 267: Mr. HUNTER, Mr. ALEXANDER, Mr. CAPUANO, Mr. MCCAUL of Texas, Mr. BURTON of Indiana, Mr. GOHMERT, Mr. BOOZMAN, Mr. WICKER, Mr. LAMPSON, Mr. TANCREDO, Mr. MANZULLO, Mr. LYNCH, Mr. ROYCE, and Mr. TIERNEY.
H. Res. 49: Mrs. CHRISTENSEN and Mrs. BOYDA of Kansas.
H. Res. 111: Mrs. WILSON of New Mexico.
H. Res. 457: Mr. YOUNG of Alaska.
H. Res. 537: Mr. HASTINGS of Florida and Mr. CONAWAY.
H. Res. 578: Ms. LORETTA SANCHEZ of California, Mr. SHIMKUS, Mr. SCOTT of Georgia, Mrs. SCHMIDT, Mr. BOREN, Mr. CONAWAY, Mr. BUTTERFIELD, Mr. MILLER of Florida, Mrs. MUSGRAVE, Mr. CUELLAR, Mr. CALVERT, Mr. FORBES, and Mr. KUHL of New York.
H. Res. 620: Mr. RYAN of Ohio and Mr. HONDA.
H. Res. 671: Mr. SESTAK.
H. Res. 679: Mr. OLVER.
H. Res. 681: Mr. BOREN.
H. Res. 695: Mr. WU, Mr. MITCHELL, and Mr. GORDON.
H. Res. 700: Mr. WHITFIELD, Mr. BOUSTANY, Mr. SHUSTER, Mr. REICHERT, Mr. KELLER, Mr. BACHUS, Ms. GINNY BROWN-WAITE of Florida, Mr. WEXLER, Mr. BERRY, Mrs. MCMORRIS RODGERS, Mr. MCCAUL of Texas, Mr. WILSON of South Carolina, Mr. MATHESON, and Mr. YOUNG of Alaska.
H. Res. 730: Mrs. MYRICK.
H. Res. 748: Mr. BUYER, Mr. PRICE of Georgia, Mr. HELLER, Mr. COBLE, and Mr. ALEXANDER.
H. Res. 757: Ms. LINDA T. SÁNCHEZ of California.
H. Res. 795: Mr. STARK.
H. Res. 815: Mr. SHERMAN, Mr. LIPINSKI, and Mr. GOODLATTE.
H. Res. 816: Mr. CROWLEY.
H. Res. 821: Mr. MCGOVERN.
H. Res. 835: Mr. ENGLISH of Pennsylvania.
H. Res. 838: Ms. BORDALLO, Mr. BURGESS, Mr. WILSON of Ohio, Mr. MARSHALL, Mr. WOLF, Mr. KING of New York, Mr. KING of Iowa, and Mr. DONNELLY.
H. Res. 841: Mr. STARK.
H. Res. 847: Mr. FORBES and Mr. BURGESS.
H. Res. 853: Mr. HONDA.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. BARNEY FRANK

H.R. 4299, the Terrorism Risk Insurance Program Reauthorization Act of 2007, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

OFFERED BY MR. CHARLES RANGEL

H.R. 4351, the AMT Relief Act of 2007, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

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. 1201: Mr. PICKERING.
H.R. 4193: Mr. CUELLAR.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

197. The SPEAKER presented a petition of the Blacks in Government, relative to a resolution in support of a National Holiday Observance of Juneteenth; to the Committee on Oversight and Government Reform.

198. Also, a petition of the Califonia State Lands Commission, relative to a resolution supporting S. 1870 and H.R. 2421 affirming federal protection for waters of the United States, including wetlands, tributaries, headwaters and streams, through the Clean Water Act; to the Committee on Transportation and Infrastructure.

199. Also, a petition of the California Veterans Board, relative to a resolution in support of mandatory funding for healthcare services for veterans; to the Committee on Veterans' Affairs.

200. Also, a petition of the Board of Commissioners of Cook County, Illinois, relative to a resolution supporting the H-1B and L-1B Visa Fraud and Abuse Prevention Act of 2007; jointly to the Committees on Education and Labor and the Judiciary.

201. Also, a petition of the Iberville Parish Council, Louisiana, relative to Resolution No. 569-07 supporting H.R. 1229, the Non-Market Economy Trade Remedy Act of 2007; jointly to the Committees on Ways and Means and Rules.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, FIRST SESSION

Vol. 153 WASHINGTON, TUESDAY, DECEMBER 11, 2007 No. 189

Senate

The Senate met at 10 a.m. and was called to order by the Honorable SHELDON WHITEHOUSE, a Senator from the State of Rhode Island.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, you are our fortress. You know everything we do and desire justice and humility. You have ordained human government for the good of humanity.

Guide our Senators by the wisdom of Your Word. Deliver them from the pride that leads to shame as they make obeying You their top priority. Remind them of Proverbs 29:2, that ''when the righteous are in authority the people rejoice. But when the wicked rule, the people groan.'' Help our Senators also to remember Your wisdom in Proverbs 29:7, ''a righteous person knows the rights of the poor; a wicked person does not understand such knowledge.''

May the business done in this place conform to Your justice and equity. We ask this in Your Name and for Your glory. Amen.

PLEDGE OF ALLEGIANCE

The Honorable SHELDON WHITEHOUSE 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 assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, December 11, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable SHELDON WHITEHOUSE,

NOTICE

If the 110th Congress, 1st Session, adjourns sine die on or before December 21, 2007, a final issue of the *Congressional Record* for the 110th Congress, 1st Session, will be published on Friday, December 28, 2007, in order to permit Members to revise and extend their remarks.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT–60 or S–123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Thursday, December 27. The final issue will be dated Friday, December 28, 2007, and will be delivered on Wednesday, January 2, 2008.

None of the material printed in the final issue of the *Congressional Record* may contain subject matter, or relate to any event that occurred after the sine die date.

Senators' statements should also be formatted according to the instructions at http://webster/secretary/cong__record.pdf, and submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at ''Record@Sec.Senate.gov''.

Members of the House of Representatives' statements may also be submitted electronically by e-mail, to accompany the signed statement, and formatted according to the instructions for the Extensions of Remarks template at http://clerk.house.gov/forms. The Official Reporters will transmit to GPO the template formatted electronic file only after receipt of, and authentication with, the hard copy, and signed manuscript. Deliver statements to the Official Reporters in Room HT–60.

Members of Congress desiring to purchase reprints of material submitted for inclusion in the *Congressional Record* may do so by contacting the Office of Congressional Publishing Services, at the Government Printing Office, on 512–0224, between the hours of 8:00 a.m. and 4:00 p.m. daily.

By order of the Joint Committee on Printing.

ROBERT A. BRADY, *Chairman.*

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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a Senator from the State of Rhode Island, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. WHITEHOUSE thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

MEASURES PLACED ON THE CALENDAR—S. 2436, S. 2440, S. 2441

Mr. REID. Mr. President, there are three bills at the desk due for a second reading en bloc.

The ACTING PRESIDENT pro tempore. The clerk will read the bills by title for the second time en bloc.

The assistant legislative clerk read as follows:

A bill (S. 2436) to amend the Internal Revenue Code of 1986 to clarify the term of the Commissioner of Internal Revenue.

A bill (S. 2440) to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes.

A bill (S. 2441) to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings with respect to these bills.

The ACTING PRESIDENT pro tempore. Objection is heard. The bills will be placed on the calendar.

SCHEDULE

Mr. REID. Mr. President, we will be in a period of morning business for 1 hour, with the time equally divided as usual, with the Republicans controlling the first half and the majority controlling the final half.

Following morning business, the Senate will resume consideration of the farm bill. There has been tremendously good movement on that. All the Republican amendments have been offered. Five Democratic amendments have been offered. We are going to set up a program for voting on these.

For example, some of the most controversial, the one we thought would be controversial that Senator DOMENICI has offered regarding the renewable fuel program, I think probably we can take that. So I think progress can be made.

We have Senator COBURN who has offered a number of amendments. Senator GREGG has offered a number of amendments. But we can set up a voting schedule for those. I think we have every indication that we can complete this bill before we leave and hopefully have it go to conference.

I have spoken to the Republican leader about the conference. We have an idea of how we can do a conference in this instance. While in some others it could not be done, I think in this instance there is a way we can have a real conference. I hope that is the case.

Under an order entered last night, the Senate will debate the Lugar-Lautenberg amendment for 3 hours. The vote in relation to that will occur sometime after the Senate returns from the caucus recess period today. That will be the first vote today. There could be other votes this afternoon. I will talk to the Republican leader about that. If we cannot schedule more votes this afternoon, we will schedule a load of them in the morning.

A lot of work remains to be done. Members can expect long days as we continue to work toward Christmas, which is 2 weeks from today.

The Senate will recess for the caucus lunch period from 12:30 to 2:15 p.m.

During the next 10 days, we have a lot of work to do. As I have indicated, we are going to try to finish the farm bill. We are going to try to make a significant effort to try to complete our intelligence legislation. We have the AMT which is still pending. Although we have passed it here, we understand the House is going to give us something dealing with that. We have to do our work on that.

We have energy legislation. We are trying to work through that, and we also have our spending. I have had a conversation with the Republican leader this morning on that, and while things do not appear as hopeful as I wish, I am kind of reminded of President Lincoln. If you go to the Lincoln Memorial, you see on the wall the carved words of his second inaugural address, which is so prophetic and so strong, where he talks about both sides are praying to the same God, praying for different results.

You know, I, of course, am confident we are trying to do the right thing on the farm bill, FISA, alternative minimum tax, our spending programs, but I am realistic enough to know there is hopefully some way in between to work all this out. Even though we are all hopeful that our side is right, I have come over the years to learn there is usually some way of working through these things, although this is pretty difficult duty we have now to complete our work in the next few days. I hope we can do that.

As the end of 2007 continues to draw near, we have, as I have indicated, a tremendously busy work period ahead of us. We hope to complete action on the appropriations process which will require the White House, along with House and Senate Republicans, to be responsible and reasonable in the pursuit of common ground.

We will work to complete the Energy bill with the bipartisan compromise that will take our country toward lower energy prices for consumers and a cleaner environment.

We will work to complete FISA legislation to ensure that we have the tools to fight terrorism with fair and, yes, constitutional tools, and pass legislation that will fund this Government. We know we are going to have to do a very short CR, continuing resolution, to keep the Government open. Hopefully that will be for a matter of days and certainly not multiple weeks.

I look forward to some bipartisan progress. I hope that can be done.

DESTRUCTION OF CIA TORTURE TAPES

Mr. REID. Mr. President, I wish to speak this morning about another issue that concerns not just Democrats but members of both parties and our entire country. It is often said that a man has nothing but his reputation, his honor, and his integrity. I believe that to be the case. This is true not just for men but for countries.

In a thousand years, in a hundred years, when historians write the story of these early days of America, they will, of course, write about our great cities, our military and, of course, our economy. But the real story will be of a young Nation, unique among its global peers, because it has stood for liberty and justice, not just with words but with deeds. The true measure of America is our moral authority. Over the past 7 years, that authority has been significantly damaged: the war in Iraq that did not have to be waged; a CIA agent exposed to harm for telling the truth, Valerie Plame; a Justice Department in shambles with Attorney General Gonzales; the treatment of prisoners held up to no standard except the daily whims of a few people, Abu Ghraib, water torture. But now the word is that the CIA destroyed tapes from some of these interrogations. It has been acknowledged that the interrogations were by using water torture, something that originated in 1492 by Queen Isabella and King Ferdinand in the Inquisition. Here it is hundreds and hundreds of years later, and great America has reverted to what took place in the Inquisition.

The damage to our moral authority will matter to history books, but, more importantly, it matters right now. It puts our troops at greater risk if captured, impairs our relationship with nations that ought to be our allies, it impedes our ability to fight an effective war on terror, it creates terrorists.

This latest news of destroyed tapes raises far more questions than we have answers. For example, who is responsible for destroying these tapes? Why? Was something being covered up? The possibility of obstruction of justice is very real. The American people deserve a full accounting for what took place and answers for all of these questions.

Will that eradicate what has gone on over the last 7 years? Of course not. But it will help. Chairman ROCKEFELLER has launched an investigation in the Senate Intelligence Committee. I am happy that the Intelligence Committee has been working on a bipartisan basis. That is good. Senator BOND

has been working with Senator ROCKEFELLER, and they have done what has been good work. There has been very little infighting between them.

The Attorney General of the United States, newly selected, has said he will launch an inquiry. We will see what this inquiry will be. I expect both the Intelligence Committee and the Attorney General of the United States to investigate aggressively the answers to questions regarding this coverup.

But the CIA, the Justice Department, the Bush White House, every American should know that if these investigations encounter resistance or are unable to find the truth, I will not hesitate to add my voice to those calling for a special counsel. For example, this weekend, JOE BIDEN, chairman of the Foreign Relations Committee, called for a special prosecutor. He may be right. I am willing to wait and see what develops before I join in that call.

We must take every step necessary to protect our country's integrity and defend this country's great moral responsibility and authority that we have.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

MOVING FORWARD

Mr. MCCONNELL. Mr. President, let me say I share the view of the majority leader that there is clearly a way forward on the farm bill. We are now making substantial progress and should be able to complete that bill in the near future.

Also I think there is a way to get a Foreign Intelligence Surveillance Act measure out of the Senate that could be signed by the President.

With regard to the remaining efforts here on the spending issues, it is, indeed, hard to understand the complaints we are hearing from the other side on our supposed lack of compromise on spending. We have sought actually compromises all year in dozens of appropriations committee and subcommittee hearings, which is the normal process. But we are now a quarter of the way into the fiscal year. Responsible people understand the time to get the work done is now. As the majority leader indicated, Christmas is 2 weeks from today. We can keep going back and forth with the House maybe endlessly. But that would only further delay our fundamental responsibility of getting these spending bills signed into law.

So what is the way to do it? The way forward: Let's protect the taxpayers' wallets, fund the troops, and end this otherwise unproductive exercise.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business for 60 minutes with the time equally divided and controlled between the two leaders or their designees, with Senators permitted to speak for up to 10 minutes each, with the Republicans controlling the first half and the majority controlling the final half.

The Senator from Texas.

ORDER OF PROCEDURE

Mr. CORNYN. Mr. President, I believe we have two speakers on our side in morning business this morning. I would ask unanimous consent that I be allotted 15 minutes of that, and Senator GRAHAM from South Carolina be allotted the second 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

APPROPRIATIONS

Mr. CORNYN. Mr. President, I come to the floor today to talk about an issue that should be the first priority of this Congress, and that is to fund our troops during a time of war, to make sure they have the funds they need, to have the equipment, to have logistical support and other support they need in order to fight this global war on terrorism.

There have been a lot of rumors circulating around Congress about what the way forward is going to be on the appropriations—I can only call it a mess—that confronts us when only 1 appropriations out of 12 bills has been signed by the President.

Yesterday I heard the reports for the chairman of the House Appropriations Committee, DAVID OBEY, which said he was pulling the proposed omnibus appropriations bill because he was upset with negotiations on that.

He said this—and this is the one part I do agree with—

> I want no linkage whatsoever between domestic [spending] and the war. I want the war to be dealt with totally on its own. We shouldn't be trading off domestic priorities for the war.

I would rephrase that that we should not be doing anything to tie the fate of our troops to wasteful pork projects or excessive Washington spending.

I am glad to see the distinguished majority whip on the floor because I do have a unanimous consent request that I know he will be interested in.

UNANIMOUS-CONSENT REQUEST—S. 2340

I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 484, S. 2340. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid on the table, and that any statements relating to the bill appear at this point in the RECORD.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. DURBIN. Reserving the right to object, I ask unanimous consent that the remarks I am about to make not be taken from the time allotted to the Senator from Texas in terms of morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Reserving the right to object—and I will object to this request—let me say at the outset that what the Senator has asked for is to return to a bill which was considered by the Senate on November 16, 2007. There was a failure of a cloture vote, which is a vote requiring 60 Senators to vote affirmatively before the bill goes forward. The final vote was 45 to 53. In fact, three Republican colleagues of the Senator from Texas joined in opposing that cloture vote. This is a Senate appropriations bill. As the Senator from Texas knows, the Constitution requires that spending bills originate in the House. So the House would either object or ignore this bill or blue slip the bill in a way that would mean that whatever we would do here would not achieve the result asked for by the Senator from Texas.

As of today, we have lost 3,888 American lives in Iraq. The amount of money which we have provided, according to the administration, would allow them to continue the war at least to the end of March and perhaps beyond. So the troops are not without the resources they need. What the Senator from Texas has proposed is an approach which is on its face unconstitutional and has been rejected by the Senate on November 16, including three Republican Senators. For that reason, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. CORNYN. I differ with the distinguished Senator from Illinois. Obviously, the bill that was voted on earlier contained numerous restrictions and deadlines on deployment of our troops in Iraq. For that reason, cloture was denied. It is not that there wasn't support. Indeed, I would hope there would be unanimous support to make sure our troops get the emergency funding they need in order to continue military operations until such time as Congress can appropriate the remainder of the President's request of $196 billion.

It is important to note that this is emergency bridge funding for the troops. While I don't disagree with the distinguished Senator from Illinois that the military can borrow from Peter to pay Paul and move funds around within their budget to avoid disaster up until about mid-February, the fact is, the White House has now warned that 100,000 civilian jobs depend on this emergency funding.

Here is a story from the Army Times dated December 10, 2007, that says the Department of Defense is sending notices of layoffs this week—2 weeks before Christmas—to 100,000 civilian employees warning them, unless Congress

acts, they are going to be out of a job. This is not the way to show our support for the troops. In fact, this is nonsupport for the troops.

It is important to note what is included in this emergency funding that should be voted on today and decoupled from the debate over the Omnibus appropriations bill or any other continuing resolution. Here are the most notable provisions: One, operation and maintenance funding—this finances a broad range of activities, including combat operations, transportation of personnel and equipment, fuel, equipment maintenance, and general base support for our troops.

It also funds the Iraqi security forces and Afghanistan security forces. If we have any hope of bringing our troops home sooner rather than later, it is because we have succeeded in training the Iraqis to take our place, to provide that security so we can bring our troops home as soon as possible. By not providing the funding, we are delaying that prospect, not advancing it.

The third general category is funding for the Joint Improvised Explosive Device Defeat Organization—the Joint IED Defeat Organization—which is dedicated to finding new ways to neutralize the primary threat to our troops in Iraq, which is improvised explosive devices. We ought to be providing the funding for this Joint IED Defeat Organization so they can save the lives and limbs literally of American troops.

This emergency funding being blocked by Senate Democrats would go to repair, replace, and upgrade military equipment. It also provides for military personnel funding, special pay and benefits, including hazardous duty pay for our troops, as well as the Defense Health Program. Those are the categories of items being blocked by today's objection by the Democratic leadership.

I am disappointed by the decision to block this emergency funding for our troops in Iraq. This is the material support we can provide to show our troops we are behind them, regardless of our differences on the war or how the war is being conducted. We see time and time again how this Congress, egged on by special interest groups such as Moveon.org, has been willing to use our troops as part of their political debate. This is particularly appalling when we are the ones who first asked and voted—by a vote of 77 to 21, I believe, 77 affirmatively—for the use of force in Iraq. We are the ones who voted and have the responsibility for authorizing that use of force. For us now to deny the funding they need to foster a situation where money has to be moved around from accounts just to get by and 100,000 civilian employees are being put on notice that they are going to be out of a job unless Congress quits playing a game is simply unsustainable.

Last January, of course, we unanimously confirmed GEN David Petraeus to lead our forces in Iraq. As we all know, there was serious concern about the way the military operations in Iraq were being conducted, and many, if not all, of us called for a new way forward. We unanimously agreed that General Petraeus was the right man for that job. In fact, I am proud to say that vote to support General Petraeus's nomination and that vote of confidence in the new strategy, the so-called surge of forces in operations in Iraq, proved to be a correct one.

General Petraeus, with his counterinsurgency strategy and with the hard work and dedication of our men and women in the military, has brought us closer to a stable Iraq that many had simply given up and thought not possible. Reports are appearing daily in the newspaper and on the electronic media showing that violent attacks continue to decline in Iraq and communities across that country. Reports show people not only feel safer, they are safer. Refugees who have left Iraq to go to Syria and other places to protect their lives and their families are now returning to Iraq because Iraq is safer. Taxi drivers have resumed their old routes in neighborhoods without regard for whether predominantly Shiite or Sunni, and neighbors and families previously separated by the war are reuniting as refugees are returning by the busload.

My colleagues have had a chance to show their support for the troops. Unfortunately, we see that support sorely lacking. The call of groups such as Moveon.org seems to be so loud and has such command on the other side of the aisle that it drowns out these positive reports about the improved security situation in Iraq. It leads some, unfortunately, to block emergency funding that our troops need in order to carry out continued security operations and training for Iraqis to take our place so we can bring our troops home. Unfortunately, they end up being part of the partisan political games that tend to dominate Washington, DC. My colleagues who continue to insist that Iraq is lost and that the surge has failed or that Iraq is not making political progress are not talking about the Iraq of today.

I have said it before and I will say it again: Betting against the men and women of the U.S. military is always a bet you will lose. When our colleagues on the other side of the aisle said that all is lost even before the surge started, frankly, they have been proven wrong. They lost that bet by betting against the men and women of the U.S. military.

Michael Totten, a reporter embedded in the once volatile region of Fallujah, wrote last week in the New York Daily News:

> There's a gigantic perception lag in America these days. The Iraq of the popular imagination and the Iraq of the real world are not the same country.

Secretary of Defense Gates said on Saturday that:

> Civilian deaths across Iraq are down about 60 percent.
>
> Recently, there was the lowest number of single-day attacks across the nation in three and a half years.
>
> The progress is real. But it is also fragile.

Why in the world, given this progress and given the fragility of the conditions in Iraq, would my colleagues on the other side of the aisle deny the emergency funding that our troops need? What possible rationale could there be for making that part of the political games and dysfunction that seems to dominate the Congress?

We have to make our policy decisions based not on the Iraq many have remembered from the past but the situation on the ground today which is improving, rebounding, and growing. Yet we still hear the doomsayers and those admonishing General Petraeus and his strategy. I am reminded of something a professor once told me when he said speaking louder doesn't make you any more right. We need to listen to the facts and not the loudest voices.

We all have an important question to ask ourselves. It is not about should we have gone into Iraq or why we went into Iraq. Those questions are now relegated to the history books. The fact is, we are there. The question we must ask now is, Given the current situation in Iraq and the Middle East, what is the best course of action for the United States? We should ask ourselves, Will withdrawing troops from Iraq before securing it make us any more or less secure at home? I have no doubt—and history will agree—that the more stable we can make Iraq, the better chance they have of becoming a fully functioning partner in the Middle East, a democracy governed by Iraqis.

A precipitous withdrawal, whether caused by deadlines imposed by Congress or by cutting off funding or by leaving funding in doubt, as our Democratic colleagues have done by objecting to this unanimous consent request today, would be detrimental to the security and stability of Iraq and would endanger American lives at home.

How could that be? The intelligence community tells us that a power vacuum in Iraq left by a rapid American withdrawal would create a failed state and an opportunity for al-Qaida to reassemble and reorganize.

It would create an opportunity for a training ground and an organizing location for al-Qaida and Islamic extremists to launch future terrorist attacks against the United States or our other allies or American forces in the Middle East. Such action would also likely necessitate future American military operations in the region that would put us behind where we are today, not advance where we are today.

I think we can all agree that kind of scenario is completely unacceptable and certainly not in the best interest of the United States. The situation in Iraq, as it stands now, needs a continued military presence with a force large enough to handle potential problems until the Iraqis are able to govern and defend themselves. The more capable the Iraq military and police forces

become, the fewer of our troops are necessary to assist them in that effort. But it does not help them to cause them to question whether we are going to provide the financial support for our troops and for the training of Iraqi military and police forces. But that is exactly what the Senate is doing today by blocking this unanimous consent request.

Many of my colleagues on the other side of the aisle, still now, are left to claim that the lack of Iraqi political reconciliation is the reason they are dissatisfied with the outcome in Iraq, having lost the argument by the improved security arrangements as a result of the surge and the counterinsurgency strategy of General Petraeus.

I have to wonder whether we are holding the Iraqi Government—Mr. President, I ask unanimous consent for 2 more minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, by now moving the goalposts, saying first the surge would not work to now having to declare the obvious, that the surge is working and the military situation is better, our colleagues on the other side of the aisle and the naysayers are saying: Well, really the problem is a lack of political reconciliation. But I have to ask whether we—a Congress that has proven itself to be dysfunctional over the last 8 months or 11 months now—whether we are holding the Iraqis to a different standard than we would actually hold ourselves to. We have not exactly been a model for how Congresses should function.

I think it is unfair for us to continue to move the goalposts and say that the significant reconciliation efforts that are occurring in tribal areas, in the provinces, and local areas do not count because clearly they do count, with things like the Anbar awakening and the work being done around Iraq now from the bottom up, as opposed to the top down, which is helping to make for a more secure Iraq, and making sure that Iraqis, rather than Americans, are principally responsible for maintaining security and safety in Iraq, in conjunction with American military troops.

I am discouraged and disappointed that our colleagues have blocked this emergency funding for our troops, putting 100,000 civilian employees of the Department of Defense in doubt during this Christmas season as to whether they are actually going to have a job come February and causing our troops to question our commitment to support them during a time of war. That is not the message this Senate ought to be sending, and I urge my colleagues to reconsider.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, is it my understanding I am recognized for 15 minutes. Is that correct?

The ACTING PRESIDENT pro tempore. Fifteen minutes, without objection.

Mr. GRAHAM. Thank you, Mr. President.

IRAQ

Mr. GRAHAM. Mr. President, to start this discussion about what to do in Iraq, I think we need to sort of take inventory of where we are, what common ground we do have. I do believe there is a vast, wide, and deep support for the men and women in the military by the average Republican and Democrat and Independent citizen and Members of Congress, and that is indeed good news for our country. It is not one of those situations where people came back from Vietnam and were not well received by their fellow citizens. For that, we should all be grateful.

I would like to put this debate in a little different context. As my colleague from Texas said, whether we should have gone into Iraq is sort of a matter for historical discussion. The question for us as a nation is winning and losing, and can you put Iraq in terms of winning and losing? I think you have to because our enemy has. Our enemy, al-Qaida and other extremists groups, looks at Iraq very much as a battlefront and a battle they want to win and us to lose. That is why bin Laden has rallied the jihadist and al-Qaida sympathizers to go to Iraq and go to the Land of the Two Rivers and drive the infidel out, because I think they understand pretty clearly that if Iraq can reconcile itself, become a stable, functioning democracy, with an Iraqi spin to it, where a woman can have a say about her children, where the rule of law would reign over the rule of the gun, and be a place that would absorb religious tolerance, it would be a nightmare for their agenda. So our enemy is very certain in their own mind about what would happen if we won in Iraq.

Again, winning to me would be a stable, functioning democracy, tolerant of religious differences, where all groups would have a political say, where a woman would have a meaningful role in society regarding her children and their future. And it would contain Iran. It would be a buffer to Iranian ambitions. It would deny extremist groups, such as al-Qaida, safe haven. That, to me, is winning, and that, to me, is very possible. The reason I say it is very possible is because it is in the best interests of the Iraqi people themselves to achieve that goal. There is a Shia majority in Iraq, but they are Iraqi Shia. They are Arabs. The Persian Shia majority—there has been a war between these two countries in the past decades and a lot of animosity. So the general feeling on the streets that I have found from many visits to Iraq is that, generally speaking, the Iraqi population does not want to be dominated by anybody, including Iran.

Now, the biggest news of the surge that is not being reported enough, in my opinion, is that given a choice and an opportunity, a Muslim population, the Iraqi Sunni Arabs, rejected the al-Qaida agenda in Anbar. The al-Qaida movement in Iraq was formulated and inspired by outside forces. Leaders from al-Qaida internationally came into Iraq to rally people to the al-Qaida cause. They played a very heavy hand in Anbar, which was brutal—from the small things such as banning smoking to burning children in front of their parents who did not cooperate. They imposed a way of living on the Iraqis in Anbar Province for which the Anbar Iraqi Sunni Arabs said: No, we don't want any more of this. And the sheiks and all the tribes came to our side because al-Qaida overplayed their hand. So the real good news for me is that given an opportunity and being reinforced, the al-Qaida agenda will not sell, and people within the region will turn it down and reject it. That would not have happened without the surge.

I think most of us do not appreciate what life is like in a country where if you raise your hand to be a judge, let's say, not only do you become personally at risk, they try to kill your family—the forces that do not want to reconcile Iraq.

Political debates and discourse in this country can be very contentious, but on occasion we find that middle ground to solve our problems. It is hard and difficult to compromise in an environment where the people who want you to fail literally will kill your family. So the lack of security in the past has been our biggest impediment to reconciliation. Thank God for General Petraeus, General Odinero, and all under their command. You have done a wonderful job.

This we should all agree upon: that the surge, as a military operation, has been enormously successful and I think will be the gold standard in military history for counterinsurgency operations. Instead of bleeding it dry of funds and putting it at risk, we should reinforce it politically, monetarily, and in every other way.

A political leader can reinforce a military leader. Our military, because of our system of government, depends on us, those of us in elected office, to give them the resources to execute the mission they have been assigned. Who among us believes we understand Iraq better than General Petraeus militarily? Who among us advocated the surge as proposed by General Petraeus? Who among us understands counterinsurgency operations better than the general and his staff? None of us, if we would be honest with ourselves. He is the expert in this area. He has been given an ability to engage in military operations with a completely new theory, and it is working—undeniably working.

Security in Iraq is better. Anbar has literally been liberated. If you told me a year ago, this time last year, we would be moving marines out of Anbar because the security environment

would justify it, I would have thought: That is optimism beyond what I can muster. But it has happened. And all throughout this country called Iraq, people are beginning to reconcile themselves because of better security. Quite frankly, they are war weary.

But I am not going to reinvent history. The blame is across the board and across the aisle. How many times did Republicans go to Iraq after the fall of Baghdad, for maybe 3 years, and say: It is really going well, it is just the media's fault. It was not going well, and it was not the media's fault. The strategy was failing. So people on my side of the aisle were cheerleading for a strategy that, if we followed it, we would have been hopelessly lost in Iraq. So there is plenty of blame to go around. Finally, we now have adjusted. We have a new general with a new strategy. It is a lot more complicated than just 30,000 new troops. We are deploying them differently. We are going after the insurgency in a different way.

The biggest nightmare for al-Qaida has been the surge. If you ask to pick winners and losers of the surge, it would be extremist groups. At the top of the list would be al-Qaida, and it is soon going to be the Shia militia aligned with Iran. There is an offensive about to take place in Iraq that is going to put the nail in the coffin of extremist groups. They are not defeated yet, but they are greatly diminished.

Now is not the time, colleagues, for us to put this surge in jeopardy. Our troops are in a political crossfire here at home. They are not in the middle of a heated sectarian war. Security does exist in Iraq now to get business done. There are extremist groups, and it is still dangerous, but the military has done its part to allow the Iraqi people to reconcile themselves.

We have not done our part. We are still fighting a battle as if nothing new has happened. We are still holding on to positions stated in April and May as if nothing has changed, and that is not fair to those who sacrificed to make it change. I took this floor for a very long time with Senator MCCAIN and a handful of others arguing that the Department of Defense had a strategy doomed to fail. Thank God the President changed course. Thank God for General Petraeus and all under his command.

Now, to my colleagues on the other side, please let us allow General Petraeus to finish the job he started. Within a few months, the troops begin to come home based on the surge being successful. They will return with victory at hand. Victory is not yet achieved, but it is possible. The only way to roll back the security gains is to change the mission and have the Congress start running the war.

The political crossfire I speak of is that some people want to give the money to support the surge only if they get $11 billion of domestic spending unrelated to the military. Some people will not give any money for the surge, continued operations in Iraq, unless we change the mission and withdraw troops by the end of the next year. That is a crossfire politically that is doing more harm than good that should end.

Beginning in March, General Petraeus will come back. He will tell us the situation as it exists on the ground. I am here to tell you, in December, that I am disappointed in the progress at the central government level in Baghdad. They have passed a budget in Iraq—$48 billion. All revenue being shared among all groups is a great step forward, but it is not a permanent solution to the problem.

We need a permanent law, a national law, that will tell every group in Iraq: As to the wealth of the country, part of it will come to your area, and you do not have to worry about it budget by budget. Political reconciliation in Iraq has to happen for the surge to be successful. I have said on numerous occasions that if there is not some major breakthrough on the benchmarks by January, I will look at reconfiguring the aid we give to the Iraqi Government, not changing the troop missions or the troop numbers. I am going to leave that up to the military. It is in our national security interest to maintain the gains we have achieved on the ground to keep Iraq from going into chaos. But we are giving this Government hundreds of millions of dollars of aid, and if they cannot reconcile themselves, we may find other places to spend that money and other ways to spend that money.

So I urge my colleagues to allow the troop funding that is required to complete the surge, to allow it to go forward. Stop this political crossfire of trying to extract from this necessary funding event more money to spend domestically here at home or trying to take the mission away from the military commanders. That is not where our troops need to find themselves in this crucial moment in time.

I can promise you, as we go into next year, if the central government in Baghdad has not done a better job reconciling themselves, I will sit down with anyone, Republicans and Democrats alike, to find a way to put political pressure, economic pressure, on this government.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. TESTER). The Senator from Arkansas is recognized.

CONSUMER PRODUCT SAFETY COMMISSION

Mr. PRYOR. Mr. President, I want to acknowledge my colleagues who have been helping on S. 2045. These are in alphabetical order, not in the order of work done. Everybody has worked a lot on different parts of this bill. They are Senators BROWN, CASEY, DURBIN, HARKIN, INOUYE, KLOBUCHAR, MENENDEZ, BILL NELSON, and SCHUMER. They have all helped craft this legislation relating to the Consumer Product Safety Commission.

Because we are now in the holiday season, naturally, public attention is focused on consumer product safety. I had come today prepared to ask unanimous consent to try to move to this legislation. However, last week, Thursday, I met with Al Hubbard at the White House in a very constructive meeting to talk about some of the areas of disagreement on the legislation, as it came out of the Senate Commerce Committee. It was a very constructive meeting, very frankly. I hope, in the end, we will consider that a very productive meeting. We don't know yet if there is a meeting of the minds, but I am cautiously optimistic that the White House is starting to engage in this very important issue to this country and to the families of America.

Let's talk for a moment about the Consumer Product Safety Commission. For a lot of people, the CPSC is just one of these ''alphabet soup'' agencies, and they don't know what the CPSC does. But I will tell you, it touches every American's life every day. It is in the small things that we use, such as batteries, coffeemakers, lawnmowers, toys, and baby cribs.

The Consumer Product Safety Commission is there to make sure these products are safe for people in my State of Arkansas to buy and for people all over this country to buy and use. One of the things the Consumer Product Safety Commission should do is give people in this country—including parents, when it comes to toys—peace of mind to know the toys they purchase and other products they purchase meet American safety standards.

This bill we are talking about today, S. 2045, was called recently by the Wall Street Journal ''the most significant consumer safety legislation in a generation.'' I think that accurately sums up the nature of our legislation. It is consumer safety reform legislation. It is very significant, very comprehensive.

Our efforts in reforming the CPSC predate a lot of the recalls we heard about this summer. We have been working on this all year in the subcommittee. Basically, the CPSC now looks after 15,000 separate consumer products. Every year, there are about, roughly, 27,000 deaths in this country caused by consumer products that are faulty. There are 33.1 million people injured every year through consumer products that the CPSC regulates. So this is an agency that is a public safety agency, a good Government agency.

Unfortunately, the CSPC is completely overwhelmed today. I believe the Senate, the House, and the President should all work together to reauthorize this agency and put it back together again.

Let me give some examples from this year alone. This year there have been 37 million products recalled. Some people may say: Gosh, it is working because all these products have been recalled. First, a lot of those products should never have been imported in the

first place. A lot of them were recalled by the manufacturers, not the Government. In any event, we have seen stories about lead-coated Big Bird, Elmo, and Barbie accessories, and we have seen collapsing cribs and kerosene-filled toy eyeballs. We have seen building toys with small, very powerful, magnets that, when kids ingest them, cause problems. We have seen craft toys that contain the date rape drug. That is unbelievable, but we have seen in this country a craft set, or a craft toy, that contains the date rape drug. These products should never be in the marketplace to begin with.

Let me talk about the status quo for a moment. The status quo today, with this flood of imports coming into this country, is completely unacceptable. We should not stand idly by and allow these products to saturate our markets. There have been stories in the last few days about charities and charitable giving. One of the great organizations during this time of year is the U.S. Marine Corps. They do the Toys for Tots Program. They have been doing it for many years. Even when I was a kid, it was a big deal because there were always kids in the community less fortunate than I was. We would gather our toys around our house and take them down to a drop station, wherever it may be, and the Marines would sort them out and deliver them to kids who needed toys on Christmas morning or during the holiday season.

One of my staff members, Jason Smedley, is a marine. Yesterday, he went to DC to volunteer on the Marine Corps Toys for Tots, the big disbursing office. Unfortunately, what he found was that the donations to Toys for Tots are way down this year because parents and other donors don't have confidence in the toys they are giving because there might be something wrong with them.

Also, you find, as Jason told me, at the Toys for Tots location in Washington, DC, they have three-ring binders with all kinds of toy recall information in them. Every toy that comes in, they go through that book to make sure that toy hasn't been recalled. Does that sound efficient to anyone? No. That means the CPSC has not been able to do its job and protect our marketplace from these dangerous toys.

There was another story in our local paper, the Arkansas Democratic Gazette, yesterday where toy recalls have hurt instate charities, the locally based charities. You see the same story there, where donations are down. It has been a very hard season for those people who are in that toy distribution operation during the holiday season.

There is a great leader in Arkansas, Hezekiah Steward. He is a reverend, and he runs something called the Watershed Human Development Center. People in our State call it the Watershed Project. He tries to meet the needs of the most needy in the Little Rock area. He does a great job. When I was Attorney General, we had a program and we tried to donate as many toys as we could to Watershed and also to Toys for Tots. We tried to help the Watershed because they are touching people in the community that a lot of times fall through the cracks. Again, Hezekiah Steward is in that article yesterday in the Arkansas Democratic Gazette, saying the donations were down and they are having to screen the toys. It is basically a big mess.

In addition to that, I have talked to parents and grandparents in Arkansas, and they are telling me the same thing. They are saying: This holiday season, when we want to buy toys, we don't know what to trust anymore. If it says ''made in China,'' we don't buy it. That is not a good screening process. Hopefully, most of the toys in the marketplace are safe today, but the public has lost confidence in the system we have now, and we in the Senate, in the U.S. House, and also in the White House need to do a much better job of giving the Consumer Product Safety Commission the tools it needs.

Let me talk a little bit about the Consumer Product Safety Commission and help lay out the problem. Here on this chart we see something that is very revealing. We see on the top chart the imports coming into this country. What we see on the bottom chart is the Consumer Product Safety Commission's staffing level year by year. One thing you will notice—this is very clear, and the numbers are unmistakable—is that starting in 1974, you see the general trend; it goes up and down a little bit, but the general trend is for imports to increase coming into this country. We all know that. Everybody in this body knows we have seen imports increase dramatically in the United States in the last few years. This is borne out on the chart.

Unfortunately, as the imports are going up, the staff at the CPSC is going down. You can see these numbers. Again, they are unmistakable. This is an agency in distress. If you look at what it was at its high versus what it is today, the numbers are unmistakable. The problem with the numbers is, when you see the low numbers like this on the staffing level, when you understand the situation their lab is in, where it is dilapidated and antiquated, and they are losing many people through attrition, you understand all the problems the agency has and that it is totally overwhelmed. When you look at this number, which is at an all-time low, and imports are at an all-time high, you know we have a problem.

In this body, we need to address that problem. There is no better time to address it than right now. Let me talk for a moment about what I think we need at the CPSC. We need a robust and proactive watchdog agency. We need to prevent toxic toys from ever landing on our shores and on our shelves. We need to be able to respond very quickly when there is a problem. We need to have a system in place where we can punish the bad actors and punish the repeat offenders.

Again, I have been talking to the White House, and I want to be cautiously optimistic about what the White House told me on the phone and in meetings, but we all need to work together to try to get this done.

Let me run through some of the things that S. 2045 does. Basically, what we are doing is taking this agency that needs an overhaul, and we are overhauling it. What we are trying to do is increase the staff by nearly 20 percent over time. We are trying to upgrade their testing labs. We are trying to increase their agents at ports of entry, again, so the dangerous products never enter this country. We are trying to allow the States' attorneys general to be more like cops on the beat and help the CPSC enforce the laws in all 50 States, not just in one centralized location at the CPSC itself. We want to increase the civil fines and the criminal penalties. Also, as part of this, we want to do our dead level best to streamline the recall process. It takes too long, it is too secretive, and there are many examples of people dying as discussions are going on between the manufacturers and the CPSC on how a recall will be conducted. This is very important.

This bill bans lead in children's products. I think that is very important for the American public to understand. Right now, there is not a ban on lead in children's products. We know it is dangerous, and that is well documented. Our doctors, medical researchers, and scientists have told us that. So we need to ban lead in children's products.

This bill also allows the CPSC to select recall remedies. It doesn't leave it up to the manufacture or the bad actors. Not all manufacturers or retailers are bad. In fact, the supermajority of them are not. They are trying to do what is right.

At the end of the day, the CPSC needs to make decisions that are in the public interest—not some of these manufacturers and retailers and distributors, et cetera, and what is in their own corporate interests. We need a watchdog agency that will be there to protect the public interest.

This bill increases public disclosure. That is important because most parents have heard something on the news or read a little something in the paper, but they really don't have an easy way to know what is being recalled or exactly when it gets recalled. We want more public disclosure, and we want it to happen quicker.

Also, regarding children's products, we want a third party process, where a third party will certify that those products meet U.S. safety standards. We have that in a lot of other areas, such as electronics.

There are a lot of third-party certification processes that exist in the marketplace. We need that for children's products.

The last two or three things the bill does is it improves the tracking labels

on children's products. When we get a toy, and they say there is a recall, say, on a certain kind of doll, there may be 10 varieties of that doll. We may have bought a doll made a year ago and it has been in a warehouse. We don't know. We want a better labeling and tracking system.

We want to provide whistleblower protections. If there are people out there who know there is wrongdoing and somebody is covering it up—we see this in other contexts—we want to allow that whistleblower to come forward and not be punished for doing what is right.

The last point I wish to mention is the bill prohibits the sale of recalled products. Again, a lot of people in this country may be shocked to know that in many circumstances—not all—but in many circumstances, we see recalled products still for sale on the open market. Parents would be shocked to know that fact, but it is true.

We are trying to do our best, give our best effort to have a serious and fundamental reform of the Consumer Product Safety Commission.

One more point in closing, and that is, there are two major goals we are trying to accomplish with this legislation. First, we are trying to rebuild the agency. That is very important for the functioning of that agency. As I said before, it is overwhelmed. I showed some charts. There are many others I can point out to show how overwhelmed this agency is. First and foremost, we want to rebuild the agency. And second—and this point flows from the first point—we want to restore public confidence in the marketplace. We don't want to be at the next holiday season and moms and dads are coming up to me in Arkansas and coming up to my colleagues all over the country saying: Should I buy toys for my children and grandchildren this year? That is what I hear when I go back home.

People are concerned, they are scared, they are uncertain about the American marketplace, and that is too bad. We do not need that to happen. We need our people to have confidence in the marketplace in this country.

I ask my colleagues on both sides of the aisle and in the House as well and in the White House, I ask everyone to give this legislation a serious look. We would like to move it forward this month, before the end of this year, during this holiday season. I know there are some folks who expressed interest in trying to help get that done. I am available any day, any night. My staff is available. We definitely want to work with whomever is willing to work to get the Consumer Product Safety Commission reauthorization done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, parliamentary inquiry: What is before the Senate at this moment?

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. If there is no further morning business, morning business is closed.

Mr. HARKIN. Morning business is closed and the Senate is back on the farm bill?

FARM, NUTRITION, AND BIOENERGY ACT OF 2007

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2419, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2419) to provide for the continuation of agricultural programs for fiscal year 2012, and for other purposes.

Pending:

Harkin amendment No. 3500, in the nature of a substitute.

Harkin (for Dorgan-Grassley) amendment No. 3695 (to amendment No. 3500), to strengthen payment limitations and direct the savings to increase funding for certain programs.

Brown amendment No. 3819 (to amendment No. 3500), to increase funding for critical farm bill programs and improve crop insurance.

Klobuchar amendment No. 3810 (to amendment No. 3500), to improve the adjusted gross income limitation and use the savings to provide additional funding for certain programs and reduce the Federal deficit.

Chambliss (for Lugar) amendment No. 3711 (to amendment No. 3500), relative to traditional payments and loans.

Chambliss (for Cornyn) amendment No. 3687 (to amendment No. 3500), to prevent duplicative payments for agricultural disaster assistance already covered by the Agricultural Disaster Relief Trust Fund.

Chambliss (for Coburn) amendment No. 3807 (to amendment No. 3500), to ensure the priority of the farm bill remains farmers by eliminating wasteful Department of Agriculture spending on casinos, golf courses, junkets, cheese centers, and aging barns.

Chambliss (for Coburn) amendment No. 3530 (to amendment No. 3500), to limit the distribution to deceased individuals, and estates of those individuals, of certain agricultural payments.

Chambliss (for Coburn) amendment No. 3632 (to amendment No. 3500), to modify a provision relating to the Environmental Quality Incentive Program.

Salazar amendment No. 3616 (to amendment No. 3500), to amend the Internal Revenue Code of 1986 to provide incentives for the production of all cellulosic biofuels.

Thune (for McConnell) amendment No. 3821 (to amendment No. 3500), to promote the nutritional health of school children, with an offset.

Craig amendment No. 3640 (to amendment No. 3500), to prohibit the involuntary acquisition of farmland and grazing land by Federal, State, and local governments for parks, open space, or similar purposes.

Thune (for Roberts-Brownback) amendment No. 3549 (to amendment No. 3500), to modify a provision relating to regulations.

Domenici amendment No. 3614 (to amendment No. 3500), to reduce our Nation's dependency foreign oil by investing in clean, renewable, and alternative energy resources.

Thune (for Gregg) amendment No. 3674 (to amendment No. 3500), to amend the Internal Revenue Code of 1986 to exclude charges of indebtedness on principal residences from gross income.

Thune (for Gregg) amendment No. 3673 (to amendment No. 3500), to improve women's access to health care services in rural areas and provide improved medical care by reducing the excessive burden the liability system places on the delivery of obstetrical and gynecological services.

Thune (for Gregg) amendment No. 3671 (to amendment No. 3500), to strike the section requiring the establishment of a Farm and Ranch Stress Assistance Network.

Thune (for Gregg) amendment No. 3672 (to amendment No. 3500), to strike a provision relating to market loss assistance for asparagus producers.

Thune (for Gregg) amendment No. 3822 (to amendment No. 3500), to provide nearly $1,000,000,000 in critical home heating assistance to low-income families and senior citizens for the 2007–2008 winter season, and reduce the Federal deficit by eliminating wasteful farm subsidies.

Thune (for Grassley/Kohl) amendment No. 3823 (to amendment No. 3500), to provide for the review of agricultural mergers and acquisitions by the Department of Justice.

Thune (for Sessions) amendment No. 3596 (to amendment No. 3500), to amend the Internal Revenue Code of 1986 to establish a pilot program under which agricultural producers may establish and contribute to tax-exempt farm savings accounts in lieu of obtaining federally subsidized crop insurance or non-insured crop assistance, to provide for contributions to such accounts by the Secretary of Agriculture, to specify the situations in which amounts may be paid to producers from such accounts, and to limit the total amount of such distributions to a producer during a taxable year.

Thune (for Stevens) amendment No. 3569 (to amendment No. 3500), to make commercial fishermen eligible for certain operating loans.

Thune (for Alexander) amendment No. 3551 (to amendment No. 3500), to increase funding for the Initiative for Future Agriculture and Food Systems, with an offset.

Thune (for Alexander) amendment No. 3553 (to amendment No. 3500), to limit the tax credit for small wind energy property expenditures to property placed in service in connection with a farm or rural small business.

Thune (for Bond) amendment No. 3771 (to amendment No. 3500), to amend title 7, United States Code, to include provisions relating to rulemaking.

Salazar (for Durbin) amendment No. 3539 (to amendment No. 3500), to provide a termination date for the conduct of certain inspections and the issuance of certain regulations.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, as Senators are well aware, we are now back on the farm bill. I again thank both leaders, Senator REID and Senator MCCONNELL, for last week working together to reach an agreement whereby we will have 20 amendments, a maximum of 20 amendments. We don't have to have 20 amendments but a maximum of 20 amendments on each side. We now have a list, and we do have the amendments in order on the Republican side. There are 20 listed. I hope that maybe not all of them will require a vote. Maybe we can work some of those out so we will not require votes or much time on any of those amendments. Senator CHAMBLISS and I are working together to try to get some hard-and-fast

time agreements on these amendments so we can move ahead expeditiously.

Right now we have seven amendments listed on the Democratic side, and I hope that might be the limit of those amendments. Republicans have about 20, and we have about 7 amendments that I know of right now.

Also, we know yesterday the Senate entered into a unanimous consent agreement that beginning at 11 a.m., the Senate will begin 3 hours of debate on the Lugar-Lautenberg amendment No. 3711 and the time is to be equally divided, so an hour and a half on each side. Of course, we will break at 12:30 p.m. for our respective weekly party conferences. We will resume at 2:15 p.m. and will resume debate on amendment No. 3711, the Lugar-Lautenberg amendment, and that when all time is used or yielded back, we will vote on or in relation to that amendment.

Senators should be aware the first vote that will occur on an amendment to the farm bill will be on the Lugar-Lautenberg amendment at some point this afternoon, and then hopefully we will move ahead after that on other amendments. I don't know exactly what the next amendment will be. We will work that out.

Hopefully, we can work out some more votes today. I don't know how late the leader wants to keep us in tonight. I am prepared to stay here very late tonight—very late tonight—to move these amendments forward. We are reaching a point where I know everyone wants to get out of here for the holiday season, for Christmas and New Year. We are approaching the end of Hanukkah. I know people would like to leave and get together with their families. I think if we put in a couple long days, we can reach pretty good agreements on these amendments to the farm bill.

I hope we will have a long day today and get some amendments offered and debated and disposed of, one way or another. I wished to lay that out. I see my colleague and good friend, the former chairman of the Agriculture Committee, Senator LUGAR, is on the floor.

So I will at this time yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

AMENDMENT NO. 3711

Mr. LUGAR. Mr. President, what is the pending business?

The PRESIDING OFFICER. The Senator's amendment No. 3711 is pending under a 3-hour time limit.

Mr. LUGAR. Mr. President, is it appropriate to commence the debate?

The PRESIDING OFFICER. Yes, it is.

Mr. LUGAR. I thank the Chair, and I thank the distinguished chairman of the committee.

Mr. President, let me start by thanking Senator TOM HARKIN, the distinguished chairman of our committee, and the ranking Republican leader, SAXBY CHAMBLISS, for their leadership. It is not an easy task to be chairman or ranking Member of the Senate Agriculture Committee during the farm bill. Having served in both capacities, I know well of the challenges that both have faced in putting together a bill.

Let me point out, as I have during the debate in committee, some achievements have occurred. Both the chairman and ranking member have outlined a number of these in the areas of conservation, rural development, research, nutrition, and energy.

I am also pleased by the effort to provide interested farmers with the revenue-based program which should be an improvement over the status quo.

However, the farm bill before us does not provide meaningful reform. Our current farm policies, sold to the American public as a safety net, actually hurt the family farmer. In the name of maintaining the family farm and preserving rural communities, today's farm programs have benefited a select few, while leaving the majority of farmers without support or a safety net.

Let me review the history of these farm bills.

The genesis of our current farm policy began during the Great Depression as an effort to help alleviate poverty among farmers and rural communities. At that time, one in four Americans lived on a farm and the rural economy's vitality was largely dependent upon farmers. Farm programs were instituted that stifled agricultural productivity in order to raise commodity prices through a federally administered supply-and-demand program. Supply-control programs cost U.S. taxpayers handsomely in higher food costs and job loss, and now about half of the Nation's farmers are essentially prevented from growing other crops, such as fruits and vegetables.

To date, this same antiquated idea is promoted even though farm income is higher on average than other industries. Times have changed dramatically since then. Today, 1 in 75 Americans lives on a farm, and only 1 in 750 lives on a full-time commercial farm. Furthermore, nearly 90 percent of total farm household income comes from off-farm sources—90 percent.

In response to these ongoing changes, in 1996, Congress finally recognized farmers, not the Government, could best ascertain what crops are profitable and granted roughly half our farmers flexibility in planting choices, the so-called Freedom to Farm bill, and began to transition away from federally controlled agriculture programs.

But in 2002, Congress and the Bush administration reversed these reforms and created the so-called three-legged stool which, in addition to other farm programs, has helped to place us in violation of our WTO commitments.

The Senate Agriculture Committee farm bill before us today perpetuates and even expands these defective policies without regard for the fact that the majority of farmers do not have a safety net.

The first leg of this so-called three-legged stool is direct payment subsidies to specific farmers who grow certain crops. Direct payments are fixed annual taxpayer-funded subsidies that are based on a farm's historic production and a federally set payment rate. For the five major subsidized crops, the average payment rate is roughly $15 per acre for wheat, $24 per acre for corn, $33 per acre for cotton, $11 per acre for soybeans, and $94 per acre for rice.

These subsidies were originally called transition payments. They were meant to be a temporary bridge from supply management-based subsidies to free market-based agriculture. They were never intended to be a continuing entitlement.

Direct payment policies are particularly irresponsible because the taxpayer-funded subsidies go out to farmers regardless of whether cash is flowing in or out of their farms or whether they farm at all.

Although many subsidized farmers are projected to receive record crop prices and earn record farm incomes over the next 5 years, the Senate farm bill, as agreed to by the Senate Agriculture Committee, doles out up to $26 billion in direct payments from taxpayers, much of which will go to some of the largest and wealthiest farming operations in America. In fact, over 50 percent of these subsidies will continue to go to farmers in seven States, for a grand total of $13.1 billion.

Some may find these statistics surprising, but this is simply a continuation of ''business as usual'' when it comes to farm subsidies. Keep in mind, in the years 2000 to 2005, the farm sector received $112 billion in taxpayer subsidies, but only 43 percent of all farms received payments. This is because the majority of the payments go to just five row crops—corn, soybeans, wheat, cotton, and rice. The largest 8 percent of these farms receives 58 percent of these payments. In fact, the top 1 percent of the highest earning farmers claimed 17 percent of the crop subsidy benefits between 2003 and 2005.

Smaller farms that qualify in the current system and that could benefit from additional support did not do as well. Two-thirds of recipient farms received less than $10,000, accounting for only 7 percent of their gross cash farm income. Minority farmers fared even worse, with only 8 percent of minority farmers even receiving Federal farm subsidies. Furthermore, half of the Federal crop subsidies paid between 2003 and 2005 went to only 19 congressional districts out of 435.

Each one of these statistics illustrates that our direct payment system is inequitable and in conflict with claims we hear on the Senate floor that our current farm policies are a safety net for the family farmer.

The second leg of the stool is ''countercyclical payments,'' or having the taxpayer pay farmers when prices fall below a congressionally set price. The third leg is a marketing loan program that allows farmers to put their crops

up as collateral to receive operating capital. However, provisions allow farmers to go ahead and sell the crop and repay the Government at a lower rate, leaving taxpayers to make up the difference.

Because these two programs do not appropriately correspond with market forces, they have the effect of creating artificial markets for crops, even when markets do not exist. Yet neither program provides any help to farmers when they arguably need it most—during disasters, such as drought. Of greater concern, these programs have been ruled to violate our trade agreements. But this new farm bill actually increases target prices for at least five crops, loan rates for seven crops, and adds a number of new subsidized crops.

Now, some Senators may wonder why we should be concerned that we are in violation of our World Trade Organization—or WTO—commitments. They might think this situation is simply limited to agriculture, or specific crops, with little impact on our overall economy. Others might even suggest we are better off building more barriers to trade; that this farm bill is about American farmers and not farmers in Brazil or elsewhere. However, if Senators look further down the line, they will see that our WTO violations could cost the United States billions in revenue, intellectual property, and lost trade opportunities. And failure to move toward compliance will invite retaliatory tariffs that legally can be redirected at any U.S. industry.

In fact, as is happening now, Brazil will soon have the authority to retaliate in kind against United States products, whether they be agricultural products or intellectual property, due to our unwillingness to fix our farm policies. It is unclear if Brazil will follow through with these threats, but what is clear is that the WTO has repeatedly found the United States cotton program to be in violation of our commitments. As a result, a host of challenges to other agricultural commodities has ensued, including a case brought forth by Brazil and Canada in November that targets all of our commodity programs.

Upon the initial findings of the WTO, Congress did repeal some cotton-related programs found to violate these agreements, namely, the so-called Step 2 Program, which was a program that used taxpayer money to pay companies to use U.S. cotton. However, the farm bill we are currently considering makes virtually no attempt to bring the rest of the cotton program into compliance.

The administration earlier this year put forth a number of policy changes that they argued would have fixed our trade problems with the WTO, including a revenue-based countercyclical program, marketing loans that respond to market prices, and eliminating planting restrictions for fruits and vegetables. None of these proposals were incorporated into either the House bill or the Senate farm bill before us today. In fact, this farm bill significantly increases the likelihood that other programs will be further challenged by the World Trade Organization.

Specifically, the WTO found that countercyclical payments and marketing loans are trade distorting, and the direct payments argued to be trade neutral are a trade violation as long as planting restrictions are retained. Astonishingly, the farm bill increases payments made under these trade-distorting programs almost across the board, further exacerbating our trade situation.

In the midst of all of this, the chief economist for the Department of Agriculture projects that exports of agricultural products for this year are likely to reach $79 billion, nearly 30 percent of all farm cash receipts in 2007. Nearly 40 percent of soybeans, half of our wheat, and over 90 percent of our cotton produced in the United States this year will be exported.

Clearly, trade and our trading partners are important to American farmers now and will continue to be in the future. U.S. action to comply with WTO rulings against cotton subsidies as well as U.S. policy regarding subsidies in general will be closely monitored by the world's exporters. Should the WTO determine that other United States farm subsidy programs, as challenged by Brazil and Canada, do not comply with WTO rules, the potential for retaliation by other countries is immeasurable.

The farm bill before us today establishes a new permanent disaster trust fund at the Department of the Treasury to provide an additional $5 billion in spending for commodity crop farmers. Our amendment does not touch this provision nor any of the other provisions related to the Finance Committee package. Of this $5 billion, it is estimated that nearly half of the money will be given to farmers in counties designated as disaster counties by the President and the other half will go to crop insurance companies as a subsidy to administer higher levels of crop insurance coverage.

The idea of a permanent disaster program may have merit, especially when you consider that Congress has passed legislation to fund ad hoc disaster payment assistance nearly every year for the last 20 years, but we should ask ourselves, if the current expensive farm bill is failing to provide a safety net to farmers when these devastating events do happen, then what is the purpose of the farm bill? Why do we need a new program administered by a separate Federal agency to fulfill what most Americans believe is the core purpose of the legislation before us? We should fix the root problem, namely that the current subsidy system does not work and wastes taxpayer dollars.

If you are now a farmland owner in America, it is highly probable your land will increase in value. Why? Because a land-owning farmer or agricultural business can count upon receiving substantially more money through subsidies. As a result, you are able to leverage your land and crops to expand. If you are one of hundreds of thousands of farmers in this country who rents land as opposed to owning land, you face a very tough set of circumstances. Your rents are likely to go up each year as the value of the land goes up. Worse still, if you are a young farmer who hopes someday to own land, then your prospects diminish year by year.

As a result, there are young members of farm families who are hopeful that with the reduction or repeal of Federal estate taxes that they might inherit the land. Other young people who are interested in farming are simply out of luck, as it is too difficult to get into the business. As a result, it is predictable that the average age of farmers in this country will continue to increase, as it has been increasing in recent decades. Consider the fact that 6 percent of farmers are younger than 35, while 26 percent are over 65 years of age.

Furthermore, elderly farmers who may be land rich but cash poor will be more inclined to sell their farms as their retirement nest egg. The most likely buyer of that farm is an owner of a larger farm who is in a position to expand, thanks to Government subsidies.

In spite of all the rhetoric and all of the attempts to talk about perpetuating the small family farm or even the medium-sized farm, the facts are that consolidation is increasing, and this bill will perpetuate that cycle. I want to emphasize this point because it reflects the inequity of this entire bill. Our farm policies transfer a great deal of money from ordinary taxpayers to a few farmers. If this transfer from the many to the few produced a stable farm economy, with prospects for greater trade success, perhaps one could argue this approach is more justified. Further, these policies could be justified if they truly did support the lower to middle-class farmer and reduce the number of farm consolidations. I am arguing that our policies promote the exact opposite.

For all of these reasons, Senator FRANK LAUTENBERG and I, along with Senators HATCH, REED, MENENDEZ, CARDIN, COLLINS, DOMENICI, MCCAIN, and WHITEHOUSE are introducing an amendment today that would provide a true safety net for all farmers regardless of what they grow or where they live. For the first time, each farmer would receive, at no cost, either expanded county-based crop insurance policies that would cover 85 percent of expected crop revenue, or 80 percent of a farm's 5-year average adjusted gross revenue.

These subsidized insurance tools already exist, but our reforms would make them more effective and universally used while controlling administrative costs. Farmers would be able to purchase insurance to cover the remainder of their revenue and yields.

The 85 percent county level-based policy simply looks at the expected revenue annually in each county in the United States for crops such as corn, soybeans, wheat, cotton, and rice, but it can be expanded under this bill to any commodity so long as adequate market information is available to satisfy actuarial concerns.

The USDA uses prices from the futures market in late February and multiplies them by past county average crop yields collected by the National Agricultural Statistics Service, which keeps detailed data on virtually every agricultural product produced in the United States. This creates a target price that adjusts either up or down each year to market conditions and yield trends. Farmers receive a safety net payment when the actual county revenue for a crop they are growing falls below 85 percent of the target revenue.

This program ensures that the only incentive to grow a crop is the market, not federally set prices under the farm policies before the Senate today.

For example, in Marion County, IN, where my farm is located, expected yields for corn in 2006 were 146 bushels an acre; the future price for corn in late February 2006 was $2.59 a bushel. So target revenue for corn was $378 an acre. After the harvest, USDA found that actual corn yields in Marion County were 140 bushels an acre and that harvest prices were $3.03 a bushel, producing average revenue of $424 an acre. Actual revenue exceeded target revenue so that no additional subsidies were paid to corn farmers in Marion County in 2006.

By contrast, corn farmers in Baca County, CO, experienced poor weather. Expected yields were 161 bushels an acre and the future price for corn was $2.59 a bushel, so expected revenue was $418 an acre. After the harvest, USDA found that actual yields were much lower at 116 bushels an acre and even though the harvest prices of $3.03 a bushel were higher than expected, the actual average revenue was $350 an acre. Since actual revenue was 83 percent of target revenue, corn farmers in Baca County would have received $5.30 per acre under the safety net, or the difference between actual revenue in that county and the 85 percent guarantee.

The other choice would allow farmers to protect against adverse change in their own historic average revenues. This program looks at the whole farm, recognizing the same risks exist for an apple orchard as the soybean field on the same farm. A farm's 5-year average adjusted revenue is calculated using annual tax forms. The adjusted revenue is essentially a farm's overall revenue minus expenses as indicated on their tax forms. When a farm's adjusted revenue falls below 80 percent of that 5-year average, a safety-net payment makes up the difference. This program is currently operating as a pilot program in a number of States but has been limited to the amount of revenue that can be covered for some agricultural products such as livestock and forest products. Our bill expands the program nationwide and allows the USDA to include more agricultural products. It also requires the USDA to minimize double payments under situations where farmers may also have products covered by remaining farm support programs, namely the sugar program and the Milk Income Loss Program.

In addition, this bill creates optional risk management accounts that would be available to every farmer and rancher and would work in concert with crop and revenue insurance. Producers who are eligible for direct payments would receive transition payments, phased out over the next 5 years, which would be deposited into their accounts. They would then be eligible to withdraw from their available balance to supplement their income in years when their gross revenue falls below 95 percent of their rolling 5-year average gross revenue. They could invest in a rural enterprise, purchase additional revenue or crop insurance, or upon retirement, utilize it as a farmer retirement account. These accounts provide farmers who are generally asset rich and cash poor greater incentive to save for the future, and will help maintain family farms by providing retirement benefits without forcing a liquidation of farm assets.

The FRESH Act amendment is important because savings from these reforms will allow us to provide an additional $6.1 billion more than the underlying bill in new investments to assist farmers with conservation practices, encourage rural development, develop renewable energy, expand access to healthy foods for children and consumers, and assist more hungry Americans.

Our amendment provides an additional $1 billion for important environmental and conservation programs. I am pleased that we were able to expand and improve USDA's voluntary conservation incentives programs, which provide financial and technical assistance to farmers, ranchers and forest landowners who offer to take steps to prevent soil erosion and improve water quality, air quality and wildlife habitat.

Since 2003, roughly two-thirds of farmers seeking assistance through USDA conservation programs have been rejected due to insufficient funding. Most of these conservation programs are cost-share programs. That means that farmers are offering to put their own money into environmental improvements from which the public benefits. We are missing an opportunity to utilize private dollars to produce environmental benefits such as cleaner water and cleaner air when we underfund cost-share conservation programs.

One of the most popular of these programs, the Environmental Quality Incentives Program, EQIP, has had an application backlog that has averaged $1.6 billion a year over the past 4 years. Yet the farm bill before us provides no increase in funding for this popular conservation program.

The current farm bill also provides no increase in funding for the Farmland Protection Program. This program is critical because in many areas our working farms and ranches are under tremendous development pressures. From 1992 to 1997, this country lost more than 6 million acres of agricultural land—an area the size of Maryland—to development. And yet this bill doesn't provide the funding needed to assist State and local governments and private land trusts in the important work they do to conserve our Nation's farmland.

Increasing funding for the farm bill's conservation programs also provides another way to make our farm policies more equitable. All producers can be eligible to participate in conservation programs, regardless of what they grow or where they grow it. By contrast, only producers of a handful of commodity crops can participate in commodity programs.

While discussion of commodity policy dominates much of the farm bill debate and discretionary funding, production agriculture remains a comparatively small and shrinking part of the rural economy.

Farm employment has fallen from just over 14 percent of total employment in 1969 to 6 percent in 2005. The number of counties with farm employment accounting for 20 percent or more of total employment has shrunk dramatically from 1,148 in 1969 to 348 in 2005. Furthermore, only 1 in 75 Americans lives on a farm today, and nearly 90 percent of total farm household income comes from off-farm sources.

Despite this fundamental shift, the 2002 farm bill committed 69 percent of total spending to commodity payments, plus another 13 percent to conservation payments. In all, four-fifths of total funding went to a select few farmers, while only 0.7 percent went to rural development initiatives aimed at boosting rural economies.

We now have evidence which suggests that direct payments to farmers have little positive impact on rural economies. A recent study revealed that most payment-dependent counties did not even match the national average in terms of job growth from 1992 to 2002. In fact, many experienced losses during that time.

Furthermore, most of these payment-dependent counties experienced population losses during that same 10-year period. Such job and population loss figures suggest that our current system of support for rural communities, which relies on subsidies like direct payments, does not work.

I am also pleased that the amendment we are offering expands agricultural markets and decreases oil dependency by dramatically increasing

research and development efforts for cellulosic ethanol and other renewable fuels, and expanding clean renewable energy opportunities to all of our rural areas. This is an area of considerable interest to the chairman who has been a stalwart supporter.

Today's growth in ethanol production is creating jobs and bringing new sources of revenue into our communities. Because of our energy demands, we are witness to a palpable sense of optimism in rural communities for economic growth in areas that have stagnated under the current farm bill. Failure to give clear and strong Government commitment in the farm bill to developing biofuels from diverse feedstocks has unnecessarily confined new markets to midwestern States rich in corn. Spreading the economic benefits of biofuels nationwide will require breakthroughs in technologies and agricultural techniques to make more fuels from farm, municipal, and industrial wastes available from coast to coast. Strong support in the farm bill will help galvanize private investment and bring jobs across the country.

Yet the opportunity before us involves more than economic growth. Dramatic advancements in biofuels will help build a more secure and self-reliant America by reducing our dependence on foreign oil. Global competition for oil continues to grow as demand soars and oil-rich States tighten their control over supplies. Already, we have witnessed Russia cut its exports to selected countries for political gain, and the Governments of Iran and Venezuela have threatened to do the same. Each year, Americans spend hundreds of billions of dollars to import oil. Some of that money enriches authoritarian governments that suppress their own people and work against the United States. Meanwhile, oil infrastructure is being targeted by terrorists. In today's tight oil market even a small disruption in oil supplies could cause shortages and send prices much higher than the $90-plus per barrel prices Americans have paid in recent weeks.

Biofuels will not make America completely independent of energy imports, but they can strengthen our leverage over oil-rich regimes hostile to the United States, give greater freedom to our policy options in the Middle East, help protect our economy, and foster rural development.

Reaping the economic and energy security benefits of biofuels and other rural, renewable energy requires breakthroughs in research and incentives for infrastructure development. Our amendment provides an additional half billion dollars to transform renewable energy's opportunity into reality.

During the markup in the Agriculture Committee, I offered an amendment to increase nutrition funding in the farm bill by about $1.6 billion through cuts to direct payments.

Unfortunately, my amendment was defeated 17–4. However, the amendment sparked constructive, bipartisan debate on the importance of strong funding for the nutrition programs that provide a safety net for people across our country who are on the cusp of poverty. I am thankful to Senators HARKIN and CHAMBLISS for taking that discussion seriously, and as a result, using the savings generated from a committee change to the underlying bill to provide additional funding for the nutrition title of this farm bill.

But even as I applaud the efforts of Agriculture Committee members for their attention to nutrition programs, I have serious concerns that the nutrition program in this bill is essentially only authorized for 5 years. At the end of the 5 years, funding for nutrition programs drops dramatically. In 2012, we would then be faced with having to manipulate the budget to find additional funding for these programs or vulnerable Americans would lose this much-needed assistance. This is because the agriculture bill before us is ''front-loading'' spending during the first 5 years and then virtually zeroing out nutrition spending for years 6 through 10 so that the bill will come out budget neutral, on paper, but will cost taxpayers handsomely in reality. This is just one of many budgetary tricks performed so that the scoring works out favorably without regard to the practical application of such maneuvers.

In our amendment, nutrition programs would not end. In fact, we increase funding for these important programs by $2 billion over the underlying farm bill and make these funding increases permanent. We cannot and should not build a safety net with holes.

This leads me to another benefit of our reform proposal. Our amendment provides critical funding for each of these priorities and yet pays for itself from the existing agricultural budget passed by Congress without employing deceptive budgetary maneuvers. In fact, our bill will save taxpayers $4 billion.

Unfortunately, this is not the case with the underlying bill, and if you take a thorough look, you realize just how precarious that bill's budget situation truly is. In fact, the Bush administration's Statement of Administrative Policy highlighted a number of budget gimmicks used to make the farm bill pay-go compliant, at least on paper.

The FRESH Act amendment is fully paid for, fiscally responsible and provides a framework for growth for farmers and rural communities. Furthermore, the long-term budgetary savings from our proposal will allow for us to make considerable investments in key priority areas.

There is an inappropriate political assumption that agriculture policy is impenetrable for consumers, taxpayers, the poor, and the vast majority of Americans who are being asked to pay for subsidies, while getting little in return. Even if only a small number of farmers in a State raise a program crop or one of the protected specialty crops like milk, sugar, or peanuts, their focused advocacy somehow has more political influence than the broader well-being of consumers and taxpayers. In short, those who benefit from current agriculture programs are virtually the only participants in the debate.

This fact is probably best illustrated by the fact that one of the most contentious debates on this bill has been whether farmers with income of over $1 million, after farm expenses have been paid, should continue to receive subsidies. I have even seen media reports that indicate that if a payment limitation amendment were passed, the farm bill could be filibustered. Keep in mind that the median household income for Americans for 2006 was $48,200 and the average income of a food stamp recipient is less than $10,000.

There is also an ongoing reluctance to consider change. Members will say, ''Farming is conservative by nature. You can't demand too much change.'' In 2002, I offered a similar type of reform proposal and opponents argued that the proposal was ''too new, too radical, and required too much change.''

You will hear that same baseless argument today. Mr. President and Members of the Senate, when is the time for reform? When will we fix this broken system? When will we act on the clear evidence before us?

As Senators, we clearly must understand our responsibility. Whether we understand all the complexities of our current farm programs, we know where the money goes. The bulk of the money in the underlying farm bill goes to a very few farmers, a very few. That has been clear throughout. This is not a great humanitarian effort. This does not save the family farmer, the low-income farmer, or even the middle-income farmer.

This bill is about making choices. And it is incredible to me that with all of the budgetary pressures that we are facing to fund critical needs such as providing better health insurance coverage for Americans, protecting Social Security and pension savings, improving education, increasing border security, and providing our men and women in the Armed Forces with appropriate pay and equipment that we would consider a bill which enriches so few individuals.

I believe that this year's farm bill debate is a good time to begin changing these dynamics.

This year an unconventional alliance of conservation, humanitarian, business and taxpayer advocate groups has entered the fray with success in framing the issue and building support for the FRESH Act. They represent the broadest ever political support for change.

Newspapers in at least 41 States have written editorials in support of changing our farm programs to a fair, trade

compliant and fiscally responsible system. I have distributed these articles to my colleagues.

Perhaps more importantly, there has never been a better time for farmers to change. Thanks to strong foreign and domestic demand for energy crops, net farm income is forecast to be $87 billion, up $28 billion from 2006 and $30 billion above the average for the previous 10 years and setting a new record for new farm income.

As a result, average farm household income is projected to be almost $87,000 in 2007, up 8 percent from 2006, 15 percent above the 5-year average between 2002 and 2006, and well above median U.S. household income. Farm revenue may be high today but this will not always be the case. It is critical that we have an appropriate safety net in place to assist these farmers during times of need.

Agriculture policy is too important for rural America and the economic and budgetary health of our country to continue the current misguided path. Our amendment provides a much more equitable approach, produces higher net farm income for farmers, increases farm exports, avoids stimulating overproduction, and gives more emphasis to environmental, nutritional, energy security and research concerns. More importantly, this proposal will protect the family farmer through a strong safety net and encourage rural development in a fiscally responsible and trade compliant manner.

The PRESIDING OFFICER (Mr. CASEY.) The Senator from Montana.

AMENDMENT NO. 3666 TO AMENDMENT NO. 3500

Mr. TESTER. Mr. President, I ask unanimous consent to temporarily set aside amendment 3711 and call up amendment No. 3666, and further ask unanimous consent that the time not be charged against the time allocated for amendment 3711.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Montana [Mr. TESTER], for himself, Mr. GRASSLEY and Mr. HARKIN, proposes an amendment numbered 3666 to amendment No. 3500.

Mr. TESTER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To modify the provision relating to unlawful practices under the Packers and Stockyards Act)

On page 1232, strike lines 9 through 12 and insert the following:

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively;

(2) in subsections (c), (d), (e), and (g) (as redesignated by paragraph (1)), by striking the semicolon each place it appears and inserting '', regardless of any alleged business justification;''; and

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

On page 1233, line 20, strike ''subsection (a)'' and insert ''subsection (a)(3)''.

On page 1234, line 2, strike ''subsection (a)'' and insert ''subsection (a)(3)''.

Mr. TESTER. Mr. President, the Packers and Stockyards Act of 1921 prohibits meatpackers from engaging in any course of business or doing any act for the purpose or with the effect of manipulating or controlling prices. This act was passed in Congress way back when it was determined that the Sherman Act, the Clayton Act, and the FTC Act were insufficient to promote competitive markets.

Unfortunately, back in 2005, three judges decided to rewrite the Packers and Stockyards Act instead of interpreting this statute. What this amendment will do is reinstate the Packers and Stockyards Act, and with that reinstate free market competition in the marketplace.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask unanimous consent that the time I am talking not be charged against the time for debate with respect to the Lugar-Lautenberg amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3660 TO AMENDMENT NO. 3500

Mr. BAUCUS. Mr. President, I ask unanimous consent that the pending amendment be set aside, and I call up amendment No. 3660, and ask unanimous consent that once the amendment is reported by number, I be recognized to speak for up to 5 minutes, and that at the conclusion of my statement, the amendment be withdrawn.

The PRESIDING OFFICER. Is there objection?

Mr. NELSON of Florida. Reserving the right to object——

Mr. CHAMBLISS. Reserving the right to object, would the Senator mind amending his unanimous consent request to provide for Senator NELSON to speak for 5 minutes and Senator MARTINEZ to speak for up to 5 minutes?

Mr. BAUCUS. That is fine as long as the time is not being charged.

Mr. LAUTENBERG. I have no objection as long as this time is not charged against the pending amendment.

The PRESIDING OFFICER. Is there objection to the request as modified?

Without objection, it is so ordered.

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Montana [Mr. BAUCUS], for himself and Mr. CRAPO, proposes an amendment numbered 3660 to amendment No. 3500.

The amendment is as follows:

(Purpose: To modify the trade title)

At the appropriate place in title III, insert the following:

SEC. 3___. AGRICULTURAL SUPPLY.

(a) IN GENERAL.—Section 902(1) of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7201(1)) is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraph (2) as paragraph (1); and

(3) by inserting after paragraph (1) the following:

''(2) AGRICULTURAL SUPPLY.—The term 'agricultural supply' includes—

''(A) agricultural commodities; and

''(B)(i) agriculture-related processing equipment;

''(ii) agriculture-related machinery; and

''(iii) other capital goods related to the storage or handling of agricultural commodities or products.''.

(b) CONFORMING AMENDMENTS.—The Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7201 et seq.) is amended—

(1) by striking ''agricultural commodities'' each place it appears and inserting ''agricultural supplies'';

(2) in section 904(2), by striking ''agricultural commodity'' and inserting ''agricultural supply''; and

(3) in section 910(a), in the subsection heading, by striking ''AGRICULTURAL COMMODITIES'' and inserting ''AGRICULTURAL SUPPLIES''.

SEC. 3___. CLARIFICATION OF PAYMENT TERMS UNDER TSREEA.

Section 908(b)(1) of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7207(b)(1)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(2) striking ''(1) IN GENERAL.—No United States person'' and inserting the following:

''(1) PROHIBITION.—

''(A) IN GENERAL.—No United States person''; and

(3) in the undesignated matter following clause (ii) (as redesignated by paragraph (1)), by striking ''Nothing in this paragraph'' and inserting the following:

''(B) DEFINITION OF PAYMENT OF CASH IN ADVANCE.—Notwithstanding any other provision of law, for purposes of this paragraph, the term 'payment of cash in advance' means only that payment must be received by the seller of an agricultural supply to Cuba or any person in Cuba before surrendering physical possession of the agricultural supply.

''(C) REGULATIONS.—The Secretary of the Treasury shall publish in the Federal Register a description of the contents of this section as a clarification of the regulations of the Secretary regarding sales under this title to Cuba.

''(D) CLARIFICATION.—Nothing in this paragraph''.

SEC. 3___. REQUIREMENTS RELATING TO CERTAIN TRAVEL-RELATED TRANSACTIONS WITH CUBA.

Section 910 of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7208) is amended by adding at the end the following:

''(c) GENERAL LICENSE AUTHORITY FOR TRAVEL-RELATED EXPENDITURES IN CUBA BY PERSONS ENGAGING IN TSREEA-AUTHORIZED SALES AND MARKETING ACTIVITIES.—

''(1) DEFINITION OF SALES AND MARKETING ACTIVITY.—

''(A) IN GENERAL.—In this subsection, the term 'sales and marketing activity' means any activity with respect to travel to, from, or within Cuba that is undertaken by United States persons—

''(i) to explore the market in Cuba for products authorized under this title; or

''(ii) to engage in sales activities with respect to such products.

''(B) INCLUSION.—The term 'sales and marketing activity' includes exhibiting, negotiating, marketing, surveying the market, and delivering and servicing products authorized under this title.

''(2) AUTHORIZATION.—The Secretary of the Treasury shall authorize under a general license the travel-related transactions listed in paragraph (c) of section 515.560 of title 31, Code of Federal Regulations (as in effect on June 1, 2007), for travel to, from, or within Cuba in connection with sales and marketing

activities involving products approved for sale under this title.

''(3) AUTHORIZED PERSONS.—Persons authorized to travel to Cuba under paragraph (2) shall include—

''(A) producers of products authorized under this title;

''(B) distributors of such products; and

''(C) representatives of trade organizations that promote the interests of producers and distributors of such products.

''(4) REGULATIONS.—The Secretary of the Treasury shall promulgate such rules and regulations as are necessary to carry out this subsection.''.

SEC. 3___. AUTHORIZATION OF DIRECT TRANSFERS BETWEEN CUBAN AND UNITED STATES FINANCIAL INSTITUTIONS.

The Trade Sanctions Reform and Export Enhancement Act of 2000 is amended—

(1) by redesignating section 911 (22 U.S.C. 7201 note; Public Law 106–387) as section 912; and

(2) by inserting after section 910 (22 U.S.C. 7209) the following:

''SEC. 911. AUTHORIZATION OF DIRECT TRANSFERS BETWEEN CUBAN AND UNITED STATES FINANCIAL INSTITUTIONS.

''Notwithstanding any other provision of law (including regulations), the President shall not restrict direct transfers from Cuban to United States financial institutions executed in payment for products authorized by this Act.''.

SEC. 3___. SENSE OF CONGRESS THAT PROSPECTIVE PURCHASERS OF TSREEA PRODUCTS SHOULD BE ISSUED VISAS TO ENTER THE UNITED STATES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State should issue visas for temporary entry into the United States of Cuban nationals who demonstrate a full itinerary of purchasing activities relating to the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7201 et seq.) while in the United States.

(b) PERIODIC REPORTS.—Not later than 45 days after the date of enactment of this Act and every 90 days thereafter, the Secretary of State shall submit to the Committees on Agriculture, Foreign Affairs, and Ways and Means of the House of Representatives and the Committees on Agriculture, Nutrition, and Forestry, Finance, and Foreign Relations of the Senate a report that describes any actions of the Secretary relating to this section, including—

(1) a full description of each application received from a Cuban national to travel to the United States to engage in purchasing activities described in subsection (a); and

(2) a description of the disposition of each such application.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, more than 200 years ago, Richard Whately, an English logician, said:

> A man is called selfish not for pursuing his own good, but for neglecting his neighbor's.

Not only does our current Cuba policy make it difficult to pursue our own good, we are also guilty of neglecting the good of one of our closest neighbors.

Today I am offering an amendment to enable America's farmers and ranchers to sell their wheat, potatoes, and dairy products to a neighbor only 90 miles away and a market of 11 million consumers. That market, of course, is Cuba.

In the year 2000, Congress authorized limited sales of food and medical goods to Cuba under the Trade Sanctions Reform and Export Enhancement Act, otherwise known as TSREEA. That law permitted United States farmers and ranchers to engage in cash-based sales of their goods to Cuban buyers.

Under this new law, our agricultural trade with Cuba prospered. At its peak, American farmers and ranchers, including those from Montana, sold over $400 million worth of peas, beef, and wheat to Cuba in 1 year. In fact, in the year 2003, I led a trade mission to Cuba and walked away with a $10.4 million deal for Montana. Cuba bought $10.4 million of Montana wheat, beans, and peas. I went back a year later for $15 million worth of Montana goods. But then things changed. In 2005 the Treasury Department issued rules to stymie such sales. Under the guise of clarifying the intent of Congress, the Treasury Department instead undermined the express will of Congress by restricting the ability of U.S. farmers and ranchers to engage in cash-basis sales. Specifically, the new Treasury rule requires Cuban buyers to pay for their goods before they leave U.S. ports. What is the effect of that? That converts the goods to Cuban assets, which makes them vulnerable to seizure in American ports to satisfy unrelated American claims against the Cuban Government.

In order for American farmers and ranchers to sell their wheat, beef, and pork to Cuba, they must work with foreign banks, and surrender a portion of their profits to costly fees. Not surprisingly, since Treasury's rule, cash-basis sales of agricultural products to Cuba have slowed to a trickle. It made implementation of Montana's 2004 agreement with Cuba virtually impossible.

I think I know the intent of Congress. I was here when that act was passed. I can assure you that we do not need Treasury's ''clarification.'' Congress did not approve legislation to expand trade with Cuba with the expectation that the administration would seek to restrict it. Congress does not approve legislation to enable the sales of products by our farmers and ranchers, while at the same time making it impossible, by the Treasury Department, for them to receive payment.

These rules have continued to stifle the ability of farmers to sell their products to Cubans on a cash basis. They have encouraged foreign banks to take a cut of every United States ag deal with Cuba. They have required farmers and ranchers to wait weeks and months to get a license to travel to Cuba to meet potential buyers. They prevent Cuban buyers, who want to come to this country to meet with producers, who are going to buy the American products, from entering our country.

This amendment would change that. It restores the true intent of Congress. It simplifies the cash transactions, and expands opportunities for U.S. farmers and ranchers. It enables direct transfers from American banks to Cuban banks. It allows American farmers and ranchers to travel to Cuba to sell their products, and it encourages Cuban buyers to come to the United States to see our first-class products for themselves.

These provisions are plain, simple, common sense. These provisions are sound policy. I had hoped we could have a discussion and a vote on this amendment. But, unfortunately, some Members of this body have threatened to hold up the farm bill if we include, or even vote on, these important provisions.

AMENDMENT NO. 3660 TO AMENDMENT NO. 3500 WITHDRAWN.

In the interest of moving the farm bill forward, it is with deep regret that I ask unanimous consent to withdraw my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Florida.

Mr. NELSON of FLORIDA. Mr. President, Senator BAUCUS and I see eye to eye on about 95 percent of the issues in front of the Senate. This is one we do not agree on.

I thank Senator BAUCUS for withdrawing his amendment. He has been an outspoken and very articulate spokesman for his point of view of wanting agricultural products to go to Cuba. And coming from his State of Montana, I certainly understand that.

There is a greater issue here, in this Senator's opinion, and that is the issue of the foreign policy of the United States.

This Senator believes this issue ought to be a foreign policy debate on the future of the relationship of the United States with Cuba. There will be an appropriate forum in which we can engage in that debate. I believe that debate will come sooner than later because there is change in the air and change on the island of Cuba. Fidel is transitioning out. Raul is transitioning in. There is a great deal of unrest among the people, increasingly in a police state that has been so effective in tamping down any dissent over the course of the last four decades. Increasingly we are seeing the people of Cuba start to resist, to dissent, and to do it openly. We are right on the cusp of the Castro government starting to disintegrate and being unable to cow the people by imprisoning them as they have in the past.

What, therefore, should be the foreign policy of the United States when we are right at this moment of change? I think we ought to have a deliberative discussion about that issue, instead of on the farm bill. That is why I am thanking the Senator from Montana for withdrawing the amendment. I look forward to that debate. I look forward to this extraordinary change that is occurring on the island of Cuba so that ultimately those people will be able to break the shackles of bondage they have been in, and we can have a normal relationship between the Government of Cuba and the Government of the United States when that country finally does become free. That is our

hope, our prayer. That should be the goal of the foreign policy of the United States. It is within our grasp shortly.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. MARTINEZ. Mr. President, I join with my senior colleague in thanking the distinguished Senator from Montana for withdrawing this amendment which was ill-timed on this farm bill. Much important farm legislation and related items are in this bill. To now inject into it the very difficult issue, as my senior colleague well described, of a very fine-tuned policy, a foreign policy issue with Cuba into this bill would be a grave mistake.

I want to speak in a little broader context about the relationship between the United States and Cuba. It is one that is rooted—and the reason this proposed amendment would be so wrong—in the steps the Castro government took against U.S. economic interests on the island almost a half century ago, all uncompensated, never accounted for, and never taken care of. It is a debt that still exists. Legitimate business interests had their property taken from them without just compensation. That is why we have the policy we have today.

The question is, how can we influence events, how can we better help the Cuban people to overthrow the shackles that have held them in prison for 47 years?

The fact is, there is an awful lot happening on the island. People are increasingly saying enough is enough. It is time for change. Cimbio, the Spanish word for change, on this little bracelet that the people around the island are wearing increasingly represents the desire of the Cuban people. The Cuban regime, true to its nature, continues to repress the people. Here is why we should not reward the Cuban Government with a change in U.S. policy.

Yesterday, Human Rights Day around the world was celebrated in Cuba by a small group of people seeking to simply peacefully march to Ghandi Park, a park where Ghandi, that peaceful icon of the world, is represented. On their way there, Government thugs beat and arrested them, took them into unmarked sedans, and removed them from the area. So threatened is that Government that they also arrested 70 young people a month or so ago for wearing this simple bracelet. But that is not all. The most unheard of human rights abuse has taken place in recent days. In addition to the illegitimate detention of political prisoners in the most unspeakable conditions is the fact that the Cuban Government thugs entered a Catholic Church just a few days ago and arrested 18 young people who were there exercising the very limited right they have to at least attend church and to hear a sermon and to maybe have conversations about their hopes and dreams. The Cuban Government invaded that sacred space, took the people and arrested them. These are just a few examples of why this Government so illegitimately each day loses a little more of its grip on the people.

I believe the time will come when we can trade with Cuba, when we can have open relationships, and when we can see the fruits of that relationship benefit the people of Cuba, not just the Government structure with which America's farmers are dealing. We should not give credit to the Cuban Government. We know these cash sales are the only way we can be sure our people will be paid, and we should not enhance or increase the opportunity for the Cuban Government, which is the only owner of anything in Cuba. No one owns any property in Cuba but the Cuban Government. To trade with Cuba does not mean trading with Cuban farmers. It means trading with the Cuban Government apparatus. The Cuban people only see the meager droppings from the table of the tourists who go to Cuba with whom they are not allowed to even have a conversation.

Oftentimes people say: If we only opened the opportunity for people to freely travel, if we only allowed for the contact Americans would have with ordinary Cubans, everything would change. There are Canadian tourists, British, Italian. Their impact upon the Cuban people has not changed a thing because the tourists are prohibited from interacting with the people themselves. The people are just their servants. The people are the people who facilitate a fun time in the sun, but they are not allowed to have any political influence upon the people of Cuba.

I know there was a hearing this morning. I would love to comment further on that because much was said there which I believe to be completely wrong. But I thank the Senator from Kentucky, Mr. BUNNING, who, in this hearing this morning, spoke about his 5 months in Cuba. I saw Senator BUNNING when he was in Cuba during that time as a young boy. I had the pleasure of going to a stadium and watching him pitch, which was a thrill to me. Little did I know I would have the honor of serving with him in the Senate. I thank the Senator from Kentucky for his very good words and his clear understanding of the Cuban situation as it is today.

I thank the Senator from Montana for withdrawing an ill-timed and ill-advised amendment.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. LAUTENBERG. 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. LAUTENBERG. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUTENBERG. I ask unanimous consent that whatever time is used during the quorum be charged equally.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUTENBERG. 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. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3720 TO AMENDMENT NO. 3500

Mr. SCHUMER. Mr. President, I ask unanimous consent that the pending amendment be set aside so I may call up my amendment and that the time I use to describe my amendment not be charged against the time for the Senators from New Jersey and Indiana.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 3720 to amendment No. 3500.

Mr. SCHUMER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To improve crop insurance and use resulting savings to increase funding for certain conservation programs)

On page 272, after line 24, add the following:

SEC. 19___ SHARE OF RISK; REIMBURSEMENT RATE; FUNDING AND ADMINISTRATION.

(a) SHARE OF RISK.—

(1) IN GENERAL.—Section 508(k)(3) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(3)) is amended—

(A) by striking ''require the reinsured'' and inserting the following: ''require—

''(A) the reinsured'';

(B) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(B)(i) the cumulative underwriting gain or loss, and the associated premium and losses with such amount, calculated under any reinsurance agreement (except livestock) ceded to the Corporation by each approved insurance provider to be not less than 12.5 percent; and

''(ii) the Corporation to pay a ceding commission to reinsured companies of 2 percent of the premium used to define the loss ratio for the book of business of the approved insurance provider that is described in clause (i).''.

(2) CONFORMING AMENDMENTS.—Section 516(a)(2) of the Federal Crop Insurance Act (7 U.S.C. 1516(a)(2)) is amended by adding at the end the following:

''(E) Costs associated with the ceding commissions described in section 508(k)(3)(B)(ii).''.

(3) EFFECTIVE DATE.—The amendments made by this section take effect on June 30, 2008.

(b) REIMBURSEMENT RATE.—Notwithstanding section 1911, section 508(k)(4) of the Federal Crop Insurance Act (7 U.S.C.

1508(k)(4)) (as amended by section 1906(2)) is amended—

(1) in subparagraph (A), by striking ''Except as provided in subparagraph (B)'' and inserting ''Except as otherwise provided in this paragraph''; and

(2) by adding at the end the following:

''(E) REIMBURSEMENT RATE REDUCTION.—For each of the 2009 and subsequent reinsurance years, the reimbursement rates for administrative and operating costs shall be 4.0 percentage points below the rates in effect as of the date of enactment of the Food and Energy Security Act of 2007 for all crop insurance policies used to define loss ratio, except that the reduction shall not apply in a reinsurance year to the total premium written in a State in which the State loss ratio is greater than 1.2.

''(F) REIMBURSEMENT RATE FOR AREA POLICIES AND PLANS OF INSURANCE.—Notwithstanding subparagraphs (A) through (E), for each of the 2009 and subsequent reinsurance years, the reimbursement rate for area policies and plans of insurance shall be 17 percent of the premium used to define loss ratio for that reinsurance year.''.

(c) FUNDING AND ADMINISTRATION.—Notwithstanding section 2401, section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)) is amended—

(1) in the matter preceding paragraph (1), by striking ''2007'' and inserting ''2012''; and

(2) by striking paragraphs (3) through (7) and inserting the following:

''(3) The conservation security program under subchapter A of chapter 2, using $2,317,000,000 to administer contracts entered into as of the day before the date of enactment of the Food and Energy Security Act of 2007, to remain available until expended.

''(4) The conservation stewardship program under subchapter B of chapter 6.

''(5) The farmland protection program under subchapter B of chapter 2, using, to the maximum extent practicable, $110,000,000 for each of fiscal years 2008 through 2012.

''(6) The grassland reserve program under chapter C of chapter 2, using, to the maximum extent practicable, $300,000,000 for the period of fiscal years 2008 through 2012.

''(7) The environmental quality incentives program under chapter 4, using, to the maximum extent practicable—

''(A) $1,345,000,000 for fiscal year 2008;

''(B) $1,350,000,000 for fiscal year 2009;

''(C) $1,385,000,000 for fiscal year 2010; and

''(D) $1,420,000,000 for each of fiscal years 2011 and 2012.''.

Mr. SCHUMER. Mr. President, I rise today to offer an amendment to Senator HARKIN's substitute amendment to the farm bill. I commend Chairman HARKIN, Senator CHAMBLISS, and all the members of the Agriculture Committee for their hard work during the drafting of this farm bill.

I particularly thank the committee for its commitment to making this bill the most fair in our country's history. The committee's farm bill includes all agricultural producers, not just growers of commodity crops. With new programs for specialty growers and expanded protections for dairy and livestock producers, this bill is truly a winner for all parts of the country.

I thank my colleague from Iowa once again, now that he is in the Chamber, for his great work and for being inclusive as he always is.

I am here this morning offering an amendment I believe builds on the spirit of the committee's bill. This amendment increases funding for vital conservation programs that are important to all working farmers. It provides an additional $480 million over 5 years to the Environmental Quality Incentives Program, EQIP; an additional $65 million over 5 years to the Farmland Protection Program; and an additional $60 million to the Grassland Reserve Program.

To offset these increased payments, the amendment makes small reductions in the Federal subsidies of crop insurance. It increases the cut in administration and operations payments to 4 percent, above the committee's 2 percent, and retains the important snap-back provision Senator ROBERTS introduced.

The amendment also raises the underwriting gain share to 12.5 percent. That is the level to which the House raised it.

Working farmers are the most important stewards of our natural resources. Farmers and ranchers own 70 percent of the land in the country. They deserve help from the Government preserving these resources because all Americans benefit from them.

I would also like to add, I am in full support of the amendment—I am a cosponsor, in fact, of the amendment—the Senator from Ohio, Mr. BROWN, has offered. This amendment is along the same lines, and I will not ask for a vote on it if his amendment succeeds because I think it is an outstanding amendment.

With that, I yield back 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. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate now recess until 2:15 p.m.

There being no objection, the Senate, at 12:26 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARPER).

FARM, NUTRITION, AND BIOENERGY ACT OF 2007—Continued

The PRESIDING OFFICER. Who yields time?

The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, how much time remains?

The PRESIDING OFFICER. There is 41 minutes on the Republican side and 84 minutes on the majority side.

Mr. CONRAD. I wish to be alerted by the Chair when I have consumed 10 minutes.

The PRESIDING OFFICER. The Chair will be happy to do that.

Mr. CONRAD. Mr. President, I want to respond to the proposal by Senator LUGAR and Senator LAUTENBERG to substitute the Food and Energy Security Act of 2007 with the so-called FRESH Act.

Senator LUGAR and Senator LAUTENBERG are senior Members of this body, very much respected by Members on both sides. I have enormous respect and admiration, and I even have affection for both of them. But I must say, when it comes to farm policy, we have a stark disagreement. Senator LUGAR believes we would be better off if we simply disposed of the current farm safety net in favor of a revenue program with no price floor. Savings would be invested in conservation, nutrition, and specialty crop agriculture. I believe those are good priorities, in terms of where the money would go, but I remind Members of the Senate that the work of the committee—by the way, the bill came out of committee without a single dissenting vote. It is true we didn't have a rollcall, so I don't know how members might have expressed themselves, but nobody asked for a rollcall or asked to be recorded in the negative.

The fact is we increased each of those areas that is addressed in the FRESH Act. We increased conservation over the baseline by $4.5 billion. We increased nutrition by $5.3 billion over the baseline. We increased specialty crop resources by $2.5 billion. Those are all very large increases. The biggest percentage increase went for conservation.

When it comes to investing in the things Senators LUGAR and LAUTENBERG care about, the committee did a good job. So if this is not about investments in those areas, what is the real difference? I don't think this bill is about resources for other areas; I think it is largely about finding a way to gut existing commodity programs.

I have heard statements in support of the FRESH Act that amount to broadsides against existing policy. So let me respond to some of the arguments we have heard from the other side. Let's examine the attacks on the distribution of farm program benefits.

The critics say only 43 percent of all farms received payments. The critics say that 57 percent of farms unfairly operate without a safety net. The critics say the largest 8 percent of all farms receive 58 percent of the farm program benefits. All of those statements have some element of truth, but they don't tell the whole story. They don't come close to telling the whole story. In fact, taken alone, I think they completely misrepresent the reality of the farm program. Let's look at each of these claims in turn.

According to the Economic Research Service, farming operations receiving no Government payments had an average household income of over $77,000 per year. But the farm income portion of that was only $1,000. So when the assertion is made that almost half of the

farms get no farm program benefits, guess what. Those people are not farmers. They have an average income of $77,000, and only a thousand of it comes from farming operations. Those people are not engaged in farming in any meaningful way. What this tells me about the 57 percent of farms operating without a safety net is that a big chunk of them aren't much into farming at all. The largest portion of them farmed only marginally, or do so as a hobby.

Our own son is in that category. They have a little farm, with over $1,000 in receipts. So they are counted in all of the statistics as being a farmer, because that is all it takes—$1,000 of receipts—and you are counted as a farmer. But he has a job in town, a full-time job. He is basically a hobby farmer. Yet they are saying he should be getting farm program benefits; that it is unfair because he is not getting farm program benefits. No. That applies to the first argument.

The absurdity of trying to claim that these producers are terribly mistreated is the fact that the FRESH Act's own risk management accounts would not allow them to participate either. So I guess what is good for the goose is good for the gander. That is because the eligible participant is someone with an AGI from farm operations of $10,000 or more. They would not count them as farmers at all. If the proponents do not call the majority receiving Government payments farmers, why should they be clamoring to find support for them in the commodity support provisions?

Part of the problem is the way farmers are defined for statistical purposes. To quote from the Economic Research Service:

> Most establishments classified as farms are too small to support a household because the official U.S. farm definition requires only $1,000 of sales to qualify as a farm.

So the first criticism we hear is without merit. I would like to think of farm households as those that actually obtain a significant portion of their income from a farming operation. When you look at those households, you get a completely different picture.

This chart shows where Government program payments go when compared to gross receipts of farming operations. You see a very different reality. If you look at all of the farms with gross farm receipts above $50,000, you will see that only 23 percent of roughly 2 million total farms are responsible for 90 percent of farm receipts. But their share of Government payments is actually somewhat less, totaling just over 81 percent.

So here is the reality. Those with receipts of over $50,000 account for only 23 percent of farms, but they do 90 percent of the business and they get 81 percent of farm program payments. Actually, it is somewhat less than their percentage of actual production.

The group signified on the left, with sales less than $50,000, constitutes nearly 77 percent of farms, but produces about 10 percent of gross farm receipts. Yet their share of Government payments is nearly double their percentage of those gross receipts. Let me emphasize that: 77 percent of farms, as tallied by the USDA, are below $50,000 in receipts. They do about 10 percent of the production and get a disproportionate share of the benefits.

It is amazing what different conclusion one reaches when one actually researches the underlying facts.

I will repeat that first statistic again. Farms with gross receipts of over $50,000 account for only 23 percent of our farms, but they produce 90 percent of the foodstuffs we consume, and they receive 81 percent of Government payments.

When you drill deeper into the data, farms with receipts of less than $10,000 constitute 58 percent of total farm numbers. Yet they produce less than 4 percent of total farm production and still receive 7 percent of Government payments.

So the conclusion one reaches, if one actually examines these data, is totally different than the story being told by the critics. These statistics from USDA's Economic Research Service clearly show how Government payments go to those actually producing the food. That is what is happening. You get farm program benefits roughly in relationship to your share of production. That is the way it is designed to be. That is the way it is. Don't let anyone try to tell you something different.

To the extent there are farming operations that don't participate and yet provide a great deal of sales, this farm bill seeks to help them through investments in specialty crop agriculture and a broad-based disaster assistance program. But to suggest that the vast majority of farms is being mistreated by the farm program is simply false. It is not true; it is not fair; it is not accurate. In fact, the smallest producers get a bigger share of Government payments relative to receipts than do the largest producers.

Also, I seriously question how replacing the marketing loan, countercyclical, and direct payment programs with area and farm revenue programs would change how payments are distributed.

In fact, these free ''revenue'' programs would almost certainly follow production, and they don't have any internal payment limitations or adjusted gross income limitations provided in the titles being eliminated. They would concentrate payments even more.

The PRESIDING OFFICER. The Senator has used 11 minutes.

Mr. CONRAD. I ask to be alerted when I have taken another 5 minutes.

The PRESIDING OFFICER. The Chair will do so.

Mr. CONRAD. The FRESH program would actually concentrate payments even more. Wouldn't that be ironic? The proponents of the bill are trying to make the case that the policy contained in the committee bill violates our trade commitments. All of this talk of trade violations or potential actions against the United States on trade can be a bit confusing for Members. Let me attempt to reduce the confusion.

First, the current WTO rules limit our trade-distorting domestic support to $19 billion a year. The Congressional Budget Office says payments under this farm bill will be less than that. When it comes to potential actions against the United States by countries such as Brazil and Canada, it appears they are throwing the kitchen sink at us, hoping to make something stick. It has gotten so ridiculous that Brazil even claims that excise tax exemptions on off-road fuel are a trade violation. You have to admire them for their creativity. We cannot write a farm bill based on some agreement that has yet to be written. Sometimes we do a pretty good job of predicting the future here, but I don't know how we can direct what a future trade agreement might look like. To say we are violating an agreement that has not been written, made, or passed is an empty exercise. It is our responsibility to write a policy for agriculture that is in the best interests of America, not in the best interests of those who want to be critics.

The reductions in support to crop insurance that are contained in this alternative proposal could destroy the program. Cutting $25 billion from the crop insurance program will lead to companies simply walking away and crop insurance not being available when it is desperately needed.

I believe crop insurance needs a serious look, needs reform, but taking an axe to it is simply, I believe, simplistic and counterproductive. I would rather we do a serious study on how to reform crop insurance and follow those results, rather than an ad hoc vote here on the floor.

I want to direct colleagues' attention to the potential catastrophic impacts this bill would have on farm income if this amendment were adopted.

Texas A&M did an analysis by actually going to farms across America and looking at their books and records and determining the effect of this amendment on those farms and their incomes.

Twenty-four of the twenty-five representative crop farms would see more than a 25-percent reduction in their cash income. Seventeen of the representative crop farms would experience more than a 25-percent decline in ending net worth by the end of the period.

With lower commodity prices the ''provisions do not come close to providing the same amount of support as the programs in the 2002 farm bill, and should such a low price scenario occur in the future, most of the farmers and ranchers would not be able to survive the erosion in farm income without some additional Government support.''

This is a bankruptcy proposal for rural America if prices turn down. Let's be clear about the consequences of this amendment. It can be summed up in two words: mass bankruptcy. That will be the result if a proposal such as this is adopted and, God forbid, prices decline, and decline sharply, and we have seen that repeatedly in agriculture.

Essentially, what this study says from Texas A&M is, if prices remain high, the impacts of this bill would be substantial, but when low prices return—and they have a bad habit of returning in agriculture—proposals such as the FRESH Act would pull the rug out from under our producers and result in financial ruin for them. That is what the experts at Texas A&M have concluded.

I don't think the American people are interested in mass bankruptcy in rural America. For those who would like you to believe that our farm policy has not benefited the people of our country and, indeed, the people of the world, I will leave my colleagues with the words of a recent Wall Street Journal article.

I ask for an additional 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. This is what the Wall Street Journal said:

> The prospect for a long boom is riveting economists because the declining real price of grain has long been one of the unsung forces behind the development of the global economy. Thanks to steadily improving seeds, synthetic fertilizer and more powerful farm equipment, the productivity of farmers in the West and Asia has stayed so far ahead of population growth that prices of corn and wheat, adjusted for inflation, had dropped 75 percent and 69 percent, respectively, since 1974. Among other things, falling grain prices made food more affordable for the world's poor, helping shrink the percentage of the world's population that is malnourished.''

We never hear it from the critics, but the Wall Street Journal is reporting that one of the key reasons for the economic boom in the world is the increase in productivity in agriculture led by the West, led by our country. That amazing increase in productivity has in real terms dramatically reduced the cost of corn and wheat by 75 percent and 69 percent since 1974. I think those words should be taken to heart.

U.S. agricultural policy has provided enormous advantages to all of our citizens and to the world. I cannot imagine what would happen without it.

I conclude by reviewing the distribution of funding for this package and the investments made in nutrition and conservation.

Under the bill proposed by the Senate Agriculture Committee, the amount for commodity programs is reduced more than 11 percent, to 13.6 percent of total outlays, while establishing many new programs to benefit speciality crop producers.

Spending for nutrition programs remains at about two-thirds of total outlays. Let me repeat that. Where is most of the money going in this bill? Where is most of the money going? It is going to nutrition. That is the bill that came out of the committee. Sixty-six percent of the money is going for nutrition. We don't hear that from the critics, but that is a fact. Less than 14 percent is going for commodity programs, and that is an 11-percent reduction from the previous bill.

This bill, the bill out of committee, represents a significant redirection of resources in areas we all know is necessary. And we didn't need to gut farm programs to make these investments.

I hope my colleagues will reject this proposal and support the committee package that is before us. It is responsible, it is good for taxpayers, it is good for farmers and ranchers, it is good for the economy, it is good for nutrition, it is good for conservation. It deserves our support.

The PRESIDING OFFICER. Who yields time? The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I wish to propose a unanimous consent request. First, I wish to let everybody know where we are. A vote was originally scheduled for sometime around 3:45 p.m. It is likely to be a little bit before that. My understanding is that Senator LAUTENBERG has some comments he wants to make on this amendment. I will make some comments. Senator LUGAR may have additional comments he wishes to make before the vote.

Following the vote on the Lugar-Lautenberg amendment, I ask unanimous consent that Senator GREGG be allowed 1 hour equally divided on his amendments Nos. 3671, 3673, and 3674; that following Senator GREGG, Senator ALEXANDER have 1 hour equally divided on his amendments Nos. 3551 and 3552; that following Senator ALEXANDER, Senator COBURN have 90 minutes equally divided on his amendments Nos. 3530, 3632, and 3807. Senator HARKIN may have some Democratic amendments that we may place among those amendments.

The PRESIDING OFFICER. Is there objection?

Mr. HARKIN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I discussed this with my colleague earlier, but we are also working on a unanimous consent request. There is another amendment we might want to insert. If my friend will withhold, I think we can work this out in a discussion, and then we can propound the unanimous consent request.

Mr. CHAMBLISS. That is fine. I withdraw my request.

The PRESIDING OFFICER. Who yields time?

Mr. LAUTENBERG. Mr. President, how much time remains?

The PRESIDING OFFICER. The proponents of the amendment have 41 minutes remaining, and for the opponents of the amendment, there is 62 minutes remaining.

Mr. LAUTENBERG. 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. CHAMBLISS. 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. CHAMBLISS. Mr. President, I again ask unanimous consent that following the vote, which I understand is going to be at approximately 3:30 p.m., the following amendments be called up in this order: Senator GREGG's amendments Nos. 3671, 3673, and 3674; that debate be 1 hour equally divided; then following that debate, Senator ALEXANDER on amendments Nos. 3551 and 3553 for 1 hour equally divided; and Senator COBURN on amendments Nos. 3530, 3632, and 3807, with 90 minutes equally divided; and that these votes will be stacked for sometime tomorrow.

The PRESIDING OFFICER. Is there objection?

Mr. HARKIN. Again, reserving the right to object, I, first of all, thank my colleague for working out this agreement. This is great progress. We have great time agreements. I appreciate his work in that regard.

I wish to make it clear, was it the intention of my friend to have them all in that order? Can they be in a different order when they come up or when people are here?

Mr. CHAMBLISS. The request does not pretend to set the order, the vote of the respective amendments.

Mr. HARKIN. Further reserving the right to object, I ask my friend, he said earlier if, in fact, a Democrat comes with an amendment on this side—I don't have one right now—that they could at that time work it in. We have at least one I know we might want to call up later today.

Mr. CHAMBLISS. Sure. We will be happy to amend it.

Mr. HARKIN. With that, I have no objections.

Mr. DURBIN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Illinois will state his reservation.

Mr. DURBIN. Do I understand the unanimous consent request calls for specific amendments after the pending amendment is voted on?

Mr. HARKIN. That is right.

Mr. DURBIN. I followed this in my office. May I ask the Senator from Georgia if he would be kind enough to tell me, I understand amendment No. 3671 is on his list, Senator GREGG's amendment.

Mr. CHAMBLISS. Yes.

Mr. DURBIN. What are those amendments?

Mr. CHAMBLISS. Amendment No. 3671 is striking the farm stress program, and amendment No. 3673 is the OB/GYN liability reform.

Mr. DURBIN. Is there another request?

Mr. CHAMBLISS. Amendment No. 3674, the mortgage forgiveness amendment.

Mr. DURBIN. In the Senator's unanimous consent request, is there any time limit on the amendments?

Mr. CHAMBLISS. Yes, 1 hour equally divided for all three.

Mr. DURBIN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. HARKIN. 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. HARKIN. 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. HARKIN. Mr. President, I ask unanimous consent that the vote in relation to amendment No. 3711 occur at 3:50 p.m., with the time divided 45 minutes for Senators LUGAR and LAUTENBERG and 15 minutes in opposition, with the remaining provisions of the previous order remaining in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, before I speak to the amendment Senator LUGAR and I have offered, I wish to express my thanks to Chairman HARKIN and Ranking Member CHAMBLISS and the entire Agriculture Committee for the weeks of work that represent the foundation of this legislation.

I also particularly thank Senator LUGAR for bringing his experience and knowledge to the development of our amendment. His background carries the tradition of generations of family farming in Indiana, where over 600 acres of theirs are still under production, and he calls for farming to be continued as a significant part of America's culture. He understands how critical it is to our national well-being that family farms exist independently to produce the nutritious foods that help America maintain a healthy population.

Although I didn't grow up on a farm, I do have experience in the business world, and our alliance on this issue brings together two views on the farm bill and what we ought to do in the interest of our country. That business experience I had matches up well with Senator LUGAR's experience in this amendment because I learned in my business experience that fair and balanced competition for all products will result in quality products at low prices, and we ought not to be subsidizing the extremely well-off producers at the expense of family farmers who need help to continue to be able to offer their produce in the marketplace.

Writing a law such as the farm bill is no simple task, with the varied views on how we put nutritious food on family tables at costs that are affordable. I believe the bill on the floor helps farmers and millions of Americans in several ways that fulfill our responsibility as public servants. For example, it imposes limits on the amount of taxpayer money that can be used to subsidize our already profitable farms. It offers opportunities to produce more renewable fuels to conserve energy and conservation to keep farmlands in existence.

Despite these improvements, we need more changes for serious reform. I know many of my colleagues agree with Senator LUGAR and me on the need to do more to encourage all farmers to continue to produce food and nourishment at the best quality and lowest possible price while they earn a livelihood.

America grows thousands of crops, but the bill before us includes $42 billion in subsidies for only five—corn, cotton, rice, soybeans, and wheat. Most of that money goes not to struggling farmers who are spending long hours in the fields away from their families toiling to bring enough crops to market to merely get by and resisting the seduction of selling their land at high prices to developers for commercial purposes, but the money is going to those who are already raking in record profits, and I want to demonstrate what I mean.

This chart says it all: 10 percent of farms receive nearly 75 percent of the subsidies. Think of it—10 percent receive nearly 75 percent of the subsidies. The 10 percent of the farms we talk about from this chart are those well-off farmers and agribusinesses—the ones that are bringing in giant profits. As a matter of fact, they received $120 billion in subsidies in the last 10 years. In fact, our current farm policy funnels subsidy checks into the mailboxes of millionaire landowners and agribusinesses across the country. Even someone who might have just become familiar with this situation in front of us would tell you that it doesn't make sense to fund huge farms and businesses while failing to help farmers continue producing crops essential to our national well-being on smaller farms that preserve the traditions that made America strong and independent.

We all recognize that the Agriculture Committee wants America's farms to thrive, our economy to be strong, and Americans to eat healthy foods, but I ask, if every farmer is helping to feed America, shouldn't America be helping every farmer? The answer is, without question, of course. We need a farm bill that helps farmers across the country regardless of where they farm or what they grow. We need a farm bill that invests in more than just crops. It must invest in nutrition and in healthier foods, such as fruits and vegetables, so that our children are not burdened with obesity, diabetes, and other serious illnesses that are the side effects of poor nutrition. It must provide more in food stamps so that modest, hard-working parents who face tough times can still prepare quality, nutritious foods for their families to eat. And it must invest in conservation so that our green spaces do not fall victim to highrises and commercial buildings and so that we don't destroy the Earth that our children and grandchildren call home by turning it into concrete highways and buildings.

The Senator from Indiana, Mr. LUGAR, and I have offered a plan for reform. We are from different States and different experiences. My colleague, Senator LUGAR, grew up on a farm, whereas I grew up in the city, but when it comes to the farm bill, Senator LUGAR and I see eye to eye on the challenges America and its lands face, and we have a shared vision for the path forward. We see that our subsidies are for only a handful of crops in our country and are going to the giant agribusinesses instead of smaller farms. The taxpayer-funded handouts we turned over to those businesses in the last 5 years totaled $72 billion. We gave them $72 billion. Think about that. The profits of four out of the five largest crops that get subsidies will set alltime records this year.

This has been a prosperous year for a lot of people who run the large agribusinesses and the large profit-making farms. As I said, alltime records are being set this year, according to the Department of Agriculture. At the same time, crops such as fruits and vegetables and other nutritious foods we want to see on American tables do not get the same kind of help. My State of New Jersey, for example, has many farms in our densely populated State. We are called the Garden State for a reason. We have major growers of blueberries, cranberries, and lettuce, for example, near the marketplace. Those nutritious fruits and vegetables go directly from our farms to markets in the cities, saving unnecessary fuel and transportation costs while improving the health of our residents at the same time. But the current farm bill fails to aid and encourage these farmers across the country, and that is why the Lugar-Lautenberg amendment makes so much sense.

Our plan for reform will help every farmer in America grow their crops and feed the Nation. I demonstrate here what I mean.

As we refer to here, our amendment provides for free crop insurance to protect all farmers from major losses. Our plan replaces the current system of subsidies with smart and free insurance programs to protect all farmers from catastrophes such as drought or pest infestation. Whether farmers grows corn or cranberries, soybeans or squash, their livelihoods are protected so they can continue to provide nutritious meals that are essential for the health of children and families across the country.

Our plan guarantees that the income of farmers will not fall so severely that

they stop farming. It protects all farmers, most of whom will be covered against losses of 15 percent or more in any year whether they grow and harvest 20 acres or 2,000 acres.

This approach is not only more equitable for every farmer, but it is far less expensive—for them and for every American taxpayer. With the money we save, we are going to be able to invest $2.5 billion more in nutrition programs, food stamps, and specialty crops such as potatoes, tomatoes, and oranges. With more support for nutritional foods such as fruits and vegetables, Americans can provide healthier meals and fight health problems such as diabetes and obesity, and more money for food stamps will help the 26 million Americans who rely on food stamps to stay alive and keep their heads above water, to feed themselves and their families.

It is shocking to note that some of the food stamp recipients are expected to survive on $10 a month—think about that, $10 a month. It is a paltry sum by any standard. We checked prices at a local supermarket recently, and if you add up the cost of a loaf of bread, a gallon of milk, a pound of cheese, and a dozen eggs, you are already over $10. How is it possible for people to sustain themselves with that small amount of funds at their disposal? Helping those with the least is exactly what America is about. By increasing money for food stamps, our amendment goes in the right direction.

Our plan invests $1 billion more than does the bill on the floor in conservation programs that assure farmers they can protect their land from pollution and urban sprawl. All of us see what is happening now to farmland, to the green areas. They are falling prey to development at paces that frighten us. Cities across the country are beginning to say no more development here. And the best way to stem the tide is to give farmers the ability to preserve and conserve their land. Right now our farmers who want to participate in these programs are limited because they do not have the funds.

Our plan invests a half billion dollars more into alternative energies. With oil prices and concerns about global warming on the rise, this investment addresses both of these urgent problems.

Finally, our reform plan does what the public wants us to do: to be good stewards of the taxpayers' money by putting $4 billion toward paying down the Federal deficit. Think about it, our national debt is growing out of control, our deficits are growing, and we are constantly looking for ways to fund domestic programs. At least we will begin to arrest in significant part the growth of the annual deficit with $4 billion at the same time we accomplish the goal of helping those who do farming, those who have modest pieces of land and have businesses that are difficult to maintain in this day of competition.

Every State in America has agriculture, so we need a farm policy that helps every State. The plan that Senator LUGAR and I have offered is in the best interests of every American farmer and thus every American family. The men and women whose labor, sweat, and toil feed the Nation deserve nothing less, and we hope it will be recognized on the floor of this Chamber that we want to encourage farmers to stay on the farms; that we want to encourage the availability of products that are nutritional and will aid the health of our population.

I yield the floor and ask the remainder of my time be reserved for Senator LUGAR as he indicated he desired.

The PRESIDING OFFICER (Mrs. MCCASKILL) The Senator from Georgia is recognized.

Mr. CHAMBLISS. Madam President, I rise in opposition to the amendment offered by my good friends, Senator LUGAR and Senator LAUTENBERG.

The purpose of this amendment is supposedly to ''serve more farmers more fairly and be responsive to regional and national crises that endanger the continuing success of America's farmers.''

For farmers in my region and in my State, this amendment does the opposite of that: if enacted, it would seriously endanger the success of my farmers.

This amendment removes the safety net that producers support, most of it immediately and the rest over a period of time. Here is what it does:

phases out nontrade distorting direct payments that are critical for farmer financing and support;

removes the availability of a nonrecourse marketing loan that producers rely upon to market their crops;

removes countercyclical support that is necessary in times of low prices;

allows, without the limitation contained in the committee-approved bill, production of fruits and vegetables for processing on any base acreage, which is a serious concern to the specialty crop industry.

Madam President, 26 agricultural organizations have signed a letter urging Senators not to support this amendment because it eliminates the safety net provided to producers and shifts significantly more funding out of the commodity title.

I ask unanimous consent the letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, November 16, 2007.

DEAR SENATOR: We are writing to urge you NOT to co-sponsor or support S. 2228, the Farm, Ranch, Equity, Stewardship and Health (FRESH) Act, as either a stand-alone bill or as an amendment to the Farm Bill.

The FRESH Act eliminates the current safety net provided to U.S. producers and shifts considerable funding to conservation, nutrition, energy and other programs. It is easy to look at current high prices for most agricultural commodities and assume it is a ''good time'' to lower government supports. It is critical to remember that farm bills are written for the long-term rather than short-term and that there is no assurance high prices will continue over the next 5–10 years.

Additionally, the commodity title of the farm bill has already taken a $57 billion cut. In 2002 Congress committed $98.9 billion to commodity programs. According to the March 2007 CBO baseline, commodity title outlays are projected at only $42 billion over the life of the new farm bill. All told, the commodity programs are projected to be about 10% of total farm bill spending, while more than 80% of the farm bill spending is already slated for nutrition and conservation programs.

Our organizations support the safety net provided in the bill which was unanimously approved by the Senate Agriculture Committee. The stringent requirements placed on the risk management accounts that replace this safety net in the FRESH Act would not provide producers with the necessary flexibility to effectively manage their operations. Aside from crop losses, producers can face a wide range of challenges, including dramatically increasing input prices.

Our organizations believe the farm bill can live up to our current WTO obligations without gutting the critical safety net needed by producers. U.S. farm policy should continue toward a more level playing field in the global market by providing assistance to America's farmers. However, this goal is not achieved by writing a farm bill that complies with what someone assumes will be the potential outcome of the WTO negotiations.

Finally, while we support strong conservation, nutrition, and energy programs, additional support for these programs should not come at the expense of adequate funding for the safety net for American farmers.

We ask that you do not sign on as a cosponsor or support S. 2228 as a stand-alone bill or as an amendment to the Farm Bill.

Sincerely,

American Farm Bureau, National Farmers Union, National Association of Wheat Growers, Southern Peanut Farmers Federation, USA Rice Federation, American Soybean Association, Peanut Growers Marketing Cooperative, North Carolina Peanut Growers, Virginia Peanut Growers, American Beekeeping Federation, Rice Belt Warehouses Inc., United Dairymen of Arizona, American Association of Crop Insurers, National Sorghum Producers.

US Rice Producers Association, Crop Insurance Professionals Association, American Sheep Industry Association, National Council of Farmer Cooperatives, Western Peanut Growers Association, National Cotton Council, American Sugar Alliance, National Barley Growers Association, National Sunflower Association, USA Dry Pea & Lentil Council, US Canola Association, and American Honey Producers Association.

Mr. CHAMBLISS. Senator LUGAR's amendment replaces the current safety net with several measures—two of which are related to crop insurance and revenue protection.

I greatly appreciate Senator LUGAR's interest in expanding crop insurance coverage, because there are very few farmers in my State who are even eligible to purchase the coverage Senator LUGAR uses as a component of his safety net. I appreciate his interest in expanding the Group Risk Income Protection—GRIP—and Group Risk Protection—GRP—which are county-level revenue plans of insurance, but I have serious concerns about building the safety net around these programs as a replacement to traditional commodity programs.

While GRIP and GRP may be popular, workable programs in Indiana, they are not in Georgia. Of the 159 counties in my home State, these policies are only offered in: for soybeans, 7 counties; for corn, 9 counties; for wheat, 4 counties; for cotton, 16 counties; for peanuts, about 25 counties.

In Georgia in 2006, only 47 of these policies were sold and earned premium; 47 for the whole State out of over 13,000 total policies sold and earning premium. Only seven of those triggered indemnity payments. One of those 47 producers called my office and said he wished he had never taken it because it did not provide individualized coverage.

Let's look at participation in States in which this coverage is more widely available. Nebraska in 2006 sold 576 GRIP and GRP policies of the 90,896 total policies sold and earning premium. That is less than 1 percent of all policies. Kansas in 2006 sold 110 GRIP and GRP policies out of a total of 117,984. Again, less than 1 percent of all policies. South Dakota in 2006 sold 20 GRIP and GRP policies out of a total of 59,648 policies. Again, less than 1 percent of all policies. North Dakota in 2006 sold 9 GRIP policies and 0 GRP policies out of a total of 69,539 policies. Again, less than 1 percent of all policies. Illinois and Indiana have a different experience: 20 percent in each of these States were GRIP/GRP policies.

I am very glad these products are viable risk management tools in Illinois and Indiana and possibly other States, and I want those folks to continue to use them. But I wonder why producers in these other States aren't purchasing these products. And I question how prudent it is to include these products as a significant component of a replacement so-called safety net when few producers are voluntarily purchasing them in most places except Illinois and Indiana.

Again, while I appreciate Senator LUGAR's interest in expanding this coverage, I do not support it as a replacement to the safety net provided in the committee-approved bill, which contains a safety net that producers have voiced support for and works especially for my home State.

Crop insurance has experienced tremendous growth and success since the enactment of the 2000 reform bill. In 2007, farmers insured more than 271 million acres, with an estimated crop loss liability of $67 billion. In my home State in 1994, only 38 percent of eligible acres were insured; and in 2006, 89 percent of eligible acres were insured.

In the committee-approved farm bill, over $4.7 billion has been taken out of the crop insurance program to fund other farm bill priorities. These savings were achieved to answer criticisms of the program and improve operational efficiency. We have tried to manage these funding reductions in a way that will not unduly harm the program or the delivery system.

Because crop insurance is a Federal program that is supported through a blend of private and Federal reinsurance and delivered through private insurance providers and a network of agents nationwide, we have to be careful in making any changes to the program. There must be sufficient financial incentives for providers and agents to provide appropriate service to their customers yet not so lucrative as to waste taxpayer dollars. The financial strength of the insurance providers is critical to the reinsurance community providing financial and risk-bearing support to the insurance providers. Commercial reinsurance helps assure the economic stability and continuity of the insurance providers in delivering and servicing the crop insurance policies.

By requiring a ceding of 30 percent of risk by companies to USDA and a much deeper cut in the administrative and operating—A&O—expense reimbursement to providers than the committee-approved bill and the House-passed bill, Senator LUGAR's amendment will have serious negative effects on the delivery system that could impact service and the availability of coverage in many States.

After the House passed its farm bill this summer, the reinsurance community sent me a letter expressing concerns about significant cuts the House made to the A&O expense reimbursement as well as the required increased quota share by USDA. For reference, the House cuts were greater than those in the committee-approved bill but less than what Senator LUGAR proposes.

Specifically, the letter signed by 13 reinsurers states that the House's proposed reduction in A&O will further strain the insurance providers' ability to properly deliver and service the crop insurance program.

The letter notes that there is a justifiable and widespread concern that even fewer insurance providers will exist in the future. There are 16 approved insurance providers nationwide. That does not mean 16 providers in every State—some States have as many as 16, others have less. This issue raised by the reinsurance community should be concerning, especially for those of us whose States have fewer insurance providers than the current nationwide total.

The letter states that if reinsurers sense that insurance providers will be unable to subsidize further the costs of processing and claims settlements, reinsurers will likely exercise extreme caution in providing private reinsurance. Creditworthiness is paramount for reinsurers, which do not need and do not want to support thinly capitalized and/or overleveraged insurers.

The letter also maintains that allegations about the insurance providers earning excessive profits in recent years are unwarranted and inaccurate.

Madam President, I ask unanimous consent to have this letter printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CROP INSURANCE
RESEARCH BUREAU, INC.,
Overland Park, KS, September 18, 2007.

Hon. TOM HARKIN,
Chairman, Senate Committee on Agriculture, Nutrition and Forestry, Washington, DC.

Hon. SAXBY CHAMBLISS,
Ranking Member, Senate Committee on Agriculture, Nutrition and Forestry, Washington, DC.

DEAR CHAIRMAN HARKIN AND RANKING MEMBER CHAMBLISS: The undersigned represent a cross section of the private reinsurance community engaged in the Federal Crop Insurance program. Private reinsurers are a critical element in a successful program because they afford standard reinsurance contract holders the ability to offer it on a truly national basis. Our continued presence is predicated upon the overall strength and viability of the program. The provisions in the House version of the Farm Bill give us considerable pause for concern.

The crop insurance program has enjoyed unqualified success since the private sector was introduced in 1981. This success is measured in terms of the percentage of eligible acres insured today versus those acres insured in 1981. Today roughly 80% of eligible crops are insured versus less than 20% in 1981. Furthermore, the numbers of crops that are eligible for insurance coverage today have also increased significantly since 1981. This success in insuring over 242 million acres has created an economical safety net for America's farmers—and a safety net for the entire rural community that depends upon a strong agricultural economy.

Discussions on the crop insurance program usually focus on the farmers and those companies that deliver crop insurance—the Approved Insurance Providers (AIP). However, a critical component to an AIP's operation is the reinsurance, which the AIP purchases from the private sector.

Many legislators seem to assume the only reinsurance that is needed is that which is provided by the Standard Reinsurance Agreement (SRA). The crop industry needs, and relies upon, so-called commercial reinsurance to supplement the reinsurance provided to the AIPs under the SRA. Commercial reinsurance provides two essential benefits to an AIP:

1. This reinsurance provides financial and risk-bearing support to the AIP whereby the AIP can deliver crop insurance over a greater geographic area and/or assist the AIP in delivering a greater number of insurance policies than the AIP could normally provide on their own.

2. This commercial reinsurance provides a vital economic backstop to the AIP.

Therefore, the commercial reinsurance helps assure the economic stability and continuity of the AIP in delivering and servicing the crop insurance.

As Congress continues its review of various aspects of the crop insurance program, the commercial reinsurance industry has noted certain aspects that may have an undesirable impact on the crop insurance industry if these various aspects are implemented.

REDUCTION IN ADMINISTRATIVE AND OPERATING EXPENSE (A&O):

The proposed reduction in A&O will reduce the income to the AIPs and will further strain their ability to properly deliver and service the crop insurance program. From a reinsurer's perspective, there is a justifiable and widespread concern even fewer AIPs will exist in the future. There were some 55 AIPs in the late 1980s. Today there are only 16 AIPs. The reduction in the number of AIPs is directly attributable to the historical reduction in the A&O percentage. Quality, accurate and timely service is of utmost importance in order that policies are processed

properly and that insurance claims are settled properly. If reinsurers sense that AIPs will be unable to subsidize further the costs of processing and claims settlements, leading to a heightened perception of their financial vulnerability, reinsurers will likely exercise extreme caution in providing private reinsurance. AIP creditworthiness is paramount for reinsurers, which do not need and do not want to support thinly capitalized and/or over leveraged insurers.

INCREASED QUOTA SHARE BY FCIC:

Certain legislators have alleged that the crop industry AIPs have made ''excessive'' profits in recent years. These statements are simply unwarranted and inaccurate. The time span used to support this allegation is too short in its duration and simply ignores all statistical principles of insurance. Because loss experience always reverts to the mean, in the coming years droughts, excessive moisture, disease, e.g. Asian soybean rust, and a multitude of other perils will erode the profits that have been earned in recent years. Profits are needed to balance the inevitable losses; hopefully the resulting balance will result in, appropriate long-term profits in order that the crop insurance industry can continue to provide returns on equity adequate to continue to attract the support of the reinsurance community.

The foremost consideration of the reinsurance community is the financial viability of the AIPs. Erosion in the financial strength of the AIPs will cause the reinsurance industry to reconsider their support of the industry and will negatively impact this vital aspect in the delivery of the crop insurance program. Excessive budget balancing at the expense of the crop insurance industry is short sighted. The crop insurance program has provided—and must continue to provide—farmers, lenders, and rural constituents a known, predictable economic safety net.

We appreciate the opportunity to share our thoughts with you and urge you to continue your support of the crop insurance program.

Sincerely,

AON Re; Collins; Cooper Gay Intermediaries, LLC; Endurance Reinsurance Corporation of America; Farmers Mutual Hail Insurance Company; Fireman's Fund Insurance Company.

Guy Carpenter & Co., LLC; Mapfre Reinsurance Corporation; Munich Re Group; Partner Reinsurance Company of the U.S.; Swiss Reinsurance Company; Totsch Enterprises Inc.; Western Agricultural Insurance Company.

Mr. CHAMBLISS. An independent study was recently shared with my staff about the profitability of the Federal crop insurance community. National Crop Insurance Services, NCIS, is an international not-for-profit organization representing the interests of more than 60 crop insurance companies. Representatives of NCIS recently shared the results of an independent study of the Federal crop insurance program compared to the Property & Casualty, P&C, insurance industry for the period of 1992–2006. Key findings include:

The Federal crop insurance program is not as profitable as the P&C industry and writing Federal crop insurance entails greater risk;

under the current standard reinsurance agreement, SRA, which is the contractual agreement between USDA and approved insurance providers for delivering the program, A&O reimbursements continue to be below actual Federal crop insurance expenses incurred by private insurers.

Although the latter finding indicates crop insurance companies' costs are not fully covered by the Federal Government, the committee-approved bill contains an A&O reduction of 2 percentage points below the rates currently in effect for policies except in a State in a year in which the loss ratio is above 1.2. The policy basis for this was to answer criticisms concerning costs of A&O reimbursements while providing an exception in cases where loss adjustments and claims processing will be much greater. We believe this is a balanced approach to reducing A&O expenditures.

The crop insurance industry and the crop insurance program make a significant financial contribution in the committee-approved bill, but not to the detriment of the delivery system as under Senator LUGAR's amendment.

While there are parallels between conservation provisions in this bill and those in the committee bill, there are important differences.

The committee bill is more comprehensive and incorporates important new emphases on forestry, specialty and organic production, wildlife, and pollinators, among others.

The committee bill addresses the significant challenges in existing programs that stakeholders have identified, such as the appraisal process in WRP and FPP, CSP scope and delivery, third party eligibility in GRP, and delivery of technical assistance.

The committee bill includes new flexibilities to improve and accelerate program delivery through improvements to technical service provider provisions, producer group participation, and partnerships and cooperation.

For all the above reasons, I respectfully request that my colleagues vote against this amendment.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Madam President, I wish to acknowledge the importance of the arguments that have been forwarded by my colleagues, especially those comments most recently by the distinguished ranking member of the Agriculture Committee and earlier by Senator CONRAD, the Chairman of the Budget Committee and also a very valued member for a long time of the Agriculture Committee.

I think it is important in response, as the Senator from North Dakota pointed out, as he described the situation, that we have to take his common sense that farms that produce much more are likely, under the current farm legislation, to receive more in subsidy and payments of various sorts.

There have been certainly comments made on our side of the question that a disproportionate amount of money goes to a very few farmers. Senator CONRAD attempted to rebut that by pointing out that these very few farmers may very well produce, in some States, the bulk of all that is produced.

So as a matter of common sense, if payments are being made, they would receive a very large share of those payments. Certainly, that logic is impeccable. The point the Lugar-Lautenberg amendment tries to bring to the floor is that leaving aside specific farmers, we are talking about the interests of all the American people, all the taxpayers who make these payments, in fact, to a very few.

We are making the point that farmers who do produce a lot of corn or wheat or soybeans or cotton are very likely to be more successful. I pointed out in my opening statement how farms have grown, how successful farmers have purchased the farms of those who were elderly or from the estates or from young people who have moved away from the States or from young people who do not have the wherewithal to buy property.

In short, what I describe is the consolidation of agriculture in America, which is a pretty strong trend and which I believe the underlying farm bill we are discussing today would accelerate. I think that would be regrettable. Therefore, the point I am making with our amendment is not to discuss whether, proportionately, subsidies go to those who are most successful and produce the most but, rather, to say we should not have these payments at all.

What we should have is a safety net for all farmers, including large and the wealthy as well as those who are not very wealthy and not very large, an underlying safety net of crop insurance based upon each county in America, so it is not a broad-gauge situation, it is a very locally specific situation, taking into consideration presumably the soil, the weather pattern, the history of crops in that particular county in America, or the farmer could choose to take the last 5 years of net farm income and have crop insurance based upon that farm history, a whole farm history, not simply of a specific crop, although the farmer would have the option under our plan of choosing a specific crop.

The farmer could choose whole farm income across the board, including a great number of items that are not now covered in these specific crop situations. The bill we are talking about now provides that insurance. It literally pays the premiums for all farmers, so in the event that in any particular area of America, by county, by State or by region, there is difficulty created by the weather or conceivably by world trade distortions, elements that are well beyond the ability of any one individual farmer's management to control, that farmer is going to receive compensation that will keep that farmer in business.

Now, furthermore, the farmer would have the option of buying additional crop insurance, as each of us as farmers now do, to cover the other 15 or 20 percent, depending upon the plan chosen, so that, in fact, you could ensure you were going to at least receive the same income as you have received over the

last 5 years, on average, or receive at least the computed predictions of what the price ought to be for soybeans or for corn.

Let me say, as a practical example, that I take our own experience on the Lugar farm indicative of how this might work. We have had a profit on our farm for the last 50 years. Every year. Now, one reason we have had those profits is because we have had crop insurance and we have bought the highest level of crop insurance that was possible. We paid premiums for it. It was not given to us. We paid money for it.

A good many farmers who are neighbors said: I do not want to put that expense into insurance. I will let the Lord provide, sort of hope it will all work out. But it does not always work out, given the weather patterns.

On our farm, in this soybean season, we had very adverse weather. We had drought during many of the weeks of the summer coming up toward harvest. Fortunately, it did not injure the crop totally. We had at least a 41-bushel yield, and we could have anticipated normally more like 51, about a 20-percent deficiency. But that is the way things move in this world. We understand that.

The antidote has been crop insurance. So if you have a productive farm operation, you are not penalized because of acts of God, literally, through the weather.

Now, that is what we are proposing for all farmers in America and covering all the crops that are associated with our amendment. I think this is a very important discrepancy.

The distinguished ranking member of the Ag Committee, Senator CHAMBLISS, has described the current three-legged stool proposition I discussed earlier today. Direct payments. Direct payments historically on my farm, once again, we receive now under the bill that is being produced, the underlying bill, direct payments whether we have the same number of acres or even the same crops. It is a historical record from which these payments come.

Furthermore, we could, under the so-called marketing loan situation, try to game the system, trying to borrow money from the Federal Government and pay it back in lesser amounts, depending upon the crop moving upward, moving downward. We do not lose.

I would say this is not a fair system with regard either to agricultural competition or with regard to the rest of the public. The public, as a whole, wants to make certain farmers stay in business, wants to make certain small farmers have a shot at it, wants to pay at least for the insurance premiums so if there is an adverse situation, it could not be controlled, the income will come in and the farm stays alive. This is what the argument is about.

Now, let me simply indicate, as the distinguished ranking member has pointed out, 26 farm groups have endorsed the underlying bill. I have no doubt that is true. I would say there are a good number of agricultural interests deeply involved in this bill, and that has usually been the extent of the argument. Those are the groups that are heard in the hearings, are heard sometimes by Senators.

But this time we have had a different situation. I have cited that over 40 major newspapers in the United States of America have taken time in their editorial policies, and furthermore in supporting articles, to point out the deficiencies of farm legislation as it has evolved.

But this represents, I would submit, a much larger group than 26 agricultural groups or even members of our committees who believe they are advocates for specific groups in American agriculture. This time a very broad number of Americans have spoken out in a humanitarian way, as people who respect the Federal budget, as people who respect general fairness, in terms of group and Federal support for those situations.

I think that is very healthy. I hope that will be reflected in the vote we are about to have. I am convinced a large majority of constituents in every State of our Union would favor the Lugar-Lautenberg FRESH amendment if they had any idea of the argument that is being presented today. Thank goodness through our newspapers and editorials, a lot more people do have such an idea, and they are expressing themselves.

Let me make a technical point, and that is that an argument has been made that if we are so reliant, as I have pointed out, on crop insurance, that the Lugar-Lautenberg amendment will hurt crop insurance. I want to recite some specifics about the technicalities of crop insurance. For the moment, crop insurance companies are reimbursed by the Federal Government as a percentage of the cost of the policy. So as commodity prices have increased, so has the reimbursement of private companies, even though the workload has not changed. If, in fact, there is huge demand now for corn, huge demand for soybeans, the prices have gone up, in the case of soybeans, to record levels, exceeded only last in 1973. The compensation to the crop insurance people moves right along with it, without any of the risk involved changing. The GAO described this as ''a kind of windfall.'' Our amendment reduces the reimbursement to a rate that is still well above historical averages and, furthermore, we create a safety net through crop insurance programs dramatically increasing business opportunities for private crop insurance companies.

As has been cited by the distinguished Senator from Georgia, many crop insurance policies may not be available in certain counties in his State and in others, but under our amendment, crop insurance is available everywhere, every county, every State. That is a very important consideration in terms of a national safety net as opposed to a crop-specific or State-specific safety net.

The GAO has reported crop insurance underwriting profits of $2.8 billion over the last decade, three times the insurance industry average. The amendment I am offering today with Senator LAUTENBERG also reduces underwriting profits by requiring companies to share 30 percent of their accumulative underwriting gain back with the taxpayers, back with the Federal Government, so there is not an undisguised windfall. We have estimated this will save taxpayers more than $1.4 billion and reduce the outlays in the 10 years this bill covers.

I point this out because I think it is important to say our amendment is going to be a remarkable boon for crop insurance. It is going to be virtually universal. A lot of money is going to be made. But before we get into that, we had better change the terms of reference with regard to what taxpayers are paying for and the underwriting risks that are involved.

I point out one further argument; that is, that we have been talking about the relative merits of our amendment when it comes to conservation. We have not discussed differences with regard to research. We might have talked more about development in rural areas. I tried to make the point in an earlier statement that only about 14 percent of the people now living in rural America live on farms. Only about 1 out of 750 individuals actually does farm. The need for development in our rural counties is obvious. The population flight from so many counties is very apparent. If we are talking about rural America, we have to be talking about ways in which new jobs will come to counties in America, and that is not going to come through a normal farm bill situation, rewarding specific farmers and specific crops and not all of those. I point out that our amendment tries to focus on rural America, on the opportunities for jobs for people in county seats all over our country.

I also point out that we have tried to think through the problems of the young. We have tried to talk about resisting the trend toward consolidation of agriculture by truly providing support for the small farmers who do not receive much support. And, as has been pointed out, they don't produce as much, and they never will under the circumstances currently in American agriculture. We think it is very important that young people coming out of college have this choice and, furthermore, that families who do have a tradition of farming not be entrapped by current circumstances that are driving clearly toward much more concentrated management and ownership of American agriculture.

I would say that the reason why a farm such as we have in the Lugar family in Marion County, IN has great hopes for the future is that some great things have occurred in agricultural research. It is a small point in all of this

debate, but I touched upon this a moment ago in describing the soybean price. I could have discussed the evolution of prices of corn in the last 3 or 4 years. The fact is corn and soybeans are now being utilized for energy. The demand for these grains for energy is controversial all by itself. There are some outside of this Chamber as well as inside this body who would say there is a danger that food supplies are going to be converted into energy. Some have even theologically said this is not what God suggested. It should not be energy, it should be food. Others have suggested that the price of corn, because it is going up abnormally, some would say, to provide ethanol is driving the rest of American food costs up. Ditto for soybeans. Some even make the case that it is driving world food prices upward, that residents of very poor countries are now forced to pay more for food because of our policies of using food for fuel.

I appreciate this is an argument that will go on in many circles well beyond this one for a long time. But I also point out that the President of the United States and the leaders of both of our major political parties have for some time said this Nation is now two-thirds dependent upon foreign oil in terms of our petroleum needs. That percentage is increasing. Those sources of supply are more and more precarious and sometimes very unfriendly. The fact is, despite all of our conservation efforts, we are still using more oil each year. If we do not have a policy that even moves toward a slight bit of energy independence—not total, which I would agree is not within the cards as we now see life in our country—if we don't move at least to eliminate a portion of that vulnerability, we are going to have very severe consequences in terms of our own jobs, our competitive ability in the world, quite apart from the ability to drive our cars and heat our homes. We understand that.

I point out that the agricultural research that got ahead of the curve here has made possible huge changes in agricultural income in this year as well as in the last year, and will continue to do so, if we continue our research on cellulosic ethanol, if we continue our research on all of the ways in which agricultural food and fiber might play a role in this and then how we increase the yields. To believe that somehow because we have increased the acreage of corn this year and we are running out of land, that that is the end of the story, is to deny a fact I remember from boyhood onward. My dad was receiving about one-third as much yield out of our cornfields as we are getting now. I have seen that in the last 60 years of time. There are many who would point out that on our farm we could do a whole lot better. I am all ears for that, as are most productive farmers. In short, we are at the threshold of potential for income. Therefore, to have a debate mired in the thought that we must maintain all the subsidies and the programs that as a matter of fact have been so expensive, have brought about concentration, have led even to a loss of jobs in rural America makes no sense at all, in my judgment. We have to talk about the future.

I would say furthermore that, speaking about those abroad, 10 bishops from a church in Africa came to visit with me and I suppose with others in this body. They pointed out specifically that the cotton programs we support debilitate their hopes of coming into self-support in many very tough situations in their countries. They suggest, leaving aside the World Trade Organization criticism of the cotton program specifically and perhaps the opportunities Brazil may have to extract $4 billion out of somewhere in our economy that may be hitting other crops under the order they may receive, that we need to have reform, that the specific policies that are now a part of that program for cotton, they could apply it likewise to corn or to beans, are simply not going to work in a world that also has a humanitarian focus on feeding people, on humane results, on foreign policy that has at least some public diplomacy that works.

I agree with them. I would say to cotton farmers or to soybean farmers or corn farmers, let's make sure we do have an underlying safety net. Let's make certain there cannot be catastrophe to hit any of our groups. Let's do it by State, by county, by local circumstances, by history. Let's do it right. But it is another thing to demand, as a cotton farmer or a corn farmer or a soybean farmer, payments upfront, regardless of what happens, and likewise the ability to game the Government with regard to these marketing loans. I would say on the face of it, taxpayers generally, persons of humane quality in our country, are not going to like the looks of that kind of program. That has been the nature of our program in the farm bill that we have been experiencing and in the one that is about to continue.

I add finally the situation this year in this debate. I agree it is always oversimplified, but let me try to tell it as I saw it. In the House of Representatives, the farm groups, whether it was the 26 Senator CHAMBLISS referenced or others, came in. They saw their Members, and they said: We want every penny, every penny of what we got in the past and more. We want those farm programs and we don't want them touched. However, the Members also began to hear from humanitarian groups, groups that wanted to feed Americans, interested in Food Stamps. Oxfam came in. People in conservation came in in numbers. People in energy research came in. And so pragmatically, the House committee said: Fine, we will do more for each one of you, a whole lot more, as a matter of fact. We are going to add to programs. And they did. So they took the whole block of the farm subsidies as they were and added on all of these additional programs. Then at the end of the trail, they said: We have a pay-go system, and so they added a tax bill offered by Representative DOGGETT who was outside the farm community but at the same time had an idea over in Finance as to how some money might be raised with regard to certain commercial foreign interests he saw. So you pay for it that way and ship the whole thing along, hoping that many constituencies will be pleased now and that the basic farm subsidies will not be touched, might even be enhanced.

In our situation in this body, we had an even more curious situation. The distinguished Senator from North Dakota who spoke earlier was a proponent, along with others, of a disaster relief program, a huge one. That went over to the Finance Committee, had the Finance Committee discussing the farm bill; as a matter of fact, making a huge contribution to the farm bill.

That particular disaster relief, as I can best fathom, would be run by some bureaucrats in the Treasury Department, that somehow would be signalled when there is a disaster and would send the money over by electronic means.

It is an unusual situation in which we have no idea how much this might cost, and actuarially I think the assumptions are not very sound. But it was an interesting way of meeting at least one particular objective and trying at least to find some other way of paying for it through an unusual clause in tax law.

I mention all of this because this kind of legislation is not good, is not necessary. I hope Members will, in fact, know there is a strong alternative—the FRESH Act, the Lugar-Lautenberg amendment—that they will vote for that, and they will make a sizable difference in the history of farm legislation.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Madam President, I ask that the vote originally set at 3:50 p.m. be moved to an immediate vote.

Have the yeas and nays been requested?

The PRESIDING OFFICER. They have not.

Mr. LUGAR. I request the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

All time is yielded back.

The question is on agreeing to amendment No. 3711.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New York (Mrs. CLINTON), the Senator from Connecticut (Mr. DODD), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. LOTT. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER (Ms. KLOBUCHAR). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 37, nays 58, as follows:

[Rollcall Vote No. 417 Leg.]

YEAS—37

Allard	Enzi	Murkowski
Barrasso	Feinstein	Nelson (FL)
Boxer	Gregg	Reed
Brown	Hagel	Schumer
Bunning	Kennedy	Snowe
Cardin	Kerry	Specter
Carper	Kyl	Sununu
Casey	Lautenberg	Voinovich
Collins	Lieberman	Warner
DeMint	Lugar	Webb
Domenici	McConnell	Whitehouse
Durbin	Menendez	
Ensign	Mikulski	

NAYS—58

Akaka	Dole	McCaskill
Alexander	Dorgan	Murray
Baucus	Feingold	Nelson (NE)
Bayh	Graham	Pryor
Bennett	Grassley	Reid
Bingaman	Harkin	Roberts
Bond	Hatch	Rockefeller
Brownback	Hutchison	Salazar
Burr	Inhofe	Sanders
Byrd	Inouye	Sessions
Cantwell	Isakson	Shelby
Chambliss	Johnson	Smith
Coburn	Klobuchar	Stabenow
Cochran	Kohl	Stevens
Coleman	Landrieu	Tester
Conrad	Leahy	Thune
Corker	Levin	Vitter
Cornyn	Lincoln	Wyden
Craig	Lott	
Crapo	Martinez	

NOT VOTING—5

Biden	Dodd	Obama
Clinton	McCain	

The amendment (No. 3711) was rejected.

Mr. CONRAD. Madam President, I move to reconsider the vote.

Mr. BROWN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

AMENDMENT NO. 3819

Mr. BROWN. Madam President, on behalf of Senators SUNUNU, MCCASKILL, DURBIN, and SCHUMER, I am proud today to offer the reduction of excess subsidies to crop underwriters rescue amendment to the farm bill.

The rescue amendment is based on a simple premise. When resources are limited, we cannot afford to waste them. We cannot afford to overpay crop insurance——

Mr. HARKIN. Will the Senator yield for a question?

Mr. BROWN. Yes.

Mr. HARKIN. Is the Senator talking about his amendment on crop insurance, the one the Senator laid down the other day?

Mr. BROWN. Yes, it was laid down on Friday.

Mr. HARKIN. I ask the Senator if he would yield, without losing his right to the floor, for Senator CHAMBLISS to make a unanimous consent request, at the end of which time the Senator would regain the floor.

Mr. BROWN. Of course.

Mr. CHAMBLISS. Madam President, I request of the Senator from Ohio, how long does he intend to speak?

Mr. BROWN. Five minutes.

Mr. CHAMBLISS. Madam President, I ask unanimous consent that following the 5 minutes for the Senator from Ohio, the Senator from New Hampshire, Mr. GREGG, be recognized for 30 minutes, equally divided, on three amendments: Nos. 3671, 3672, and 3674.

Mr. DOMENICI. Reserving the right to object, Madam President——

Mr. HARKIN. Does that include the medical?

Mr. CHAMBLISS. No.

Mr. DOMENICI. Madam President, I wanted to ask the Senator for whom the 30 minutes is being reserved, and the managers, if they would grant me 6 minutes before they start to inform the Senate about the status of a project that I think is vital and they should know about.

Mr. GREGG. Madam President, I have no objection. I want to make sure we are working off the same page on amendments to be offered. I will reserve the right to object to make sure we are on the same page.

Mr. CHAMBLISS. Madam President, let me try this one more time. I ask unanimous consent that the Senator from Ohio have 5 minutes to discuss his amendment, the Senator from New Mexico be recognized for 6 minutes, and then the Senator from New Hampshire be recognized for 30 minutes, equally divided, to debate three amendments. The first is No. 3671, the farm stress program; No. 3672, which is to strike the asparagus provision; and No. 3674, which is the mortgage forgiveness amendment.

Mr. GREGG. Madam President, I would be happy to do that approach. In talking to the Senator from Michigan, who has an interest in the asparagus program, if this is not a convenient time for her, I will substitute the amendment on the emergency funding, which is No. 3822, for the asparagus one, No. 3672, unless the Senator is ready to go.

Mr. CHAMBLISS. I believe she said she is ready to go. So the Senator from New Hampshire will be recognized for 30 minutes, equally divided, on those three amendments.

Mr. HARKIN. Mr. President, just a minute. I have now been informed there is objection on our side to including No. 3674, which has to do with the mortgage crisis.

The Finance Committee has informed me they want to take a look at this amendment on the mortgage crisis before we agree to a time.

Mr. GREGG. Reserving the right to object, I suggest I be recognized to offer those three amendments and set a time limit at the convenience of the managers. I am agreeable to a time limit. I can proceed to offer them and my colleagues can work out the time agreements.

Mr. HARKIN. I say to my friend from New Hampshire, there is an indication from some on our side that a couple of those amendments, Nos. 3674 and 3673, I am now informed, will both perhaps require 60 votes.

Mr. CHAMBLISS. Madam President, let's try this one more way. I ask unanimous consent that the Senator from Ohio be recognized for 5 minutes, the Senator from New Mexico be recognized for 6 minutes, and then the Senator from New Hampshire be recognized to discuss his amendments, whatever they may be; that following him, the Senator from Tennessee, Mr. ALEXANDER, be recognized.

Mr. GREGG. Reserving the right to object, I am wondering, does this mean we are not going to have votes on the amendments I am offering?

Mr. CHAMBLISS. There will be no more votes today.

Mr. GREGG. No, but is it the understanding that at some point, we are going to get to votes on the 5 amendments that are part of the original 20 amendments that were agreed to?

Mr. CHAMBLISS. Yes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Ohio is recognized.

AMENDMENT NO. 3819

Mr. BROWN. Madam President, our bipartisan amendment, on behalf of Senators SUNUNU, MCCASKILL, MCCAIN, DURBIN, and SCHUMER, takes dollars from where they do not belong—that is, heavily subsidized crop insurers—and invests them in priorities with a return to the United States, as nutrition programs, conservation programs, and initiatives that create sustainable economic development in other countries which, after all, is the key to strong export markets.

Our amendment does not increase the cost of crop insurance for any farmer. That is an important point. It merits repeating. Our amendment does not increase the cost of crop insurance for any farmer. Instead, it reduces the excessive taxpayer-funded fees that crop insurers receive for servicing their customers.

The savings from this amendment will be invested in programs that work—programs such as McGovern-Dole which provides school lunches to the over 100 million children around the world who suffer from hunger.

There is a reason the House provides $800 million in mandatory funding for this program; the Senate provided none. There is a reason this program was developed by and is named after two of the most notable Members of this body. The reason is this program stands out. It melds compassion with common sense, feeding the hungry and building sustainable economies in the developing countries, making our country safer.

We responded to a hostile Communist threat in Europe with the Marshall Plan. Our best response to a hostile threat overseas is to provide help in nutrition and education to people who desperately need it.

This amendment is also about ensuring the appropriate funding levels for conservation programs. We have done a

good job with conservation in the Senate farm bill and much of that credit goes to Chairman HARKIN. We can do better, and it will pay off for our Nation to do so.

The Farmland Protection Program received no increase in funding from the committee-passed bill. Yet it is crucial to the protection of family farms.

The Environmental Quality Incentives Program, EQIP, protects water quality and provides farmers and ranchers with the tools they need and want to be good environmental stewards. Yet three out of four applications go unfunded.

Our amendment invests in these resource conservation programs.

Importantly, it invests in human decency. It invests in preventing Americans from going hungry. How, in the wealthiest country in the world, can we let too many of our people be hungry? More Americans are struggling to make ends meet, and with the savings from our amendment, children who rely on food stamps will not have to go to bed hungry.

It is a smart amendment.

I know some of my colleagues are skeptical about the amendment's ''pay-for.'' Some of my colleagues don't want to take money from crop insurers. That is why we must take a serious look at the excessive subsidies in the Federal Crop Insurance Program.

Federal crop insurance is an essential part of the farm safety net and will continue to be in the future. However, billions of dollars that are intended to benefit farmers are instead siphoned off by large crop insurance companies.

Since 2000, farmers have received $10.5 billion in benefits from crop insurance, but it has cost taxpayers $19 billion: $10 billion in benefits, it has cost taxpayers $19 billion to deliver those benefits.

Where does the difference go? According to a GAO report, crop insurance companies take 40 cents out of every dollar that Congress appropriates to help farmers manage the risk of agricultural production. What kind of good business sense is that?

In the same report, GAO finds crop insurance company profits are more than double industry averages. Private and casualty insurance has 8.3 percent; Federal crop insurance is literally more than double the rate of profit.

Over the past 10 years, crop insurance companies have had an average rate of return of 18 percent compared to just over 8 percent for the comparable private property and casualty insurance companies.

Let me repeat, no farmer under the Brown-Durbin-McCaskill-McCain-Sununu amendment, no farmer will pay more for crop insurance because of this amendment. The Federal Government sets Federal crop insurance premium rates. This amendment does not change any of that.

This amendment will require that crop insurance companies share a greater portion of their underwriting gains with taxpayers. It is only right in a true public-private partnership that both sides benefit fairly.

This amendment also reduces the exorbitant—and I mean exorbitant—administrative fees that crop insurers receive for each policy they sell. A GAO report shows that per-policy subsidies to insurance companies will be triple what they were less than 10 years ago.

This amendment will reduce administrative subsidies for each policy to the national average from 2004 to 2006. It is not a huge cut. It says to the crop insurance companies: Let's go back a couple years. You were getting well compensated and well subsidized. Why should we do more than that? With high commodity prices, this is still well above every year prior to 2006.

This amendment provides commonsense reforms to a system of subsidies that has simply spun out of control.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Madam President, first, I regret I had to ask for time in the middle of debate on such a serious subject. I will talk about an issue that is not related.

It looks to me as if the Senate, once again, will be forced to consider a tax package we know is likely to be vetoed. We considered an energy tax increase in June on the Senate floor, and the Senate rejected it. We considered an energy tax increase on the Senate floor last Friday, and the Senate rejected it. Now we will be forced again to consider what I understand is a $21 billion tax increase that is likely to be vetoed. I hope that, once again, the Senate will reject it.

But while we delay in playing these games, we jeopardize the passage of the CAFE standards and a real increase in much-needed renewable fuel standards should be able to be put to work, and we will be reshaping the flawed amendment that was sent to us by the House on that score.

I urge the majority to reconsider this attempt to force another vote on taxes, and that provision we have been told by the President will be vetoed.

I cannot answer the question why is it going to be vetoed, why can't we do it another way, why can't we negotiate, why can't we have part of the taxes. All I know is the President says: If you send me this tax bill, no matter how good it is, with $21 billion in taxes, it is dead; I will veto it.

I wish to tell my colleagues, I have been in this Senate for 36 years, and for 20 years of it, we have been trying to change the CAFE standards on automobile fleets in the United States. Increasing the CAFE standards to 35 miles by 2020 will be the biggest conservation initiative for transportation fuels in years.

Additionally, increasing the renewable fuel standard will bring thousands of jobs to rural America and help reduce our increasing dependence on foreign oil.

All this good work will be put at risk by the inclusion of the $21 billion tax increase. I urge my colleagues on the other side to stand back from this risky decision and let us pass a bill and send it to the House that does not include these taxes, and we will get one of the most important amendments we could ever do for saving transportation fuel.

Let me start over: The most important area where we abuse the use of fuel—that is, fuel that comes from crude oil—is in the transportation system. What we are trying to do is to modify the CAFE standards to force the production of higher mileage cars in the fleets of America.

We are told by the best expert in the world, who testified before one of the committees, there is nothing else we can do that will increase our savings of crude oil and diesel than this particular provision of CAFE modification.

I say to everyone, the fact is, you think you need taxes, you know you want taxes, you say when are you going to get these taxes, and you say they ought to be on this bill. I say to you: If you put them on this bill, you don't get the taxes and you don't get the big energy savings part of this bill. What do you say? You are going to do it anyway? What are you going to do it for? We might as well throw the bill in the basket here. We don't have to fool around and waste time. Put it in the basket and throw it away, because if you insist on putting the $21 billion on and sending it back to the House so they can play games, they will keep the $21 billion and then the President will say: I told you not to do it. Here it is. Goodbye.

I urge that the best opportunity to get major energy-saving legislation is with CAFE standards modification, and with it this other provision which will give us ethanol 2, which will be for rural America to begin producing not by corn but other than corn, producing ethanol for transportation fuel.

I believe I cannot say it any better. It is wasted time and effort to pass a bill with $21 billion worth of taxes. We will not get either the taxes, which will lose, and we will not get the energy savings portion.

I thank my colleagues for giving me an opportunity to speak to the Senate. I hope those proposing this legislation will understand it cannot be done. I cannot fix it. I cannot help it. It is the President. Who will get him to change his mind? He will not do it. I have asked him. He will not do it.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

AMENDMENTS NOS. 3671, 3672, AND 3674

Mr. GREGG. Madam President, I rise to speak about amendments which I have pending to the agriculture bill. I hoped they would be voted on today. I guess there is a fundraiser this evening on the Democratic side of the aisle which allows us to not have any more

votes. Certainly, I hope most will be voted on tomorrow.

There are five amendments which I have proposed to the bill to try to make it a better bill, although it is a bill that has very serious problems. Let me talk about that quickly.

This agriculture bill comes forward every 5 years. It is a reauthorization of the farm programs. The practical effect is every year consumers get sort of taken to the woodshed behind the barn and get fleeced. This is no change from that historic activity under the farm bill. Only this time the fleecing is happening by the use of jiggling numbers and gamesmanship of numbers.

There is $34 billion of spending in this bill which is done through gimmicks—gimmicks to avoid what is euphemistically called pay-go around here, gimmicks to avoid budget points of order, gimmicks to make this bill cost less than it actually costs—$34 billion, with date changes and things such as that.

Then there is another game that is played, which is money which has historically been spent by direct mandatory spending is taken from the mandatory spending accounts and moved over to the tax accounts. Basically, in the conservation area, where we used to have, I think, $5 billion or $3 billion of mandatory accounts spending, we now have $5 billion or $3 billion of what is known as tax credits.

What is the practical effect of that? What it does by moving that spending over to the tax side is you free up that amount of money on the spending side, on the mandatory side to be spent, with the practical implication that the bill jumps in its cost by that amount of money. So you have a fairly significant increase by doing that. In the end, that adds to the deficit, of course, because you have ended up increasing spending by that amount of money.

In addition, the bill adds a large number of new programmatic activities through the subsidy realm. We already subsidize a lot of farm products around here in a questionable way. Sugar is a good example of that. We basically subsidize sugar so that the price of sugar in this country is about 75 percent higher than it is on the world market. That has an effect not only on the cost of sugar but it also has an effect on things such as the production of ethanol, because ethanol can be produced from sugarcane.

In addition, we subsidize all sorts of different commodities. As we know, the farm bill is the classic example of what you learned in school called log rolling. That is where you say, if you will vote for my subsidy, I will vote for yours, and down the road we go. You vote for wheat, I will vote for corn, corn will vote for soybeans, soybeans will vote for peanuts, peanuts will vote for cotton, and so forth and so on. So although none of these subsidies could stand on their own, when they get in this sequential support effort, they build a very solid wall of support for a lot of programs which are of questionable need, and certainly of questionable value when you look at a market economy, and we are supposedly a market economy. Of course, in the farm area we are not a market economy, we are a throwback to a commissar economy.

Well, in this bill they add a number of new programs. They add an asparagus payment, they add a chickpea payment, they add a camellia subsidy, and they create new programs in the area of a national sheep and goat industry. They create a new program to look at the stress farmers are under. So they add a panoply of new programmatic activity in this bill, most of which is of questionable value, but it obviously has some interest group which promoted it and, therefore, it gets put in the bill.

What I have done is I have lined up five amendments here which I think are fairly reasonable and address a number of issues—policywise big issues, and from a farm standpoint some of them address fairly narrow and concise issues.

The first amendment which I have offered—which has been offered on my behalf by Senator THUNE, but which I will call up and ask for a vote on as soon as we can get to it, as soon as we can get people to give us votes around here—is the mortgage forgiveness amendment. What we are seeing in America today, whether it is in farm America, rural America, or in urban America, is obviously a huge meltdown in the subprime lending markets. The effect of that meltdown is that many people are finding their mortgages foreclosed on, which is obviously an extremely traumatic event, to have your house taken in a mortgage foreclosure. I can't think of too many more traumatic physical events than that. Obviously, there are more traumatic health events, but not too many more physical events or economic events.

Well, when you have a mortgage foreclosed on, you have a second totally incomprehensible event. The IRS assesses you a tax on the amount of the money which you owed to the bank, or to the lender, which you couldn't repay and which was wiped out in the foreclosure.

For example, if you have an obligation to a bank of $150,000 and your home is foreclosed on, and it is sold for something that recovers $100,000 of that, then that $50,000 difference becomes personal income to you and the IRS sends you a tax bill for it, even though you got foreclosed on. Well, can you think of anything worse than that? I can't, from the standpoint of economics happening on a daily basis—a person loses their home and then the IRS collection agents come by and say you owe us X number of dollars because your home was foreclosed on.

Well, this amendment would put an end to that. It would say that will not be deemed income to the taxpayer, so that a taxpayer whose home is foreclosed on does not receive the double whammy of having a tax bill sent to them. It seems pretty reasonable to me. I can't imagine anybody is going to oppose this amendment. I would hope it would get a very large vote. It is not subject to a point of order, because the cost of it is within what is left on the pay-go scorecard, to the extent there is anything left on the pay-go scorecard, it having been shredded. But Senator CONRAD said last week there was $670 million left on the pay-go scorecard, which my staff confirms, as ranking member of the Budget Committee, and this amendment costs less than that. So it is in order, and I hope it will be supported. I think it is only the fair and right thing to do. I mean, this is a quirk of tax policy which, unfortunately, if you are caught in it as a citizen of America it is not a quirk, it is a devastation, and it is not right. Nobody, because their home gets foreclosed on, should suddenly get a tax bill for the amount the bank didn't recover from the home they sold.

The second amendment I am going to call up, and hope I can call it up very soon and get a vote on it, is already pending, and it is what I call the ''baby doctors for farm families'' amendment. Today, in rural America, there is a crisis in the area of health care. There are a lot of problems in health care across this country, but especially in rural America there is a significant crisis. The crisis is this: If you are a woman of childbearing age, or a woman, period, you are going to have a lot of trouble finding an OB–GYN. Why is that? Because baby doctors are being sued out of existence in rural America. As a result of the avariciousness of the trial lawyers in this country, and their constant attack especially on the practice of obstetrics and delivering babies, it is virtually impossible, it is extremely difficult for OB–GYNs to practice in rural communities, whether they are farm communities or rural communities.

Why is that? Because the base of practice, the number of people they can see, the number of babies they deliver never creates enough revenue to simply pay the cost of their malpractice insurance. And it is a crisis.

If you are a woman in a farm community and you have to drive 2, 3, 4 hours to see a doctor when you are having a baby, that can be a serious problem, obviously. It can be a serious problem on the face of it, but it is especially a serious problem in a place such as New Hampshire, where you are probably driving in a snowstorm or sleet or something else that is not very easy to drive in, and you shouldn't have to go that sort of distance.

We have suggested that simply in the area of baby doctors in rural America that we put in place something to support the women in those communities and make sure they have proper access to those doctors. Essentially, we are following the Texas and the California

proposal, where we limit pain and suffering liability in a manner which allows these doctors to have affordable malpractice premiums. It doesn't mean somebody who gets injured doesn't get recovery. They do. They get full and total recovery in the area of economics. They get significant recovery in the area of pain and suffering. But what we do not have are these explosively large verdicts which essentially make it impossible for someone to pay the cost of the premium to support an obstetrics practice in a rural area.

This proposal, which is very narrow and very reasonable, will serve a very large need in our country. It is to make sure that women get proper health care, and especially during their childbearing years, in rural America. Again, I can't imagine this being opposed, but actually this one is being opposed aggressively by the trial lawyer lobby. They are opposed to anything that limits their income in any way, even when it is something as reasonable as saying in an area where we have a clearly underserved population, which is rural America and doctors serving women in rural America, doctors who deliver babies. They are going to stop any sort of reform that tries to make it possible to improve that situation.

We know this reform works. Why do we know it works? Because Texas has tried it. The language here mirrors Texas. Texas tried it, and what Texas has seen during this period when they put in this law is a huge influx of doctors who deliver children, who are baby doctors. So there is a track record. This isn't some sort of theoretical exercise. We know in practice that this works. I know if it were in place, it would give a lot of women in this country the comfort of knowing they were going to have a decent doctor, or any doctor—it would be a decent doctor, obviously—to care for them as they decide to have children.

I hope we can get to this amendment. But again, I am interested in the fact that this amendment is being stonewalled by the other side of the aisle. They are telling me, well, we can't vote on this amendment. Why? Because we have a fundraiser tonight. I wonder who is at that fundraiser, by the way? There wouldn't be any trial lawyers there. We can't vote on this amendment because we don't have our people here. Well, there ought to be enough votes to take care of women in this country so you wouldn't have to have extra people here to defeat a proposal which is fairly reasonable and which tracks a major State's decision and which has been proven to work when it comes to caring for women who want to have children. It is very narrow. Again, it only applies to rural communities, only applies to doctors who deliver babies in rural communities, only gives women an opportunity to get decent health care.

I have another amendment which I hope to call up, which I would like to have voted on fairly soon. And by the way, I am agreeable to voting on all these tonight. I am agreeable to a half-hour timeframe. I am agreeable to voting them all tomorrow. So I am not holding this bill up. I am offering these amendments. They are pending and they are ready to go.

Another amendment I have says this new program of creating a farmers stress network should not be created. This is more of a statement. I mean how many new programs can we create in this bill? This is an unauthorized program. It is not funded. But I suspect it will be appropriated before we get too far down the road. But why do we need a stress program for farmers? Granted, farmers are under stress. I used to work on a farm, so I understand that farming is a stressful activity. But running a shoe store during an economic downturn is a stressful activity, running a restaurant is a stressful activity, running a garage is a stressful activity. There are a lot of activities in America that involve stress. Are we going to set up a stress network for every activity in America that has stress? And are we going to expect the Federal Government to fund it? Yeah.

My goodness, think of what we would have to do for our wonderful staff here. My goodness, we would have to have such a program it would be incredible, because we really give them a lot of stress. The simple fact is, you can't keep throwing these programs out there because they make good press releases. There are 51 new programs in this bill. Let us at least pick one of them that is so far off the ranch when it comes to being anything rational that the American taxpayer should have to pay for and say, no, we are not going to go this way. That would be a nice gesture. A gesture to the American taxpayer, I would call it. Kill the stress network.

Then I have an amendment which says the money in here for the asparagus program shouldn't be in here. I like asparagus. I have been accused of not liking asparagus, and that is why I am being bringing this forward. That is not true. I actually like asparagus. In fact, I have even grown asparagus. It is very easy to grow, after you get it cultivated. It takes 2 or 3 years to get a good asparagus bed, and you can grow a lot of asparagus, as long as you don't rototill over it. Then you kill it, which is what I did to my asparagus. But as a practical matter, there is no reason we should set up a new program for asparagus. This is going too far.

A lot is going too far in this bill, but this is another example of going too far. Now, granted, it is only $15 million, but, again, I like to think of it as a statement on behalf of the American taxpayer that we are not going to spend that money on a brandnew asparagus program.

There are some others we should also throw out. The camellia program we should throw out, the chickpea program—these are all new programs. They should go out too. But I was only allowed five amendments, and so I picked out the ones I think are most egregious and the ones I think we should make a little attempt to try to put some fiscal discipline into this bill.

Then there is one that is fairly big, which is my last amendment. There is $5 billion in this bill which is the ultimate earmark. It is $5 billion alleged to be an emergency fund for when emergencies strike farm communities. You have to understand how this works. Essentially this is a slush fund. It is a ''walking around money'' fund for about five States. It is, purely and simply, an earmark and a classic porkbarrel initiative.

We know that when we have an emergency in this country we will fund it, especially if the emergency is in farm country. We do it every year, and I believe historically it has averaged about $3.5 billion. I think that is the number. It is off the top of my head as a budgeter. I think that is the number we usually spend on emergencies in farm communities. If it is bigger than that, we spend more than that; if it is less than that, we spend less. But when you put in place a program which exists before the emergency occurs, all you are saying is: Here is a bunch of money folks, come and get it. For every big windstorm that occurs in North Dakota, somebody is going to declare an emergency and try to get reimbursed for their mailbox that got blown over because the money is sitting there. It is that simple. It really is terrible policy to put this forward. You have absolutely set a floor. You know you are going to spend every year in this account, and you know it is going to go to four or five States because that is where the claims are made.

Much better is the approach we presently use, although not perfect, I admit to that. Much better is to identify it when the emergency occurs, know what the costs were when the emergency occurred, and then pay those costs in order to reimburse the farm community which has been impacted, which is what we do. And we do it in a fairly prompt and efficient way around here whenever there is such an event.

There is one emergency out there today, and that is the price of oil. The price of oil has jumped radically. As a result, the cost of heating in this country has jumped radically. People who are of low income, in States from the northern tier especially—places such as Minnesota, New Hampshire—people of low income are in dire need of additional funds in order to meet their heating bills or else, literally, they are going to be in the cold. They are going to spend this winter, as we head into February, in serious straits. In New Hampshire, we have already seen a significant increase in the number of people applying for low-income home energy assistance. This is not going to wealthy people. This doesn't even go to middle-income people. It just marginally goes to low-income people. It really goes to people in the lowest of low

incomes, people who really need that in order to make ends meet and keep their heat on in the winter.

What I am suggesting is if we are going to declare emergencies around here and spend money, let's use the money on a real emergency, something that actually exists where people are actually feeling the pain right now, today—in the area of paying for heating for low-income families.

In addition, I have suggested that we reduce the deficit because that is a pretty big emergency, in my humble opinion, getting this deficit down. So this amendment essentially says let's take $1 billion and add it to the low-income heating assistance program and let's take the other $4 billion and reduce the deficit with it. That is a pretty practical approach. That is addressing a need that exists today and a need that is going to exist tomorrow, which is to reduce the deficit, rather than adding to the deficit and creating an emergency spending account which basically ends up being a slush fund and walking-around money for folks in four or five States that traditionally declare emergencies.

Those are the five amendments. I regret quite honestly that we cannot get an agreement to vote on all of them right now. I would be willing to say: OK, let's debate all of them for half an hour and then go to a vote, in seriatim vote them—bang, bang, bang, bang. Obviously, I have serious reservations about this bill. I think it is very bad policy in a lot of areas. But I recognize that the votes are there to pass the bill, so I am not trying to delay it in some tactical or procedural way. I am suggesting just the opposite, that we proceed to vote on issues which are important, which include making sure people whose homes are foreclosed on do not end up with the tax man showing up the next day and saying they owe money on money they didn't ever see as a result of their home being foreclosed on; making sure that women who are having children can see a doctor in a rural community, that farm families have adequate access to baby doctors; making sure that people who are very low income have enough to be able to meet the heating costs of this winter, which we know are going to be 30 percent to 40 percent higher than they were last winter; making sure that we reduce the deficit; suggesting we eliminate a couple of programs which are not that big but which are sort of examples of an underlying problem, which is that there is a lot of new programmatic activity here that probably should not be here and there are a lot of new subsidies in here that should not be in here—the asparagus program and the farmers stress network program.

AMENDMENT NO. 3673

Madam President, at this time I would like to call up amendment No. 3673. I am not calling it up for a vote because I understand it is not agreed to, but I do want to call it up and send a motion to the desk.

The PRESIDING OFFICER. Is there objection to making this the pending amendment?

Mr. HARKIN. I am sorry, I didn't hear?

Mr. GREGG. I am calling up the medical malpractice amendment, not for a vote but because I want to second-degree it.

Mr. HARKIN. Madam President, reserving the right to object, but I think the Senator has a right to that—I object for the moment.

Mr. GREGG. Madam President, I ask for the regular order relative to amendment No. 3673.

The PRESIDING OFFICER. The amendment is now pending.

AMENDMENT NO. 3825 TO AMENDMENT NO. 3673

Mr. GREGG. I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report the second-degree amendment.

The assistant legislative clerk read as follows:

The Senator from New Hampshire [Mr. GREGG] proposes an amendment numbered 3825 to amendment No. 3673.

Mr. GREGG. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the amendment, add the following:

''This title shall take effect 1 day after the date of enactment.''

Mr. GREGG. Madam President, at this point I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Tennessee will be recognized.

Mr. ALEXANDER. Madam President, may I ask that I be notified when I have 5 minutes remaining?

First, I would like to congratulate the Senator from New Hampshire for his, as usual, eloquent remarks, but I would like to congratulate him especially.

The PRESIDING OFFICER. How much time is allocated? How much time was agreed to for the Senator?

Mr. ALEXANDER. I believe I am recognized for up to 30 minutes?

The PRESIDING OFFICER. The Senator will be so notified.

Mr. ALEXANDER. Madam President, I congratulate the Senator from New Hampshire. He is usually eloquent, and he was again today. But the subject matter is not just eloquent, it is critical in the State of Tennessee.

There is a medical liability crisis, especially for women who live in rural areas. The fact is, as the Senator from New Hampshire has said, women who live in rural areas do not have access to doctors for prenatal health care. They do not have access to doctors to deliver their babies.

According to data from the Health Services and Resources Administration, in 2004, in 45 of Tennessee's 95 counties, pregnant mothers had to drive for miles to get prenatal care or to deliver their babies. In 15 of those counties, pregnant mothers have no access whatsoever to any prenatal health care within their counties.

The Tennessean newspaper, on July 20, 2004, reported that only 1 of 104 medical students graduating from Vanderbilt University Medical School chose OB/GYN.

Dr. Frank Boehm said that:

We must not lose sight of the fact that one of the side effects of our current medical malpractice crisis in OB/GYN is the steady loss of medical students who are choosing not to practice one of our most important medical specialties. If the decline continues, patients having babies or needing high-risk care will be faced with access problems this country has not yet seen. The same story is true at the University of Tennessee Medical School in Memphis.

On any given day, there are more than 125,000 medical liability suits in progress against America's 700,000 doctors.

There is a way to fix this. The State of Texas has shown us how, and it is similar to the way Senator GREGG has suggested. Put a reasonable cap on punitive damages, but let there be unlimited liability for any real damages. That was done in Texas in the year 2005, and in the following year, last year, more than 4,000 doctors applied for licenses to practice in Texas. OB/GYNs and other doctors are pouring back into Texas—up 34 percent from the previous year—because of a change just like the one the Senator from New Hampshire has suggested.

I am happy for Texas, but I would like Tennessee and the rest of the country to experience the same thing. Senator GREGG is exactly right to point out the medical crisis that is caused when women who live in rural counties cannot have access to prenatal health care and care for their pregnancy and for their babies.

AMENDMENTS NOS. 3551 AND 3553

Mr. ALEXANDER. Madam President, I rise to speak in support of amendments Nos. 3551 and 3553, which were previously offered on my behalf.

The first amendment is No. 3551. This is an amendment which would add $74 million to the last 3 years of the farm bill for agricultural research at land grant colleges or universities. Specifically, it would provide mandatory funding for the Initiative for Future Agricultural and Food Systems as follows: $24 million in fiscal year 2010, $25 million in 2011, and $25 million in 2012. It would be fully offset by striking section 12302 of the tax title in the Harkin substitute amendment to the farm bill, which basically says that taxpayers in Georgia and in Tennessee, for example, will pay for transmission lines for ratepayers in North Dakota and South Dakota and in other States who want to build transmission lines through rural areas, primarily for wind energy.

I am here today to talk primarily about farm incomes, and I am talking about America's secret weapons for farm incomes in the day in which we live, which are the land grant universities of America. Iowa State is a great

land grant university. I imagine the University of Minnesota is a great land grant university in Minnesota. I know I was president of the University of Tennessee, which is our land grant university, and I confess to some bias because I think I am the only former president of a land grant university in the Senate.

Why is that so important? Earlier this year, we unanimously passed, after 2 years of work, a bill we called the America COMPETES Act. What it did was recognize America's brainpower advantage is what has given us our incredibly high standard of living.

In this last year, our country, the United States of America, produced about 30 percent of all the wealth in the world for about 5 percent of the people in the world—that is, our population. How did we do that? There are a variety of reasons, but primarily, since World War II, we have taken our brainpower advantage to create new jobs that have given us that great high standard of living. This amendment is about making sure we take advantage of that in the agriculture community. It will provide more competitive grants to our land grant universities so they can create value-added agricultural products, of which I have an example right back here.

Congress recognized the importance of this brainpower advantage our land grant universities have when it authorized the 1998 farm bill. It created something called the Initiative for Future Agricultural and Food Systems. In addition to farm income, this research was to be for future food production for environmental quality, for natural resource management, as well as, as I said, farm income.

Here is a specific example of the value-added opportunity I am talking about. There is a weed, I guess people would call it, called the guayule weed that grows out in the Southwest. Research that was done at the University of Arizona led to the development of a non-allergenic rubber product that is made from that plant that is as useful as latex rubber, for example, for gloves that we use with which to work. But it does not cause allergic reactions, as latex does, in 10 percent of our Nation's health care workforce. That is an example of the brain power advantage.

The University of New Mexico and the University of Tennessee are taking opportunities to use manure as sources of energy and as ways to create nursery crop containers. At Texas Tech University, the research that has come directly from the program I described that was started in 1998 has led to the development of a less toxic version of the castor seed created by using genetic modifications. This means we can grow more castor oil in this country instead of having to import it.

Now, one might say: Well, what is the big deal about castor oil? It tastes bad. It is what you take when you are sick. Not anymore. On the Defense Department's Critical Needs List there are multiple uses of castor oil for military purposes, including lubricants, adhesives, pharmaceuticals, waxes and polishes and inks.

The Senator from Georgia and from Iowa will know very well the value-added advantage to our country of all the products that have come from soybeans. Our great land grant universities have led the way to create these extra farm incomes, these new jobs for our country.

There are 76 land grant universities in America. During the 2 years where this program that was passed in 1998 worked well, 2001 and 2002, this grant program I am describing awarded 183 different grants, one grant at least in every State and in the District of Columbia.

So these land grant universities, created in Abraham Lincoln's administration, have been at the forefront of our agriculture in America for a long time. If we want to keep high farm income, they are a major part of our ability to do that.

We have had some experience now since 1998 with this grant program I am describing, which has a long name, called the Initiative for Future Agriculture and Food Systems. First, when it was appropriated, and the Senator from Georgia mentioned this to me, the appropriators got to the money and they canceled the appropriation and then increased another account and earmarked the money for their favorite university.

That practice stopped in 2001 and 2002. Basically, we went through a period where the research grants were awarded in the way they are supposed to be, the way most of our research grants are awarded. One reason our great higher education system works so well is because it is a large marketplace; students may choose their school, Government money follows them to the institution of their choice, public, private, nonprofit, and the billions of dollars we spend on research to create jobs, giving us the brain-power advantage, is competitively awarded, usually peer reviewed.

So in a couple years, that worked for this program. But then, the authorizers looked at what the appropriators had done and they said, in effect: We are going to earmark some of this money to our favorite universities. That happened for a while.

Then, in 2005, we got into a budget crunch, and those trying to balance the budget said: Here is a place to get some money. They took the money that was dedicated for agriculture research and used it for the 2005 budget reconciliation. So only in 2 years since 1998 has this excellent competitive grant program worked very well, 2001 and 2002.

Now, in the current House version of the farm bill we are debating today, they try to put it back on track. In the first 2 years of the bill, they appropriate the money to deal with the budget deficit that was dealt with in 2005. But in the last 3 years, they authorize money for this kind of research, $200 million in each of 2010, 2011, 2012, $600 million, amounts to about two-tenths of 1 percent of the total cost of the House version of the farm bill.

The Senate version, unfortunately, well, fortunately in the first 2 years, does pay the money to deal with the budget problem. The decision was made a few years ago. But in the last 3 years, during the time when the House put in 600 million, the Senate puts in zero.

So my amendment would restore $74 million of the $600 million, and in conference, hopefully, the conferees could decide this is an important provision. Since both Houses had provided money, we can put the program back on track.

How do we pay for it? Well, by striking section 12302 from the tax title. Now, section 12302 of the tax title provides new tax breaks for large transmission towers that transmit electricity, primarily from wind farms, in remote and rural areas.

In my part of the country, Tennessee, for example, wind farms barely work at all because the wind does not blow. But where they do work a little bit is up on top of some of our most scenic mountains. So what the effect of this provision would be is to say: We are going to give people who own the land an ability not to pay income tax on the income they get from running these big transmission towers from the top of our scenic mountains all the way down to where the electric grid is.

That is unnecessary in the first place because the provision, as written, is retroactive. In addition to applying to future deals that will be made with landowners, it seems to apply to current and existing deals.

No. 2, it provides tens of millions of dollars, about $55 million, in my computation, of new subsidy for wind. Wind already is, in my judgment and in the judgment of many others, over-subsidized in terms of an energy source.

Third, and perhaps the largest objection, is transmission towers should be paid for by the utilities that build the transmission towers. If the Tennessee Valley Authority builds a transmission tower for whatever purpose, those of us who buy our electricity from TVA ought to pay the bill. We should not send the bill to the Colorado taxpayer or to someone who lives in southern Georgia or someone who lives in Iowa or New York, and neither should they send their bills to us.

So I think it is inappropriate for all those reasons, to subsidize further the ability to build transmission lines, primarily from wind farms to the grid. What it tends to do is to create such extravagant subsidies for wind that investors see an opportunity to make a lot of money, and they build wind farms in places where the wind does not blow.

That might sound to some like a ridiculous statement. But we have one of those in the Southeastern United States. It happens to be in east Tennessee. It is a TVA experimental farm.

It is up on top of Buffalo Mountain, 3,500 feet up. It ought to be a particularly good place for it. You can see the big white towers and flashing lights, instead of seeing the mountain tops, which we prefer to see.

What does it do? Not much. It cost $60 million over 20 years to TVA ratepayers to pay somebody to provide this energy. But during August, when we were in a drought and we needed to turn our air-conditioning on, it was operating 10 or 15 percent of the time.

So there is a much better solution to the need for new electricity in our part of the world and in many parts of America than to encourage investors through extravagant subsidies to build huge transmission lines through rural areas to connect wind farms with grids that are a long distance away.

If the market supports that sort of electricity investment, let it support it. That will usually mean, if you are going to build big wind farms, you will build them fairly close to the electric grid so you will not have to spend a million dollars a mile on the transmission line.

That is the first amendment. We would take the $74 million from this unnecessary expenditure that causes people to pay, in one part of the country, for what should be an electric ratepayer's bill in another part of the country; gives an unnecessary amount of money to wind developers. It, in fact, takes an example of wasteful Washington spending and uses it for higher farm incomes.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter to Chairman HARKIN from organizations stating their support for increased funding for research at land-grant universities.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NOVEMBER 7, 2007.

Hon. TOM HARKIN,
Chairman, Committee on Agriculture, Nutrition, and Forestry, U.S. Senate, Washington, DC.
Hon. SAXBY CHAMBLISS,
Ranking Member, Committee on Agriculture, Nutrition, and Forestry, U.S. Senate, Washington, DC.

DEAR CHAIRMAN HARKIN AND RANKING MEMBER CHAMBLISS: As you know, the committee reported Food and Energy Security Act proposes to eliminate mandatory funding for the Initiative for Future Agriculture and Food Systems (IFAFS). Currently, $200 million per year in IFAFS funds are scheduled to become available in FY2010. The House Farm Bill protects IFAFS funding so that it becomes available as scheduled and provides additional mandatory research dollars.

Elimination of IFAFS funds will severely limit integrated agriculture research and extension programs at America's land-grant universities, at a time when such efforts are ever more necessary to help solve pressing national and international problems. We urge you to allow IFAFS funds to become available as allowed for in the baseline.

The IFAFS program was, as you know, created in 1998 to provide a source of mandatory funding for integrated competitive programs sponsored by the land-grant universities. Since its inception, however, IFAFS funds have been captured in all but two years by the Appropriations Committees, the Office of Management and Budget and Committees on Agriculture via the budget reconciliation process. Nonetheless, the land-grant system has worked hard to reverse this situation in light of the tremendous unfunded needs—in areas as diverse as human nutrition and biofuels—that must be addressed through programs where scientific research is directly linked to public outreach.

Without IFAFS the agricultural research, education and extension baseline is diminished substantially, something that is harmful to every single stakeholder this bill is created to serve. Agricultural production, healthy, abundant and safe foods, conservation, rural development, biofuels, specialty crops, aquaculture and countless other areas impacted by this legislation are reliant on research, and the application of the results of that research via education and extension.

While we appreciate the new mandatory funding for bio-fuels, specialty crops and organics contained in this bill, we are still facing a net cut to research, education and extension as a result of eliminating IFAFS funds. Therefore, we respectfully urge you to ensure the IFAFS funding becomes available for the nation's agricultural research, education, and extension needs as scheduled. We sincerely believe that we should not short-change the future for short-term gains. Please utilize the IFAFS funds in the Research Title, as that is where the future lies.

Sincerely,

American Association of State Colleges of Agriculture and Renewable Resources, American Dietetic Association, American Feed Industry Association, American Sheep Industry Association, American Society for Horticultural Science, American Society for Nutrition, American Society of Plant Biologists, Cherry Marketing Institute, Coalition on Funding Agricultural Research Missions (CoFARM), Crop Science Society of America, Donald Danforth Plant Science Center, and Federation of Animal Science Societies.

Institute of Food Technologists, National Association of State Departments of Agriculture, National Association of State Universities and Land Grant Colleges, National Association of Wheat Growers, National Cattlemen's Beef Association, National Coalition for Food and Agricultural Research (NC–FAR), National Corn Growers Association, National Sorghum Producers, Soil Science Society of America, The American Society of Agronomy, United Egg Producers, and US Rice Producers Association.

Mr. ALEXANDER. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER (Mr. SALAZAR). The Senator has used 18 minutes.

Mr. ALEXANDER. Please let me know when there are 5 minutes remaining.

AMENDMENT NO. 3553

Here is my second amendment. It is amendment No. 3553. I say it with all due respect to the Senator from Colorado because he and I discussed this. I am sure he will have more to say about this. But here is what this amendment is about.

The question is whether every Member of this body—I hope a lot of Senators are watching or their staffs are watching, because you do want to help your Senator if you are a staff member go home and explain, wherever you may live in America, why you took $4,000 of their tax money and gave it to their neighbor to build a 12-story tower in that neighbor's front yard with a flashing red light on top.

That is the question. The farm bill tax title, as reported by the Senate Finance Committee, says it is called a small wind tax credit. Now, I would ask those who can see this picture whether they would consider this tower an example of a small wind turbine? I think you can see the large crane next to it. You can see the telephone pole by it. Imagine if that is in your neighborhood, in the front yard of your neighbor. What the proposal in the tax title as reported says, that a small wind tax credit would give you up to $4,000 toward building a turbine of up to 100 kilowatts. That is a 100-kilowatt wind turbine.

Now, you might build a smaller one, and the cost would vary—a 0.5 kilowatt turbine might cost about $1,900 and receive a $570 tax credit, which is 30 percent of the total cost. A 1 kilowatt turbine might cost about $4,000 and receive a $1,200 credit, which is also 30 percent of this turbine's cost. A 2.5 kilowatt turbine costs about $15,000 and would receive a $4,000 credit, which is 27 percent of the turbine's cost. But you could build one as big as the 100 kilowatt turbine depicted here with taxpayer funds under the provisions of this bill.

I would like to ask my colleagues to think about whether they think that is an appropriate use of tax money. My view is the puny amount of electricity produced by these wind turbines is not worth ruining the character of our neighborhoods.

So what my amendment would do is simply say: This is a farm bill. If the Members of this body and this Congress want to subsidize the building of 12-story white towers in rural areas for farms and businesses, then do that in the farm bill. But do not allow that to go into residential neighborhoods across America, which the bill, as presently written, does.

Now, when I say a puny amount of electricity, what do I mean by that? Well, according to the Joint Committee on Taxation, which has examined this provision of the proposed farm bill, it would encourage the installation of 12 megawatts of electricity.

Electrical generators have something called rated capacity. The rated capacity is the power that an electrical plant generates when operating at its full capacity. A nuclear power plant, for example, in Tennessee on average operates at 90 to 95 percent of rated capacity. That is why so many Americans are beginning to understand that nuclear power is the way you deal with climate change, if you are serious about it, because they produce 1,100 or 1,200 megawatts of power 92 percent percent of the time, and that is clean power. That has no nitrogen, no sulfur, no mercury. It has no carbon. Nuclear power produces 20 percent of our electricity and 80 percent of our carbon-free electricity.

The idea here is that by putting 12-story towers or up to 12-story towers in our neighbor's front yard or in our front yard, we could produce under this proposal an estimated 12 Megawatts of electricity. Probably turbines like that would operate 20, 25, 30 percent of the time. So it wouldn't be 12 megawatts of electricity, it would be 3 or 4 megawatts on average. This is equivalent to two-tenths of 1 percent of the energy from a nuclear reactor or six-tenths of 1 percent of the energy from a single coal plant.

My appeal is that we respectfully use our common sense as we think about how to deal with the various challenges we have with clean air, with climate change, with our need for energy. Common sense does not say we ought to subsidize the building of 12-story towers or up to 12-story towers in our front yards. For example, we would get a much better bang for the buck—$5 million is what is estimated to be spent—if we simply bought energy-efficient light bulbs and gave them to our neighbors. Spending $5 million on $2 energy-efficient light bulbs would save eight times the electricity generated by these ''small wind turbines.'' So why should we ruin the character of our neighborhoods when we could do eight times as much good with the same amount of money by changing our light bulbs? That would be common sense.

I am very much aware of the concern about climate change. Ever since I have been a Member of this body, I have had legislation in the Senate—first with Senator CARPER, then with Senator LIEBERMAN—to establish caps on utilities which produce a third of all the carbon in the country. That legislation, which I introduced with those two Senators over the last 5 years, also would establish more aggressive standards for nitrogen, mercury, and sulfur than the administration does. In addition, last week when we were debating climate change, the Environment Committee adopted my proposal for a low-carbon fuel standard which would be one of the most effective ways, probably the most effective way, to reduce quickly the amount of carbon in the fuel we use. In the last Congress, I was the principal sponsor of the solar energy tax credit. So I, like most Americans, am looking for ways for us to continue to power our huge economy but to do it in a clean way. I make a plea for common sense while we do this.

I suppose it would be possible for us to give $4,000 to a homeowner and say: Build a big bonfire in your backyard, and then we will give you more money to sequester the carbon and bury it under the ground. That would be possible. But would it make common sense? No, it wouldn't make common sense. There are better ways to use the money. Why would we destroy the environment to save the environment, which is precisely what we are doing in residential neighborhoods with this proposal. I regret not that it allows farm families and farm businesses a small subsidy to build large wind turbines. I regret that we would extend that to residential neighborhoods at the same time.

Let me say something else about the number of subsidies for wind power that exist today in our country. Sometimes the need for wind has become nearly a religion. Instead of looking carefully at whether we should use more efficient light bulbs or smart meters on utilities or solar panels or efficient appliances or green buildings, a whole variety of things we can do as a country to be green—instead of doing that, I think we have gone overboard on the idea of wind.

Let me give a couple of examples of that, if I may. There are a great many subsidies already in existence for wind. The biggest, of course, is the renewable electricity production tax credit. Through that renewable production tax credit, according to the Joint Committee on Taxation, the United States taxpayer will spend $11.5 billion on wind energy over the next 10 years. Let me say that again. The United States taxpayer is committed, through the existing renewable electricity production tax credit, to spend $11.5 billion on wind energy over the next 10 years. That doesn't count the value of various other Federal, State, and local subsidies for wind. There are the clean renewable energy bonds to help build the wind turbines. There are Department of Energy grants and incentive programs. There are Department of Agriculture renewable energy and energy efficiency grants and loans. There are various State subsidies for wind.

Texas is appropriating billions of dollars for transmission lines for wind. That is their decision. It is not as if this were a form of energy which lacked support. I am afraid the result is that the extravagant subsidies for wind are causing people to build wind farms and to use wind where they otherwise would not. In testimony before the Environmental and Public Works Committee recently, one utility manager from Oklahoma said he is tripling the amount of wind they are using.

I said: Why are you doing that? Can you use it as baseload power; that is, can you use it as reliable power all day long?

He said: We can only use it when the wind blows.

I said: Can you use it for peaking power?

He said: No, we can't use it for that because the peaking power, the busiest time of the day or year, might come when the wind is not blowing.

I said: Why are you doing it then?

He said: To make the legislators happy.

So we are not letting the market decide. We have become obsessed with the idea that this needs to be done. How big is that obsession? I think most Senators would be surprised to learn that by fiscal year 2009, the renewable electricity production tax credit will be the single largest tax expenditure for energy: $1.9 billion of that in 2009 would go for all renewable sources, but $1.3 billion would be for wind. We hear a lot about oil and gas and the subsidies for oil and gas. One might think that would be true since we have this massive economy. We use about 25 percent of all the oil and gas in the world. But according to figures from the Joint Tax Committee—and perhaps somebody will point out that the Joint Tax Committee is wrong, but this is what they say in the year 2009, the subsidies for oil and gas tax expenditures will be $2.7 billion from the taxpayers. The production tax credit for wind will be $1.3 billion. Wind, $1.3 billion; oil and gas, $2.7 billion. The reason I mention that is because of the disproportionate relationship between the value of oil and gas to an economy that uses 25 percent of all of it in the world and the amount of electricity produced by wind.

In 2006, wind energy produced seven-tenths of 1 percent of the electricity we consumed in the United States, yet it is the largest single energy tax expenditure by the taxpayer. Something is wrong there. The Energy Information Administration estimates that by the year 2020, after we have spent presumably tens of billions of dollars of subsidies for large wind turbines in your front yard and backyard and side yard and our national forests, along our beaches, our most scenic mountaintops, after we have done all of that, according to the Energy Information Administration, wind is projected to produce about 1 percent of our electricity needs.

I am skeptical of that figure. I think the Energy Information Administration is too conservative. It might be 2 percent. It might be 3 percent. Maybe it is 4 percent. But should the largest energy expenditure be to encourage the building of such towers, or should we be spending our money in different ways?

We have other ways to produce electricity: 49 percent of our electricity is produced by coal. Would it be wise to spend money in finding a way to sequester that coal, perhaps through algae, perhaps through enzymes, so we can use it to reduce our dependence on foreign oil? I think it would. But the largest single energy tax expenditure is for wind. Twenty percent of our electricity is produced by nuclear power, 80 percent of our clean power. In my view, if we are serious about climate change in this generation, climate change is an inconvenient truth, the inconvenient solution is nuclear power and conservation. But the largest single energy tax expenditure is for large wind turbines. Hydropower is clean as well. It is only about 7 percent of the electricity in the United States. It will drop a little by 2020. But wouldn't there be ways to encourage that as well?

It may be said that this is only a small matter. It is only $5 million. But

it won't be a small matter in residential neighborhoods in Knoxville and Denver and Los Angeles, all across the country, when a neighbor comes in and says: I just got $4,000 of your tax money, and I am going to put up a 12-story white tower with a blinking red light on top because I want to do what I can for climate change.

I think the proper answer is to say that is not the most commonsense thing we can do. There are many ways we can conserve. Efficient light bulbs would save eight times as much as this proposal would generate. Why don't we do that instead?

If you think this is not going to happen in your neighborhood, I ask unanimous consent to print in the RECORD following my remarks a story from CNN.com about neighbors in Atlanta who are already squabbling about someone who has built a wind turbine in their front yard in a historic neighborhood. It makes no difference that the wind doesn't blow very much in Atlanta. The neighbor is just making a statement. That is the kind of thing that this will encourage.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1.)

Mr. ALEXANDER. It would be my hope that this amendment would be accepted by the Senate. The effect of it would be to leave in place up to $4,000 support for building a tower that could be as large as that one, a 100 kilowatt turbine, in rural areas or for rural business. That would still be in place under my amendment. What would not be in place is the ability to use that in residential neighborhoods. The amendment would also make clear that nothing we are doing in this legislation preempts any local decision about the kind of decisions people will make. I am for caps on utilities. I am the sponsor of the solar credit. I am for cleaner air, more aggressively than the administration has been. I am ready to use smart meters. I am ready to try geothermal, almost anything, the low-carbon fuel standard. But I hope we will use common sense.

Common sense says to me, with all due respect, that we should not encourage using other people's tax money for your neighbor to build up to a 12-story white tower in his front yard as a solution to the current concern about climate change. There are other, better ways to do it, starting with energy efficiency, other ways that make much more common sense.

I yield the floor.

EXHIBIT 1

NEIGHBORS FIGHT, STATES SCRAMBLE OVER CLEAN POWER

(By Thom Patterson)

ATLANTA, GEORGIA (CNN).—Curt Mann's neighbors are livid, accusing him of erecting an ugly wind turbine among their historic homes for no other reason than to show off his environmental ''bling.''

The 49-year-old residential developer is remodeling his 1920's house to be more environmentally friendly, including installation of a 45-foot-tall wind turbine in his front yard. ''It's really none of their business how I spend my money,'' Mann said.

The towering turbine, which overlooks majestic trees and Victorian rooftops, pits preservationists in Atlanta's Grant Park Historic District against a property owner and his individual rights.

''It's unattractive and it's a nuisance,'' said Scott Herzinger, whose home is three doors down. Mann ''invaded the public view . . . when he put that tower up.''

In blustery regions, home turbines can cut power bills by up to 80 percent. But opponents claim Mann's wind turbine needlessly threatens neighborhood property values because Atlanta's low winds don't produce enough speed to make the device worthwhile.

At a cost of $15,000, Mann said the turbine will shave at least $20 per month off his power bill—hardly a windfall. A proposed federal tax credit would bring Mann $3,000. Acknowledging it could be decades before his investment pays off, Mann said, ''even if it was a 50-year payback, at least we've done something to reduce our dependency on fossil fuels.''

Herzinger blames Atlanta, which ''let us down miserably'' when zoning officials sided with Mann.

Said Mann, ''If regulations for historic preservation don't address modern-day issues, then they're not very sound.''

But Herzinger, 48, who shares Mann's support for wind power, said Mann could have considered many alternatives which would have helped the environment more than the turbine. ''After looking at the facts, it doesn't seem unreasonable to think of Mann's wind turbine as eco-bling.''

Although opponents filed a lawsuit in Fulton County Superior Court against both Atlanta and Mann, the squabble poses larger, far-reaching questions about how communities, states and the nation as a whole should tackle the ongoing shift toward cleaner energy.

''I don't think we're going to revolutionize the utility industry through wind turbines in the front yard,'' said longtime California energy consultant Nancy Rader, ''To really make a dent in the power sector we've got to have the big, central, bulk-generating facilities.''

At least 21 states and the District of Columbia have set deadlines or goals for utilities to obtain electricity from clean renewable sources instead of fossil-fuel burning plants.

The scramble has triggered construction of large-scale wind farms throughout much of the nation, including proposals for the first U.S. offshore facilities.

Delaware and Galveston, Texas, have offshore projects in the works, although a farm proposed off New York's Long Island was shelved this year due to high projected construction costs.

Top New York energy official Paul Tonko said the push toward renewable energy became more urgent as oil prices hit a record $80 a barrel September 13.

''We have precious little time to adjust,'' said Tonko, president of New York State Energy Research and Development Authority. ''We are behind the curve of several leading nations who have moved forward with very aggressive outcomes.''

In Massachusetts, where utilities are under the gun to obtain four percent of electricity from renewables by 2009, builders await federal approval of a hugely controversial wind farm off historic Cape Cod.

The Cape Wind project envisions 130 wind turbines each rising 440 feet above Nantucket Sound by 2011. State officials said the farm will eliminate pollution equal to 175,000 gas-burning cars.

Like Mann's neighbors, Cape Wind opponents are rallying to protect historic properties. The Massachusetts historical commission said the wind farm's ''visual elements'' would be ''out of character'' and would have an ''adverse effect'' on more than a dozen historic sites, including the Kennedy family residential compound in Hyannis Port.

James E. Liedell, director of Clean Power Now, a grass-roots group that supports the project, said he once asked Sen. Edward Kennedy, during a random encounter in 2003, what he thought of Cape Wind. ''It's the sight of wind turbines that bothers me,'' Liedell said Kennedy said, reminding Liedell that, ''that's where I sail, and I don't want to see them when I sail either.''

According to polling in northern Europe where wind farms are flourishing, residents eventually have come to accept turbine towers dotting the landscape, said Dr. Mike Pasqualetti, who has done much research on the topic. Communities near many California wind farms, which were built in the 1980s, have largely come to accept the turbines, said the Arizona State University professor.

As the nation's fastest growing form of new power generation, wind-born electricity may soon fuel commutes for millions of Americans.

''If we power electric hybrid cars with electricity that comes from wind farms, it means you aren't polluting on either end of the equation,'' said Dr. Robert Lang, director of the Metropolitan Institute at Virginia Tech. ''It doesn't make sense to power electric cars with electricity from fossil fuel burning plants.''

Governments should consider offering property owners reduced energy rates or other incentives to win their support for green energy projects, suggested Lang.

Washington state utilities are racing to obtain 15 percent renewable energy by 2020—much of that from wind. When the Kittitas County Commission unanimously rejected placing a 65-turbine facility near residential property, Gov. Chris Gregoire overruled the commissioners in a move that Chairman Alan Crankovich called disappointing and unprecedented.

''To have a land-use decision overturned by the governor, that scares me,'' Crankovich said. ''I'm concerned about it because this is the first step in weakening local authority and I hope she understands that.''

Bertha Morrison, 89, a lifelong resident whose property abuts the proposed site applauded the governor's decision. ''There'll be money coming from it to the county and that will keep our taxes down a little bit.''

Individuals such as Morrison, Mann and Herzinger can influence public energy policy, said energy consultant Rader, by participating in local government and casting votes on statewide initiatives.

''We're going to have to bite the bullet,'' said Rader. ''I think we need to do every damn thing we can to save this planet and everybody on it.''

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I wish to enter into a unanimous consent agreement in terms of the order of speakers. I ask unanimous consent that after Senator BARRASSO speaks for 7 minutes, that I be recognized for 10 minutes, Senator KLOBUCHAR for 10 minutes, Senator SANDERS for 10 minutes, and Senator CRAPO for 30 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Wyoming.

Mr. BARRASSO. Mr. President, agriculture is one of the most trusted, respected, and revered ways of life in America. It is the farmers and the ranchers who feed this country.

Wyoming agriculture is a billion-dollar industry, and livestock producers are at the heart of our State's prosperity.

I am privileged to represent more than 9,100 farm and ranch operations in the State of Wyoming. That is why I fight every day to ensure that our farm and our ranch businesses continue to thrive.

This generation of farmers and ranchers faces more challenges than our parents ever did. We need agricultural policy that adapts to this changing world. Frankly, following the same old farm bill paradigm is not getting us there. Agriculture is critical to Wyoming. We produce over a billion dollars of agricultural products each year. Agriculture provides more than 10 percent of the jobs in our State.

I am coming to this debate with a real interest in seeing American agriculture succeed. To do that, we need to change our thinking and change our policy.

I commend the Senate Agriculture Committee for producing bipartisan legislation that addresses the important issues of conservation, rural development, and agricultural disaster. But let's not forget this bill also carries a huge pricetag. And let's not forget that cost is for programs targeted at the old ways of agriculture.

I believe we need to spend our taxpayer dollars wisely. We should focus our efforts on smart growth in agriculture. We should sunset those programs of the past that fail to address the real issues facing agriculture today.

I support conservation programs. I believe providing incentives for farmers and ranchers to make improvements to their operations and to benefit the environment—both of those—serves all of our interests.

In Wyoming, we have seen smart growth spurred by conservation programs. Wyoming producers have implemented almost 3,000 Environmental Quality Incentives Program contracts over the past 5 years. We have protected over 34,000 acres in our State through the Grassland Reserve Program. Conservation programs, provided for in this farm bill, will continue the real, on-the-ground results we have seen in Wyoming.

Our conservation policies should give incentives to ranchers, incentives that will help ranchers to operate at maximum efficiency and promote good business and a healthy environment.

I support business-friendly policies that help our farmers and ranchers succeed in marketing their products. It is a victory that this bill contains meaningful implementation guidelines for country-of-origin labeling. We raise exceptional beef and exceptional lamb in this country. Our producers deserve the opportunity to label their product ''born and raised in the USA.'' Consumers demand it, and they will buy it.

I am also pleased this farm bill will end the prohibition on the shipment of Wyoming beef and lamb products to other States. Our State inspection program is more stringent than Federal programs, and yet we have faced a limit on our product for years. I am very pleased this farm bill will change that. Eliminating this restriction will help spur new small business opportunities for all. I hope to see more livestock competition reforms included in this farm bill.

In addition, I have offered an amendment promoting veterinary research. This amendment authorizes the Minor Use Animal Drug Program. This amendment helps the American sheep industry be competitive in the world market. I am proud to sponsor it on behalf of Wyoming's 900 sheep producers. I am pleased the bill's sponsors have included this amendment in the managers' package.

Animal disease research is of the utmost importance in Wyoming. Our rugged landscape is a real challenge to ranchers trying to keep their livestock healthy. To meet this need, I have cosponsored an amendment, along with my neighbors from Montana and Idaho, to promote brucellosis and pasturella research. I hope my colleagues will join us in support of this much needed work.

One of the amendments we are likely to consider on this legislation would expand the renewable fuels standard enacted in 2005. This expansion is concerning both to Wyoming's livestock producers and to Wyoming's energy producers. I am troubled by the food versus fuel debate. When we use so much corn to make ethanol, there is less corn to feed our cattle. The price of corn is rising, and ranchers are struggling to keep their businesses profitable.

This afternoon the Presiding Officer and I attended a meeting of the Energy Committee. We heard testimony from Pat O'Toole, a former Wyoming legislator and a rancher from Savery, WY. He told the committee that as he was testifying, his wife was driving a truck along I–80 in southern Wyoming—a truck of corn—and the corn this year costs twice as much as it did last year.

I strongly support policies that advance the development of alternative and renewable energy: Solar energy, wind, geothermal, coal-to-liquids, biofuels. We need all of the energy. But we cannot forget the cost if we trade food for fuel.

There is a great opportunity before this Congress to meet the changing needs of agriculture. We need to set a standard that improves our industry for the future. That is why the people of Wyoming want to see farm policies that use common sense. Let's put an end to farm policies that are outdated. Let us embrace the agriculture markets of today and of tomorrow.

Now we can do this with on-the-ground conservation programs. This farm bill can provide profit incentives and market-based agricultural research. That is what the American farmers and American ranchers deserve. It is also what the American taxpayers deserve.

I thank my colleagues for the hard work that has gone into this bill. I now call on the Senate to make real commonsense reforms for American agriculture.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I rise, first of all, to indicate again my strong support for the bill that is in front of us, the Food and Energy Security Act, and to thank one more time our leader, Senator HARKIN, and his partner in this, Senator CHAMBLISS, for their leadership and great work, and for all the support of the committee in bringing forward a unanimous bill, bipartisan bill.

AMENDMENT NO. 3672

I specifically today, though, want to touch briefly on two amendments that have been proposed by my good friend from New Hampshire. I really do mean that. He is somebody whom I enjoy working with very much, although I must rise to oppose him on an amendment dealing with the asparagus growers of this country.

As a background to this, the U.S. asparagus industry was and continues to be economically injured, unfortunately, by an agreement back in 1990, the Andean Trade Preferences Act, which extended duty-free status to imports of fresh Peruvian asparagus. This particular agreement eliminated the tariffs on a wide variety of products, including asparagus, coming into this country.

Unlike most trade agreements, ATPA provided no transition period for American growers to allow our producers to prepare or adapt to an unlimited quantity of Peruvian asparagus coming in with a zero tariff. The recently approved Peruvian Trade Promotion Agreement actually codifies that particular situation for American asparagus growers.

Following the enactment of this original agreement in 1990, imports of processed asparagus products surged 2,400 percent into the United States, from 500,000 pounds of asparagus in 1990 to over 12 million pounds in 2006—with a zero tariff—coming into the United States to compete with American asparagus.

Our domestic asparagus acreage dropped 54 percent from 90,000 acres in 1991 to under 49,000 acres in 2006. That is American farmers losing acreage, losing their farms, being placed in a very difficult situation, a very difficult situation economically.

Michigan asparagus acreage has dropped from 15,500 acres in 1991 to 12,500 acres in 2006.

In Washington State, asparagus decreased from 31,000 acres in 1991 to 9,300 acres in 2006. The value of Washington

asparagus in 1990 was approximately $200 million. The present value is $75 million.

This is a huge drop for any area of American agriculture. This is a huge drop and has created great hardship for our asparagus growers.

Asparagus acreage in California decreased from 36,000 acres in 1990 to 22,500 acres in 2006.

What we have in this bill is some small effort to help those growers who have found themselves—because of our policy, our trade policy—in an immediate situation of facing an unlimited supply of asparagus coming in with no tariff and with no ability to have any kind of a transition.

Unlike other areas that have been hit by trade, they did not qualify for trade adjustment assistance. So the Asparagus Market Loss Program is a relatively small program compared to other parts of this farm bill. It is a $15 million effort that is critically important to compensate American asparagus growers across the country for the loss to this industry that resulted from the ATPA.

This program is based on a similar market loss program for apples and onions back in 2002, where cheap Chinese imports harmed those American growers, and that program provided $94 million for apple and onion growers. I might add, I say to my friend, the author of this amendment, the State of New Hampshire received over $1 million from this particular market loss program for apples. That was done in 2002. So what we are doing is patterning this program after the very same marketing loss program that helped our apple growers.

Market loss funds will be used to offset costs for American asparagus producers to plant new acreage and invest in more efficient planting and harvesting equipment. It is a very small fraction of, in fact, what they have incurred, as well as a result of the policy that was enacted back in 1990.

I urge my colleagues to vote ''no'' on the Gregg amendment and to support the effort of the Agriculture Committee to help alleviate an industry that has received dramatic losses as a result of our Federal trade policy.

AMENDMENT NO. 3674

On a different note, Senator GREGG has offered an amendment that, in fact, is a reflection of a bill I have introduced regarding the mortgage industry. Senator GEORGE VOINOVICH is my Republican cosponsor. We have a number of colleagues who have joined us in this effort. I certainly support the intent of that amendment. I know there is a strong understanding of support coming from the chairman of the Finance Committee about the need to make sure people who find themselves losing their home because of a foreclosure situation or a short sale or some other situation regarding the housing crisis—that they do not also end up with a big tax bill after possibly losing their home. I know there is a commitment from the Finance Committee, of which I am a member, to address this issue and, in fact, to make sure people do not end up with this tax liability.

The real question is how we do this in terms of this particular amendment. Certainly, substantively I support it, but the farm bill will not be done before the end of this year, and if we don't have something in place by the end of this year, people who have found themselves in the middle of a mortgage crisis with this kind of an unforeseen tax liability will have an additional tax bill. I know it is our desire not to have that happen. It would be a real tragedy, in fact, if that did happen.

So I know we have to work out what will happen on that amendment, but certainly I think there is very broad support for the substance of it. It is a question of whether we are able to get relief to people quickly enough. The farm bill will not be done and passed into law by the end of the year, and we need to have that provision done by the end of the year. So I know the Finance Committee leadership is making determinations about the best way to approach this, but certainly I appreciate the issue being raised because no one wants to see people who have found themselves in a potential situation of losing their home or their home going into foreclosure or some kind of a refinancing for less than the mortgage price, to find themselves also in a situation where they have a new tax bill. That certainly is no one's intent.

I am pleased the White House is supporting our legislation to fix this. The House has, in fact, acted as well and has sent a bill to us to address this issue. It is my hope—my sincere hope and urgent hope—that we will have this done by the end of this year rather than placing this policy into the farm bill because there is a sense of urgency about getting this done right now. Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Ms. KLOBUCHAR. Mr. President, as has been previously agreed, I ask unanimous consent to speak as in morning business for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. KLOBUCHAR. Mr. President, I first again wish to commend Senator HARKIN, Senator CHAMBLISS, and our entire Agriculture Committee for the work we are doing on this farm bill. I am excited that it is moving ahead. As you know, I am hopeful that we will get some more reform in the bill, including my amendment to make sure the hard-working farmers in this country are at the receiving end of the help from the farm bill as opposed to multimillionaires from across this country. I look forward to debating that in the next few days.

TOY SAFETY

I am here to talk about another topic, and that is that across Minnesota and across the country, families are making their annual trips to stores and to malls for their holiday presents. Kids are making their wish lists. I know my daughter has her own. Parents are combing the ads for the best prices. But this year, parents are thinking about something a little more than the price, a little more than the wish list. They are also wondering if the toys they are buying are safe.

In fact, just this weekend, I visited Morehead, MN, in 20-below-zero weather, and I can tell you there were a number of parents who turned out, as well as people who work in this area, to talk about their concerns about the safety of toys. They told me they are shocked that in this day and age that we have these toxic toys on our shores and in our stores and we have to put an end to it.

This year, almost 29 million toys and pieces of children's jewelry have been recalled because they were found to be dangerous and, in some cases, deadly for children. In many cases, the reason for these recalls have been truly horrific. Who would believe that a parent would buy some Aqua Dots, a very popular toy for their children, and find out the child swallowed this little dot, which normally you wouldn't think would become a disaster, but in fact this toy had morphed into the date rape drug and put their child into a coma. That is what happened in this country.

Another 9 million toys have been recalled this year for containing toxic levels of lead. The lead levels in these toys can lead to development delay, brain damage, and even death, if swallowed.

As a mom and as a former prosecutor and now as a Senator, I find it totally unacceptable that these toys are in our country. As my 12-year-old daughter said when her famous Barbies were recalled: Mom, this is really getting serious.

It is clear that the current system we have in place to ensure the safety of products for our most vulnerable consumers—our children—needs to be fixed, and we need to fix it now.

The Senate Commerce Committee on which I serve has taken strong action to stem the tide of these recalls. The Consumer Product Safety Commission Reform Act of 2007, which was passed by the Commerce Committee under the leadership of Chairman INOUYE and Chairman PRYOR and with my help, as well as the help of Senator BILL NELSON and Senator DURBIN, represents some of the most sweeping reforms that we have seen in 15 years for the Consumer Product Safety Commission. The bill would finally take the lead out of children's products, establish real third party verification, simplify the recall process, and make it illegal to sell a recalled product. It also gives this long forgotten agency the resources it needs to protect our children.

The recent action by the Commerce Committee sends to the Senate floor an

opportunity to reform our consumer protection laws and effectively ban lead from kids' products. I am hopeful that we will act quickly, that we will work out any details that need to be worked out, and that when we adjourn for the holidays, this reform will be passed.

To me, the focus is simple. We need to make sure there is a clear mandatory standard—not just voluntary, not just a guideline, but with the force of law. I think it is shocking for most parents when they realize there has never been a mandatory ban on lead in children's products; instead, we have this voluntary guideline that involves a bunch of redtape that makes it hard to enforce. As millions of toys are being pulled from the store shelves for fear of lead contamination, it is time to make crystal clear that lead has no place in kids' toys.

The need for this ban was crystallized for me in Minnesota when a little 4-year-old boy named Jarnell Brown got a pair of tennis shoes at a store in our State. With the pair of shoes came a little charm, and this little boy was playing with the charm and swallowed it. He didn't die from choking or from some kind of blockage of his airways. No, he died from the lead in that charm. The lead that should never have been in that charm went into his bloodstream over a period of time. When they tested that charm, it was 99 percent lead. It came from China. This little boy died.

What is most tragic about this death is that it could have been prevented. He should never have been given that toy in the first place. It shouldn't take a child's death to alert us that we need to do something about this problem in this country. The legislation I originally introduced to address this problem is included in our bill. There is a lead standard in the bill that effectively bans lead, allowing for trace levels for jewelry and allowing for some trace levels for toys.

For 30 years we have been aware of the dangers posed to children by lead. The science is clear. It is undisputed that lead poisons kids. It shouldn't have taken this long to figure that out, but we know it and know we can do something about it.

As we all know, the Consumer Product Safety Commission's last authorization expired in 1992, and its statutes have not been updated since 1990. During that time, since 1990, we have had billions of dollars' worth of toys coming in from China and other countries that have essentially been unregulated because of a lack of resources for that agency. It is a shadow of its former self. It is half the size that it used to be in the 1980s. Here we have billions of dollars' worth of unregulated toys coming into this country, and there has been no response from this agency, no requests for a big increase. Nothing. Meanwhile, these toys are coming on to our shores.

The inspection effort for toys at the Consumer Product Safety Commission is led by a man named Bob, and he has an office that is kind of messy in the back of the CPSC and he is retiring at the end of this year. We need to get more toy inspectors in the field. We need to give this agency the tools it needs to do its job.

The legislation sitting before the Senate today goes a long way in modernizing the Commission. The legislation more than doubles the CPSC's budget by the year 2015—something we wish the CPSC asked for itself, but we went ahead and did it ourselves. The CPSC Reform Act will actually make it illegal to sell a recalled toy, finally taking action against those bad actors out there who are knowingly leaving recalled products on their shelves.

I do at this moment wish to thank some retailers that have worked with us on this bill. The CEO of Toys 'R Us testified. We worked with Target, a Minnesota company. They want to get some legislation passed, and they want to actually increase the budget of this agency so there can be more inspection. This bill will also—and this is the piece of the bill that I worked on—make it easier for parents to identify toys when they are recalled.

I have to tell my colleagues, when most parents get their toys and their children open them on Christmas morning, they don't keep the packaging. My mother-in-law keeps the packaging, but most people don't. So you have this packaging, and then you have the toy. What we are saying is, the batch number should be on the toy if it is practical. You can't do it on Pick Up Sticks, but you can do it on the foot of a Barbie or on SpongeBob Square Pants, so that when a parent knows about a recall—and we know there are more to come, although we hope they level off soon—the parent can actually figure out which toy to throw out and which toy to keep in their toy box. This is good practical reform to which everyone has agreed.

The other piece of this is that the batch number should be on the packaging. That is because, unlike some of the big retailers where it is easy for them to pull these recalled toys from their shelves and to zero them out on their computer system, some people buy toys on eBay, they buy them at garage sales, and that is why we think it is very important these toy numbers be on the actual packaging as well as on the toy.

We have seen too many headlines this year to sit around and think this problem is going to solve itself. As a Senator, I feel strongly it is important to take this step to protect the safety of our children. When I think of that little 4-year-old boy's parents back in Minnesota and think about all of those other children who have been hurt by these toys—the one who just went into a coma over the date rape drug—they are just little kids. We can do better in this country. We can put the rules in place and make it easier for them to do their job. We can't just sit around bemoaning the results anymore. We have to act. We have the opportunity. We must pass this bill before we go home for recess.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. SANDERS. Mr. President, I ask unanimous consent to set aside the pending amendment and that the Gregg amendment No. 3822 be the pending amendment.

The PRESIDING OFFICER. Is there objection?

Mr. CHAMBLISS. Mr. President, reserving the right to object, what is the nature of this amendment?

Mr. SANDERS. What the Gregg amendment does is take $5.1 billion from agricultural disaster assistance for farmers, and it puts $924 million into LIHEAP. What my amendment does is put $924 million into LIHEAP but does not affect agriculture disaster assistance.

Mr. CHAMBLISS. It is a second-degree amendment?

Mr. SANDERS. It is a second-degree, yes.

Mr. CHAMBLISS. Then I do not object, Mr. President.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3826 TO AMENDMENT NO. 3822

(Purpose: To provide for payments under subsections (a) through (e) of section 2604 of the Low-Income Home Energy Assistant Act of 1981, and restore supplemental agricultural disaster assistance from the Agriculture Disaster Relief Trust Fund)

Mr. SANDERS. Mr. President, I come from a State where the weather gets 20, 30 below zero.

I send to the desk a second-degree amendment to the Gregg amendment No. 3822 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Vermont [Mr. SANDERS] proposes an amendment numbered 3826 to amendment No. 3822.

Mr. SANDERS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. SANDERS. As I mentioned a moment ago, I come from a State, as do many others in the Senate, where the weather gets cold—sometimes 20 or 30 degrees below zero. I come from a State, as do many other Members, where many folks are finding it extremely difficult this year to pay for their home heating fuel costs because, as we all know, costs are soaring. It is not unusual when I walk the streets of Burlington, VT, or other towns in the State of Vermont, that people are appalled and frightened about the rapidly escalating costs of home heating oil, and they are in need of help.

As you know, Mr. President, the LIHEAP program has been an enormously successful program in providing help to many Americans in paying their heating bills, especially the senior citizens.

So what this amendment would do—and I will talk at greater length about it tomorrow—is provide $924 million in increased LIHEAP funding because we need that funding now.

We need to see LIHEAP significantly increased beyond where it is right now if for no other reason than to simply keep pace with the outrageous increase in costs for home heating.

Further, it is my view, and why I am offering this amendment, that it is wrong to be cutting into agriculture disaster assistance for farmers. There are disasters and there will be disasters. If we are serious about maintaining family-based agriculture in America, it is important those provisions be maintained. That is essentially what that amendment is about.

I ask unanimous consent to lay aside the pending amendment and call up an amendment that I send to the desk and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. MENENDEZ). Is there objection?

Mr. CHAMBLISS. Mr. President, reserving the right to object, I inquire of the Senator, is this an amendment that was not on our list that we have already received unanimous consent on?

Mr. SANDERS. I believe that is the case.

Mr. CHAMBLISS. Senator HARKIN and I have worked diligently over the last 4 weeks to get where we are today, and we have winnowed this list down to 20 amendments on each side. If we make an exception on one side, I obviously have a lot of folks who would like to add an amendment to the list. We simply cannot do that. We have to cut it off. Regrettably, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. SANDERS. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAPO. Mr. President, I seek recognition under the unanimous consent agreement.

The PRESIDING OFFICER. The Senator is recognized for up to 30 minutes.

Mr. CRAPO. Mr. President, I come today to speak in general about the farm bill, which we are debating, more correctly called the Food and Energy Security Act of 2007, and also to speak about some of the amendments proposed to it.

This is an essential piece of legislation. I am proud to have been part of both committees that have brought separate parts of this legislation forward and to have been able to work together in a bipartisan fashion to craft a bill in the Senate I believe very effectively addresses the food and fiber needs of our Nation as we move forward.

This legislation impacts the lives of families across this Nation and around the world through providing food security, enabling global competitiveness, and ensuring a better environment. I have been pleased to work with my colleagues on the Senate Agriculture Committee, the Senate Finance Committee, and others in Congress to craft a bill that builds upon previous farm bills for a stronger Federal farm policy.

The legislation includes essential provisions, such as the new specialty crops subtitle that strengthens the specialty crop block grant and other important programs. I thank Senator STABENOW, Senator CRAIG, and others for working with me on this effort. I also thank the committee for its commitment to helping us be sure that these new specialty crop provisions have been included in the legislation. There has been confusion because, although we have included specialty crops in the legislation this year, they have not been included as a commodity crop, in those crops that are covered by the commodity programs. Instead, they are included in ways that will help them to obtain better technical assistance and grant programs so they can facilitate and enhance their development, the growing of these crops, and the marketing of them; but they don't technically, under this bill or in any way, participate in the commodity programs.

I also thank Chairman BAUCUS and Ranking Member GRASSLEY on the Finance Committee for helping to craft a tax title for the farm bill that, in addition to its many other strong provisions, includes improvements to the Endangered Species Act, through tax incentives for landowners, to help them with species recovery. This is a piece of legislation Senators BAUCUS and GRASSLEY have agreed to cosponsor with me, as well as many other Senators, both Republicans and Democrats in the Senate. It is one we have worked on for years to try to find a bipartisan path forward, where those who are concerned about the preservation and recovery of species, as well as those who are concerned about the impacts of our efforts on private property owners, can come together with a proposal that will help us to facilitate the recovery of endangered species.

One little-known fact is approximately 80 percent of the threatened or endangered species in the United States are located on private property. It is critical we bring forward the assistance of private property owners and incentivize their involvement in the recovery of these threatened and endangered species. That is what this legislation will do.

I wish to take some time to talk more about other important aspects of the farm bill and some changes being proposed. In order to do so, I wish to explain what many people don't understand when we talk about the farm bill. We discuss the farm bill as though it were a bill that focused on production agriculture, and certainly it does.

The commodity title I referenced and the conservation title I will reference in a minute both focus closely on production agriculture but not solely on it. What goes unnoticed in these debates is the farm bill is a very broad bill that deals with a multitude of critical issues in our Nation relating to the production of food and fiber. It has 11 titles—titles on commodities and conservation, as I have indicated; titles on trade, nutrition, rural development, credit, research, forestry, energy, livestock, and other miscellaneous provisions.

One other little known or little focused on fact relating to the farm bill is the commodity title, which we most often talk about, represents only 14 percent of the funding allocated in the bill. The conservation title, which is another one of those we talk about a lot, only represents about 9 percent of the funding in the bill. The nutrition portion of the farm bill includes almost two-thirds—in fact, a little over two-thirds of the funding in the bill, 67.2 percent, is allocated to the nutrition program. I will talk about those as well as I go forward.

My point is this is a very broad-based bill. It is one that impacts rural and urban areas. It deals with the importance of food and fiber in many different contexts, from feeding a nation and clothing a nation to engaging in international trade, to our security as a nation, and to many other aspects of our lives. As I said earlier, it literally impacts people not only throughout this country but throughout the world.

Let me move on and talk about a couple of those titles. The first one I will go to is the commodity program and the commodity title.

I am concerned with efforts that have been introduced in some amendments to the bill on the floor that would lower selected loan rates, including the rates for barley, wheat, oats, wool, and honey loan rates—reduce them back down to the 2002 farm bill levels and then divert the funding saved by that reduction into the nutrition title and other titles of the bill.

I certainly understand and don't question the importance of our nutrition programs and other programs being targeted for this diverted funding. But it is important to note that under this farm bill, nutrition funding already accounts for over two-thirds of the funding in the bill, with only 14 percent allocated to commodities.

Much work has been done in this bill to try to provide adequate support for farm families across our Nation, while carefully balancing the limited funding available to each title of the bill.

Additionally, adjustments or corrections have been made to loan rates to better ensure the loan rates don't distort planting decisions. That is very critical in our World Trade Organization negotiations. Under the 2007 farm bill, we have the rates established in a way that will assist us in our global trade negotiations. Specifically, the

adjustments in the Senate bill increase the loan rates for wheat, barley, oats, and minor oilseeds to 85 percent of the Olympic average for prices between 2002 and 2006. For those who don't pay attention to what all that means, the bottom line is it is important, as we move forward in the commodity program, that we not establish programs that distort planting decisions by farmers; otherwise, we will be accused of improper subsidy or improper trade-impacting decisions and policies that will be challenged in world trade negotiation arenas.

Loan rates for crops that compete for acres must be set at similar percentages of recent market prices or they can affect production decisions when prices are expected to be near or below loan levels.

Farmers and their lenders take price support from the loan program into consideration in making planting decisions. Current loan rates under the 2002 farm bill were heavily skewed in favor of and against different crops, ranging from 69 percent to 111 percent of the Olympic average during the years 2002 through 2006. It is these variations that create planting decision distortions we need to avoid.

Efforts to strike the changes we have made and divert the funding will prolong the existing disparity in the current farm bill, a policy which has been a factor of loss of wheat, barley, oats, and minor oilseeds to increased production in other commodities.

Our producers work to feed our country and people of nations across the world, while also dealing with high levels of regulation and taxation, labor shortages, droughts, and other natural disasters and ever-increasing input costs, substantial foreign market barriers, and other factors that put them at a disadvantage in a very competitive world market.

We have to ensure our farm families have the necessary support as they continue to work to remain successful, while factoring in and facing these increased challenges.

I ask other Senators in the Chamber to stand with me in supporting this careful balance we have reached in the bill and to vote against amendments or other efforts to eliminate the loan rate rebalancing and other commodity program support.

I also wish to talk about, in the commodity title, the importance of pulse crop support.

As amendments are being considered to strike portions of the farm bill, I wish to discuss the history and importance of support for pulse crops in this farm bill.

Pulse crops are cool season legumes that can withstand the cool temperatures of the northern tier of the United States. Pulse crops are such things as dry peas, lentils, small chickpeas, and large chickpeas. These cool season, nitrogen-fixing legumes are grown across the northern tier of the United States in rotation with wheat, barley, and other minor oilseeds.

In the late 1990s, when agriculture prices for commodities struggled, bankers steered growers away from raising pulse crops because they did not have the farm program safety net provided to other crops in their rotation.

In 1999, dry pea acres dropped by 55 percent. The pulse industry responded by requesting full program crop status for pulse crops as a way to keep the nitrogen-fixing legumes in the crop rotation with other program crops. Again, as we worked with issues in the previous farm bill, this was an area that needed adjustment and attention.

In 2002, I worked with the industry and other Members of Congress to include dry peas, lentils, and small chickpeas in the 2002 farm bill. Specifically, the industry was granted a marketing assistance loan program for dry peas, lentils, and small chickpeas.

Pulse crops are very good for the environment and for the overall soil health. The citizens of our country demand that our farm programs protect the long-term sustainability of our agricultural production. These legumes generate their own nitrogen and require no processed fertilizer to produce a crop.

Pulses fix nitrogen in the soil, which supplies a 40-pound-per-acre nitrogen credit to the following crop in the rotation, such as wheat, barley, and other minor oilseeds. Pulse crops and soybeans are the only farm program crops that do not require nitrogen fertilizer.

The carbon footprint of pulses and soybeans is lower than any other farm program crop because of their ability to generate their own nitrogen.

The farm bill provides us with the opportunity to encourage our Nation's farmers to protect the long-term sustainability of our soils. Including pulse crops in farm programs provides a safety net to other program crops and, therefore, encourages crop diversity and sustainability. Once again, it is an issue of favoring one crop over another with the unintended impact on the soils of our Nation.

Stripping pulse crops out of the farm programs, as some are proposing, would encourage farmers in the northern tier to shift production to those crops with a safety net in periods of low prices. This shift in production would upset the delicate environmental balance that pulse crops provide to overall soil health and sustainability and would result in acreage loss.

I encourage my fellow Senators to oppose amendments that would strip pulse crops and support for them from the farm bill.

Let me shift for a moment to the conservation title. As the ranking member of the Subcommittee on Rural Revitalization, Conservation, and Forestry, I wish to take a few minutes to evaluate and discuss the critical importance of the conservation title.

The programs authorized through the conservation title of the farm bill provide landowners with both financial and technical assistance necessary to bring real environmental results. In fact, I have said many times that of all the legislation we consider in these Chambers year in and year out, it is the farm bill that provides the most significant protection and support of our environment than any other legislation we consider. Conservation programs are the backbone of the Federal conservation and environmental policy.

The farm bill before us provides $4.4 billion in new conservation spending. The legislation builds on current successful conservation programs and needed enhancements to make them work better for our producers. It provides $1.28 billion in new spending for a program named the Conservation Stewardship Program. Funding is provided for continuation of the Wetlands Reserve Program and the Grasslands Reserve Program.

The Wetlands Reserve Program would be provided with funds to enroll 250,000 new acres per year through 2012, and the Grasslands Reserve Program would have sufficient resources to work in a similar fashion from 2008 through 2012.

As of fiscal year 2006, more than 9,000 wetland reserve sites have been enrolled and improved on more than 1 million acres of land in the United States. There are more than 900,000 acres enrolled in the Grasslands Reserve Program, providing habitat for more than 300 migratory birds species that rely on this prairie habitat.

The Conservation Reserve Program would be maintained at its 39.2 million acres. This program has reduced cropland soil loss by about 450 million tons. It has restored 2 million acres of wetlands, protected 170,000 miles of streams, and sequestered 48 million tons of carbon dioxide through 2006.

The Wildlife Habitat Incentives Program would be continued with $85 million per year through the year 2012.

The Farmland and Ranchlands Protection Program would also be authorized at $97 million per year. Easements on nearly 2,000 farms and ranches have been enabled through this program. It is estimated that almost 384,000 acres of prime, unique, and important farmland soil on the urban fringe have been or will be permanently protected from conversion to nonagricultural uses with these easements.

These are just some of the programs that are included in the conservation title of the farm bill. I understand and share the interest of many who want to increase funding for conservation programs, and as a strong supporter and proponent of these programs, I believe we will all benefit from these investments in conservation. However, I think we should be very careful where we look to obtain these funding increases. A strong farm bill is one that carefully balances each of the items, as I have indicated before.

I have indicated that the nutrition title represents almost or little more

than two-thirds of the funding in the bill. Nutrition in our schools remains an issue of critical importance for all Americans. As a father, I understand the positive effects that good nutrition has in helping a child develop and learn throughout the course of a schoolday.

In addition, I am troubled by the fact that the percentage of overweight young Americans has more than doubled in the past 30 years. I have been a strong proponent of programs that increase access to healthy foods for our children in schools. One example is the Fresh Fruit and Vegetable Program. The farm bill would expand this existing limited program to every State in the United States and the District of Columbia and would require that at least 100 of the chosen participating schools be located on Indian reservations.

I applaud the members of the Senate Agriculture Committee for working toward these commonsense solutions and programs to support positive steps in nutrition for our children and others across our Nation. But as I said earlier, I also must express my concerns with proposals that seek to regulate food and beverage choices in schools from the Federal level.

I am wary of Federal policies that interfere with the local autonomy of State and local schools in this matter. In addition, studies have shown that parents and educators need to work with our youth to educate them about the right choices they can make for dietary health. The best way to get a child to do something different is to tell them they cannot do it sometimes. Instead of dictating to our children, we have a responsibility to teach them about their choices and encourage them to make the right choices for themselves.

The rural development title also has much assistance for America. Throughout the farm bill debate, there has been much discussion regarding investing in rural communities across our Nation, and I am pleased to have had the opportunity today to highlight just a few of the ways in which this farm bill helps us to further invest in rural America.

One of the things we have noticed, as we have seen economic decline in rural America, is that we must build the infrastructure in our rural communities so they can have access to the increasing markets overseas and nationally. It has become apparent to me that the effect of our Federal environmental rules and regulations is also felt most heavily in small and rural communities. These communities do not have the economies of scale because of the small population for very expensive updating required for their water and wastewater systems that they must do in order to comply with Federal law. Something a large urban community could handle can literally bankrupt a smaller community seeking to comply with our clean water and safe drinking water standards. Because of that, I have fought for years to promote a program called Project Search which we established in the 2002 farm bill to provide small rural communities with financial assistance to help them comply with these regulations.

Through the changes made to Project Search's model, small, financially distressed communities in Idaho and across the Nation will now have increased and more streamlined access to Federal assistance in the early stages of water, wastewater, and waste disposal projects. This will help them keep their water clean and help them do so in a way that allows the community to avoid financial ruin.

This farm bill has also made critical reforms to the Rural Broadband Loan Program ensuring that broadband access is provided to those communities with the greatest need.

The Connect the Nation matching grant program will be added to benchmark current broadband access programs and build GIS service maps to promote greater accuracy and understanding of our Nation's broadband networks.

I am also pleased that this farm bill will reauthorize the National Rural Development Partnership.

There are many other important programs included within the rural development title that will have a major impact on our rural communities. Again, I thank my colleagues for working with us to make this part of the title effective.

There are only two more titles about which I want to talk. One is the energy title. The largest energy reserves in our Nation reside in the farmland and forests across this country. Let me say that again. The largest energy reserves in our Nation reside in our farmland and forests across this country.

In order to provide for national energy security, it has become clear that agriculture is a part of the solution. For far too long we have been dependent almost entirely on petroleum as our major source of energy in this Nation. We are far too dependent not only on petroleum but on foreign sources of petroleum. And as anyone working with a portfolio would say, we must diversify. That is why I have supported many of the provisions in this farm bill to move our Nation into more diverse forms of alternative and renewable fuels.

Let's take, for example, biomass. The stored energy in biomass worldwide amounts to approximately 50 billion tons of crude oil equivalent units every year, over five times our current energy needs.

Using 17 million tons of biomass a year for energy could produce up to 7,000 new primary jobs, displace 6.8 million tons of CO_2 from natural gas-fired powerplants, and generate renewable carbon credits that might eventually be worth more than $200 million.

Through research, we can expand and harness a good part of that astronomical potential, and that is why we included biomass provisions in this bill, provisions such as the Crop Transition Program, that will stimulate production and ease transition toward perennial biomass crops. Mr. President, $172 million would be provided over 5 years for this program.

There would be competitive research grants of $75 million for biomass to bioenergy programs, focusing on increasing process efficiency and utilization of byproducts, and providing for a regional bioenergy program that is awarded competitively to land grant universities.

I also support a strong focus in this bill on biofuels. We have long recognized the value in providing homegrown fuel in the form of ethanol. It is cleaner, it is renewable, and it reduces our dependence on foreign oil.

As we move forward, it is also clear that as we approach the maximum production limits of our starch ethanol, we also need to move into cellulosic ethanol which must be a primary component of our Nation's ethanol portfolio. America's energy demand will increase 30 percent over the next 22 years, and biofuels are critical to that increase.

Finally, I wish to talk about the trade portion of our bill. As Congress moves forward in a farm bill debate, we often wonder what is the future of American agriculture. I wish to discuss one very important piece of it because it is very clear to all of us that a major part of our future in American agriculture lies beyond our borders. Agriculture production in the State of Idaho is a great example.

According to statistics from the Idaho State Department of Agriculture, if Idahoans had to consume all the farm products produced within the State, every day each resident would have to eat 52 potatoes, 240 slices of bread, 38 glasses of milk or 1.9 pounds of cheese, two quarter-pound hamburgers, two onions, and the list goes on and on. The point being, we depend on other markets for our successful agricultural programs, and trade support must be a critical part of our agricultural programs in this farm bill.

This farm bill contains a number of programs such as the Market Access Program, the Foreign Market Development Program, and the Technical Assistance Program for Specialty Crops, which I talked about earlier, to name a few.

One final point. Senator BAUCUS and I have offered an amendment with regard to trade with Cuba. The future success of our agricultural programs and the ability of this Nation to remain globally competitive depend on our ability to have access to markets beyond our borders. There is a huge debate in this country about whether we should continue to refuse or to limit our trade with Cuba or whether to open trade with Cuba, and I am one of those who believes we should open it.

I recognize we face in Cuba and in the Castro Government a brutal dictatorship, one in which human rights and

civil rights are not recognized or honored in any way realistically. But for us to refuse to trade with them, in my opinion, does nothing to solve that problem and does everything to reduce the opportunities of the United States to influence Cuba, both on economic levels, as well as political levels.

If we look at the economic impact on the United States, our refusal to sell our agricultural products to Cuba does not mean that Cubans cannot eat or they cannot gain these agricultural products. They simply buy them from somewhere else—Canada, Europe, or other places.

Yet if we were to open our trade with Cuba and allow more aggressive U.S. marketing of agricultural products there, a recent study by the trade commission says that exports of fresh fruits and vegetables would likely increase by $37 million to $68 million in exports; milk powder exports would more than double; processed food exports would see a $26 million increase; wheat exports would be doubled to $34 million; and exports of dry beans would increase by $9 million, up to $22 million, to give a few examples.

The point is, there are markets in Cuba for our goods which our producers need to be able to take advantage of, and we will do nothing but increase our ability to work with the people of Cuba to address the political issues they face by doing so.

If we want to have a positive impact on the people of Cuba and the pressures they face under the regime in which they live, then we should open trade, open travel, and open communication so we can take to them an opportunity to see the freedom we experience here and to experience the power of open and free markets.

That is why Senator BAUCUS and I have introduced this legislation, and I hope the Senators here will support this amendment to this critical bill to help the United States in this one area move forward.

When we have significant trade with a nation such as China across the Pacific Ocean, yet we will not open significant trade with a neighbor such as Cuba, 90 miles off our shore, we need to reevaluate the effectiveness of our foreign policy, not only in terms of its impact on U.S. producers but in terms of its impact on our ability to truly reach out and cause the kind of positive change in Cuba that will help them achieve the kind of political freedom and avoid the kinds of oppression and human rights pressures they now face.

I have talked about a number of the portions of the farm bill. There are other very critical portions as well. The bottom line is we have an opportunity in the Senate this month, if we will deal with the amendments that are pending, to move forward on a very critical piece of legislation, a piece of legislation that, as I indicated, deals with the food and fiber of our Nation and the ability of our people and of people globally to have a better diet, to have a better opportunity to participate in global markets, and a stronger and cleaner environment.

I hope that as we move through this process, we will not make changes to the bill that will make it worse, that instead we will simply adopt those improving proposals and then hopefully soon send on to the House this very significant and important piece of legislation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

AMENDMENT NO. 3736 TO AMENDMENT NO. 3500

(Purpose: To modify a provision relating to bioenergy crop transition assistance)

Mr. WYDEN. Mr. President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 3736.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Oregon [Mr. WYDEN] proposes an amendment numbered 3736 to amendment No. 3500.

(The amendment is printed in the RECORD of Thursday, November 15, 2007, under ''Text of Amendments.'')

Mr. WYDEN. Mr. President, I ask unanimous consent to proceed at this time.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator is recognized.

Mr. WYDEN. Mr. President, it is my intention to be brief. I am offering this amendment with the distinguished chairman of the Agriculture Committee, Senator HARKIN, and I have had a chance to visit with the distinguished Senator from Georgia, Mr. CHAMBLISS. It is our intention to work very closely with Senator CHAMBLISS in hopes that we can work out the amendment I am going to offer now.

This amendment is an important one because it gives us a chance to promote the use of biofuels to reduce our Nation's dependence on foreign oil. We have worked hard to try to build a broad coalition of organizations, ranging from the National Association of Wheat Growers to the League of Conservation Voters, in an attempt to ensure this proposal would have broad support in the Senate.

From an oil standpoint, I think we all understand the value of promoting biofuels. Our country now imports roughly $1 billion a day of oil. The fact is—and Senator CHAMBLISS and I serve on the Intelligence Committee—I have come to believe our dependence on foreign oil is a national security issue. When you pull up at a gas pump in this country, whether it is New Jersey or Oregon or Alabama, you, in effect, pay a terror tax. A portion of what you pay at the gas pump in our States, in effect, eventually finds its way to a government in the Middle East, such as Saudi Arabia, which consistently ends up, through charitable groups and others, back to terrorist organizations that want to kill patriotic Americans. So our dependence on foreign oil has very clear consequences, and it is important for wheat growers and environmentalists and others to come together, as Senator HARKIN and I have sought to do in our amendment with respect to biofuels. It is important as a national security issue, and it is important from an environmental standpoint.

In my view, our proposals can reduce the amount of CO_2 and other greenhouse gases that are being released into the atmosphere and contributing to global warming. Our amendment will provide an opportunity for new sources of income for our farmers and our communities. What Senator HARKIN and I and the wheat growers and the environmental folks have sought to do is to make sure we can get these economic benefits for our farmers in a way that will ensure we protect the land and water and air for the longer term.

The amendment Senator HARKIN and I offer is built on four key principles: We want to promote growing biofuels stocks with sustainable agricultural practices, we want to protect native ecosystems, we want to protect biodiversity, and we want to encourage this biofuels production on a local basis so as to promote local economies. That means assembling enough farmers, growing enough feedstocks, and being in a position to fund a new bioenergy fuel or conversion facility. We give a boost to that effort with some small planning grants in order to help those farmers get off the ground. In addition, we think our proposed amendment is going to set realistic kinds of conservation objectives, again to promote soil and wetlands, avoid the untouched native grasslands and forests, and warrant the investment our country should be making in this exciting area.

At the end of the day—and then I will yield to my friend, the distinguished chairman of the committee—we think bioenergy production can be done in a way that protects threatened ecosystems. The two are not mutually exclusive. It is not a question of bioenergy production or protecting our treasured lands and air and water. We can do both, and that is what the distinguished Senator from Iowa, the chairman, and I have sought to do.

I am really pleased—I think the chairman may not have been on the floor—that we have the National Association of Wheat Growers in alliance with the League of Conservation Voters. It doesn't happen every day. I had a chance to visit with the distinguished Senator from Georgia, Mr. CHAMBLISS, and what I was trying to do was to talk

about the fact that this is an exciting coalition that adds a lot of energy and passion for the future to this bill.

Mr. President, I wish to yield at this time to my friend, the distinguished chairman of the committee. It is our intent to work with the Senator from Georgia in hopes that we can all work this out. We had a good conversation before we got on the floor, and I thank the Senator from Iowa for all his assistance.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, are we under a time limitation here?

The PRESIDING OFFICER. No.

Mr. HARKIN. Mr. President, I wish to thank my colleague and friend from Oregon for sponsoring this amendment. I am proud to be a cosponsor of it.

Quite frankly, this amendment brings us to where we initially started when we started talking about biomass production for biofuels. If we do it right—if we do it right—I predict that 5 years from now, by the end of the life of this farm bill, we will see cellulosic ethanol plants springing up like mushrooms all over the country—in the far west, in the Plains States, the southeastern part of the United States, all over America, using different inputs such as wood pulp, fast-growing poplars, pine, switchgrass, Buffalo grass, miscanthus, and various other species depending upon the area of the country you are from.

In order to get there, we have to merge two things. Right now, I say to my friend from Oregon, we have a classic chicken-and-egg situation. You can't get investors to invest in biorefineries for cellulose because they ask a very important question: Where is the feedstock? Well, then you go to farmers and say, we would like you to grow biomass for cellulosic ethanol, and they ask a very important question: Where is the market? So on the one hand you have investors saying where is the feedstock, and then the farmers saying where is the market, and we have to get these two together.

Well, in the farm bill before us—and my friend knows this very well—we have very good provisions for loan guarantees for biorefineries. So on the investor end, I think we have done a really good job with this bill of looking at that. On the other end, providing the transition payments and support to farmers to grow biomass feedstocks, this amendment fills in that gap. This says to farmers: Look, you can go ahead and transition some of your land to producing biomass crops, such as perennials, and you can do it without having a long-term financial commitment to a biorefinery, and you can do it by adhering to conservation goals.

Now, that is the other part of this amendment that is so important. What this amendment basically says is: Look, we will be glad to give you—an individual farmer—financial support for establishment. Because if you are going to transition from row crops to perennials for biomass production, that may cost some money. You may have to buy some new equipment or change your practices or that type of thing. Maybe you have to separate out a certain section of your land. Well, that is a transition cost, and this provides for 50 percent matching money for those transition costs.

The other thing is to provide for a rental payment, a rental payment to a farmer to make up the revenues lost on the land while the crop is being established. For example, if you have a row crop or something now, but you want to, say, take a certain part of your land and you would like to start growing biomass, well, your income from that will probably be a little less for the first few years. So what the Wyden amendment does is it provides for a rental payment for that period of time.

The other key thing is it provides for a preference for enrollment in the Conservation Stewardship Program. Now, again, in order to get this, the contract the farmer would sign would require them to limit their plantings to noninvasive species, enroll only land that was previously used for agricultural purposes, potentially including grazing and CRP lands. In other words, you couldn't take lands out of the WRP program or that type of thing. You have to meet the stewardship threshold of the CSP program by the end of the contract period, and you have to limit the harvest of your biomass crops to time periods outside the major brooding and nesting season for wildlife and avian species in your area.

So again, this is a very good amendment, I say to my friend from Oregon. It is very well thought out and very well tailored. And the Senator from Oregon is absolutely right, we have a lot of groups supporting this amendment. I may be repeating what the Senator said—I didn't hear all of his remarks—but we have a letter here from the National Wildlife Federation that includes 94 different groups that support the Wyden amendment, everything from the American Corn Growers to the Audubon Society, the Center for Rural Affairs, Defenders of Wildlife—basically, a lot of wildlife groups all over this country supporting this amendment.

Did the Senator ask consent to put those in the RECORD?

Mr. WYDEN. I thank the chairman for all his assistance in this. We have not put it in the RECORD, so if you would do that, that would be very helpful.

Mr. HARKIN. Mr. President, I ask unanimous consent to have printed in the RECORD the letter and the signatories of the groups from the National Wildlife Federation supporting the Wyden amendment.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DECEMBER 6, 2007.

Re Wyden-Harkin Amendment to the Senate Farm Bill

DEAR SENATOR WYDEN: The organizations signed onto this letter urge you to support the Wyden-Harkin Amendment to the Senate farm bill which provides critical improvements to a new Bioenergy Crop Transition Assistance Program in the farm bill's Energy Title.

Sustainable bioenergy production from agriculture holds substantial promise for promoting rural economic development, reducing dependence on imported fuels, enhancing the environment and reducing greenhouse gases. While the farm bill Energy Title contains several programs for research and development of the next generation of bioenergy refineries, the Bioenergy Crop Transition Assistance Program is the only measure designed to assist farmers and foresters who want to start producing cellulosic bioenergy crops.

The Bioenergy Crop Transition Assistance Program was originally designed to provide incentives to farmers and foresters to plant and grow bioenergy crops in a sustainable manner. Many bioenergy crops—particularly perennial native species—will be grown for production for the first time in regions across the country. The goal of the original measure was to give farmers and foresters financial assistance and incentives to use good conservation measures with new bioenergy crop systems and to generate information that other farmers can use to grow sustainable bioenergy crops.

The current Senate farm bill language, however, will not achieve these original goals. A farmer or forester cannot participate unless there is a formal financial commitment from a biomass energy facility. This prevents farmers and foresters from undertaking trial plantings of bioenergy crops and would exclude bioenergy facilities under development from participating. Adequate conservation goals are missing and funding could be used to support agricultural or forest practices that harm wildlife and destroy native habitat. The limited funds are not targeted to perennial systems which can increase soil quality and carbon sequestration and decrease soil erosion and field run-off.

The Wyden-Harkin Amendment would help ensure that the farm bill's incentives for bioenergy production to increase the nation's energy security and achieve substantial economic gain for rural communities at the same time improve the rural environment and conserve the nation's natural resources. It would help accelerate the challenging transition from traditional row crops to more sustainable perennial feedstocks for bioenergy.

The Amendment would provide modest grant funding for groups of farmers or foresters and local entities to join with the bioenergy sector in conducting feasibility studies for bioenergy crop production. It allows participating farmers and foresters to undertake trial plantings of bioenergy crops at the planning stages for biorefinery development. The Program's limited funding is targeted to perennial crop systems that can increase soil quality and carbon sequestration and decrease erosion and field run-off. The Amendment restores conservation goals to ensure that funding under this Program does not increase environmental degradation, harm wildlife or destroy native habitat.

The emerging bioenergy sector provides a unique opportunity to create an industry that supports agriculture, environmental goals, energy security, and local economic development. Policies that do not consider all of these issues could fracture the coalition that supports bioenergy production,

thereby making future policy initiatives all the more difficult.

Thank you for your consideration of our request that you support the Wyden-Harkin Amendment to the Senate farm bill.

Sincerely,

AERO, Alternative Energy Resources Organization, Agricultural Missions, Inc. (NY), Agri-Process Innovations (AR), Alliance for a Sustainable Future, American Agriculture Movement, American Corn Growers Association, American Farmland Trust, American Society of Agronomy, Animal Answers (VT), Audubon Minnesota (MN), BioLyle's Biodiesel Workshop (WA), Biomass Gas & Electric LLC (GA), Bronx Greens (NY), California Institute for Rural Studies, Caney Fork Headwaters Association (TN), C.A.S.A. del Llano, Inc. (TX), Catholic Charities of Kansas City—St. Joseph, Center for Earth Spirituality and Rural Ministry (MN), Center for Rural Affairs, Center for Sustaining Agriculture & Natural Resources, Washington State University (WA), Clean Fuels Development Coalition, Clean Up the River Environment (MN), Coevolution Institute, Cornucopia Institute, Crop Science Society of America, CROPP Cooperative/Organic Valley, Cumberland Countians for Peace & Justice (TN), Dakota Resource Council, Dakota Rural Action, Defenders of Wildlife, Endangered Habitats League (CA), Environmental Defense, Environmental & Energy Study Institute, Environmental Law & Policy Center, Farmworker Association of Florida, Fresh Energy (MN), Friends of the Earth, Hancock Public Affairs (NY), Illinois Stewardship Alliance, Independent Beef Association of North Dakota, Innovative Farmers of Ohio, Institute for Agriculture & Trade Policy, Iowa Farmers Union, Izaak Walton League of America, Kansas Rural Center, Land Stewardship Project, Local 20/20 (Jefferson County WA), Maysie's Farm Conservation Center (PA), Michigan Land Trustees, Minnesota Center for Environmental Advocacy, Minnesota Conservation Federation, Minnesota Farmers Union, Minnesota Food Association, Minnesota Project, Mississippi Biomass Council, National Audubon Society, National Campaign for Sustainable Agriculture, National Catholic Rural Life Conference, National Center for Appropriate Technology, National Farmers Organization, National Wildlife Federation, Nebraska Wildlife Federation, Network for Environmental & Economic Responsibility (TN), New Fuels Alliance, NOFA/Mass (Northeast Organic Farming Association/Mass), Northern Plains Sustainable Agriculture Society, Northwest Biofuels Association, Orapa Limited (TN), Oregon Environmental Council, Organic Consumers Association, Pacific Biofuels, Pennypack Farm Education Center for Sustainable Food Systems (PA), Pinchot Institute for Conservation, Progressive Christians Uniting, ReEnergizeKC, a Project of Heart of America Action Linkage, Robyn Van Eyn Center (PA), Rural Advantage (MN), Sierra Club, Social Concerns Office—Diocese of Jefferson City (MO), Soil Science Society of America, Southern Alliance for Clean Energy, Southern Sustainable Agriculture Working Group, SUN DAY Campaign (MD), Sundays Energy (MN), Sustainable Agriculture Coalition, The Corporation for Economic Opportunity (SC), Union of Concerned Scientists, Washington Sustainable Food & Farming Network, Western Organization of Resource Councils, World Wildlife Fund—U.S.

Mr. HARKIN. Mr. President, I also have a letter here, also from a coalition of conservation organizations, the American Sport Fishing Association, Ducks Unlimited, Izaak Walton League of America, Pheasants Forever, Quail Forever, Trout Unlimited, and again a number of groups supporting the Wyden amendment. So I ask unanimous consent to have printed in the RECORD the letter and the signatories thereto.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DECEMBER 7, 2007.

DEAR SENATOR: As the coalition of America's leading conservation organizations, we urge your support for the Wyden-Harkin Amendment to the Farm Bill. This amendment provides needed improvements to a new Bioenergy Crop Transition Assistance Program (BCTAP) within the bill's Energy title that would make the program work better for both farmers and wildlife.

The BCTAP was originally designed to provide financial assistance and incentives to farmers and foresters to get started growing next generation bioenergy crops in a sustainable manner. It is the only farm bill program that is designed specifically to help farmers and foresters establish cellulosic bioenergy crops. Many of these bioenergy crops—particularly perennial native species—will be grown for production for the very first time in many regions across the country. The goal of the original measure was to give farmers and foresters financial assistance and incentives to use good conservation measures with these new bioenergy crop systems and to generate information that other farmers could use to grow sustainable bioenergy crops.

However, the current Senate Farm Bill language will not achieve these original goals. As presently written, participation by a farmer or forester is dependent upon a formal financial commitment from a biomass energy facility. This would prevent farmers and foresters from undertaking trial plantings of bioenergy crops and would exclude those growing crops for bioenergy facilities still under development. Conservation goals are also missing from the current Senate bill and funding could be used to support agricultural or forest practices that harm wildlife, introduce invasive species, destroy native habitat, or convert perennial grasses that have been restored for wildlife and other conservation purposes (such as has been done in the CRP) to fast-growing trees. Moreover, these limited funds are not targeted to promoting development of perennial systems. Developing perennial systems is vital because of their strong promise in serving as future sources of energy, while improving soil quality, increasing carbon sequestration, and decreasing soil erosion and field run-off. And because farmers have little experience with such systems, development assistance will be key to achieving the great potential of perennials.

The Wyden-Harkin Amendment would improve the BCTAP within the Farm bill and address the existing deficiencies found in the current language. Specific improvements include: Offers matching grants of up to $50,000 to farmer groups, counties, or other local entities for feasibility studies and planning including outreach to farmers about bioenergy crop production; stipulates that a letter of intent from an existing or planned facility is sufficient to allow farmers to apply for assistance in planting and maintaining bioenergy crops, allowing farmers more flexibility to field test new perennial bioenergy crops for proposed and existing bioenergy facilities encourages participating farmers to meet reasonable conservation goals in return for financial assistance and incentives to establish and maintain perennial bioenergy crops under a 5–year contract with USDA; limits eligible land to that which has already been used for production, such as previously cultivated land, managed pasture, or clear-cut forest land—ensuring that public subsidies do not promote the loss of native habitats; and restricts harvesting of bioenergy crops until after bird nesting and brood rearing seasons, which is typically not a problem for the harvesting dates sought by most bioenergy companies anyway.

Bioenergy production from agriculture holds substantial promise for promoting rural economic development, improving energy independence, enhancing habitat for some species of fish and wildlife, and reducing greenhouse gases. As this burgeoning industry and the technologies developed to support it continue to grow, it is vital that all these factors be considered to ensure its long-term sustainability. The Wyden-Harkin Amendment does just that and we encourage you to support it in the Farm Bill.

Sincerely,

American Sportfishing Association; Association of Fish and Wildlife Agencies; Ducks Unlimited; Izaak Walton League of America; Mississippi Fish and Wildlife Foundation; National Wildlife Federation; Pheasants Forever; Quail Forever; Quail Unlimited; Theodore Roosevelt Conservation Partnership; Trout Unlimited; and The Wildlife Society.

Mr. HARKIN. Lastly, the National Association of Wheat Growers and IOGEN Corporation together have sent a letter in support of the Wyden amendment. I ask unanimous consent the letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DECEMBER 6, 2007.

Hon. TOM HARKIN,
Chairman, Committee on Agriculture, Nutrition and Forestry, U.S. Senate, Washington, DC.

Hon. SAXBY CHAMBLISS,
Ranking Member, Committee on Agriculture, Nutrition and Forestry, U.S. Senate, Washington, DC.

DEAR CHAIRMAN HARKIN AND RANKING MEMBER CHAMBLISS: We wish to express our support for the efforts both in your chamber and in the House of Representatives to provide appropriate incentives for agricultural producers interested in producing non-traditional biomass crops as feedstock for commercialized cellulosic ethanol.

We appreciate your co-sponsorship of a substitute amendment offered by Sen. Ron Wyden that would, in part, establish a Bioenergy Crop Transition Assistance Program within the Senate's 2007 Farm Bill. We also recognize and commend House Agriculture Committee Chairman Collin Peterson for including similar provisions in the House-passed version of H.R. 2419.

Both of these programs recognize that, for the potential of cellulosic ethanol to be fully realized, there is a need to encourage growers to begin establishing crops for which no market, as of yet, exists. As you know, farmers operate in a business environment with a multitude of risks and, therefore, tend to avoid risk wherever possible. Committing to grow crops for a yet-to-arrive market qualifies as an easily avoided risk. Yet commodity crop residues can carry cellulosic

ethanol only so far, and dedicated energy crops will be needed before long. Encouraging producers to begin experimenting with crops that may require innovative agronomy and for which there is no market will require just the type of transition program both House and Senate provisions are attempting to provide.

We are in wholehearted support of your and Chairman Peterson's goals, and hope to continue working with you to refine the legislative language. In both the House and Senate versions there are provisions that we find commendable and others which we believe can be improved through further collaboration with you and your colleagues. For example, we would encourage you to consider including in the final legislation a small plot pilot program as outlined in the attached document. We are currently in the process of creating a side-by-side comparison of the House and Senate language including our comments on specific provisions, which we will share with you shortly.

The future of the cellulosic energy industry is predicated on the ability and willingness of growers to produce biomass feedstock. We appreciate your ongoing support of measures that would provide for an effective transition into commercial production of these crops, and look forward to continued work together on these issues.

Sincerely,

JOHN THAEMERT,
President, National Association of Wheat Growers.

BRIAN FOODY,
President and CEO, Iogen Corporation.

Mr. HARKIN. Again, this amendment is broadly supported. This is an amendment that is good for the entire country, not just Oregon but also for Iowa, for the plains States, and for the southeastern part of the United States. This is good for America. This is good for our farmers.

It will get us moving on the right path toward biomass production, and at the same time protecting our environment, protecting our wildlife habitats, and making sure that cellulosic ethanol from biomass gets a firm foothold, as I said, within the life of this farm bill. Probably by the end of this farm bill, as I said, if we do it right—and the Wyden amendment is the amendment that makes sure we do it right—then we will see the cellulosic plants springing up all over the country. We will have better wildlife, we will have more ducks, more pheasants, more geese. We will have more hunting grounds for hunters and fishermen. We will have better and cleaner water. We will have the energy we need in America growing in this country.

I applaud the Senator from Oregon. It is a very thoughtful amendment, very farsighted, very meaningful, and I hope we can adopt it overwhelmingly.

Mr. WYDEN. Mr. President, I am going to wrap up very briefly, and I know the Senator from Alabama was waiting, but the Senator from North Dakota wanted to do a very brief unanimous consent request, and I think that is acceptable to all Senators.

I thank the Senator from Iowa for his assistance. What the Senator from Iowa essentially described, by way of bringing together people such as wheat growers and corn growers and conservation groups and the Wildlife Federation, the League of Conservation Voters—this is the future of modern agriculture: bringing all these folks together so we can take steps that will ensure that farmers grow their incomes. We want farmers to prosper on the land. We want to make sure their kids have a future in agriculture. To do it, we are going to have to adopt, as the Senator from Iowa has pointed out, an approach that encourages more sustainable agriculture.

We think this is a winner for farmers' income. We think this is good for the environment. We think it is going to promote conservation.

The Senator from Georgia has left the Senate floor, but it is my intent, with the Senator from Iowa, to work closely today and over the next day or so to make an agreement that will be acceptable all around. I think we are capable of doing it. I thank the Senator from Iowa, once again, for his support and that of his staff on some other issues as well—the illegal logging question, where the chairman has been so helpful.

I yield the floor.

MODIFICATION TO AMENDMENT NO. 3695

Mr. DORGAN. Mr. President, if it will be permissible, I ask unanimous consent to modify an amendment. I have cleared this with Senator CHAMBLISS and Senator HARKIN. I ask for the regular order on my amendment No. 3695 for the purpose of modifying it.

The PRESIDING OFFICER. The Senator has a right to call for regular order.

Mr. DORGAN. The modification is at the desk. I ask the amendment be so modified.

The PRESIDING OFFICER. Without objection, it is so ordered.

The modification is as follows:

(C) $15,000,000 for fiscal year 2012;

(7) the improvements to the food and nutrition program made by sections 4103, 4108, 4208, and 4801(g) (and the amendments made by those sections) without regard to section 4908(b);

Mr. DORGAN. I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

AMENDMENT NO. 3596

Mr. SESSIONS. I call up amendment No. 3596.

The PRESIDING OFFICER. Without objection, the amendment will be once again the pending question.

Mr. SESSIONS. Mr. President, I believe I will have an hour debate on this, 30 minutes on each side. I ask I be recognized for 10 minutes tonight and be notified when that 10 minutes has run.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator is recognized for 10 minutes.

Mr. SESSIONS. Mr. President, first I would like to share in the gist of the remarks of Senator WYDEN, that OPEC is a cartel. They meet to decide how much production they will allow. The reason they do that is to control the price of oil in the world marketplace. By controlling the amount they produce, they control the price. It is a cartel price, it is not a free market price. They call themselves a cartel. In effect, they meet to decide how much they are going to tax the American consumer. That is because the value of the oil on the global marketplace is disconnected to the cost of its production throughout the world.

I think we should do what we can with ethanol and other alternative fuels to reduce our dependence on foreign oil, both for our economy, as well as for our national security.

I thank Senator HARKIN for his leadership as chairman of the Agriculture Committee. He has been courteous to me and other Senators in any number of ways. I thank Senator CHAMBLISS for his leadership and his expertise, particularly concerning matters in our region of the country.

My amendment has to do with crop insurance. I truly believe it is an amendment that will be a good-government amendment that will allow us to test an idea that came from farmers themselves and could, indeed, create a situation in which crop insurance works better in America than it currently does.

Crop insurance alone has not worked as well as we expected. Many farmers don't sign up, one farmer told me today. That alone should tell you something. He said farmers are pretty clever. They know a good deal when they see it. If they are not signing up, usually there is a reason.

But crop insurance is a critical component of farming in America today. We need more farmers signed up. We need more farmers insured. How we get there is the question. The farm insurance program that the Government funds and helps support has not ended the periodic disaster payment bills that Congress has considered. Since the year 2000, $1.3 billion per year has been appropriated by this Congress as disaster relief, indicating that the crop insurance is not yet covering the losses that farmers are sustaining. In addition, we are supporting crop insurance premiums to the tune of $3.25 billion a year. That is a lot of money.

What can we do? I suggest we should listen to the farmers. In 1999, the Alabama Farmers Federation held a conference and formed a committee to see what could be done to improve crop insurance. That committee was led by Ricky Wiggins, a cotton and peanut farmer in south Alabama, and concluded that farm savings accounts could do that. That is what they recommended. My amendment would create and allow the Department of Agriculture, in fact, to create farm savings accounts for farmers. The Federal Government subsidy that has been going to insurance premiums would go into this account, and the farmers' part of the premium would go into this account. It

would be their controlled insurance fund.

I talked to Secretary Johanns about this when he was our Secretary, and he liked the idea. He thought it was premature to try to mandate this around the country. We discussed a pilot program and he thought that was a good idea and that is what I am proposing in this amendment.

The concept would be for the Department of Agriculture to create and implement regulations for a pilot program. It would be limited to just 1 percent of farmers throughout the country. That is only approximately 20,000 farmers nationwide. It would create a whole farm risk-management account for all the farming activities, not just on a commodity-by-commodity basis. The combination of two and three failures of a small nature can put a farm in critical condition, and often they are not able to collect on their crop insurance because no one particular crop has been badly damaged. Farm savings accounts would overcome this by providing more flexibility.

The Federal Government would contribute, the farmer would contribute, and when a disaster occurs, a farmer would be allowed to withdraw the money from his emergency fund. If his income fell below 80 percent of his 3-year farm income average, unless there was change in his activities, he would be able to draw money out of that account. But the farmer also must have catastrophic insurance through an insurance company because it is still possible that there would be a catastrophe and he would have a total loss and would need the kind of coverage this farm savings account does not provide. The pilot program would be totally voluntary. No farmer would be required to participate.

I believe the results of this pilot program could be substantial. It would certainly save overhead. It would create a situation where the farmer could decide how to utilize his resources. Today, if a farmer believes his crop is a total loss, he calls in an adjuster. The adjuster has to look at the crop and has to certify that this crop is likely to be a failure at the time it is harvested and would not be worth carrying forward. This will allow farmers in many circumstances to plow under that crop and replant another crop. Until he gets the certification that his insurance is going to pay, he is delayed from doing the replanting. This can be crucial because as the weeks go by the season gets shorter and the farmer has less and less ability to replant.

Those are things I hear about a lot. They come to me and complain. I called insurance companies on behalf of farmers. It is a difficult situation for both sides. The insurance companies have legitimate reasons to be cautious and responsible with their money. Farmers have a legitimate reason to seek prompt payment so they can move forward.

Farm savings accounts could reduce the amount of disaster relief that our Nation is paying out each year. I believe it is an amendment that my colleagues should sincerely consider.

In conclusion, let me say this about it. We will talk about it more tomorrow. This is a farmers plan. They came forward with it. The Alabama Farmers Federation is an affiliate with the American Farm Bureau. They strongly support it. The Farm Bureau itself has not taken a position on it. They are not opposing this legislation.

It would apply only to 1 percent of farmers. It would be voluntary. No farmer would have to sign up for it. The decisionmaking for how to utilize the money when a disaster occurs would be given to the farmer and not an insurance adjuster. And we can see how it works. Maybe it will not work, and maybe we will realize this is not the way to go. But, then again, it might work. In fact, I think it will work. In fact, I think our farmers were very smart when they asked for this.

I believe quite a number of farmers may find this is far more effective for them than the present system we are utilizing. One can conjure up objections that might occur. Certainly, for some farmers this would not be something they would want to opt for, but I believe the Department of Agriculture can work through this and create some guidelines and regulations that would work.

So I say, let's try. Let's give this idea a chance. Let's see if we can create a better way of handling insurance for a number of farmers. After a few we will have learned something. I urge my colleagues to consider this legislation as we go forward with this farm bill. We will probably have a vote on it tomorrow. I truly urge them, let's try this. If you have any objections, I would be pleased to try to address them, and we will speak in more detail about the amendment tomorrow.

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. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3830 TO AMENDMENT NO. 3500

Mr. HARKIN. Mr. President, I ask unanimous consent to set aside the pending amendment and I have an amendment that I send to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Iowa [Mr. HARKIN], for himself and Mr. KENNEDY, proposes an amendment numbered 3830 to amendment No. 3500.

Mr. HARKIN. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. HARKIN. Mr. President, it looks as though we are wrapping up here for the day. I do not know of other speakers who want to come to the floor.

We are now working, I might inform fellow Senators, on a unanimous consent agreement that we hope to propound shortly that will set up some votes for tomorrow, I think hopefully about five votes that have been agreed upon. We are working on the consent to get those lined up right now so we can have those first thing tomorrow.

Quite frankly, I am very optimistic. I thank all of the Senators who came here today, debated their amendments. I thank the ranking member, Senator CHAMBLISS. We have been working together on this. If we get these amendments agreed to, to dispose of them early tomorrow, and then work through other amendments tomorrow—hopefully we can work a little bit later than perhaps we did today—I can see that we can have a lot of votes tomorrow.

We have two or three amendments on the farm bill that we, by mutual agreement, were going to bring up on Thursday. The end may be in sight. The end actually may be in sight on this farm bill. I am hopeful this week, if we continue on the pace we are going, we can do that.

Mr. President, I ask unanimous consent on the amendment I just placed at the desk to add Senator GREGG as an original cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I take this opportunity to say a few words about a couple of amendments that are offered and are pending that we may have votes on tomorrow.

AMENDMENT NO. 3553

First, the Alexander amendment No. 3553 that the Senator from Tennessee discussed earlier. The tax package that was added to the farm bill includes a small wind tax credit of up to 30 percent, or $4,000, for small wind turbines installed at a residence or a business. A small wind turbine is one with generation capacity of less than 100 kilowatts. The amendment offered by the Senator from Tennessee, amendment 3553, would limit the eligibility of this to only wind turbines installed on farms or at a rural small business.

Well, you might say: What is wrong with that? At first blush that sounds all right, except that we have new technologies coming on line, small wind turbines that are very effective, cost effective, that will be used on farms, will be used at some small businesses. But I can also see some of them being used for plain old residences. They may be rural, they may be in rural areas, but they would be on farms. They may not be a business or a farm, but they will be rural residences. They ought to be allowed also to have access to this.

I think the amendment unduly restricts the number of people who can be eligible for purchasing these small wind turbines. Also, it says ''a rural small business.'' Well, a rural small business has a rather definite definition, a restricted definition. So there may be a lot of small businesses that would want to put up a wind turbine for their small business, but they may not be classified as a rural small business.

It could be in a small town, it could be in the suburbs, it could be in metropolitan areas, but they are on the outskirts of a metropolitan area, but they may not be listed as a ''rural small business.'' So why would we want to say to a small business that might be in a rural area, classified in a rural area, but 10 miles away, you would have a small business that might not be classified as rural, but they would not be eligible for it even though they could use and would be inclined to construct or buy a small wind turbine?

Again, I think we want to keep the amendment open to a broader population. It means more wind power installations, more clean and renewable power. Again, the Senator from Tennessee is probably correct, and the majority of these may well, I hope, be put in rural areas, on farms, or at rural businesses. But why would we want to restrict that if we want clean, renewable energy in this country? We want to get off the oil pipeline.

It would seem to me we would continue to encourage this wherever we could. I think the Finance Committee had it right. They had it right, and they drafted it right. I hope we will keep the amendment as written and defeat this Alexander amendment on wind power.

AMENDMENT NO. 3551

Again, Senator ALEXANDER also has an amendment No. 3551, much along the same lines. Right now, rural landowners receive an easement payment when electric transmission lines are sited on their property.

Well, the Finance tax package in the farm bill includes a section which would allow property owners to exclude these easement payments from their gross income when calculating their tax payments if the transmission property meets certain requirements, including high voltage and used primarily to transmit renewable energy.

Again, do we not want to encourage renewable energy? Do we want to get off the pipeline? We want to encourage rural landowners to be more prone to let a transmission line be constructed across their property if it is renewable electricity.

That is what the amendment does. It allows them to exclude the easement payment if it meets the voltage and renewable use requirements. So, again, this is another small thing to do to help encourage the development of wind power and wind farms or solar energy or geothermal energy; it could be any of those.

Since a lot of these will be located in rural areas, they are going to need to build transmission lines across the farms in rural areas, so the Finance Committee added this to the farm bill. It can help support transmission access development for renewable energy and expand and modernize the transmission grid, and benefit consumers nationwide by bringing down the cost of renewable electricity. But it is often the farmers and ranchers who see the actual infrastructure on their property. This is, again, another way of encouraging, as rapidly as possible, the building of more renewable energy systems in the country.

AMENDMENT NO. 3671

Lastly, Mr. President, Senator GREGG today offered amendment No. 3671 to strike the Farm and Ranch Stress Assistance Network from the farm bill.

I listened a little bit to what the Senator had to say. I want to make it very clear for the record that this is not a mandatory program. This is only an authorization. It is fully discretionary. It is up to, of course, the Agriculture Appropriations Committee to appropriate money for it. Senator GRASSLEY, and a lot of other members are supportive of this provision. The Farm and Ranch Stress Assistance Network provision is a bipartisan part of the farm bill. We included it to respond to an increase in the incidences of psychological distress and suicide in rural areas.

Farmers and rural residents often lack affordable health insurance, and they lack any close proximity to any mental health treatment services. So this program we included would provide telephone help lines, Web sites, support groups, outreach services to farmers, ranchers and rural residents who need this help.

Again, it is an authorization only. There are no mandatory funds. I find it odd this provision is singled out when there are no mandatory funds involved. Farmers increasingly face a lot of stress. They have no control over many factors such as drought, blizzards, floods, ice storms, as we are having in Iowa right now, financial difficulties beyond their control, foreign markets, imports, disease, different things that happen. A lot of times farmers have no control over these. It can be compounded if a farmer or rancher has some poor physical health problems, in addition, and they lack insurance coverage. So again, it is trying to establish some rural help lines so a farmer out there, rancher out there who feels stressed might want to call and seek some help and assistance.

Farmers and ranchers pride themselves on being rugged individuals. That they are. But that doesn't mean they are not subject to stress. That doesn't mean they don't commit suicide. They do. That doesn't mean they sometimes get so stressed out they act out in violent ways. It happens to the best of people and the most rugged of individuals. I have been approached—I am sure others have—by a lot of farm groups asking that we do something more to assist farmers and farm families who have had stresses. That was why we set up the Farm and Ranch Stress Assistance Network. It had never been done before. We wanted to test it out and see if it might work and might help save a few lives, keep a few families together, cut down on spousal abuse, cut down on maybe even some child abuse in some cases. It is a good part of the farm bill. I hope Senators will oppose the Gregg amendment and keep the rural stress assistance network as part of the farm bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. ENZI. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. ENZI pertaining to the introduction of S. 2448 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. SUNUNU. Mr. President, it was 8 degrees in Manchester this morning. Home heating oil costs $3.27 per gallon. These are the cold, hard facts of winter in New England—8 degrees; $3.27 per gallon. As we continue debate this week on a comprehensive energy bill, let's keep these numbers in mind, and let's not pass energy policies that increase the cost of heating our homes in the winter.

The Federal Government has limited power to reduce energy prices in the near future. Taxes and regulations can greatly increase them, but Congress is in poor position to affect the laws of supply and demand. So what are we to do to help those most in need during the long, cold winter?

Fortunately, there is a program in place to help low-income households pay to heat their homes; a program that does a good job getting assistance to those who need it; a program that I have consistently supported during my 11 years here in Congress: the Low Income Home Energy Assistance Program, or LIHEAP.

LIHEAP works. It is administered by the States and by local agencies that know the people receiving assistance. Congress passed the precursor program back in 1980, and the program has grown over the years, to $3.2 billion nationwide in 2006.

Last year, under the continuing resolution, LIHEAP funding was roughly a billion dollars less. Because we have provided less money for the program, Health and Human Services is providing less money to States. So far, HHS has only been able to release 75 percent of each State's traditional allocation under LIHEAP.

Since my first year in Congress, I have consistently supported funding for LIHEAP. I have asked President Clinton and President Bush to support

LIHEAP. I have asked Republican appropriations chairmen and Democratic appropriations chairmen to increase support for LIHEAP. I have asked Health and Human Service Secretaries to release contingency funds in response to heat waves in the summer and cold snaps in the winter. And today, I have joined the senior Senator from New Hampshire, Mr. GREGG, as a cosponsor of an amendment to the farm bill that would provide an additional $924 million for LIHEAP this year. The Senator from Vermont, Mr. SANDERS, has introduced a bill that would provide a billion dollars in emergency funds for LIHEAP, and I am a cosponsor of that legislation as well.

I have joined colleagues from both parties in requesting additional support of LIHEAP in the Omnibus appropriations bill that is now being drafted, and I have joined colleagues from both parties in seeking a meeting with Director Jim Nussle at the Office of Management and Budget in order to press for support for this vital program.

The Low Income Home Energy Assistance Program has broad bipartisan support in the House and the Senate. We are pursuing a number of ways to get this increased assistance out to people who are having trouble heating their homes.

Quite frankly, these folks don't really care how we go about it. They just know that it was 8 degrees this morning in Manchester and that heating oil costs $3.27 per gallon.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PRYOR). Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—H.R. 6

Mr. REID. Mr. President, I ask unanimous consent that any cloture filed on Wednesday, December 12, with respect to H.R. 6, the Energy bill, be considered as having been filed on Tuesday, December 11.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that the vote in relation to the Dorgan-Grassley amendment No. 3695 occur at 9:15 a.m. on Thursday, December 13.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that when the Senate resumes H.R. 2419 tomorrow, December 12, it proceed to vote in relation to the following two amendments in the order listed, with no amendments in order to the amendments prior to the votes, and that there be 2 minutes of debate prior to each vote, equally divided and controlled: Gregg amendments Nos. 3671 and 3672, with the second vote 10 minutes in duration; further, that on Wednesday, December 12, the following amendments be debated for the time limits specified, with all time equally divided and controlled in the usual form, with no amendments in order to any of the amendments covered under this agreement prior to a vote in relation to the amendment: Alexander amendments Nos. 3551 and 3353, with 30 minutes divided as follows: 10 minutes each for Senators Alexander, Bingaman, and Salazar; Cornyn amendment No. 3687, 30 minutes; Dorgan-Grassley amendment No. 3695, as modified, 2 hours; Klobuchar amendment No. 3810, 60 minutes; Gregg amendment No. 3673, 2 hours; Sessions amendment No. 3596, 40 minutes; Coburn amendments Nos. 3807, 3530, and 3632, a total of 90 minutes.

Mr. President, I will add, Senator COBURN, even though I get upset at him for offering all these amendments, some of which I think are not in the best interests of the Senate, is always very agreeable to work with. He is a very pleasant man. I like him a lot. Here is an indication on these amendments, about which he feels strongly. He agreed to a short period of time and rarely takes all his time. A little side comment.

Continuing the unanimous consent request, provided further, that the following amendments be subject to a 60-vote threshold, and that if the amendment achieves 60 votes, then it be agreed to and the motion to reconsider be laid upon the table; that if the amendment fails to achieve 60 votes, then it be withdrawn: Dorgan-Grassley amendment No. 3695, Gregg amendment No. 3673, and Klobuchar amendment No. 3810; further, that in any vote sequence, there be 2 minutes equally divided prior to each vote, and that after the first vote in any sequence, the remaining votes be limited to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

IMPORTANCE OF A CPSC BILL

Mr. DURBIN. Mr. President, I rise to discuss an issue that is very important to Americans, especially during this holiday season: the safety of consumer products.

The string of recalls of toys and other children's products we have all read about in the news over the past 6 months has created uncertainty and anxiety among parents shopping for their children for the holidays.

Parents now come to toy stores armed with shopping lists, as well as lists of toy recalls from the Consumer Product Safety Commission's Web site.

Their concern is understandable. This year has seen an unprecedented number of unsafe toys recalled this year—more than 25 million so far, and counting.

They include some of the most popular children's characters: Thomas the Tank Engine, Elmo, Dora the Explorer, Polly Pockets—even Curious George and SpongeBob SquarePants.

The list of dangers range from high lead content and toxic chemicals to choking hazards and dangerously powerful magnets that can rip open a child's intestines if they are swallowed.

What is going on with all these recalls?

The Consumer Product Safety Commission is responsible for overseeing the safety of more than 15,000 consumer products—everything from toys to power tools.

That agency has suffered deeper staffing and budget cuts than any other Federal health and safety regulator.

Here are some numbers that ought to worry every American:

In 1974, its first year of operation, the CPSC had a budget of $146 million in today's dollars. Today, its budget is less than half that amount: just over $62 million.

In the last 3 years, the CPSC has suffered its deepest staff cuts since the Reagan administration—from 471 full-time employees down to just 401.

Today, with imports at an all-time high, the CPSC employs 15 port inspectors for the entire country.

In addition, CPSC does not have the authority or tools it needs to protect American consumers.

The CPSC cannot require premarket testing, cannot order a recall when it knows a product poses a hazard to consumers, and can't quickly notify the public of product hazards.

In some instances, the combination of lack of funding and lack of tools has led to unnecessary, preventable injuries and fatalities suffered by children.

It is hard to imagine that our lead product safety agency does not have these tools.

Fortunately, there is a set of proposals pending in the Senate that will aid consumer safety by restoring the CPSC to a functioning agency and requiring manufacturers of children's products to test and certify the safety of their products.

The Senate Commerce Committee has reported a bill by voice vote, authored by Senator PRYOR, that would fix many of these problems.

Commerce Committee Chairman INOUYE and Senator PRYOR, chairman of the Consumer Affairs Subcommittee, deserve credit for a balanced, responsible plan.

The bill would more than double CPSC's current budget, to $141 million, and increase the agency's staff by 20 percent over the next 7 years.

It would also eliminate the use of dangerous lead in toys; require independent, third-party safety tests of toys before they can be sold in this country; give the CPSC new powers to regulate the marketplace, including more authority to force the recall of dangerous products more quickly; give State prosecutors the authority to enforce Federal consumer safety laws;

and increase the maximum fines for willful violation of consumer safety laws from $1.8 million to $100 million.

I expect the Senate to move important legislation in this area before the holiday. The House, led by Congressman BOBBY RUSH, is engaged in a similar effort on the House side.

If we are going to pass stronger consumer product safety legislation, it is vital that we have bipartisan cooperation and pursue this legislation in a bipartisan fashion. I support the effort led by Senators INOUYE and PRYOR to reach out to Senators STEVENS and SUNUNU of the Commerce Committee to do just that.

I encourage these efforts to continue in order to produce a robust bill that will improve consumer safety and the functioning of the CPSC.

It is a noncontroversial, bipartisan idea that the American public expects.

TRIBUTE TO MAGGIE LAINE WEBB

Mr. DURBIN. Mr. President, today, in Moline, IL, Maggie Laine Webb will be buried.

A promising career took Maggie away from Moline. Sadly, gun violence has brought her home.

Maggie Webb was working at the Van Maur department store in Omaha last Wednesday when a 19-year-old man opened fire with an AK–47 assault rifle, killing eight people and wounding five more before taking his own life.

Maggie Webb was the youngest of the gunman's victims. She was just 24; she would have turned 25 in 2 weeks.

She had transferred to Omaha from another Von Maur department store just 6 weeks earlier. In Omaha, Maggie was a store manager—a position of unusual responsibility for someone her age. But then, Maggie Webb was, by all accounts, an unusually responsible, talented young woman.

At Moline High School, where she graduated in 2001, Maggie was a softball standout, she ran track, and she was involved in student council and many other activities. She went on to graduate in 2005 from Illinois State University.

News of her death has hit many of her former teachers at Moline High School hard. Bill Burrus, the school principal, said one teacher remarked of Maggie, ''She was one of the good ones,'' paused, and then said, ''No, one of the great ones.''

Maggie Webb is survived by her parents, Dave and Vicki Webb, of Port Byron, IL, and her two older sisters.

Our thoughts, prayers, and condolences are with the Webb family and all of the families affected by this senseless violence.

FURTHER CHANGES TO S. CON. RES. 21

Mr. CONRAD. Mr. President, section 307 of S. Con. Res. 21, the 2008 budget resolution, permits the chairman of the Senate Budget Committee to revise the allocations, aggregates, and other appropriate levels for legislation, including one or more bills and amendments, that reauthorizes the 2002 farm bill or similar or related programs, provides for revenue changes, or any combination thereof. Section 307 authorizes the revisions provided that certain conditions are met, including that amounts provided in the legislation for the above purposes not exceed $20 billion over the period of fiscal years 2007 through 2012 and that the legislation not worsen the deficit over the period of the total of fiscal years 2007 through 2012 or the period of the total of fiscal years 2007 through 2017.

I find that Senate amendment No. 3711 offered by Senator LUGAR to Senate amendment No. 3500, an amendment in the nature of a substitute to H.R. 2419, satisfies the conditions of the deficit-neutral reserve fund for the farm bill. Therefore, pursuant to section 307, I am adjusting the aggregates in the 2008 budget resolution, as well as the allocation provided to the Senate Agriculture, Nutrition, and Forestry Committee.

I ask unanimous consent to have the following revisions to S. Con. Res. 21 RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Concurrent Resolution on the Budget for Fiscal Year 2008—S. Con. Res. 21; Further Revisions to the Conference Agreement Pursuant to Section 307 Deficit-Neutral Reserve Fund for the Farm Bill

[In billions of dollars]

Section 101	
(1)(A) Federal Revenues:	
FY 2007	1,900.340
FY 2008	2,024.835
FY 2009	2,121.607
FY 2010	2,176.229
FY 2011	2,357.094
FY 2012	2,498.971
(1)(B) Change in Federal Revenues:	
FY 2007	−4.366
FY 2008	−25.961
FY 2009	14.681
FY 2010	12.508
FY 2011	−37.456
FY 2012	−98.125
(2) New Budget Authority:	
FY 2007	2,371.470
FY 2008	2,509.169
FY 2009	2,523.934
FY 2010	2,581.464
FY 2011	2,696.588
FY 2012	2,737.256
(3) Budget Outlays:	
FY 2007	2,294.862
FY 2008	2,471.293
FY 2009	2,569.600
FY 2010	2,607.308
FY 2011	2,702.556
FY 2012	2,717.397

Concurrent Resolution on the Budget for Fiscal Year 2008—S. Con. Res. 21; Further Revisions to the Conference Agreement Pursuant to Section 307 Deficit-Neutral Reserve Fund for the Farm Bill

[In millions of dollars]

Current Allocation to Senate Agriculture, Nutrition, and Forestry Committee:	
FY 2007 Budget Authority	14,284
FY 2007 Outlays	14,056
FY 2008 Budget Authority	17,088
FY 2008 Outlays	14,629
FY 2008–2012 Budget Authority	76,881
FY 2008–2012 Outlays	71,049
Adjustments:	
FY 2007 Budget Authority	0
FY 2007 Outlays	0
FY 2008 Budget Authority	336
FY 2008 Outlays	−255
FY 2008–2012 Budget Authority	−2,290
FY 2008–2012 Outlays	−5,504
Revised Allocation to Senate Agriculture, Nutrition, and Forestry Committee:	
FY 2007 Budget Authority	14,284
FY 2007 Outlays	14,056
FY 2008 Budget Authority	17,424
FY 2008 Outlays	14,374
FY 2008–2012 Budget Authority	74,591
FY 2008–2012 Outlays	65,545

FURTHER CHANGES TO S. CON. RES. 21

Mr. CONRAD. Mr. President, earlier today, pursuant to section 307 of S. Con. Res. 21, I filed revisions to S. Con. Res. 21, the 2008 budget resolution. Those revisions were made for Senate amendment No. 3711, an amendment offered to Senate amendment No. 3500, an amendment in the nature of a substitute to H.R. 2419.

The Senate did not adopt Senate amendment No. 3711. As a consequence, I am further revising the 2008 budget resolution and reversing the adjustments made pursuant to section 307 to the aggregates and the allocation provided to the Senate Agriculture, Nutrition, and Forestry Committee for Senate amendment No. 3711.

I ask unanimous consent that the following revisions to S. Con. Res. 21 be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Concurrent Resolution on the Budget for Fiscal Year 2008—S. Con. Res. 21; Further Revisions to the Conference Agreement Pursuant to Section 307 Deficit-Neutral Reserve Fund for the Farm Bill

[In billions of dollars]

Section 101	
(1)(A) Federal Revenues:	
FY 2007	1,900.340
FY 2008	2,024.835
FY 2009	2,121.607
FY 2010	2,176.229
FY 2011	2,357.094
FY 2012	2,498,971
(1)(B) Change in Federal Revenues:	
FY 2007	–4.366
FY 2008	–25.961
FY 2009	14.681
FY 2010	12.508
FY 2011	–37.456
FY 2012	–98,125
(2) New Budget Authority:	
FY 2007	2,371.470
FY 2008	2,508.833
FY 2009	2,526.124
FY 2010	2,581.369
FY 2011	2,696.797

FY 2012	2,737.578
(3) Budget Outlays:	
FY 2007	2,294.862
FY 2008	2,471.548
FY 2009	2,573.005
FY 2010	2,609.873
FY 2011	2,702.839
FY 2012	2,716.392

Concurrent Resolution on the Budget for Fiscal Year 2008—S. Con. Res. 21; Further Revisions to the Conference Agreement Pursuant to Section 307 Deficit-Neutral Reserve Fund for the Farm Bill

[In millions of dollars]

Current Allocation to Senate Agriculture, Nutrition, and Forestry Committee:	
FY 2007 Budget Authority	14,284
FY 2007 Outlays	14,056
FY 2008 Budget Authority	17,424
FY 2008 Outlays	14,374
FY 2008–2012 Budget Authority	74,591
FY 2008–2012 Outlays	65,545
Adjustments:	
FY 2007 Budget Authority	0
FY 2007 Outlays	0
FY 2008 Budget Authority	−336
FY 2008 Outlays	255
FY 2008–2012 Budget Authority	2,290
FY 2008–2012 Outlays	5,504
Revised Allocation to Senate Agriculture, Nutrition, and Forestry Committee:	
FY 2007 Budget Authority	14,284
FY 2007 Outlays	14,056
FY 2008 Budget Authority	17,088
FY 2008 Outlays	14,629
FY 2008–2012 Budget Authority	76,881
FY 2008–2012 Outlays	71,049

SCHOOL SAFETY AND LAW ENFORCEMENT IMPROVEMENT ACT

Mr. LEAHY. Mr. President, in the 8 months since the horrific incident at Virginia Tech that resulted in the tragic deaths of 32 students, we have witnessed a barrage of new incidents involving threatening conduct and, too often, deadly acts of violence at our schools and college campuses nationwide.

Just this past Saturday, police arrested a student at Loyola Marymount University in Los Angeles on suspicion of posting an anonymous online threat to kill people on campus. The threat appeared on a blog used primarily by college students. It said: ''I am going to shoot and kill as many people as I can until which time I am incapacitated or killed by police.'' Fortunately, police got to this troubled student before he could make good on his threat. But I urge the Senate not to sit back and wait until the next time, when police may not be able to stop a deadly event before it occurs. We must act now to protect our schools and college campuses.

Those who perpetrate these terrible crimes know no boundaries. No targets are off limits. This past Sunday, a man killed two people in Arvada, CO, after being refused lodging at a Christian missionary center. Later that day, in Colorado Springs, the same man opened fire outside the New Life Church, taking the lives of two teenaged sisters and leaving a third victim in critical condition. These recent incidents make clear yet again that we must do all we can to ensure that law enforcement is prepared and equipped to respond to such incidents.

I urge Congress to take prompt action to help stem this tide of violence. The full Senate can begin to address this terrible and recurring problem by taking up and passing the School Safety and Law Enforcement Improvement Act of 2007, a legislative package that responds to the Virginia Tech tragedy and the ongoing problem of violence in our schools and in our communities.

The Judiciary Committee passed this important bill out of committee over 4 months ago. In passing the bill out of the Judiciary Committee this past September, the committee attempted to show deference to Governor Kaine and the task forces at work in Virginia and to complement their work and recommendations. Working with several Senators, including Senators BOXER, REED, SPECTER, FEINGOLD, SCHUMER, and DURBIN, the committee originated this bill and reported it before the start of the academic year in the hope that the full Senate could pass these critical school safety improvements this fall.

Regrettably, the bill has been stalled on the Senate floor. I urge those holding up its passage to consider that this administration has spent more than $15 billion to equip, train, and build facilities for the Iraqi security forces. Surely Congress can stand up for American kids who face unrelenting school violence by authorizing just a fraction of this money to reduce deadly violence in our schools and communities right here at home.

I do not think the Senate should continue to stand by and wait for the next horrific school tragedy to make the critical changes necessary to insure safety in our schools and on our college campuses. The risk of school violence will not go away just because Congress may shift its focus. Since this bill passed out of committee, we have seen tragedy at Delaware State, University of Memphis, SuccessTech Academy in Cleveland, OH, as well as incidents in California, New York, Pennsylvania, and Oregon, to name just a few. I urge the Senate to move aggressively with the comprehensive school safety legislation. It includes background check improvements, together with other sensible yet effective safety improvement measures supported by law enforcement across the country. If we are prohibited by objection from doing so by unanimous consent, then let us move to it and let those with objections seek to amend those provisions to which they object.

There are too many incidents at too many colleges and schools nationwide. This terrorizes students and their parents. We should be doing what we can to help.

Several weeks ago, a troubled student wearing a Fred Flintstone mask and carrying a rifle through campus was arrested at St. John's University in Queens, NY, prompting authorities to lock down the campus for 3 hours. The day after that incident, an armed 17-year-old on the other side of the country in Oroville, CA, held students hostage at Las Plumas High School, also resulting in a lock-down. The incidents have continued with the arrest a few weeks ago of an armed student suspected of plotting a Columbine-style attack on fellow high school students in Norristown, PA. More recently, in Happy Valley, OR, police arrested a 10-year-old student who brought a semi-automatic weapon into his elementary school. The students in these situations were lucky and escaped without injury.

University of Memphis student Taylor Bradford was not so lucky. He was killed on campus on September 30 in what university officials believe was a targeted attack. He was 21 years old. Shalita Middleton was not so lucky. She died on October 23 from injuries she sustained during the Delaware State incident. She was 17 years old. Nathaniel Pew was not so lucky. He was wounded at Delaware State. High school teachers Michael Grassie and David Kachadourian and students Michael Peek and Darnell Rodgers—all of whom were wounded by a troubled student at SuccessTech Academy on October 10—were not so lucky.

The School Safety and Law Enforcement Improvement Act responds directly to incidents like these by squarely addressing the problem of violence in our schools in several ways. The bill enlists the States as partners in the dissemination of critical information by making significant improvements to the National Instant Background Check System, known as the NICS system. The bill also authorizes Federal assistance for programs to improve the safety and security of our schools and institutions of higher education, provides equitable benefits to law enforcement serving those institutions including bulletproof vests, and funds pilot programs to develop cutting-edge prevention and intervention programs for our schools. The bill also clarifies and strengthens two existing statutes—the Terrorist Hoax Improvements Act and the Law Enforcement Officers Safety Act—which are designed to improve public safety.

Specifically, title I would improve the safety and security of students both at the elementary and secondary school level, and on college and university campuses. The K–12 improvements are drawn from a bill that Senator BOXER introduced in April, and I want to thank Senator BOXER for her hard work on this issue. The improvements include increased funding for much-needed infrastructure changes to improve security as well as the establishment of hotlines and tip-lines, which will enable students to report potentially dangerous situations to school administrators before they occur.

These improvements can save lives. After the four students and teachers

were wounded at SuccessTech Academy, the press reported that parents had been petitioning to get a metal detector installed and additional security personnel added, and that the guard who was previously assigned to the school had been removed 3 years ago. In fact, the entire city of Cleveland has just 10 metal detectors that are rotated throughout the city's more that 100 schools. Title I of the bill would enhance the ability of school district to apply for and receive grant money to fund the installation of metal detectors and the training and hiring of security personnel to keep our kids safe. Over the past 4 years, this administration has spent over $15 billion to equip, train, and build facilities for the Iraqi security forces. Surely, Congress can stand up for American kids who face unrelenting school violence by supporting just a small fraction of this figure for much-needed school safety improvements.

To address the new realities of campus safety in the wake of Virginia Tech and more recent college incidents, title I also creates a matching grant program for campus safety and security to be administered out of the COPS Office of the Department of Justice. The grant program would allow institutions of higher education to apply, for the first time, directly for Federal funds to make school safety and security improvements. The program is authorized to be appropriated at $50,000,000 for the next 2 fiscal years. While this amounts to just $3 per student each year, it will enable schools to more effectively respond to dangerous situations on campus.

Title II of the bill seeks to improve the NICS system. The senseless loss of life at Virginia Tech revealed deep flaws in the transfer of information relevant to gun purchases between the States and the Federal Government. The defects in the current system permitted the perpetrator of this terrible crime to obtain a firearm even though a judge had declared him to be a danger to himself and thus ineligible under Federal law. Seung-Hui Cho was not eligible to buy a weapon given his mental health history, but he was still able to pass a background check because data was missing from the system. We are working to close gaps in the NICS system. Title II will correct these problems, and for the first time will create a legal regime in which disqualifying mental health records, both at the State and Federal level, would regularly be reported into the NICS system.

Title III would make sworn law enforcement officers who work for private institutions of higher education and rail carriers eligible for death and disability benefits, and for funds administered under the Byrne grant program and the bulletproof vest partnership grant program. Providing this equitable treatment is in the best interest of our Nation's educators and students and will serve to place the support of the Federal Government behind the dedicated law enforcement officers who serve and protect private colleges and universities nationwide. I commend Senator JACK REED for his leadership in this area.

Title IV of the bill makes improvements to the Law Enforcement Officers Safety Act of 2003. These amendments to existing law will streamline the system by which qualified retired and active officers can be certified under LEOSA. It serves us all when we permit qualified officers, with a demonstrated commitment to law enforcement and no adverse employment history, to protect themselves, their families, and their fellow citizens wherever those officers may be.

Title V incorporates the PRECAUTION Act, which Senators FEINGOLD and SPECTER asked to have included. This provision authorizes grants to develop prevention and intervention programs for our schools.

Finally, Title VI incorporates the Terrorist Hoax Improvements Act of 2007, at the request of Senator KENNEDY.

Let us go forward and act now on this important bill. The Virginia Tech Review Panel—a body commissioned by Governor Tim Kaine to study the Virginia Tech tragedy—recently issued its findings based on a 4-month long investigation of the incident and its aftermath. This bill would adopt a number of recommendations from the review panel aimed at improving school safety planning and reporting information to NICS. We must not miss this opportunity to implement these initiatives nationwide, and to take concrete steps to ensure the safety of our kids.

I recognize that there is no solution to fully end the sad phenomenon of school violence. But the recent tragedies should prompt us to respond in realistic and meaningful ways when we are presented with such challenges. I hope the Senate can promptly move this bill forward to invest in the safety of our students and better support law enforcement officers across the country.

FEDERAL CRACK COCAINE SENTENCING POLICY

Mr. LEAHY. Mr. President, nothing is more fundamental to our system of justice than the tenet inscribed in Vermont marble on the supreme court building, that all people should receive ''equal justice under law.'' For more than 20 years, however, our Nation has tolerated a Federal cocaine sentencing policy that treats crack offenders more harshly than cocaine offenders. This policy has unacceptably had a disparate impact on people of color and the poor—without any empirical justification.

Today, the U.S. Sentencing Commission took yet another important step in addressing the wide disparity in our Federal cocaine sentencing laws. By voting to change our Sentencing Guidelines to reduce the sentences of crack offenders currently incarcerated, the Commission took a moderate but significant step to reduce unwarranted sentencing disparities in Federal crack and powder cocaine laws. Their unanimous vote is consistent with the goals of the Sentencing Reform Act, including ''the need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct'' and brings our Nation one step closer to a drug policy that is fair and equal for all Americans.

The good news does not stop there. Just yesterday, in the landmark ruling of Kimbrough v. United States, the Supreme Court of the United States expanded the power of our Federal trial courts to address the unfair disparity in our Federal sentencing laws between crack and powder cocaine. By a vote of 7 to 2, the Court ruled that Federal judges may, in their discretion, consider this disparity and depart from a guideline sentence where the punishment is ''greater than necessary'' to serve Congress's objectives.

Under current law, an offender apprehended with 5 grams of crack cocaine faces the same 5-year mandatory minimum sentence as an offender with 500 grams of powder cocaine. That means existing law gives the same sentence to a drug trafficker dealing crack cocaine as it would to one dealing 100 times more powder cocaine.

This year, the Sentencing Commission has taken historic actions to address the unfairness and injustice of this disparity. The Commission held hearings and, after extensive study of this issue, reiterated its long-held position that crack cocaine penalties continue to disproportionately impact minorities and undermine various congressional objectives set forth in the Sentencing Reform Act. Next, the Commission attempted to correct this disparity and provide some relief to some crack cocaine offenders by recommending that all crack penalties be lowered by two base offense levels. Last month, Congress allowed this new Commission amendment—the so-called ''Crack Minus 2'' amendment—to be enacted in the Sentencing Guidelines.

Today, the Sentencing Commission has taken yet another positive step.

This amendment is consistent with Congress's intent in creating a sentencing guideline system. In its report to Congress, the Commission said that the Crack Minus 2 amendment was needed to address its long-held finding that ''the 100-to-1 drug quantity ratio (for crack cocaine) significantly undermines the various congressional objectives set forth in the Sentencing Reform Act.'' I agree. I join the chorus of our esteemed Federal judges, articulated in the Judicial Commission's testimony before the Sentencing Commission on this amendment, that fundamental fairness dictates that this amendment ''equally applies to offenders who were sentenced in the past as well as offenders [who] will be sentenced in the future.''

Fundamental fairness dictates that we undo past errors to build public confidence in the rule of law. Americans must have faith and confidence that our drug laws are fair and proportional, and a rule correcting a past injustice should be applied retroactively to restore that public confidence. The public's faith is even more critical in crack cocaine cases where 85 percent of the defendants are African Americans—a fact which only enhances the public perception that harsh and punitive sentences are imposed disproportionately on persons of color.

Allowing judges to reconsider the sentences for crack offenders will not threaten public safety. As the Judicial Conference noted in its testimony before the Sentencing Commission, ''no offender would be eligible for release without judicial approval.'' This amendment allows judges the discretion to give a sentence outside of the Federal guidelines but does not mandate that such a sentence must be imposed. As chairman of the Senate Judiciary Committee, I have some experience with the people who serve our Nation in lifetime positions on the Federal bench. Unlike those who argue that the sky is falling, I have every confidence in the ability of our Federal judges to use this power sparingly and to provide a proper check when necessary to prevent the release of dangerous offenders back into our communities and neighborhoods.

Most importantly, while I abhor the damage done by drug abuse, I also abhor that the penalties for those in the inner city are different than for those in affluent society. For 21 years, far too many African Americans and low-level drug offenders were subject to unfair and overly punitive Federal crack cocaine sentencing laws. With the Commission's amendment to reduce this disparity, we begin the process of healing wounds which have long shaken the public's confidence in our Federal drug policy. Applying this fix retroactively is only fair and just.

The administration's failure to support retroactivity of even the slightest modification of crack penalties is both a surprise and a deep disappointment. I recall that 2 days before taking office, President Bush said that we should address this problem ''by making sure the powder cocaine and the crack cocaine sentences are the same.'' He also said, ''I don't believe we ought to be discriminatory.'' Yet his Justice Department has strongly opposed retroactive application of this crack cocaine reform amendment, even though failure to act would once again disparately impact African Americans, since an estimated 85 percent of those who would benefit from the policy are African Americans. The Justice Department's position would also erode public confidence that our drug laws are free from bias since previous drug reform amendments more likely to benefit Whites and Hispanics were made retroactive.

Thankfully, the Sentencing Commission accepted the administration's view. Their decision today was unanimous. I hope the Attorney General will take notice and move to support drug laws that treat all Americans equally.

While fundamental change will require congressional action, I salute the Sentencing Commission for its leadership on this issue. I urge my colleagues to support the Commission's decision and support additional changes to our laws to further reduce the disparity in our Federal cocaine sentencing laws. It is long past time for us to rectify this problem.

ADDITIONAL STATEMENTS

RECOGNIZING HIDALGO EARLY COLLEGE HIGH SCHOOL

• Mr. CORNYN. Mr. President, today I recognize the many schools in my State of Texas that are working to close achievement gaps and provide their students with an excellent education. Last week, the U.S. News and World Report issued the very first national rankings for the Best High Schools in America. Out of more than 20,000 schools that were evaluated, one school in south Texas, Hidalgo Early College High School, ranked 11th among the top schools that provide ''a good education across their entire student body, not just for some students.''

I will have more to say about the other schools on the list in separate remarks, but today I would like to focus on the extraordinary story of Hidalgo High School, home of the Pirates and 850 Hispanic students in grades 9–12.

Hidalgo, TX, is a small town, population 7322, on the U.S.-Mexico border about 250 miles south of San Antonio. Although Hidalgo is the fourth largest U.S. port of entry, unemployment tops 11 percent and nearly 40 percent of the population is below the poverty level. Over a quarter of the students at Hidalgo High are limited English proficient. Yet this school has a 94-percent graduation rate.

A grant from the Bill and Melinda Gates Foundation in 2006 has allowed Hidalgo High and the University of Texas-Pan American to develop an innovative partnership for college preparation. All students at Hidalgo High School are enrolled in the Early College High School Program, where they will earn both a high school diploma and an associate's degree or up to 2 years of credit toward a bachelor's degree. Students receive college level credit from the University of Texas-Pan American. The class of 2010 will be the first class to participate in this program for a full 4 years.

According to Hidalgo High Principal Edward Blaha:

> We continuously strive to seek high expectations for all students in their academic, civic and social endeavors and to provide them with opportunities for a successful transition to higher education and the marketplace. . . . Our high school program is designed to engage students in active, collaborative learning that emphasizes the development of critical thinking skills to be applied to real-world concepts.

Congratulations to Principal Edward Blaha, the faculty and staff, and all of the students and their families at Hidalgo High School on achieving this distinction. The decision to pursue the Early College High School Program provides students with the educational opportunities necessary to generate economic and intellectual progress. I am proud of your vision, hard work and achievement.•

RETIREMENT OF ELESTINE SMITH NORMAN

• Mr. GRAHAM. Mr. President, it is my honor and distinct pleasure to recognize Elestine Smith Norman for 34 years of public service to South Carolina's Third Congressional District. Elestine's dedication to her community is without equal and I was fortunate to have her as a member of my staff when I served in the House of Representatives.

Born on December 12, 1949, to the late Wilbert and Elese Morton Smith of Greenwood, SC, Elestine is the youngest of five children. She attended Brewer High School in Greenwood and became the first member of her family to graduate from college, receiving degrees from Piedmont Technical College and Limestone College.

Elestine has been married to Willie Neal Norman for 37 years. Neal works for the South Carolina Department of Social Service and is the pastor of Weston Chapel AME Church in Greenwood where they have faithfully served for 18 years.

She is a two-time survivor of breast cancer and will be the first to tell you that her faith in Jesus Christ provided her the strength to beat this deadly disease.

Elestine's commitment to her community extends well beyond the office door. She was president of the Greenwood Business and Professional Women's Club, a board member of the local United Way, and sat on the Board of Visitors for both Piedmont Technical College and Lander University. In 2007, she was recognized with the Women's History Month Government Award from the AME Church for the State of South Carolina.

Elestine began her career with the U.S. House of Representatives in 1973. She has been a constituent service liaison for four consecutive Members from the Third Congressional District, Democrat and Republican Representatives Bryan Dorn, Butler Derrick, me, and the current office holder GRESHAM BARRETT. Her love for people and her desire to serve has always put her above a party label.

At the end of this year, Elestine Norman will retire after more than three decades of public service. I thank her for her passion and dedication to her

job. She exemplifies the high level of service to humanity we should all strive to achieve.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, 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

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The President pro tempore (Mr. BYRD) announced that on today, December 11, 2007, he had signed the following enrolled bills and joint resolution, previously signed by the Speaker of the House:

S. 888. An act to amend section 1091 of title 18, United States Code, to allow the prosecution of genocide in appropriate circumstances.

S. 2371. An act to amend the Higher Education Act of 1965 to make technical corrections.

S.J. Res. 8. Joint resolution providing for the reappointment of Patricia Q. Stonesifer as a citizen regent of the Board of Regents of the Smithsonian Institution.

At 1:08 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 710. An act to amend the National Organ Transplant Act to provide that criminal penalties do not apply to human organ paired donation, and for other purposes.

H.R. 3315. An act to provide that the great hall of the Capitol Visitor Center shall be known as Emancipation Hall.

H.R. 3688. An act to implement the United States-Peru Trade Promotion Agreement.

H.R. 4118. An act to exclude from gross income payments from the Hokie Spirit Memorial Fund to the victims of the tragic event at Virginia Polytechnic Institute & State University.

The enrolled bills were subsequently signed by the President pro tempore (Mr. BYRD).

At 6:20 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4341. An act to extend the trade adjustment assistance program under the Trade Act of 1974 for 3 months.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 2436. A bill to amend the Internal Revenue Code of 1986 to clarify the term of the Commissioner of Internal Revenue.

S. 2440. A bill to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes.

S. 2441. A bill to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes.

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–4202. A communication from the Counsel for Legislation and Regulations, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the Hospital Mortgage Insurance Program'' (RIN2502–AI22) received on December 6, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–4203. A communication from the Associate General Counsel for Legislation and Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Project-Based Voucher Rents for Units Receiving Low-Income Housing Tax Credits'' (RIN2577–AC62) received on December 6, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–4204. A communication from the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''Identity Theft Red Flags and Address Discrepancies Under the Fair and Accurate Credit Transactions Act of 2003'' (RIN3084–AA94) received on December 5, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–4205. A communication from the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''Purchase, Sale, and Pledge of Eligible Operations'' (RIN3133–AD37) received on December 6, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–4206. A communication from the Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Revisions to Rule 12h–1 under the Securities Exchange Act of 1934'' (RIN3235–AJ91) received on December 3, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–4207. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Updated Statements of Legal Authority for the Export Administration Regulations'' (RIN0694–AE19) received on December 6, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–4208. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airplane Performance and Handling Qualities in Icing Conditions'' ((RIN2120–AI14)(Docket No. FAA–2005–22840)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4209. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 747 Airplanes'' ((RIN2120–AA64)(Docket No. 2006–NM–204)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4210. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; DG Flugzeugbau GmbH Model DG–1000T Gliders'' ((RIN2120–AA64)(Docket No. 2007–CE–032)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4211. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; SICMA Aero Seat 50XXX Passenger Seats'' ((RIN2120–AA64)(Docket No. 2007–NE–09)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4212. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Societe de Motorisations Aeronautiques SR305–230 and SR305–230–1 Reciprocating Engines'' ((RIN2120-AA64)(Docket No. 2007–NE–26)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4213. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Turbomeca S.A. Artouste III B, Artouste III B1, and Artouste III D Turboshaft Engines'' ((RIN2120–AA64)(Docket No. 2005–NE–54)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4214. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; McDonnell Douglas Model MD–11, MD–11F, DC–10–10, DC–10–10F, DC–10–15, DC–10–30, DC–10–30F, DC–10–40, DC–10–40F, MD–10–10F, and MD–10–30F Airplanes'' ((RIN2120–AA64)(Docket No. 2007–NM–061)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4215. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; B/E Aerospace Skyluxe II Passenger Seats'' ((RIN2120–AA64)(Docket No. 2007–NE–21)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4216. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Turbomeca Arriel 2B1 Turboshaft Engines'' ((RIN2120–AA64)(Docket No. 2007–NE–02)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4217. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce plc RB211 Trent 500 Series Turbofan Engines'' ((RIN2120–AA64)(Docket No. 2007–

NE–15)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4218. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company Aircraft Engine Group CF6–45A Series, CF6–50A, CF6–50C Series and CF6–50E Series Turbofan Engines'' ((RIN2120–AA64)(Docket No. 2006–NE–23)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4219. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Hawker Beechcraft Model 400, 400A, and 400T Series Airplanes'' ((RIN2120–AA64)(Docket No. 2007–NM–016)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4220. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A300F4–605R and A300F4–622R Airplanes'' ((RIN2120–AA64)(Docket No. 2007–NM–080)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4221. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 727 Airplanes'' ((RIN2120–AA64)(Docket No. 2007–NM–089)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4222. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company CF6–80C2A5F Turbofan Engines'' ((RIN2120–AA64)(Docket No. 2007–NE–23)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4223. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Raytheon Aircraft Company Models 58P and 58TC Airplanes'' ((RIN2120–AA64)(Docket No. 2005–CE–24)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4224. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Alpha Aviation Design Limited Model R2160 Airplanes'' ((RIN2120–AA64)(Docket No. 2006–CE–076)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4225. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Saab Model SAAB 2000 Airplanes'' ((RIN2120–AA64)(Docket No. 2006–NM–248)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4226. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Hawker Beechcraft Corporation Model 390 Airplanes'' ((RIN2120–AA64)(Docket No. 2007–CE–043)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4227. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A300 Airplanes and Model A310 Airplanes'' ((RIN2120–AA64)(Docket No. 2006–NM–259)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4228. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A318–111 and A318–112 Airplanes and Model A319, A320, and A321 Airplanes'' ((RIN2120–AA64)(Docket No. 2006–NM–169)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4229. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Production and Airworthiness Approvals, Part Marking, and Miscellaneous Proposals'' ((RIN2120–AI78)(Docket No. FAA–2006–25877)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4230. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Flightdeck Door Monitoring and Crew Discreet Alerting Systems'' ((RIN2120–AI16)(Docket No. FAA–2005–22449)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4231. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Inspection Authorization 2-year Renewal'' ((RIN2120–AI83) (Docket No. FAA–2007–27108)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4232. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Viking Air Limited Model DHC–7 Airplanes'' ((RIN2120–AA64) (Docket No. 2007–NM–004)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4233. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 747–100B SUD, 747–200B, 747–200C, 747–200F, 747–300, 747–400, 747–400D, 747–400F, and 747SP Series Airplanes'' ((RIN2120–AA64) (Docket No. 2007–NM–025)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4234. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A300–600 Series Airplanes'' ((RIN2120–AA64) (Docket No. 2007–NM–008)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4235. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A300–600R Series Airplanes; and Model A310–300 Series Airplanes'' ((RIN2120–AA64) (Docket No. 2007–NM–067)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4236. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 737–600, –700, –700C, –800, –900, and –900ER Series Airplanes'' ((RIN2120–AA64) (Docket No. 2007–NM–215)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4237. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pilatus Aircraft Limited Model PC–6 Series Airplanes'' ((RIN2120–AA64) (Docket No. 2007–CE–074)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4238. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 747–100, 747–100B, 747–100B SUD, 747–200B, 747–200C, 747–200F, 747–300, 747SR, and 747SP Series Airplanes'' ((RIN2120–AA64) (Docket No. 2007–NM–198)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4239. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; McDonnell Douglas Model MD–10–10F and MD–10–30F Airplanes, Model MD–11 and MD–11F Airplanes, and Model 717–200 Airplanes'' ((RIN2120–AA64) (Docket No. 2006–NM–156)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4240. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 747 Airplanes'' ((RIN2120–AA64) (Docket No. 2006–NM–233)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4241. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A300 Series Airplanes'' ((RIN2120–AA64) (Docket No. 2006–NM–292)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4242. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A321 Series Airplanes'' ((RIN2120–AA64) (Docket No. 2007–NM–019)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4243. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pacific Aerospace Limited Model 750XL Airplanes'' ((RIN2120–AA64) (Docket No. 2007–CE–055)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4244. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule

entitled ''Airworthiness Directives; Boeing Model 747–100, –200B, –200C, and –200F Series Airplanes'' ((RIN2120–AA64) (Docket No. 2007–NM–034)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4245. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Lady Lake, FL'' ((RIN2120–AA64) (Docket No. 07–ASO–15)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4246. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Live Oak, FL'' ((RIN2120–AA64) (Docket No. 07–ASO–8)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4247. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Winfield, FL'' ((RIN2120–AA64) (Docket No. 07–ASO–13)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4248. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Gainesville, FL'' ((RIN2120–AA66) (Docket No. 07–ASO–14)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4249. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Forest Hill, MD'' ((RIN2120–AA64) (Docket No. 06–AEA–13)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4250. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Removal of Class D and E Airspace; Utica, NY; Amendment of Class D and E Airspace; Rome, NY; Establishment of Class E Airspace; Rome, NY'' ((RIN2120–AA66) (Docket No. 07–AEA–3)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4251. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Kotzebue, AK'' ((RIN2120–AA66) (Docket No. 07–AAL–07)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4252. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Fort Yukou, AK'' ((RIN2120–AA66) (Docket No. 07–AAL–06)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4253. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Removal of Class E Airspace; Columbus, GA'' ((RIN2120–AA66) (Docket No. 07–ASO–18)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4254. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Everett, WA'' ((RIN2120–AA66) (Docket No. 07–ANM–2)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4255. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Hoquiam, WA'' ((RIN2120–AA66) (Docket No. 06–ANM–9)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4256. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Centreville, AL; Correction'' ((RIN2120–AA66) (Docket No. 07–AAL–7)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4257. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airspace Designations; Incorporation by Reference'' ((RIN2120–AA66) (Docket No. 29334)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4258. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Hailey, ID'' ((RIN2120–AA66) (Docket No. 07–ANM–8)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4259. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; McDonnell Douglas Model DC–9–10, –20, –30, –40, and –50 Series Airplanes; Model DC–9–81, –82, –83, and –87 Airplanes; and Model MD-88 Airplanes'' ((RIN2120–AA64) (Docket No. 2003–NM–198)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4260. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; McDonnell Douglas Model MD–90–30 Airplanes'' ((RIN2120–AA64) (Docket No. 2003–NM–194)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4261. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A300 Series Airplanes'' ((RIN2120–AA64) (Docket No. 2007–NM–077)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4262. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. Model EMB–135BJ Airplanes'' ((RIN2120–AA64) (Docket No. 2007–NM–018)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4263. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; McDonnell Douglas Model 717–200 Airplanes'' ((RIN2120–AA64)(Docket No. 2007–NM–068)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4264. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 777 Airplanes'' ((RIN2120–AA64)(Docket No. 2005–NM–200)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4265. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pacific Aerospace Corporation, Ltd. Model 750XL Airplanes'' ((RIN2120–AA64)(Docket No. 2007–CE–039)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4266. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; McDonnell Douglas Model 717–200 Airplanes'' ((RIN2120–AA64)(Docket No. 2005–NM–010)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4267. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company CF6–80E1 Turbofan Engines'' ((RIN2120–AA64)(Docket No. 2007–NE–32)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4268. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Avions Marcel Dassault-Breguet Model Falcon 10 Airplanes'' ((RIN2120–AA64)(Docket No. 2006–NM–192)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4269. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A318, A319, A320, and A321 Airplanes'' ((RIN2120–AA64)(Docket No. 2006–NM–170)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4270. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Piaggio Aero Industries S.p.A. Model P–180 Airplanes'' ((RIN2120–AA64)(Docket No . 2007–C–041)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4271. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt and Whitney JT9D–7R4 Turbofan Engines'' ((RIN2120–AA64)(Docket No. 2005–NE–38)) received on December 5, 2007; to the Committee on Commerce , Science, and Transportation.

EC–4272. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule

entitled ''Airworthiness Directives; Airbus Model A330 and A340 Airplanes'' ((RIN2120–AA64)(Docket No. 2007–NM–178)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4273. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company CF34–1A, –3A, –3A1, –3A2, –3B, and –3B1 Turbofan Engines'' ((RIN2120–AA64)(Docket No. 2000–NE–42)) received on December 5 , 2007; to the Committee on Commerce, Science, and Transportation.

EC–4274. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Enstrom Helicopter Corporation Model F–28A, F–28C, F–28F, TH–28, 280, 280C, 280F, 280FX, 480, and 480B Helicopters'' ((RIN2120–AA64)(Docket No. 2005–SW–07)) received on December 5, 2007; to the Committee on Commerce , Science, and Transportation.

EC–4275. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt and Whitney Canada PW535A Turbofan Engines; Correction'' ((RIN2120–AA64)(Docket No. 2006–NE–35)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4276. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 747–100, 747–100B, 747–100B SUD, 747–200B, 747–200C, 747–300, 747–400, 747–400D, 747SR, and 747SP Series Airplanes'' ((RIN2120–AA64)(Docket No. 2006–NM–159)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4277. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments'' ((RIN2120–AA65)(Amdt. No. 3240)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4278. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments'' ((RIN2120–AA65)(Amdt. No. 3239)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4279. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments'' ((RIN2120–AA65)(Amdt. No. 3237)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4280. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments'' ((RIN2120–AA65)(Amdt. No. 3238)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4281. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments'' ((RIN2120–AA65)(Amdt. No. 3236)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4282. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''IFR Altitudes; Miscellaneous Amendments'' ((RIN2120–AA63)(Amdt. No. 470)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4283. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Hulett, WY'' ((RIN2120–AA66) (Docket No. 07–ANM–9)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4284. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Jet Routes J–29 and J–101; South Central United States'' ((RIN2120–AA66) (Docket No. 07–ASW–1)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4285. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of the Phoenix Class B Airspace Area; Arizona'' ((RIN2120–AA66) (Docket No. 05–AWA–2)) received on December 5, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4286. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Temporary Rule; Closure of Quota Period 2 Fishery for Spiny Dogfish'' (RIN0648–XD92) received on December 6, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4287. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Temporary Rule; Closure of a New York 2007 Summer Flounder Commercial Fishery'' (RIN0648–XD45) received on December 6, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4288. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Temporary Rule; Inseason Bluefish Quota Transfer from VA to NY'' (RIN0648–XD65) received on December 6, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4289. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fraser River Sockeye and Pink Salmon Fisheries; Inseason Orders'' (RIN0648–XD05) received on December 6, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4290. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Extension of Emergency Action to Lower the Haddock Minimum Size Limit to 18 Inches to Reduce Regulatory Discarding'' (RIN0648–AV75) received on December 6, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4291. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone (including 5 regulations beginning with CGD09–07–119)'' (RIN1625–AA00) received on December 6, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4292. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; Hawaii Superferry Arrival/Departure, Nawiliwili Harbor, Kauai, Hawaii'' (RIN1625–AA87) received on December 6, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4293. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone: Marine City Maritime Festival Fireworks, St. Clair River, Marine City, MI'' ((RIN1625–AA00) (CGD09–07–016)) received on December 6, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4294. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area; Cumberland River, Clarksville, TN'' ((RIN1625–AA11)(CGD08–07–010)) received on December 6, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4295. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone (including 2 regulations beginning with CGD14–07–001)'' (RIN1625–AA87) received on December 6, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4296. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations for Marine Events; John H. Kerr Reservoir, Clarksville, VA'' ((RIN1625–AA08)(CGD05–07–045)) received on December 6, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4297. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone (including 2 regulations beginning with COTP Western Alaska–07–003)'' (RIN1625–AA00) received on December 6, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4298. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations for Marine Events; Back River, Poquoson, VA'' ((RIN1625–AA08)(CGD05–07–060)) received on December 6, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4299. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone'' ((RIN1625–AA00)(CGD05–07–088)) received on December 6, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4300. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Morgan

City-Port Allen Alternate Route, Mile Marker 0.5 to Mile Marker 1.0, Bank to Bank'' (RIN1625–AA00) received on December 6, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4301. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Shipping; Technical, Organizational, and Conforming Amendments'' ((RIN1625–ZA14)(Docket No. USCG–2007–29018)) received on December 6, 2007; to the Committee on Commerce, Science, and Transportation.

EC–4302. A communication from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program for Consumer Products: Energy Conservation Standards for Residential Furnaces and Boilers'' (RIN1904–AA78) received on December 5, 2007; to the Committee on Energy and Natural Resources.

EC–4303. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled ''Report on University Collaboration''; to the Committee on Energy and Natural Resources.

EC–4304. A communication from the Secretary of Energy, transmitting, pursuant to law, an annual report relative to operations at the Naval Petroleum Reserves for fiscal year 2006; to the Committee on Energy and Natural Resources.

EC–4305. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Acetamiprid; Pesticide Tolerance'' (FRL No. 8340–6) received on December 6, 2007; to the Committee on Environment and Public Works.

EC–4306. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Bacillus Thuringiensis Vip3Aa20 Protein and the Genetic Material Necessary for Its Production in Corn; Extension of Temporary Exemption From the Requirement of a Tolerance'' (FRL No. 8340–5) received on December 6, 2007; to the Committee on Environment and Public Works.

EC–4307. A communication from the Deputy Assistant Secretary of Textiles and Apparel, Import Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Imports of Certain Cotton Shirting Fabric: Implementation of Tariff Rate Quota Established Under the Tax Relief and Health Care Act of 2006'' (RIN0625–AA74) received on December 6, 2007; to the Committee on Finance.

EC–4308. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Employer-Owned Life Insurance'' ((RIN1545–BG58)(TD 9364)) received on December 6, 2007; to the Committee on Finance.

EC–4309. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''2008 Annual Covered Compensation Tables'' (Rev. Rul. 2007–71) received on December 6, 2007; to the Committee on Finance.

EC–4310. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Annual Cumulative List of Changes in Plan Qualification Requirements'' (Notice 2007–94) received on December 5, 2007; to the Committee on Finance.

EC–4311. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Model Amendments for Certain Section 403(b) Plans'' (Rev. Proc. 2007–71) received on December 5, 2007; to the Committee on Finance.

EC–4312. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Announcement—Disqualified Corporate Interest Expense Disallowed Under Section 163(j)'' (Announcement 2007–114) received on December 5, 2007; to the Committee on Finance.

EC–4313. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Notice: Tier 2 Rates for 2008'' (26 U.S.C. 3241) received on December 5, 2007; to the Committee on Finance.

EC–4314. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Definition of Insurance Under Section 402(1) of the Code—Modification of Notice 2007–7'' (Notice 2007–99) received on December 4, 2007; to the Committee on Finance.

EC–4315. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Revisions to the Medicare Advantage and Part D Prescription Drug Contract Determinations, Appeals, and Intermediate Sanctions Processes'' (RIN0938–AO78) received on December 4, 2007; to the Committee on Finance.

EC–4316. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicaid Program; Optional State Plan Case Management Services'' (RIN0938–AO50) received on December 4, 2007; to the Committee on Finance.

EC–4317. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicaid Integrity Program; Limitation on Contractor Liability'' (RIN0938–AO88) received on December 4, 2007; to the Committee on Finance.

EC–4318. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed agreement for the export of defense articles to Taiwan, Singapore, Canada, and the United Kingdom relative to the installation of two multi-source remote sensing satellite ground stations; to the Committee on Foreign Relations.

EC–4319. A communication from the Deputy Director, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' (29 CFR Parts 4022 and 4044) received on December 6, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–4320. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, an annual report relative to the implementation of the Age Discrimination Act of 1975 for fiscal year 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–4321. A communication from the Program Manager, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Procedure for Designating Classes of Employees as Members of the Special Exposure Cohort under the Energy Employees Occupational Illness Compensation Act of 2002; Amendments'' (RIN0920–AA13) received on December 4, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–4322. A communication from the Chair, Equal Employment Opportunity Commission, transmitting, pursuant to law, the Commission's Performance and Accountability Report for fiscal year 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4323. A communication from the Chairman, Merit Systems Protection Board, transmitting, pursuant to law, the Board's Performance and Accountability Report for fiscal year 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4324. A communication from the Executive Director, Marine Mammal Commission, transmitting, pursuant to law, the Commission's Performance and Accountability Report for fiscal year 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4325. A communication from the Chairman, National Endowment for the Humanities, transmitting, pursuant to law, the organization's Performance and Accountability Report for fiscal year 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4326. 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 April 1, 2007, through September 30, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4327. A communication from the Director, National Science Foundation, transmitting, pursuant to law, the Foundation's Annual Financial Report for fiscal year 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4328. A communication from the Director of Regulations Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Reasonable Charges for Medical Care or Services'' (RIN2900–AM35) received on December 4, 2007; to the Committee on Veterans' Affairs.

EC–4329. A communication from the Director of Regulations Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Extension of the Presumptive Period for Compensation for Gulf War Veterans'' (RIN2900–AM47) received on December 3, 2007; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 2445. An original bill to provide for the flexibility of certain disaster relief funds, and for improved evacuation and sheltering during disasters and catastrophes (Rept. No. 110–240).

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment:

S. 2135. A bill to prohibit the recruitment or use of child soldiers, to designate persons who recruit or use child soldiers as inadmissible aliens, to allow the deportation of persons who recruit or use child soldiers, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. KYL:

S. 2442. A bill to provide the Secretary of Agriculture with alternatives to comply with the Federal Property and Administrative Services Act; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ENSIGN (for himself and Mr. REID):

S. 2443. A bill to provide for the release of any revisionary interest of the United States in and to certain lands in Reno, Nevada; to the Committee on Energy and Natural Resources.

By Mrs. MURRAY (for herself, Mr. BINGAMAN, Mr. KERRY, Mr. KENNEDY, and Mr. DODD):

S. 2444. A bill to direct the Secretary of Education to provide grants to establish and evaluate sustainability programs, charged with developing and implementing integrated environmental, economic, and social sustainability initiatives, and to direct the Secretary of Education to convene a summit of higher education experts in the area of sustainability; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LIEBERMAN:

S. 2445. An original bill to provide for the flexibility of certain disaster relief funds, and for improved evacuation and sheltering during disasters and catastrophes; from the Committee on Homeland Security and Governmental Affairs; placed on the calendar.

By Mr. SCHUMER (for himself and Mr. HAGEL):

S. 2446. A bill to provide that the Secretary of Homeland Security may waive certain retirement provisions for reemployed annuitants in the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SMITH (for himself and Mr. WYDEN):

S. 2447. A bill to make a technical correction to section 119 of title 17, United States Code; to the Committee on the Judiciary.

By Mr. ENZI (for himself, Mr. BAUCUS, Mr. TESTER, and Mr. BARRASSO):

S. 2448. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to make certain technical corrections; to the Committee on Energy and Natural Resources.

By Mr. KOHL (for himself and Mr. LEAHY):

S. 2449. A bill to amend chapter 111 of title 28, United States Code, relating to protective orders, sealing of cases, disclosures of discovery information in civil actions, and for other purposes; to the Committee on the Judiciary.

By Mr. LEAHY (for himself and Mr. SPECTER):

S. 2450. A bill to amend the Federal Rules of Evidence to address the waiver of the attorney-client privilege and the work product doctrine; to the Committee on the Judiciary.

By Mr. SCHUMER:

S. 2451. A bill to enhance public safety by improving the reintegration of youth offenders into the families and communities to which they are returning; to the Committee on the Judiciary.

By Mrs. DOLE:

S.J. Res. 27. A joint resolution proposing an amendment to the Constitution of the United States relative to the line item veto; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. INOUYE (for himself, Mr. BROWNBACK, Mr. DORGAN, Mr. BINGAMAN, Mrs. CLINTON, Ms. CANTWELL, Mr. COCHRAN, Mr. JOHNSON, Mr. CONRAD, Mr. DOMENICI, Mr. AKAKA, Mrs. BOXER, Mrs. FEINSTEIN, Mr. STEVENS, Mr. BAUCUS, and Mr. TESTER):

S. Res. 400. A resolution to designate Friday, November 23, 2007, as ''Native American Heritage Day'' in honor of the achievements and contributions of Native Americans to the United States; to the Committee on the Judiciary.

By Mr. LIEBERMAN (for himself, Mr. MCCAIN, Ms. COLLINS, Mr. LEAHY, Mr. CORNYN, and Mr. HARKIN):

S. Res. 401. A resolution to provide Internet access to certain Congressional Research Service publications; to the Committee on Rules and Administration.

ADDITIONAL COSPONSORS

S. 469

At the request of Mr. BARRASSO, his name was added as a cosponsor of S. 469, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 871

At the request of Mr. LIEBERMAN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 871, a bill to establish and provide for the treatment of Individual Development Accounts, and for other purposes.

S. 898

At the request of Ms. MIKULSKI, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 898, a bill to amend the Public Health Service Act to fund breakthroughs in Alzheimer's disease research while providing more help to caregivers and increasing public education about prevention.

S. 961

At the request of Mr. NELSON of Nebraska, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. 961, a bill to amend title 46, United States Code, to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II, and for other purposes.

S. 1107

At the request of Mr. SMITH, the name of the Senator from Rhode Island (Mr. REED) 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. 1164

At the request of Mr. CARDIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1164, a bill to amend title XVIII of the Social Security Act to improve patient access to, and utilization of, the colorectal cancer screening benefit under the Medicare Program.

S. 1394

At the request of Ms. STABENOW, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 1394, a bill to amend the Internal Revenue Code of 1986, to exclude from gross income of individual taxpayers discharges of indebtedness attributable to certain forgiven residential mortgage obligations.

S. 1910

At the request of Mr. CARDIN, his name was withdrawn as a cosponsor of S. 1910, a bill to amend the Internal Revenue Code of 1986 to provide that amounts derived from Federal grants and State matching funds in connection with revolving funds established in accordance with the Federal Water Pollution Control Act and the Safe Drinking Water Act will not be treated as proceeds or replacement proceeds for purposes of section 148 of such Code.

At the request of Mr. WYDEN, his name was withdrawn as a cosponsor of S. 1910, supra.

S. 1951

At the request of Mr. BAUCUS, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1951, a bill to amend title XIX of the Social Security Act to ensure that individuals eligible for medical assistance under the Medicaid program continue to have access to prescription drugs, and for other purposes.

S. 2020

At the request of Mr. LUGAR, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 2020, a bill to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2010, to rename the Tropical Forest Conservation Act of 1998 as the ''Tropical Forest and Coral Conservation Act of 2007'', and for other purposes.

S. 2042

At the request of Ms. STABENOW, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 2042, a bill to authorize the Secretary of Health and Human Services to conduct activities to rapidly advance treatments for spinal muscular atrophy, neuromuscular disease, and other pediatric diseases, and for other purposes.

S. 2051

At the request of Mr. CONRAD, the name of the Senator from Montana

(Mr. BAUCUS) was added as a cosponsor of S. 2051, a bill to amend the small rural school achievement program and the rural and low-income school program under part B of title VI of the Elementary and Secondary Education Act of 1965.

S. 2123

At the request of Mr. KENNEDY, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 2123, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 2140

At the request of Mr. DORGAN, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 2140, a bill to award a Congressional Gold Medal to Francis Collins, in recognition of his outstanding contributions and leadership in the fields of medicine and genetics.

S. 2166

At the request of Mr. CASEY, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 2166, a bill to provide for greater responsibility in lending and expanded cancellation of debts owed to the United States and the international financial institutions by low-income countries, and for other purposes.

S. 2181

At the request of Ms. COLLINS, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 2181, a bill to amend title XVIII of the Social Security Act to protect Medicare beneficiaries' access to home health services under the Medicare program.

S. 2213

At the request of Mr. HATCH, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 2213, a bill to amend title 18, United States Code, to improve prevention, investigation, and prosecution of cybercrime, and for other purposes.

S. 2257

At the request of Ms. SNOWE, her name was added as a cosponsor of S. 2257, a bill to impose sanctions on officials of the State Peace and Development Council in Burma, to amend the Burmese Freedom and Democracy Act of 2003 to prohibit the importation of gemstones and hardwoods from Burma, to promote a coordinated international effort to restore civilian democratic rule to Burma, and for other purposes.

At the request of Mr. LIEBERMAN, his name was added as a cosponsor of S. 2257, supra.

S. 2347

At the request of Mr. OBAMA, the names of the Senator from Florida (Mr. NELSON), the Senator from Michigan (Mr. LEVIN) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 2347, a bill to restore and protect access to discount drug prices for university-based and safety-net clinics.

S. 2385

At the request of Mr. BROWN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 2385, a bill to provide Federal Perkins Loan cancellation to fire fighters.

S. 2400

At the request of Mr. SESSIONS, the names of the Senator from Nevada (Mr. ENSIGN) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 2400, a bill to amend title 37, United States Code, to require the Secretary of Defense to continue to pay to a member of the Armed Forces who is retired or separated from the Armed Forces due to a combat-related injury certain bonuses that the member was entitled to before the retirement or separation and would continue to be entitled to if the member was not retired or separated, and for other purposes.

S. 2425

At the request of Mrs. HUTCHISON, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 2425, a bill to require the Secretary of Transportation and the Secretary of Commerce to submit reports to Congress on the commercial and passenger vehicle traffic at certain points of entry, and for other purposes.

S. 2431

At the request of Mr. BROWN, the names of the Senator from California (Mrs. BOXER), the Senator from Massachusetts (Mr. KERRY) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 2431, a bill to address emergency shortages in food banks.

S.J. RES. 22

At the request of Mr. BAUCUS, the names of the Senator from Illinois (Mr. OBAMA) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S.J. Res. 22, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Centers for Medicare & Medicaid Services within the Department of Health and Human Services relating to Medicare coverage for the use of erythropoiesis stimulating agents in cancer and related neoplastic conditions.

S. CON. RES. 53

At the request of Mr. ISAKSON, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. Con. Res. 53, a concurrent resolution condemning the kidnapping and hostage-taking of 3 United States citizens for over 4 years by the Revolutionary Armed Forces of Colombia (FARC), and demanding their immediate and unconditional release.

S. RES. 178

At the request of Mr. BINGAMAN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. Res. 178, a resolution expressing the sympathy of the Senate to the families of women and girls murdered in Guatemala, and encouraging the United States to work with Guatemala to bring an end to these crimes.

S. RES. 398

At the request of Mr. BROWN, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. Res. 398, a resolution honoring the life and recognizing the accomplishments of Joe Nuxhall, broadcaster for the Cincinnati Reds.

S. RES. 399

At the request of Mr. BROWNBACK, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. Res. 399, a resolution expressing the sense of the Senate that certain benchmarks must be met before certain restrictions against the Government of North Korea are lifted, and that the United States Government should not provide any financial assistance to North Korea until the Secretary of State makes certain certifications regarding the submission of applications for refugee status.

AMENDMENT NO. 3616

At the request of Mr. SALAZAR, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of amendment No. 3616 proposed to H.R. 2419, a bill to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes.

AMENDMENT NO. 3639

At the request of Mr. HARKIN, the names of the Senator from Vermont (Mr. SANDERS), the Senator from Alaska (Mr. STEVENS), the Senator from Florida (Mr. NELSON), the Senator from Ohio (Mr. VOINOVICH) and the Senator from Kansas (Mr. BROWNBACK) were added as cosponsors of amendment No. 3639 intended to be proposed to H.R. 2419, a bill to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes.

AMENDMENT NO. 3695

At the request of Mr. DORGAN, the names of the Senator from Iowa (Mr. HARKIN), the Senator from Nebraska (Mr. NELSON), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from South Dakota (Mr. JOHNSON), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Montana (Mr. TESTER), the Senator from Illinois (Mr. OBAMA), the Senator from Nebraska (Mr. HAGEL), the Senator from Connecticut (Mr. DODD), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Arizona (Mr. MCCAIN) were added as cosponsors of amendment No. 3695 proposed to H.R. 2419, a bill to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes.

AMENDMENT NO. 3814

At the request of Ms. STABENOW, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of amendment No. 3814 intended to be proposed to H.R. 2419, a bill to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes.

AMENDMENT NO. 3822

At the request of Mr. GREGG, the names of the Senator from Maine (Ms. COLLINS), the Senator from New Hampshire (Mr. SUNUNU) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of amendment No. 3822 proposed to H.R. 2419, a bill to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ENZI (for himself, Mr. BAUCUS, Mr. TESTER, and Mr. BARRASSO):

S. 2448. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to make certain technical corrections; to the Committee on Energy and Natural Resources.

Mr. ENZI. Mr. President, I rise to introduce legislation that is of great importance to my State. Last year a bipartisan coalition of Senators came together to pass the Surface Mining Control and Reclamation Act Amendments of 2007. Since that time, some lawyers and bureaucrats in Washington have taken it upon themselves to misinterpret the law. We need to fix this. The legislation I am introducing will yet again reiterate congressional intent as to how the program should be run. The bill that passed as part of the Tax Relief and Health Care Act 2006, which was a part originally of the pension reform bill, fixed the abandoned mine land trust fund so it would run as Congress originally intended, which was some 30 years earlier. For the first time in years, States were scheduled to receive funding they were promised that would be used to clean up abandoned coal mines where that was needed.

For States that had been certified by the Office of Surface Mining as having completed their coal cleanup work, funding was expected to go to these States to do whatever the State legislators chose to be a priority for that State.

The language is simple and straightforward. It reads:

> Payments shall be made in 7 equal annual installments, beginning in fiscal year 2008.

As we passed the legislation, everyone involved knew what that meant. For years, our State's money has been held hostage to pay for other programs. With the passage of the abandoned mine land bill, the money would flow with no strings attached and no diversions to other programs. Congressional intent was very clear. Unfortunately, last week I was told by lawyers and bureaucrats at the Department of Interior that they have decided to ignore the congressional intent and have chosen to send the money to States such as Wyoming in the form of grants. It seems they don't have enough Federal employees because their plan will create an onerous program that will undoubtedly require more hires.

As one of the lead Senators in passing the original legislation, I know what Congress meant when we wrote:

> Payments shall be made in 7 equal and annual installments, beginning in fiscal year 2008.

To ensure that no confusion existed, I met with the Office of Surface Mining and with the Office of Management and Budget on numerous occasions to discuss that particular issue. Congress intended for payments to be made. Congress did not expect the agency to create a new grant program. When I realized this egregious misinterpretation of the law was a possibility, I took immediate action. I asked those same lawyers and bureaucrats who did not read the law to provide me with the legislative language that makes it explicitly clear that they should interpret the law the way Congress intended.

That is the bill I am introducing today with my colleague from Montana and the other Senator from Wyoming. Only in the absurd world that is Washington could an agency believe the word ''payment'' means grant. I look forward to working with my colleagues to swiftly move this forward so the executive branch can finally follow what Congress intended.

I have to tell my colleagues it was quite a shock to find out a whole program was going to be set up so Wyoming could ask for its money piecemeal. We have been begging for 30 years to get this money. The money has been paid in by the coal companies to cover reclamation and then anything that had to do with coal impact. We did the reclamation. We are now handling the coal impact. But the money has been held hostage; $550 million worth of money has been held over that period.

Last year Congress said: Wyoming and Montana—Montana has $58 million—deserve their money. So do several other States. We will give it to them.

Now there was a little question about what that did with debt, but we were able to show them that paying off debt with debt wound up with the same amount of debt but wasn't stealing from the States. So we were able to get that confirmed by this body and put into law. It said we would be paid in seven equal annual payments, beginning in the year 2008. Now we find out it could be millions of payments over a number of years under a grant program. They do realize they can't deny any grant request the State has, but each and every transaction would have to go through somebody. We are not about to hire that many people to do what is explicit in the language.

I will ask the rest of my colleagues to help us on this amendment. We will find a place to put it, and we will get it done this year so the intent of the law we passed last year will get done.

By Mr. KOHL (for himself and Mr. LEAHY):

S. 2449. A bill to amend chapter 111 of title 28, United States Code, relating to protective orders, sealing of cases, disclosures of discovery information in civil actions, and for other purposes; to the Committee on the Judiciary.

Mr. KOHL. Mr. President, I rise today to introduce the Sunshine in Litigation Act of 2007, a bill to curb the ongoing abuse of secrecy orders in Federal courts. The result of this abuse, which often comes in the form of sealed settlement agreements, is to keep important health and safety information from the public.

This problem has been recurring for decades, and most often arises in product liability cases. Typically, an individual brings a cause of action against a manufacturer for an injury or death that has resulted from a defect in one of its products. The injured party often faces a large corporation that can spend an unlimited amount of money defending the lawsuit and prolong its resolution. Facing a formidable opponent and mounting medical bills, plaintiffs often have no choice but to settle the litigation. In exchange for the award he or she was seeking, the victim is forced to agree to a provision that prohibits him or her from revealing information disclosed during the litigation.

Plaintiffs get a respectable award, and the defendant is able to keep damaging information from getting out. Because they remain unaware of critical public health and safety information that could potentially save lives, the American public incurs the greatest cost.

This concern for excessive secrecy is warranted by the fact that tobacco companies, automobile manufacturers, and pharmaceutical companies have settled with victims and used the legal system to hide information which, if it became public, could protect the American people. Surely, there are appropriate uses for such orders, like protecting trade secrets and other truly confidential company information. This legislation makes sure such information is protected. But, protective orders are certainly not supposed to be used for the sole purpose of hiding damaging information from the public to protect a company's reputation or profit margin.

One of the most famous cases of abuse involved Bridgestone/Firestone tires. From 1992–2000, tread separations of various Bridgestone and Firestone tires were causing accidents across the country, many resulting in serious injuries and even fatalities. Instead of owning up to their mistakes and acting responsibly, Bridgestone/Firestone quietly settled dozens of lawsuits, most of which included secrecy agreements. It wasn't until 1999, when a Houston public television station broke the story, that the company acknowledged its wrongdoing and recalled 6.5 million tires. By then, it was too late. More than 250 people had died, and more than 800 were injured as a result of the defective tires.

If the story ended there, and the Bridgestone/Firestone cases were just

an aberration, one might argue that there is no urgent need for legislation. But, unfortunately, the list goes on. There is the case of General Motors. Although an internal memo demonstrated that GM was aware of the risk of fire deaths from crashes of pick-up trucks with ''side saddle'' fuel tanks, an estimated 750 people were killed in fires involving these fuel tanks. When victims sued, GM disclosed documents only under protective orders and settled these cases on the condition that the information in these documents remained secret. This type of fuel tank was installed for 15 years before being discontinued.

Evidence suggests that the dangers posed by protective orders and secret settlements continue. On December 11, 2007, at a hearing before the Senate Judiciary Committee Subcommittee on Antitrust, Competition Policy and Consumer Rights, Johnny Bradley, Jr. described his tragic personal story about the implications of court-endorsed secrecy. In 2002, Mr. Bradley's wife was killed in a rollover accident allegedly caused by tread separation in his Cooper tires. While litigating the case, his attorney uncovered documented evidence of Cooper tire design defects. Through aggressive litigation of protective orders and confidential settlements in cases prior to the Bradleys' accident, Cooper had managed to keep the documents confidential. Prior to the end of Mr. Bradley's trial, Cooper Tires settled with him on the condition that almost all litigation documents would be kept confidential under a broad protective order. With no access to documented evidence of design defects, consumers will continue to remain in the dark.

In 2005, the drug company Eli Lilly settled 8,000 cases related to harmful side effects of its drug Zyprexa. All of those settlements required plaintiffs to agree, ''not to communicate, publish or cause to be published. . .any statement. . .concerning the specific events, facts or circumstances giving rise to [their] claims.'' In that case, the plaintiffs uncovered documents that showed that, through its own research, Lilly knew about the side effects as early as 1999. While the plaintiffs kept quiet, Lilly continued to sell Zyprexa and generated $4.2 billion in sales that year. More than a year later, information about the case was leaked to the New York Times and another 18,000 cases settled. Had the first settlement not included a secrecy agreement, consumers would have been able to make informed choices and avoid the harmful side effects, including enormous weight gain, dangerously elevated blood sugar levels and diabetes.

There are no records kept of the number of confidentiality orders accepted by State or Federal courts. However, anecdotal evidence suggests that court secrecy and confidential settlements are prevalent. Beyond General Motors, Bridgestone/Firestone, Cooper Tires, and Zyprexa, secrecy agreements had real life consequences by allowing Dalkon Shield, Bjork-Shiley heart valves, and numerous other dangerous products and drugs to remain on the market. And those are only the ones we know about.

While some States have already begun to move in the right direction, we still have a long way to go. It is time to initiate a Federal solution for this problem. The Sunshine in Litigation Act is a modest proposal that would require Federal judges to perform a simple balancing test to ensure that the defendant's interest in secrecy truly outweighs the public interest in information related to public health and safety.

Specifically, prior to making any portion of a case confidential or sealed, a judge would have to determine—by making a particularized finding of fact—that doing so would not restrict the disclosure of information relevant to public health and safety. Moreover, all courts, both Federal and State, would be prohibited from issuing protective orders that prevent disclosure to relevant regulatory agencies.

This legislation does not prohibit secrecy agreements across the board. It does not place an undue burden on judges or our courts. It simply states that where the public interest in disclosure outweighs legitimate interests in secrecy, courts should not shield important health and safety information from the public. The time to focus some sunshine on public hazards to prevent future harm is now.

I urge my colleagues to support this important legislation.

Mr. President, 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 placed in the RECORD, as follows:

S. 2449

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 ''Sunshine in Litigation Act of 2007''.

SEC. 2. RESTRICTIONS ON PROTECTIVE ORDERS AND SEALING OF CASES AND SETTLEMENTS.

(a) IN GENERAL.—Chapter 111 of title 28, United States Code, is amended by adding at the end the following:

''§ 1660. Restrictions on protective orders and sealing of cases and settlements

''(a)(1) A court shall not enter an order under rule 26(c) of the Federal Rules of Civil Procedure restricting the disclosure of information obtained through discovery, an order approving a settlement agreement that would restrict the disclosure of such information, or an order restricting access to court records in a civil case unless the court has made findings of fact that—

''(A) such order would not restrict the disclosure of information which is relevant to the protection of public health or safety; or

''(B)(i) the public interest in the disclosure of potential health or safety hazards is outweighed by a specific and substantial interest in maintaining the confidentiality of the information or records in question; and

''(ii) the requested protective order is no broader than necessary to protect the privacy interest asserted.

''(2) No order entered in accordance with paragraph (1), other than an order approving a settlement agreement, shall continue in effect after the entry of final judgment, unless at the time of, or after, such entry the court makes a separate finding of fact that the requirements of paragraph (1) have been met.

''(3) The party who is the proponent for the entry of an order, as provided under this section, shall have the burden of proof in obtaining such an order.

''(4) This section shall apply even if an order under paragraph (1) is requested—

''(A) by motion pursuant to rule 26(c) of the Federal Rules of Civil Procedure; or

''(B) by application pursuant to the stipulation of the parties.

''(5)(A) The provisions of this section shall not constitute grounds for the withholding of information in discovery that is otherwise discoverable under rule 26 of the Federal Rules of Civil Procedure.

''(B) No party shall request, as a condition for the production of discovery, that another party stipulate to an order that would violate this section.

''(b)(1) A court shall not approve or enforce any provision of an agreement between or among parties to a civil action, or approve or enforce an order subject to subsection (a)(1), that prohibits or otherwise restricts a party from disclosing any information relevant to such civil action to any Federal or State agency with authority to enforce laws regulating an activity relating to such information.

''(2) Any such information disclosed to a Federal or State agency shall be confidential to the extent provided by law.

''(c)(1) Subject to paragraph (2), a court shall not enforce any provision of a settlement agreement between or among parties that prohibits 1 or more parties from—

''(A) disclosing that a settlement was reached or the terms of such settlement, other than the amount of money paid; or

''(B) discussing a case, or evidence produced in the case, that involves matters related to public health or safety.

''(2) Paragraph (1) does not apply if the court has made findings of fact that the public interest in the disclosure of potential health or safety hazards is outweighed by a specific and substantial interest in maintaining the confidentiality of the information.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 111 of title 28, United States Code, is amended by adding after the item relating to section 1659 the following:

''1660. Restrictions on protective orders and sealing of cases and settlements''.

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall—

(1) take effect 30 days after the date of enactment of this Act; and

(2) apply only to orders entered in civil actions or agreements entered into on or after such date.

By Mr. LEAHY (for himself and Mr. SPECTER):

S. 2450. A bill to amend the Federal Rules of Evidence to address the waiver of the attorney-client privilege and the work product doctrine; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today I introduce legislation to create Federal Rule of Evidence 502. I am pleased that Senator SPECTER has joined me in this

effort. After much study, several hearings, and significant public comment, the Judicial Conference's Standing Committee on Rules of Practice and Procedure, and the Advisory Committee on Evidence Rules, arrived at a proposed new rule that is intended to provide predictability and uniformity in a discovery process that has been made increasingly difficult with the growing use of email and other electronic media. I commend all of the judges, professors and practitioners who were involved in the rule's drafting and subsequent improvement for their hard work and attention to this issue. The legislation we are introducing today contains the text that the Judicial Conference recommends.

Billions of dollars are spent each year in litigation to protect against the inadvertent disclosure of privileged materials. With the routine use of email and other electronic media in today's business environment, discovery can encompass millions of documents in a given case, vastly expanding the risks of inadvertent disclosure. The rule proposed by the Standing Committee is aimed at adapting to the new realities that accompany today's modes of communication, and reducing the burdens associated with the conduct of diligent electronic discovery.

Our proposed legislation would set clear guidelines regarding the consequences of inadvertent disclosure of privileged material, and provides that so long as reasonable steps are taken in the prevention of such a disclosure, or to assure the prompt retrieval of disclosed information, no waiver will result. Moreover, an inadvertent disclosure of privileged information would not result in a broader subject matter waiver beyond the specific materials disclosed.

If a disclosure of privileged material is made voluntarily, only the privilege associated with the voluntarily disclosed material is waived, and not other undisclosed related materials. But if voluntary disclosure of privileged material is done selectively in an effort to mislead or gain unfair advantage, then where fairness dictates, this will result in a subject matter waiver.

This legislation would also provide that confidentiality agreements entered into by parties to litigation, and approved by the court, will bind all non-parties in other State or Federal litigation. This provision will add meaningful protection to parties entering confidentiality agreements and, along with other components of the proposed rule, will aid in reducing the burdens of excessive pre-production document review.

Unlike other Federal court rules, any proposed rule that modifies an evidentiary privilege must be approved by Congress pursuant to the Rules Enabling Act. The modification of a privilege is an undertaking not to be approached lightly, and the process that resulted in proposed Rule 502 was thorough and thoughtful. It has resulted in widespread approval of the proposed rule from the bench and bar at both the State and Federal level.

I urge all Senators to join Senator SPECTER and me to pass this proposal and take a positive step toward modernizing and improving the Federal Rules of Evidence.

Mr. President, 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. 2450

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

SECTION 1. ATTORNEY-CLIENT PRIVILEGE AND WORK PRODUCT; LIMITATIONS ON WAIVER.

(a) IN GENERAL.—Article V of the Federal Rules of Evidence is amended by adding at the end the following:

"Rule 502. Attorney-Client Privilege and Work Product; Limitations on Waiver

''The following provisions apply, in the circumstances set out, to disclosure of a communication or information covered by the attorney-client privilege or work-product protection.

''(a) DISCLOSURE MADE IN A FEDERAL PROCEEDING OR TO A FEDERAL OFFICE OR AGENCY; SCOPE OF A WAIVER.—When the disclosure is made in a federal proceeding or to a federal office or agency and waives the attorney-client privilege or work-product protection, the waiver extends to an undisclosed communication or information in a federal or state proceeding only if:

''(1) the waiver is intentional;

''(2) the disclosed and undisclosed communications or information concern the same subject matter; and

''(3) they ought in fairness to be considered together.

''(b) INADVERTENT DISCLOSURE.—When made in a federal proceeding or to a federal office or agency, the disclosure does not operate as a waiver in a federal or state proceeding if:

''(1) the disclosure is inadvertent;

''(2) the holder of the privilege or protection took reasonable steps to prevent disclosure; and

''(3) the holder promptly took reasonable steps to rectify the error, including (if applicable) following Federal Rule of Civil Procedure 26(b)(5)(B).

''(c) DISCLOSURE MADE IN A STATE PROCEEDING.—When the disclosure is made in a state proceeding and is not the subject of a state-court order concerning waiver, the disclosure does not operate as a waiver in a federal proceeding if the disclosure:

''(1) would not be a waiver under this rule if it had been made in a federal proceeding; or

''(2) is not a waiver under the law of the state where the disclosure occurred.

''(d) CONTROLLING EFFECT OF A COURT ORDER.—A federal court may order that the privilege or protection is not waived by disclosure connected with the litigation pending before the court—in which event the disclosure is also not a waiver in any other federal or state proceeding.

''(e) CONTROLLING EFFECT OF A PARTY AGREEMENT.—An agreement on the effect of disclosure in a federal proceeding is binding only on the parties to the agreement, unless it is incorporated into a court order.

''(f) CONTROLLING EFFECT OF THIS RULE.—Notwithstanding Rules 101 and 1101, this rule applies to state proceedings and to federal court-annexed and federal court-mandated arbitration proceedings, in the circumstances set out in the rule. And notwithstanding Rule 501, this rule applies even if state law provides the rule of decision.

''(g) DEFINITIONS.—In this rule:

''(1) 'attorney-client privilege' means the protection that applicable law provides for confidential attorney-client communications; and

''(2) 'work-product protection' means the protection that applicable law provides for tangible material (or its intangible equivalent) prepared in anticipation of litigation or for trial.''.

(b) TECHNICAL AND CONFORMING CHANGES.—The table of contents for the Federal Rules of Evidence is amended by inserting after the item relating to rule 501 the following:

''502. Attorney-client privilege and work-product doctrine; limitations on waiver.''.

(c) EFFECTIVE DATE.—The amendments made by this Act shall apply in all proceedings commenced after the date of enactment of this Act and, insofar as is just and practicable, in all proceedings pending on such date of enactment.

Mr. SPECTER. Mr. President, I seek recognition today to introduce legislation, together with Senator LEAHY, to enact Federal Rule of Evidence 502.

Federal Rule of Evidence 502, which was drafted and proposed to Congress by the Judicial Conference of the United States, is a rule to provide heightened protection against inadvertent loss of the attorney-client privilege during the discovery process. At a time when litigation costs are skyrocketing and discovery alone can last for years, this rule is urgently needed. And unlike other Federal rules of procedure, which go into effect unless Congress acts, rules governing evidentiary privilege must be enacted by Congress.

Current law on attorney-client privilege and work product is responsible in large part for the rising costs of discovery—especially electronic discovery. Right now, it is far too easy to inadvertently lose—or ''waive''—the privilege. A single inadvertently disclosed document can result in waiving the privilege not only as to what was produced, but as to all documents on the same subject matter. In some courts, a waiver may be found even if the producing party took reasonable steps to avoid disclosure. Such waivers will not just affect the case in which the accidental disclosure is made, but will also impact other cases filed subsequently in State or Federal courts.

Thus, lawyers must spend significant amounts of time ensuring that documents containing privileged communications and work product are not inadvertently produced. In this day and age when there can be literally millions of electronic files to comb through looking for privileged material, the risk of one slipping through the cracks is very high. The fear of waiver leads to undue expense and to extravagant claims of privilege.

The proposed rule will alleviate these burdens in two primary ways: First, it

protects against undue forfeiture of attorney-client privilege and work product protections when privileged communications are inadvertently produced in discovery—where the party producing the documents took reasonable steps to prevent the disclosure and does not try to use the disclosed information in a misleading way. Second, it permits parties and courts to protect against the consequences of waiver by permitting limited disclosure of privileged information between the parties to litigation. This allows parties and courts to manage the effects of disclosure and provide predictability in current and future litigation.

The proposed rule enjoys wide support from parties on both sides of the ''v.'' Both plaintiffs and defendants want this rule because it makes the litigation more efficient and less costly; it ensures that the wheels of justice will not become bogged down in the mud of discovery.

The Judicial Conference, which is the body responsible for proposing new procedural rules, has undertaken an extensive process in crafting this rule over the last year and a half. The rule was approved by the Judicial Conference's Advisory Committee on Evidence Rules, the Standing Committee on Rules of Practice and Procedure, and the Judicial Conference itself, after a public comment period that included several hearings with supportive comments and testimony from bench and bar. There were more than 70 public comments, and more than 20 witnesses testified.

The time is ripe to move forward and enact this proposed rule into law. Therefore, I have worked with Senator LEAHY to bring this bill to the floor in a timely and bipartisan fashion. This rule is necessary to protect the attorney-client privilege, to bring clarity to the law, and to ensure fairness for all parties. And every day we wait wastes the time and resources of litigants and the courts. I urge my colleagues to join with Senator LEAHY and me in supporting this bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 400—TO DESIGNATE FRIDAY, NOVEMBER 23, 2007, AS ''NATIVE AMERICAN HERITAGE DAY'' IN HONOR OF THE ACHIEVEMENTS AND CONTRIBUTIONS OF NATIVE AMERICANS TO THE UNITED STATES

Mr. INOUYE (for himself, Mr. BROWNBACK, Mr. DORGAN, Mr. BINGAMAN, Mrs. CLINTON, Ms. CANTWELL, Mr. COCHRAN, Mr. JOHNSON, Mr. CONRAD, Mr. DOMENICI, Mr. AKAKA, Mrs. BOXER, Mrs. FEINSTEIN, Mr. STEVENS, Mr. BAUCUS, and Mr. TESTER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 400

Whereas 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;

Whereas 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;

Whereas 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;

Whereas 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;

Whereas 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;

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

Whereas 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;

Whereas 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;

Whereas designation of the Friday following Thanksgiving as Native American Heritage Day will underscore the government-to-government relationship between the United States and Native American governments; and

Whereas 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: Now, therefore, be it

Resolved, that the Senate—

(1) designates Friday, November 23, 2007, as ''Native American Heritage Day''; and

(2) encourages the people of the United States, as well as Federal, State, and local governments and interested groups and organizations to observe Native American Heritage Day with appropriate programs, ceremonies, and activities, including activities related to—

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

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

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

SENATE RESOLUTION 401—TO PROVIDE INTERNET ACCESS TO CERTAIN CONGRESSIONAL RESEARCH SERVICE PUBLICATIONS

Mr. LIEBERMAN (for himself, Mr. MCCAIN, Ms. COLLINS, Mr. LEAHY, Mr. CORNYN and Mr. HARKIN) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 401

Resolved,

SECTION 1. PUBLIC AVAILABILITY OF INFORMATION.

The Sergeant-at-Arms of the Senate shall make information available to the public in accordance with the provisions of this resolution.

SEC. 2. AVAILABILITY OF CERTAIN CONGRESSIONAL RESEARCH SERVICE INFORMATION.

(a) AVAILABILITY OF INFORMATION.—

(1) IN GENERAL.—The Sergeant-at-Arms of the Senate, in consultation with the Director of the Congressional Research Service, shall make available through a centralized electronic system, for purposes of access and retrieval by the public under section 3 of this resolution, all information described in paragraph (2) that is available through the Congressional Research Service website.

(2) INFORMATION TO BE MADE AVAILABLE.—The information to be made available under paragraph (1) is the following:

(A) Congressional Research Service Issue Briefs.

(B) Congressional Research Service Reports that are available to Members of Congress through the Congressional Research Service website.

(C) Congressional Research Service Authorization of Appropriations Products and Appropriations Products.

(b) LIMITATIONS.—

(1) CONFIDENTIAL INFORMATION.—Subsection (a) does not apply to—

(A) any information that is confidential, as determined by—

(i) the Director of the Congressional Research Service; or

(ii) the head of a Federal department or agency that provided the information to the Congressional Research Service; or

(B) any documents that are the product of an individual, office, or committee research request (other than a document described in subsection (a)(2)).

(2) REDACTION AND REVISION.—In carrying out this section, the Sergeant-at-Arms of the Senate, in consultation with the Director of the Congressional Research Service, may—

(A) remove from the information required to be made available under subsection (a) the name and phone number of, and any other information regarding, an employee of the Congressional Research Service;

(B) remove from the information required to be made available under subsection (a) any material for which the Director of the Congressional Research Service, determines that making that material available under subsection (a) may infringe the copyright of a work protected under title 17, United States Code; and

(C) make any changes in the information required to be made available under subsection (a) that the Director of the Congressional Research Service, determines necessary to ensure that the information is accurate and current.

(c) MANNER.—The Sergeant-at-Arms of the Senate, in consultation with the Director of the Congressional Research Service, shall make the information required under this section available in a manner that is practical and reasonable.

SEC. 3. METHOD OF ACCESS.

(a) CRS INFORMATION.—Public access to Congressional Research Service information made available under section 2 shall be provided through the websites maintained by Members and Committees of the Senate.

(b) EDITORIAL RESPONSIBILITY FOR CRS REPORTS ONLINE.—The Sergeant-at-Arms of the Senate is responsible for maintaining and updating the information made available on the Internet under section 2.

SEC. 4. IMPLEMENTATION.

The Sergeant-at-Arms of the Senate shall establish the database described in section 2(a) within 6 months after the date of adoption of this resolution.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3824. Ms. STABENOW (for herself and Mr. COCHRAN) submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table.

SA 3825. Mr. GREGG proposed an amendment to amendment SA 3673 proposed by Mr. GREGG to the amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, supra.

SA 3826. Mr. SANDERS proposed an amendment to amendment SA 3822 proposed by Mr. THUNE (for Mr. GREGG) to the amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, supra.

SA 3827. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 3822 proposed by Mr. THUNE (for Mr. GREGG) to the amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3828. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 3674 proposed by Mr. GREGG to the amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3829. Mr. REID (for Mrs. CLINTON) submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 3830. Mr. HARKIN (for himself, Mr. KENNEDY, and Mr. GREGG) proposed an amendment to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, supra.

SA 3831. Mr. REID (for Mr. KENNEDY) proposed an amendment to the bill S. 793, to provide for the expansion and improvement of traumatic brain injury programs.

TEXT OF AMENDMENTS

SA 3824. Ms. STABENOW (for herself and Mr. COCHRAN) submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 1362, between lines 19 and 20, insert the following:

SEC. 11072. DEBT FOR CONSERVATION PROGRAM.

Section 349 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1997) is amended—

(1) by striking ''SEC. 349. (a) For purposes of this section:'' and inserting the following:

''SEC. 349. DEBT FOR CONSERVATION PROGRAM.

''(a) DEFINITIONS.—In this section:'';

(2) in subsection (a)(4), by inserting '', fishing, and wildlife viewing'' after ''includes hunting'';

(3) in subsection (c)—

(A) in the heading, by striking ''LIMITATIONS'' and inserting ''ELIGIBILITY''; and

(B) by striking paragraph (1) and inserting the following:

''(1) such property—

''(A) is wetland, upland, or highly erodible land; or

''(B) subject to the availability of appropriated funds, will be enrolled in—

''(i) the wetlands reserve program established under subchapter C of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3837 et seq.);

''(ii) the grassland reserve program established under subchapter C of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838n et seq.); or

''(iii) the healthy forests reserve program established under subchapter D of chapter 1 of subtitle D of title XII of the Food Security Act of 1985;'';

(4) in subsection (e)(2), by striking subparagraph (B) and inserting the following:

''(B) in the case of a nondelinquent loan—

''(i) 33 percent of the amount of the loan secured by the land; or

''(ii) if the loan is secured by an easement on the land, 50 percent of the amount of the outstanding loan.'';

(5) by redesignating subsections (f) and (g) as (g) and (h), respectively;

(6) by inserting after subsection (e) the following:

''(f) LIMITATIONS; EFFECT.—

''(1) REDUCTION OF PAYMENT.—If a landowner receives payments in accordance with a program described in subsection (c)(1)(B), such payment shall be reduced by the amount of the debt reduced or forgiven by the Secretary in accordance with the program under this section.

''(2) EFFECT WITH RESPECT TO CERTAIN PROGRAMS.—Landowners in the program under this section shall be considered by the Secretary as other enrollees for each program described in subsection (c)(1)(B).''; and

(7) by adding at the end the following:

''(h) REGULATIONS.—As soon as practicable after the date of enactment of this subsection, the Secretary shall promulgate regulations to ensure communication between the Administrator of the Farm Service Agency and the Chief of the Natural Resources Conservation Service to promote and carry out the program under this section.''.

SA 3825. Mr. GREGG proposed an amendment to amendment SA 3673 proposed by Mr. GREGG to the amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; as follows:

At the end of the amendment, add the following:

''This title shall take effect 1 day after the date of enactment.''

SA 3826. Mr. SANDERS proposed an amendment to amendment SA 3822 proposed by Mr. THUNE (for Mr. GREGG) to the amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; as follows:

In lieu of the matter proposed to be inserted, insert the following:

Subtitle A—Low-Income Home Energy Assistance

SEC. 12101. LOW-INCOME HOME ENERGY ASSISTANCE APPROPRIATIONS.

(a) IN GENERAL.—In addition to any amounts appropriated under any other Federal law, there is appropriated, out of any money in the Treasury not otherwise appropriated, for fiscal year 2008—

(1) $462,000,000 (to remain available until expended) for making payments under subsections (a) through (d) of section 2604 of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8623); and

(2) $462,000,000 (to remain available until expended) for making payments under section 2604(e) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8623(e)), notwithstanding the designation requirement of section 2602(e) of such Act (42 U.S.C. 8621(e)).

(b) EMERGENCY REQUIREMENT.—The amount provided under this section is designated as an emergency requirement pursuant to section 204 of S. Con. Res. 21 (110th Congress).

SEC. 12102. SUPPLEMENTAL AGRICULTURE DISASTER ASSISTANCE.

(a) IN GENERAL.—The Trade Act of 1974 (19 U.S.C. 2101 et seq.) is amended by adding at the end the following:

''TITLE IX—SUPPLEMENTAL AGRICULTURE DISASTER ASSISTANCE

''SEC. 901. PERMANENT AUTHORITY FOR SUPPLEMENTAL REVENUE ASSISTANCE.

''(a) DEFINITIONS.—In this section:

''(1) ACTUAL PRODUCTION HISTORY YIELD.—The term 'actual production history yield' means the weighted average actual production history for each insurable commodity or noninsurable commodity, as calculated under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) or the noninsured crop disaster assistance program, respectively.

''(2) COUNTER-CYCLICAL PROGRAM PAYMENT YIELD.—The term 'counter-cyclical program payment yield' means the weighted average payment yield established under section 1102 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7912).

''(3) DISASTER COUNTY.—

''(A) IN GENERAL.—The term 'disaster county' means a county included in the geographic area covered by a qualifying natural disaster declaration.

''(B) INCLUSION.—The term 'disaster county' includes—

''(i) a county contiguous to a county described in subparagraph (A); and

''(ii) any farm in which, during a calendar year, the total loss of production of the farm relating to weather is greater than 50 percent of the normal production of the farm, as determined by the Secretary.

''(4) ELIGIBLE PRODUCER ON A FARM.—

''(A) IN GENERAL.—The term 'eligible producer on a farm' means an individual or entity described in subparagraph (B) that, as determined by the Secretary, assumes the production and market risks associated with the agricultural production of crops or livestock.

''(B) DESCRIPTION.—An individual or entity referred to in subparagraph (A) is—

''(i) a citizen of the United States;

''(ii) a resident alien;

''(iii) a partnership of citizens of the United States; or

''(iv) a corporation, limited liability corporation, or other farm organizational structure organized under State law.

''(5) FARM.—

''(A) IN GENERAL.—The term 'farm' means, in relation to an eligible producer on a farm, the sum of all crop acreage in all counties that —

''(i) is used for grazing by the eligible producer; or

''(ii) is planted or intended to be planted for harvest by the eligible producer.

''(B) AQUACULTURE.—In the case of aquaculture, the term 'farm' means, in relation to an eligible producer on a farm, all fish being produced in all counties that are intended to be harvested for sale by the eligible producer.

''(C) HONEY.—In the case of honey, the term 'farm' means, in relation to an eligible producer on a farm, all bees and beehives in all counties that are intended to be harvested for a honey crop by the eligible producer.

''(6) FARM-RAISED FISH.—The term 'farm-raised fish' means any aquatic species (including any species of finfish, mollusk, crustacean, or other aquatic invertebrate, amphibian, reptile, or aquatic plant) that is propagated and reared in a controlled or semicontrolled environment.

''(7) INSURABLE COMMODITY.—The term 'insurable commodity' means an agricultural commodity (excluding livestock) for which the producer on a farm is eligible to obtain a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

''(8) LIVESTOCK.—The term 'livestock' includes—

''(A) cattle (including dairy cattle);

''(B) bison;

''(C) poultry;

''(D) sheep;

''(E) swine;

''(F) horses; and

''(G) other livestock, as determined by the Secretary.

''(9) MOVING 5-YEAR OLYMPIC AVERAGE COUNTY YIELD.—The term 'moving 5-year Olympic average county yield' means the weighted average yield obtained from the 5 most recent years of yield data provided by the National Agriculture Statistics Service obtained from data after dropping the highest and the lowest yields.

''(10) NONINSURABLE COMMODITY.—The term 'noninsurable commodity' means a crop for which the eligible producers on a farm are eligible to obtain assistance under the noninsured crop assistance program.

''(11) NONINSURED CROP ASSISTANCE PROGRAM.—The term 'noninsured crop assistance program' means the program carried out under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

''(12) QUALIFYING NATURAL DISASTER DECLARATION.—The term 'qualifying natural disaster declaration' means a natural disaster declared by the Secretary for production losses under section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)).

''(13) SECRETARY.—The term 'Secretary' means the Secretary of Agriculture.

''(14) STATE.—The term 'State' means—

''(A) a State;

''(B) the District of Columbia;

''(C) the Commonwealth of Puerto Rico; and

''(D) any other territory or possession of the United States.

''(15) TRUST FUND.—The term 'Trust Fund' means the Agriculture Disaster Relief Trust Fund established under section 902.

''(16) UNITED STATES.—The term 'United States' when used in a geographical sense, means all of the States.

''(b) SUPPLEMENTAL REVENUE ASSISTANCE PAYMENTS.—

''(1) IN GENERAL.—The Secretary shall use such sums as are necessary from the Trust Fund to make crop disaster assistance payments to eligible producers on farms in disaster counties that have incurred crop production losses or crop quality losses, or both, during the crop year.

''(2) AMOUNT.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall provide crop disaster assistance payments under this section to an eligible producer on a farm in an amount equal to 52 percent of the difference between—

''(i) the disaster assistance program guarantee, as described in paragraph (3); and

''(ii) the total farm revenue for a farm, as described in paragraph (4).

''(B) LIMITATION.—The disaster assistance program guarantee for a crop used to calculate the payments for a farm under subparagraph (A)(i) may not be greater than 90 percent of the sum of the expected revenue, as described in paragraph (5) for each of the crops on a farm, as determined by the Secretary.

''(3) SUPPLEMENTAL REVENUE ASSISTANCE PROGRAM GUARANTEE.—

''(A) IN GENERAL.—Except as otherwise provided in this paragraph, the supplemental assistance program guarantee shall be the sum obtained by adding—

''(i) for each insurable commodity on the farm, the product obtained by multiplying—

''(I) the greatest of—

''(aa) the actual production history yield;

''(bb) 90 percent of the moving 5-year Olympic average county yield; and

''(cc) the counter-cyclical program payment yield for each crop;

''(II) the percentage of the crop insurance yield guarantee;

''(III) the percentage of crop insurance price elected by the eligible producer;

''(IV) the crop insurance price; and

''(V) 115 percent; and

''(ii) for each noninsurable commodity on a farm, the product obtained by multiplying—

''(I) the weighted noninsured crop assistance program yield guarantee;

''(II) except as provided in subparagraph (B), 100 percent of the noninsured crop assistance program established price; and

''(III) 115 percent.

''(B) SUPPLEMENTAL BUY-UP NONINSURED ASSISTANCE PROGRAM.—Beginning on the date that the Secretary makes available supplemental buy-up coverage under the noninsured assistance program in accordance with subsection (h), the percentage described in subclause (II) of subparagraph (A)(ii) shall be equal to the percentage of the noninsured assistance program price guarantee elected by the producer.

''(C) ADJUSTMENT INSURANCE GUARANTEE.—Notwithstanding subparagraph (A), in the case of an insurable commodity for which a plan of insurance provides for an adjustment in the guarantee, such as in the case of prevented planting, the adjusted insurance guarantee shall be the basis for determining the disaster assistance program guarantee for the insurable commodity.

''(D) ADJUSTED ASSISTANCE LEVEL.—Notwithstanding subparagraph (A), in the case of a noninsurable commodity for which the noninsured crop assistance program provides for an adjustment in the level of assistance, such as in the case of prevented harvesting, the adjusted assistance level shall be the basis for determining the disaster assistance program guarantee for the noninsurable commodity.

''(E) EQUITABLE TREATMENT FOR NON-YIELD BASED POLICIES.—The Secretary shall establish equitable treatment for non-yield based policies and plans of insurance, such as the Adjusted Gross Revenue Lite insurance program.

''(F) PUBLIC MANAGED LAND.—Notwithstanding subparagraph (A), if rangeland is managed by a Federal agency and the carrying capacity of the managed rangeland is reduced as a result of a disaster in the preceding year that was the basis for a qualifying natural disaster declaration—

''(i) the calculation for the supplemental assistance program guarantee determined under subparagraph (A) as the guarantee applies to the managed rangeland shall be not less than 75 percent of the guarantee for the preceding year; and

''(ii) the requirement for a designation by the Secretary for the current year is waived.

''(4) FARM REVENUE.—

''(A) IN GENERAL.—For purposes of this subsection, the total farm revenue for a farm, shall equal the sum obtained by adding—

''(i) the estimated actual value for grazing and for each crop produced on a farm by using the product obtained by multiplying—

''(I) the actual crop acreage grazed or harvested by an eligible producer on a farm;

''(II) the estimated actual yield of the grazing land or crop production; and

''(III) subject to subparagraphs (B) and (C), the average market price received or value of the production during the first 5 months of the marketing year for the county in which the farm or portion of a farm is located;

''(ii) 20 percent of amount of any direct payments made to the producer under section 1103 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7913) or of any fixed direct payments made at the election of the producer in lieu of that section or a subsequent section;

''(iii) the amount of payments for prevented planting on a farm;

''(iv) the amount of crop insurance indemnities received by an eligible producer on a farm for each crop on a farm, including indemnities for grazing losses;

''(v) the amount of payments an eligible producer on a farm received under the noninsured crop assistance program for each crop on a farm, including grazing losses; and

''(vi) the value of any other natural disaster assistance payments provided by the Federal Government to an eligible producer on a farm for each crop on a farm for the same loss for which the eligible producer is seeking assistance.

''(B) ADJUSTMENT.—The Secretary shall adjust the average market price received by the eligible producer on a farm—

''(i) to reflect the average quality discounts applied to the local or regional market price of a crop, hay, or forage due to a reduction in the intrinsic characteristics of the production resulting from adverse weather, as determined annually by the State office of the Farm Service Agency; and

''(ii) to account for a crop the value of which is reduced due to excess moisture resulting from a disaster-related condition.

''(C) MAXIMUM AMOUNT FOR CERTAIN CROPS.—With respect to a crop for which an eligible producer on a farm receives assistance under the noninsured crop assistance program, the average market price received or value of the production during the first 5 months of the marketing year for the county in which the farm or portion of a farm is located shall be an amount not more than 100 percent of the price of the crop established

under the noninsured crop assistance program.

''(5) EXPECTED REVENUE.—The expected revenue for each crop on a farm shall equal the sum obtained by adding—

''(A) the expected value of grazing;

''(B) the product obtained by multiplying—

''(i) the greatest of—

''(I) the actual production history yield of the eligible producer on a farm;

''(II) the moving 5-year Olympic average county yield; and

''(III) the counter-cyclical program payment yield;

''(ii) the acreage planted or intended to be planted for each crop; and

''(iii) 100 percent of the insurance price guarantee; and

''(C) the product obtained by multiplying—

''(i) 100 percent of the noninsured crop assistance program yield; and

''(ii) 100 percent of the noninsured crop assistance program price for each of the crops on a farm.

''(c) LIVESTOCK INDEMNITY PAYMENTS.—

''(1) IN GENERAL.—The Secretary shall use such sums as are necessary from the Trust Fund to make livestock indemnity payments to eligible producers on farms that have incurred livestock death losses in excess of the normal mortality due to adverse weather, as determined by the Secretary, during the calendar year, including losses due to hurricanes, floods, blizzards, disease, wildfires, extreme heat, and extreme cold.

''(2) PAYMENT RATES.—Indemnity payments to an eligible producer on a farm under paragraph (1) shall be made at a rate of 75 percent of the market value of the applicable livestock on the day before the date of death of the livestock, as determined by the Secretary.

''(d) EMERGENCY ASSISTANCE FOR LIVESTOCK, HONEY BEES, AND FARM-RAISED FISH.—

''(1) IN GENERAL.—The Secretary shall use up to $35,000,000 per year from the Trust Fund to provide emergency relief to eligible producers of livestock, honey bees, and farm-raised fish to aid in the reduction of losses due to adverse weather or other environmental conditions, such as blizzards and wildfires, as determined by the Secretary, that are not covered under the authority of the Secretary to make qualifying natural disaster declarations.

''(2) USE OF FUNDS.—Funds made available under this subsection shall be used to reduce losses caused by feed or water shortages, disease, or other factors as determined by the Secretary.

''(3) AVAILABILITY OF FUNDS.—Any funds made available under this subsection and not used in a crop year shall remain available until expended.

''(e) TREE ASSISTANCE PROGRAM.—

''(1) DEFINITIONS.—In this subsection:

''(A) ELIGIBLE ORCHARDIST.—The term 'eligible orchardist' means a person that—

''(i) produces annual crops from trees for commercial purposes; or

''(ii) produces nursery, ornamental, fruit, nut, or Christmas trees for commercial sale.

''(B) NATURAL DISASTER.—The term 'natural disaster' means plant disease, insect infestation, drought, fire, freeze, flood, earthquake, lightning, or other occurrence, as determined by the Secretary.

''(C) TREE.—The term 'tree' includes a tree, bush, and vine.

''(2) ELIGIBILITY.—

''(A) LOSS.—Subject to subparagraph (B), the Secretary shall provide assistance under paragraph (3) to eligible orchardists that planted trees for commercial purposes but lost the trees as a result of a natural disaster, as determined by the Secretary.

''(B) LIMITATION.—An eligible orchardist shall qualify for assistance under subparagraph (A) only if the tree mortality of the eligible orchardist, as a result of damaging weather or related condition, exceeds 15 percent (adjusted for normal mortality).

''(3) ASSISTANCE.—The assistance provided by the Secretary to eligible orchardists for losses described in paragraph (2) shall consist of—

''(A)(i) reimbursement of 75 percent of the cost of replanting trees lost due to a natural disaster, as determined by the Secretary, in excess of 15 percent mortality (adjusted for normal mortality); or

''(ii) at the option of the Secretary, sufficient seedlings to reestablish a stand; and

''(B) reimbursement of 50 percent of the cost of pruning, removal, and other costs incurred by an eligible orchardist to salvage existing trees or, in the case of tree mortality, to prepare the land to replant trees as a result of damage or tree mortality due to a natural disaster, as determined by the Secretary, in excess of 15 percent damage or mortality (adjusted for normal tree damage and mortality).

''(f) PLANT PEST AND DISEASE MANAGEMENT AND DISASTER PREVENTION.—

''(1) DEFINITIONS.—In this subsection:

''(A) EARLY PLANT PEST DETECTION AND SURVEILLANCE.—The term 'early plant pest detection and surveillance' means the full range of activities undertaken to find newly introduced plant pests, whether the plant pests are new to the United States or new to certain areas of the United States, before—

''(i) the plant pests become established; or

''(ii) the plant pest infestations become too large and costly to eradicate or control.

''(B) PLANT PEST.—The term 'plant pest' has the meaning given such term in section 403 of the Plant Protection Act (7 U.S.C. 7702).

''(C) SPECIALTY CROP.—The term 'specialty crop' has the meaning given the term in section 3 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108-465).

''(D) STATE DEPARTMENT OF AGRICULTURE.—The term 'State department of agriculture' means an agency of a State that has a legal responsibility to perform early plant pest detection and surveillance activities.

''(2) EARLY PLANT PEST DETECTION AND SURVEILLANCE IMPROVEMENT PROGRAM.—

''(A) COOPERATIVE AGREEMENTS.—The Secretary shall enter into a cooperative agreement with each State department of agriculture that agrees to conduct early plant pest detection and surveillance activities.

''(B) CONSULTATION.—In carrying out this paragraph, the Secretary shall consult with—

''(i) the National Plant Board;

''(ii) the National Association of State Departments of Agriculture; and

''(iii) stakeholders.

''(C) FUNDS UNDER AGREEMENTS.—Each State department of agriculture with which the Secretary enters into a cooperative agreement under this paragraph shall receive funding for each of fiscal years 2008 through 2012 in an amount to be determined by the Secretary.

''(D) USE OF FUNDS.—

''(i) PLANT PEST DETECTION AND SURVEILLANCE ACTIVITIES.—A State department of agriculture that receives funds under this paragraph shall use the funds to carry out early plant pest detection and surveillance activities to prevent the introduction of a plant pest or facilitate the eradication of a plant pest, pursuant to a cooperative agreement.

''(ii) SUBAGREEMENTS.—Nothing in this paragraph prevents a State department of agriculture from using funds received under subparagraph (C) to enter into subagreements with political subdivisions of the State that have legal responsibilities relating to agricultural plant pest and disease surveillance.

''(iii) NON-FEDERAL SHARE.—The non-Federal share of the cost of carrying out a cooperative agreement under this section may be provided in-kind, including through provision of such indirect costs of the cooperative agreement as the Secretary considers to be appropriate.

''(E) SPECIAL FUNDING CONSIDERATIONS.—The Secretary shall provide funds to a State department of agriculture if the Secretary determines that—

''(i) the State department of agriculture is in a State that has a high risk of being affected by 1 or more plant pests; and

''(ii) the early plant pest detection and surveillance activities supported with the funds will likely—

''(I) prevent the introduction and establishment of plant pests; and

''(II) provide a comprehensive approach to compliment Federal detection efforts.

''(F) REPORTING REQUIREMENT.—Not later than 180 days after the date of completion of an early plant pest detection and surveillance activity conducted by a State department of agriculture using funds provided under this subsection, the State department of agriculture shall submit to the Secretary a report that describes the purposes and results of the activities.

''(3) THREAT IDENTIFICATION AND MITIGATION PROGRAM.—

''(A) ESTABLISHMENT.—The Secretary, acting through the Administrator of the Animal and Plant Health Inspection Service (referred to in this section as the 'Secretary'), shall establish a threat identification and mitigation program to determine and prioritize foreign threats to the domestic production of crops.

''(B) REQUIREMENTS.—In conducting the program established under subparagraph (A), the Secretary shall—

''(i) consult with the Director of the Center for Plant Health Science and Technology;

''(ii) conduct, in partnership with States, early plant pest detection and surveillance activities;

''(iii) develop risk assessments of the potential threat to the agricultural industry of the United States from foreign sources;

''(iv) collaborate with the National Plant Board on the matters described in subparagraph (C);

''(v) implement action plans developed under subparagraph (C)(ii)(I) immediately after development of the action plans—

''(I) to test the effectiveness of the action plans; and

''(II) to assist in preventing the introduction and widespread dissemination of new foreign and domestic plant pest and disease threats in the United States; and

''(vi) as appropriate, consult with, and use the expertise of, the Administrator of the Agricultural Research Service in the development of plant pest and disease detection, control, and eradication strategies.

''(C) MATTERS DESCRIBED.—The matters described in this subparagraph are—

''(i) the prioritization of foreign threats to the agricultural industry; and

''(ii) the development, in consultation with State departments of agriculture and other State or regional resource partnerships, of—

''(I) action plans that effectively address the foreign threats, including pathway analysis, offshore mitigation measures, and comprehensive exclusion measures at ports of entry and other key distribution centers; and

''(II) strategies to employ if a foreign plant pest or disease is introduced;

''(D) REPORTS.—Not later than 1 year after the date of enactment of this paragraph, and annually thereafter, the Secretary shall update and submit to Congress the priority list and action plans described in subparagraph (C), including an accounting of funds expended on the action plans.

''(4) SPECIALTY CROP CERTIFICATION AND RISK MANAGEMENT SYSTEMS.—The Secretary shall provide funds and technical assistance to specialty crop growers, organizations representing specialty crop growers, and State and local agencies working with specialty crop growers and organizations for the development and implementation of—

''(A) audit-based certification systems, such as best management practices—

''(i) to address plant pests; and

''(ii) to mitigate the risk of plant pests in the movement of plants and plant products; and

''(B) nursery plant pest risk management systems, in collaboration with the nursery industry, research institutions, and other appropriate entities—

''(i) to enable growers to identify and prioritize nursery plant pests and diseases of regulatory significance;

''(ii) to prevent the introduction, establishment, and spread of those plant pests and diseases; and

''(iii) to reduce the risk of, mitigate, and eradicate those plant pests and diseases.

''(5) FUNDING.—The Secretary shall use from the Trust Fund to carry out this subsection—

''(A) $10,000,000 for fiscal year 2008;

''(B) $25,000,000 for fiscal year 2009;

''(C) $40,000,000 for fiscal year 2010;

''(D) $50,000,000 for fiscal year 2011; and

''(E) $64,000,000 for fiscal year 2012.

''(g) RISK MANAGEMENT PURCHASE REQUIREMENT.—

''(1) IN GENERAL.—Except as otherwise provided in this subsection, the eligible producers on a farm shall not be eligible for assistance under this section with respect to losses to an insurable commodity or noninsurable commodity if the eligible producers on the farm—

''(A) in the case of an insurable commodity, did not obtain a policy or plan of insurance for the insurable commodity under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) (excluding a crop insurance pilot program under that Act) for the crop incurring the losses; or

''(B) in the case of a noninsurable commodity, did not file the required paperwork, and pay the administrative fee by the applicable State filing deadline, for the noninsurable commodity under the noninsured crop assistance program for the crop incurring the losses.

''(2) MINIMUM.—To be considered to have obtained insurance under paragraph (1), an eligible producer on a farm shall have obtained a policy or plan of insurance with not less than 50 percent yield coverage at 55 percent of the insurable price for each crop grazed, planted, or intended to be planted for harvest on a whole farm.

''(3) WAIVER.—With respect to eligible producers that are limited resource, minority, or beginning farmers or ranchers, as determined by the Secretary, the Secretary may—

''(A) waive paragraph (1); and

''(B) provide disaster assistance under this section at a level that the Secretary determines to be equitable and appropriate.

''(4) EQUITABLE RELIEF.—The Secretary may provide equitable relief to eligible producers on a farm that unintentionally fail to meet the requirements of paragraph (1) for 1 or more crops on a farm on a case-by-case basis, as determined by the Secretary.

''(h) SUPPLEMENTAL BUY-UP NONINSURED ASSISTANCE PROGRAM.—

''(1) IN GENERAL.—The Secretary shall establish a program under which eligible producers on a farm may purchase under the noninsured crop assistance program additional yield and price coverage for a crop, including a forage, hay, or honey crop, of—

''(A) 60 or 65 percent (as elected by the producers on the farm) of the yield established for the crop under the program; and

''(B) 100 percent of the price established for the crop under the program.

''(2) FEES.—The Secretary shall establish and collect fees from eligible producers on a farm participating in the program established under paragraph (1) to offset all of the costs of the program, as determined by the Secretary.

''(i) PAYMENT LIMITATIONS.—

''(1) IN GENERAL.—The total amount of disaster assistance that an eligible producer on a farm may receive under this section may not exceed $100,000.

''(2) AGI LIMITATION.—Section 1001D of the Food Security Act of 1985 (7 U.S.C. 1308–3a or any successor provision) shall apply with respect to assistance provided under this section.

''(j) PERIOD OF EFFECTIVENESS.—This section shall be effective only for losses that are incurred as the result of a disaster, adverse weather, or other environmental condition that occurs on or before September 30, 2012, as determined by the Secretary.

''SEC. 902. AGRICULTURE DISASTER RELIEF TRUST FUND.

''(a) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the 'Agriculture Disaster Relief Trust Fund', consisting of such amounts as may be appropriated or credited to such Trust Fund as provided in this section.

''(b) TRANSFER TO TRUST FUND.—

''(1) IN GENERAL.—There are appropriated to the Agriculture Disaster Relief Trust Fund amounts equivalent to 3.34 percent of the amounts received in the general fund of the Treasury of the United States during fiscal years 2008 through 2012 attributable to the duties collected on articles entered, or withdrawn from warehouse, for consumption under the Harmonized Tariff Schedule of the United States.

''(2) AMOUNTS BASED ON ESTIMATES.—The amounts appropriated under this section shall be transferred at least monthly from the general fund of the Treasury of the United States to the Agriculture Disaster Relief Trust Fund on the basis of estimates made by the Secretary of the Treasury. Proper adjustments shall be made in the amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

''(c) ADMINISTRATION.—

''(1) REPORTS.—The Secretary of the Treasury shall be the trustee of the Agriculture Disaster Relief Trust Fund and shall submit an annual report to Congress each year on the financial condition and the results of the operations of such Trust Fund during the preceding fiscal year and on its expected condition and operations during the 5 fiscal years succeeding such fiscal year. Such report shall be printed as a House document of the session of Congress to which the report is made.

''(2) INVESTMENT.—

''(A) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Agriculture Disaster Relief Trust Fund as is not in his judgment required to meet current withdrawals. Such investments may be made only in interest bearing obligations of the United States. For such purpose, such obligations may be acquired—

''(i) on original issue at the issue price, or

''(ii) by purchase of outstanding obligations at the market price.

''(B) SALE OF OBLIGATIONS.—Any obligation acquired by the Agriculture Disaster Relief Trust Fund may be sold by the Secretary of the Treasury at the market price.

''(C) INTEREST ON CERTAIN PROCEEDS.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Agriculture Disaster Relief Trust Fund shall be credited to and form a part of such Trust Fund.

''(d) EXPENDITURES FROM TRUST FUND.—Amounts in the Agriculture Disaster Relief Trust Fund shall be available for the purposes of making expenditures to meet those obligations of the United States incurred under section 901.

''(e) AUTHORITY TO BORROW.—

''(1) IN GENERAL.—There are authorized to be appropriated, and are appropriated, to the Agriculture Disaster Relief Trust Fund, as repayable advances, such sums as may be necessary to carry out the purposes of such Trust Fund.

''(2) REPAYMENT OF ADVANCES.—

''(A) IN GENERAL.—Advances made to the Agriculture Disaster Relief Trust Fund shall be repaid, and interest on such advances shall be paid, to the general fund of the Treasury when the Secretary determines that moneys are available for such purposes in such Trust Fund.

''(B) RATE OF INTEREST.—Interest on advances made pursuant to this subsection shall be—

''(i) at a rate determined by the Secretary of the Treasury (as of the close of the calendar month preceding the month in which the advance is made) to be equal to the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the anticipated period during which the advance will be outstanding, and

''(ii) compounded annually.''.

(b) TECHNICAL PROVISIONS RELATING TO THE PLANT PROTECTION ACT.—

(1) Section 442(c) of the Plant Protection Act (7 U.S.C. 7772(c)) is amended by striking ''of longer than 60 days''.

(2) Congress disapproves the rule submitted by the Secretary of Agriculture relating to cost-sharing for animal and plant health emergency programs (68 Fed. Reg. 40541 (2003)), and such rule shall have no force or effect.

SA 3827. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 3822 proposed by Mr. THUNE (for Mr. GREGG) to the amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

SEC. 12103. EMERGENCY SERVICE ROUTE.

Section 1948 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1514) is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''Notwithstanding''; and

(2) by adding at the end the following:

''(b) EFFECTIVE DATE.—This section takes effect if and only on the date on which the Secretary of Energy certifies to Congress that the section will not negatively impact the supply or availability of heating fuel, or increase the cost of heating fuel, for consumers in the Northeastern United States

during the 10-year period beginning on the date of the certification.''.

SA 3828. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 3674 proposed by Mr. GREGG to the amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

SEC. _____. USE OF AMENDED INCOME TAX RETURNS TO TAKE INTO ACCOUNT RECEIPT OF CERTAIN HURRICANE-RELATED CASUALTY LOSS GRANTS BY DISALLOWING PREVIOUSLY TAKEN CASUALTY LOSS DEDUCTIONS.

Notwithstanding any other provision of the Internal Revenue Code of 1986, if a taxpayer claims a deduction for any taxable year with respect to a residential property casualty loss resulting from Hurricane Katrina or Hurricane Rita and in a subsequent taxable year receives a grant as reimbursement for such loss from the State of Louisiana or the State of Mississippi, such taxpayer may file an amended income tax return for the taxable year in which such deduction was allowed and disallow such deduction. Any increase in Federal income tax resulting from such disallowance shall not be subject to any penalty or interest under such Code if such tax is paid not later than 1 year after the filing of such amended return.

SA 3829. Mr. REID (for Mrs. CLINTON) submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 868, between lines 15 and 16, insert the following:

SEC. 6_____. COMPREHENSIVE RURAL BROADBAND.

(a) COMPREHENSIVE RURAL BROADBAND STRATEGY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Chairman of the Federal Communications Commission, in coordination with the Secretary, shall submit to the Committees on Energy and Commerce and Agriculture of the House of Representatives and the Committees on Commerce, Science, and Transportation and Agriculture, Nutrition, and Forestry of the Senate a report describing a comprehensive rural broadband strategy that includes—

(A) recommendations—

(i) to promote interagency coordination of Federal agencies in regards to policies, procedures, and targeted resources, and to improve and streamline the polices, programs, and services;

(ii) to coordinate among Federal agencies regarding existing rural broadband or rural initiatives that could be of value to rural broadband development;

(iii) to address both short- and long-term solutions and needs assessments for a rapid build-out of rural broadband solutions and applications for Federal, State, regional, and local government policy makers; and

(iv) to identify how specific Federal agency programs and resources can best respond to rural broadband requirements and overcome obstacles that currently impede rural broadband deployment; and

(B) a description of goals and timeframes to achieve the strategic plans and visions identified in the report.

(2) UPDATES.—The Chairman of the Federal Communications Commission, in coordination with the Secretary shall update and evaluate the report described in paragraph (1) on an annual basis.

(b) RURAL BROADBAND.—Section 306(a)(20)(E) of the Consolidated Rural Development Act (7 U.S.C. 1926(a)(20)(E)) is amended by striking ''dial-up Internet access or''.

SA 3830. Mr. HARKIN (for himself, Mr. KENNEDY and Mr. GREGG) proposed an amendment to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; as follows:

At the appropriate place in title XI, insert the following:

Subtitle ____—Public Safety Officers

SEC. _____1. SHORT TITLE.

This subtitle may be cited as the ''Public Safety Employer-Employee Cooperation Act of 2007''.

SEC. _____2. DECLARATION OF PURPOSE AND POLICY.

The Congress declares that the following is the policy of the United States:

(1) Labor-management relationships and partnerships are based on trust, mutual respect, open communication, bilateral consensual problem solving, and shared accountability. Labor-management cooperation fully utilizes the strengths of both parties to best serve the interests of the public, operating as a team, to carry out the public safety mission in a quality work environment. In many public safety agencies it is the union that provides the institutional stability as elected leaders and appointees come and go.

(2) State and local public safety officers play an essential role in the efforts of the United States to detect, prevent, and respond to terrorist attacks, and to respond to natural disasters, hazardous materials, and other mass casualty incidents. State and local public safety officers, as first responders, are a component of our Nation's National Incident Management System, developed by the Department of Homeland Security to coordinate response to and recovery from terrorism, major natural disasters, and other major emergencies. Public safety employer-employee cooperation is essential in meeting these needs and is, therefore, in the National interest.

(3) The Federal Government needs to encourage conciliation, mediation, and voluntary arbitration to aid and encourage employers and the representatives of their employees to reach and maintain agreements concerning rates of pay, hours, and working conditions, and to make all reasonable efforts through negotiations to settle their differences by mutual agreement reached through collective bargaining or by such methods as may be provided for in any applicable agreement for the settlement of disputes.

(4) The absence of adequate cooperation between public safety employers and employees has implications for the security of employees and can affect interstate and intrastate commerce. The lack of such labor-management cooperation can detrimentally impact the upgrading of police and fire services of local communities, the health and well-being of public safety officers, and the morale of the fire and police departments. Additionally, these factors could have significant commercial repercussions. Moreover, providing minimal standards for collective bargaining negotiations in the public safety sector can prevent industrial strife between labor and management that interferes with the normal flow of commerce.

SEC. _____3. DEFINITIONS.

In this subtitle:

(1) AUTHORITY.—The term ''Authority'' means the Federal Labor Relations Authority.

(2) EMERGENCY MEDICAL SERVICES PERSONNEL.—The term ''emergency medical services personnel'' means an individual who provides out-of-hospital emergency medical care, including an emergency medical technician, paramedic, or first responder.

(3) EMPLOYER; PUBLIC SAFETY AGENCY.—The terms ''employer'' and ''public safety agency'' mean any State, or political subdivision of a State, that employs public safety officers.

(4) FIREFIGHTER.—The term ''firefighter'' has the meaning given the term ''employee engaged in fire protection activities'' in section 3(y) of the Fair Labor Standards Act (29 U.S.C. 203(y)).

(5) LABOR ORGANIZATION.—The term ''labor organization'' means an organization composed in whole or in part of employees, in which employees participate, and which represents such employees before public safety agencies concerning grievances, conditions of employment, and related matters.

(6) LAW ENFORCEMENT OFFICER.—The term ''law enforcement officer'' has the meaning given such term in section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b).

(7) MANAGEMENT EMPLOYEE.—The term ''management employee'' has the meaning given such term under applicable State law in effect on the date of enactment of this subtitle. If no such State law is in effect, the term means an individual employed by a public safety employer in a position that requires or authorizes the individual to formulate, determine, or influence the policies of the employer.

(8) PERSON.—The term ''person'' means an individual or a labor organization.

(9) PUBLIC SAFETY OFFICER.—The term ''public safety officer''—

(A) means an employee of a public safety agency who is a law enforcement officer, a firefighter, or an emergency medical services personnel;

(B) includes an individual who is temporarily transferred to a supervisory or management position; and

(C) does not include a permanent supervisory or management employee.

(10) STATE.—The term ''State'' means each of the several States of the United States, the District of Columbia, and any territory or possession of the United States.

(11) SUBSTANTIALLY PROVIDES.—The term ''substantially provides'' means compliance with the essential requirements of this subtitle, specifically, the right to form and join a labor organization, the right to bargain over wages, hours, and conditions of employment, the right to sign an enforceable contract, and availability of some form of mechanism to break an impasse, such as arbitration, mediation, or fact-finding.

(12) SUPERVISORY EMPLOYEE.—The term ''supervisory employee'' has the meaning given such term under applicable State law in effect on the date of enactment of this subtitle. If no such State law is in effect, the term means an individual, employed by a public safety employer, who—

(A) has the authority in the interest of the employer to hire, direct, assign, promote, reward, transfer, furlough, lay off, recall, suspend, discipline, or remove public safety officers, to adjust their grievances, or to effectively recommend such action, if the exercise of the authority is not merely routine or clerical in nature but requires the consistent exercise of independent judgment; and

(B) devotes a majority of time at work exercising such authority.

SEC. _____4. DETERMINATION OF RIGHTS AND RESPONSIBILITIES.

(a) DETERMINATION.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subtitle, the Authority shall make a determination as to whether a State substantially provides for the rights and responsibilities described in subsection (b). In making such determinations, the Authority shall consider and give weight, to the maximum extent practicable, to the opinion of affected parties.

(2) SUBSEQUENT DETERMINATIONS.—

(A) IN GENERAL.—A determination made pursuant to paragraph (1) shall remain in effect unless and until the Authority issues a subsequent determination, in accordance with the procedures set forth in subparagraph (B).

(B) PROCEDURES FOR SUBSEQUENT DETERMINATIONS.—Upon establishing that a material change in State law or its interpretation has occurred, an employer or a labor organization may submit a written request for a subsequent determination. If satisfied that a material change in State law or its interpretation has occurred, the Authority shall issue a subsequent determination not later than 30 days after receipt of such request.

(3) JUDICIAL REVIEW.—Any person or employer aggrieved by a determination of the Authority under this section may, during the 60-day period beginning on the date on which the determination was made, petition any United States Court of Appeals in the circuit in which the person or employer resides or transacts business or in the District of Columbia circuit, for judicial review. In any judicial review of a determination by the Authority, the procedures contained in subsections (c) and (d) of section 7123 of title 5, United States Code, shall be followed.

(b) RIGHTS AND RESPONSIBILITIES.—In making a determination described in subsection (a), the Authority shall consider whether State law provides rights and responsibilities comparable to or greater than the following:

(1) Granting public safety officers the right to form and join a labor organization, which may exclude management employees and supervisory employees, that is, or seeks to be, recognized as the exclusive bargaining representative of such employees.

(2) Requiring public safety employers to recognize the employees' labor organization (freely chosen by a majority of the employees), to agree to bargain with the labor organization, and to commit any agreements to writing in a contract or memorandum of understanding.

(3) Permitting bargaining over hours, wages, and terms and conditions of employment.

(4) Making available an interest impasse resolution mechanism, such as fact-finding, mediation, arbitration, or comparable procedures.

(5) Requiring enforcement through State courts of—

(A) all rights, responsibilities, and protections provided by State law and enumerated in this section; and

(B) any written contract or memorandum of understanding.

(c) FAILURE TO MEET REQUIREMENTS.—

(1) IN GENERAL.—If the Authority determines, acting pursuant to its authority under subsection (a), that a State does not substantially provide for the rights and responsibilities described in subsection (b), such State shall be subject to the regulations and procedures described in section _____5.

(2) EFFECTIVE DATE.—Paragraph (1) shall take effect on the date that is 2 years after the date of enactment of this subtitle.

SEC. _____5. ROLE OF FEDERAL LABOR RELATIONS AUTHORITY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this subtitle, the Authority shall issue regulations in accordance with the rights and responsibilities described in section _____4(b) establishing collective bargaining procedures for employers and public safety officers in States which the Authority has determined, acting pursuant to section _____4(a), do not substantially provide for such rights and responsibilities.

(b) ROLE OF THE FEDERAL LABOR RELATIONS AUTHORITY.—The Authority, to the extent provided in this subtitle and in accordance with regulations prescribed by the Authority, shall—

(1) determine the appropriateness of units for labor organization representation;

(2) supervise or conduct elections to determine whether a labor organization has been selected as an exclusive representative by a voting majority of the employees in an appropriate unit;

(3) resolve issues relating to the duty to bargain in good faith;

(4) conduct hearings and resolve complaints of unfair labor practices;

(5) resolve exceptions to the awards of arbitrators;

(6) protect the right of each employee to form, join, or assist any labor organization, or to refrain from any such activity, freely and without fear of penalty or reprisal, and protect each employee in the exercise of such right; and

(7) take such other actions as are necessary and appropriate to effectively administer this subtitle, including issuing subpoenas requiring the attendance and testimony of witnesses and the production of documentary or other evidence from any place in the United States, and administering oaths, taking or ordering the taking of depositions, ordering responses to written interrogatories, and receiving and examining witnesses.

(c) ENFORCEMENT.—

(1) AUTHORITY TO PETITION COURT.—The Authority may petition any United States Court of Appeals with jurisdiction over the parties, or the United States Court of Appeals for the District of Columbia Circuit, to enforce any final orders under this section, and for appropriate temporary relief or a restraining order. Any petition under this section shall be conducted in accordance with subsections (c) and (d) of section 7123 of title 5, United States Code.

(2) PRIVATE RIGHT OF ACTION.—Unless the Authority has filed a petition for enforcement as provided in paragraph (1), any party has the right to file suit in a State court of competent jurisdiction to enforce compliance with the regulations issued by the Authority pursuant to subsection (b), and to enforce compliance with any order issued by the Authority pursuant to this section. The right provided by this subsection to bring a suit to enforce compliance with any order issued by the Authority pursuant to this section shall terminate upon the filing of a petition seeking the same relief by the Authority.

SEC. _____6. STRIKES AND LOCKOUTS PROHIBITED.

(a) PROHIBITION.—An employer, public safety officer, or labor organization may not engage in a lockout, sickout, work slowdown, strike, or any other action that will measurably disrupt the delivery of emergency services and is designed to compel an employer, public safety officer, or labor organization to agree to the terms of a proposed contract.

(b) MANDATORY TERMS AND CONDITIONS.—It shall not be a violation of subsection (a) for a public safety officer or labor organization to refuse to carry out services that are not required under the mandatory terms and conditions of employment applicable to the public safety officer or labor organization.

SEC. _____7. EXISTING COLLECTIVE BARGAINING UNITS AND AGREEMENTS.

A certification, recognition, election-held, collective bargaining agreement or memorandum of understanding which has been issued, approved, or ratified by any public employee relations board or commission or by any State or political subdivision or its agents (management officials) and is in effect on the day before the date of enactment of this subtitle shall not be invalidated by the enactment of this subtitle.

SEC. _____8. CONSTRUCTION AND COMPLIANCE.

(a) CONSTRUCTION.—Nothing in this subtitle shall be construed—

(1) to preempt or limit the remedies, rights, and procedures of any law of any State or political subdivision of any State or jurisdiction that provides greater or comparable rights and responsibilities than the rights and responsibilities described in section _____4(b);

(2) to prevent a State from enforcing a right-to-work law that prohibits employers and labor organizations from negotiating provisions in a labor agreement that require union membership or payment of union fees as a condition of employment;

(3) to preempt or limit any State law in effect on the date of enactment of this subtitle that provides for the rights and responsibilities described in section _____4(b) solely because such State law permits an employee to appear on the employee's own behalf with respect to the employee's employment relations with the public safety agency involved;

(4) to preempt or limit any State law in effect on the date of enactment of this subtitle that provides for the rights and responsibilities described in section _____4(b) solely because such State law excludes from its coverage employees of a State militia or national guard;

(5) to permit parties in States subject to the regulations and procedures described in section _____5 to negotiate provisions that would prohibit an employee from engaging in part-time employment or volunteer activities during off-duty hours;

(6) to prohibit a State from exempting from coverage under this subtitle a political subdivision of the State that has a population of less than 5,000 or that employs less than 25 full-time employees; or

(7) to preempt or limit the laws or ordinances of any State or political subdivision of a State that provide for the rights and responsibilities described in section _____4(b) solely because such law does not require bargaining with respect to pension, retirement, or health benefits.

For purposes of paragraph (6), the term ''employee'' includes each and every individual employed by the political subdivision except any individual elected by popular vote or appointed to serve on a board or commission.

(b) COMPLIANCE.—

(1) ACTIONS OF STATES.—Nothing in this subtitle or the regulations promulgated under this subtitle shall be construed to require a State to rescind or preempt the laws or ordinances of any of its political subdivisions if such laws provide rights and responsibilities for public safety officers that are

comparable to or greater than the rights and responsibilities described in section _____4(b).

(2) ACTIONS OF THE AUTHORITY.—Nothing in this subtitle or the regulations promulgated under this subtitle shall be construed to preempt—

(A) the laws or ordinances of any State or political subdivision of a State, if such laws provide collective bargaining rights for public safety officers that are comparable to or greater than the rights enumerated in section _____4(b);

(B) the laws or ordinance of any State or political subdivision of a State that provide for the rights and responsibilities described in section _____4(b) with respect to certain categories of public safety officers covered by this subtitle solely because such rights and responsibilities have not been extended to other categories of public safety officers covered by this subtitle; or

(C) the laws or ordinances of any State or political subdivision of a State that provides for the rights and responsibilities described in section _____4(b), solely because such laws or ordinances provide that a contract or memorandum of understanding between a public safety employer and a labor organization must be presented to a legislative body as part of the process for approving such contract or memorandum of understanding.

(3) LIMITED ENFORCEMENT POWER.—In the case of a law described in paragraph (2)(B), the Authority shall only exercise the powers provided in section _____5 with respect to those categories of public safety officers who have not been afforded the rights and responsibilities described in section _____4(b).

(4) EXCLUSIVE ENFORCEMENT PROVISION.—Notwithstanding any other provision of this subtitle, and in the absence of a waiver of a State's sovereign immunity, the Authority shall have the exclusive power to enforce the provisions of this subtitle with respect to employees of a State or political subdivision of a State.

SEC. _____9. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this subtitle.

SA 3831. Mr. REID (for Mr. KENNEDY) proposed an amendment to the bill S. 793, to provide for the expansion and improvement of traumatic brain injury programs; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Reauthorization of the Traumatic Brain Injury Act''.

SEC. 2. CONFORMING AMENDMENTS RELATING TO RESTRUCTURING.

Part J of title III of the Public Health Service Act (42 U.S.C. 280b et seq.) is amended—

(1) by redesignating the section 393B (42 U.S.C. 280b–1c) relating to the use of allotments for rape prevention education, as section 393A and moving such section so that it follows section 393;

(2) by redesignating existing section 393A (42 U.S.C. 280b–1b) relating to prevention of traumatic brain injury, as section 393B; and

(3) by redesignating the section 393B (42 U.S.C. 280b–1d) relating to traumatic brain injury registries, as section 393C.

SEC. 3. TRAUMATIC BRAIN INJURY PROGRAMS OF THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

(a) PREVENTION OF TRAUMATIC BRAIN INJURY.—Clause (ii) of section 393B(b)(3)(A) of the Public Health Service Act, as so redesignated, (42 U.S.C. 280b–1b) is amended by striking ''from hospitals and trauma centers'' and inserting ''from hospitals and emergency departments''.

(b) NATIONAL PROGRAM FOR TRAUMATIC BRAIN INJURY SURVEILLANCE AND REGISTRIES.—Section 393C of the Public Health Service Act, as so redesignated, (42 U.S.C. 280b et seq.) is amended—

(1) in the section heading, by inserting ''**SURVEILLANCE AND**'' after ''**NATIONAL PROGRAM FOR TRAUMATIC BRAIN INJURY**''; and

(2) in subsection (a), in the matter preceding paragraph (1), by striking ''may make grants'' and all that follows through ''to collect data concerning—'' and inserting ''may make grants to States or their designees to develop or operate the State's traumatic brain injury surveillance system or registry to determine the incidence and prevalence of traumatic brain injury and related disability, to ensure the uniformity of reporting under such system or registry, to link individuals with traumatic brain injury to services and supports, and to link such individuals with academic institutions to conduct applied research that will support the development of such surveillance systems and registries as may be necessary. A surveillance system or registry under this section shall provide for the collection of data concerning—''.

(c) REPORT.—Section 393C of the Public Health Service Act (as so redesignated) is amended by adding at the end the following:

''(b) Not later than 18 months after the date of enactment of the Reauthorization of the Traumatic Brain Injury Act, the Secretary, acting through the Director of the Centers for Disease Control and Prevention and the Director of the National Institutes of Health and in consultation with the Secretary of Defense and the Secretary of Veterans Affairs, shall submit to the relevant committees of Congress a report that contains the findings derived from an evaluation concerning activities and procedures that can be implemented by the Centers for Disease Control and Prevention, the Department of Defense, and the Department of Veterans Affairs to improve the collection and dissemination of compatible epidemiological studies on the incidence and prevalence of traumatic brain injury in the military and veterans populations who return to civilian life. The report shall include recommendations on the manner in which such agencies can further collaborate on the development and improvement of traumatic brain injury diagnostic tools and treatments.''.

SEC. 4. STUDY ON TRAUMATIC BRAIN INJURY.

Part J of title III of the Public Health Service Act (42 U.S.C. 280b et seq.) is amended by inserting after section 393C the following:

''SEC. 393C–1. STUDY ON TRAUMATIC BRAIN INJURY.

''(a) STUDY.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention with respect to paragraph (1) and in consultation with the Director of the National Institutes of Health and other appropriate entities with respect to paragraphs (2), (3), and (4), may conduct a study with respect to traumatic brain injury for the purpose of carrying out the following:

''(1) In collaboration with appropriate State and local health-related agencies—

''(A) determining the incidence of traumatic brain injury and prevalence of traumatic brain injury related disability and the clinical aspects of the disability in all age groups and racial and ethnic minority groups in the general population of the United States, including institutional settings, such as nursing homes, correctional facilities, psychiatric hospitals, child care facilities, and residential institutes for people with developmental disabilities; and

''(B) reporting national trends in traumatic brain injury.

''(2) Identifying common therapeutic interventions which are used for the rehabilitation of individuals with such injuries, and, subject to the availability of information, including an analysis of—

''(A) the effectiveness of each such intervention in improving the functioning, including return to work or school and community participation, of individuals with brain injuries;

''(B) the comparative effectiveness of interventions employed in the course of rehabilitation of individuals with brain injuries to achieve the same or similar clinical outcome; and

''(C) the adequacy of existing measures of outcomes and knowledge of factors influencing differential outcomes.

''(3) Identifying interventions and therapies that can prevent or remediate the development of secondary neurologic conditions related to traumatic brain injury.

''(4) Developing practice guidelines for the rehabilitation of traumatic brain injury at such time as appropriate scientific research becomes available.

''(b) DATES CERTAIN FOR REPORTS.—If the study is conducted under subsection (a), the Secretary shall, not later than 3 years after the date of the enactment of the Reauthorization of the Traumatic Brain Injury Act, submit to Congress a report describing findings made as a result of carrying out such subsection (a).

''(c) DEFINITION.—For purposes of this section, the term 'traumatic brain injury' means an acquired injury to the brain. Such term does not include brain dysfunction caused by congenital or degenerative disorders, nor birth trauma, but may include brain injuries caused by anoxia due to trauma including near drowning. The Secretary may revise the definition of such term as the Secretary determines necessary.''.

SEC. 5. TRAUMATIC BRAIN INJURY PROGRAMS OF THE NATIONAL INSTITUTES OF HEALTH.

Section 1261 of the Public Health Service Act (42 U.S.C. 300d–61) is amended—

(1) in subsection (b)(2), by striking ''Labor and Human Resources'' and inserting ''Health, Education, Labor, and Pensions'';

(2) in subparagraph (D) of subsection (d)(4), by striking ''head brain injury'' and inserting ''brain injury''; and

(3) in subsection (i), by inserting '', and such sums as may be necessary for each of fiscal years 2008 through 2011'' before the period at the end.

SEC. 6. TRAUMATIC BRAIN INJURY PROGRAMS OF THE HEALTH RESOURCES AND SERVICES ADMINISTRATION.

(a) STATE GRANTS FOR DEMONSTRATION PROJECTS REGARDING TRAUMATIC BRAIN INJURY.—Section 1252 of the Public Health Service Act (42 U.S.C. 300d–52) is amended—

(1) in subsection (a)—

(A) by striking ''may make grants to States'' and inserting ''may make grants to States and American Indian consortia''; and

(B) by striking ''health and other services'' and inserting ''rehabilitation and other services'';

(2) in subsection (b)—

(A) in paragraphs (1), (3)(A)(i), (3)(A)(iii), and (3)(A)(iv), by striking the term ''State'' each place such term appears and inserting the term ''State or American Indian consortium''; and

(B) in paragraph (2), by striking ''recommendations to the State'' and inserting ''recommendations to the State or American Indian consortium'';

(3) in subsection (c), by striking the term ''State'' each place such term appears and inserting ''State or American Indian consortium'';

(4) in subsection (e), by striking ''A State that received'' and all that follows through the period and inserting ''A State or American Indian consortium that received a grant under this section prior to the date of the enactment of the Reauthorization of the Traumatic Brain Injury Act may complete the activities funded by the grant.'';

(5) in subsection (f)—

(A) in the subsection heading, by inserting ''AND AMERICAN INDIAN CONSORTIUM'' after ''STATE'';

(B) in paragraph (1) in the matter preceding subparagraph (A), paragraph (1)(E), paragraph (2)(A), paragraph (2)(B), paragraph (3) in the matter preceding subparagraph (A), paragraph (3)(E), and paragraph (3)(F), by striking the term ''State'' each place such term appears and inserting ''State or American Indian consortium'';

(C) in clause (ii) of paragraph (1)(A), by striking ''children and other individuals'' and inserting ''children, youth, and adults''; and

(D) in subsection (h)—

(i) by striking ''Not later than 2 years after the date of the enactment of this section, the Secretary'' and inserting ''Not less than biennially, the Secretary'';

(ii) by striking ''Commerce of the House of Representatives, and to the Committee on Labor and Human Resources'' and inserting ''Energy and Commerce of the House of Representatives, and to the Committee on Health, Education, Labor, and Pensions''; and

(iii) by inserting ''and section 1253'' after ''programs established under this section,'';

(6) by amending subsection (i) to read as follows:

''(i) DEFINITIONS.—For purposes of this section:

''(1) The terms 'American Indian consortium' and 'State' have the meanings given to those terms in section 1253.

''(2) The term 'traumatic brain injury' means an acquired injury to the brain. Such term does not include brain dysfunction caused by congenital or degenerative disorders, nor birth trauma, but may include brain injuries caused by anoxia due to trauma. The Secretary may revise the definition of such term as the Secretary determines necessary, after consultation with States and other appropriate public or nonprofit private entities.''; and

(7) in subsection (j), by inserting '', and such sums as may be necessary for each of the fiscal years 2008 through 2011'' before the period.

(b) STATE GRANTS FOR PROTECTION AND ADVOCACY SERVICES.—Section 1253 of the Public Health Service Act (42 U.S.C. 300d–53) is amended—

(1) in subsections (d) and (e), by striking the term ''subsection (i)'' each place such term appears and inserting ''subsection (l)'';

(2) in subsection (g), by inserting ''each fiscal year not later than October 1,'' before ''the Administrator shall pay'';

(3) by redesignating subsections (i) and (j) as subsections (l) and (m), respectively;

(4) by inserting after subsection (h) the following:

''(i) DATA COLLECTION.—The Administrator of the Health Resources and Services Administration and the Commissioner of the Administration on Developmental Disabilities shall enter into an agreement to coordinate the collection of data by the Administrator and the Commissioner regarding protection and advocacy services.

''(j) TRAINING AND TECHNICAL ASSISTANCE.—

''(1) GRANTS.—For any fiscal year for which the amount appropriated to carry out this section is $6,000,000 or greater, the Administrator shall use 2 percent of such amount to make a grant to an eligible national association for providing for training and technical assistance to protection and advocacy systems.

''(2) DEFINITION.—In this subsection, the term 'eligible national association' means a national association with demonstrated experience in providing training and technical assistance to protection and advocacy systems.

''(k) SYSTEM AUTHORITY.—In providing services under this section, a protection and advocacy system shall have the same authorities, including access to records, as such system would have for purposes of providing services under subtitle C of the Developmental Disabilities Assistance and Bill of Rights Act of 2000.''; and

(5) in subsection (l) (as redesignated by this subsection) by striking ''2005'' and inserting ''2011''.

SEC. 7. GAO STUDY WITH RESPECT TO MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study regarding members of the armed forces who have acquired a disability resulting from a traumatic brain injury incurred while serving in Operation Enduring Freedom and Operation Iraqi Freedom. Such study shall examine how these individuals are being reintegrated into their communities, including—

(1) what is known about this population; and

(2) what challenges they may face in returning to their communities, such as accessing employment, housing, transportation, and community care programs, and coordinating benefits.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Veterans' Affairs and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Veterans' Affairs and the Committee on Education and the Workforce of the House of Representatives, a report summarizing the results of the study conducted under subsection (a).

NOTICE OF HEARING

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 nomination hearing has been scheduled before the Senate Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, December 18, 2007, at 10:30 a.m., in room SD366 of the Dirksen Senate Office Building.

The purpose of the hearing is to consider the nomination of Jon Wellinghoff, of Nevada, to be a Member of the Federal Energy Regulatory Commission, for the term expiring June 30, 2013.

For further information, please contact Sam Fowler at (202) 224–7571 or Rosemarie Calabro at (202) 224–5039.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, December 11, 2007, at 2:30 p.m., in room SD366 of the Dirksen Senate Office Building in order to conduct a hearing. At this hearing, the committee will hear testimony regarding the Science and Engineering to Comprehensively Understand and Responsibly Enhance Water Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Tuesday, December 11, 2007, at 10 a.m., in room 215 of the Dirksen Senate Office Building, in order to hear testimony on S. 1673, the Promoting American Agricultural and Medical Exports to Cuba Act of 2007.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, December 11, 2007, at 2:30 p.m. in order to hold a classified briefing on Iran.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to hold a hearing entitled ''Meeting the Global Challenge of AIDS, TB, and Malaria,'' during the session of the Senate on Tuesday, December 11, 2007, at 10 a.m. in room 325 of the Russell Senate Office Building.

The PRESIDING OFFICER, Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Tuesday, December 11, 2007, at 10 a.m. in order to conduct a hearing entitled ''E-Government 2.0: Improving Innovation, Collaboration, and Access.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations, of the Committee on Homeland Security and Governmental Affairs, be authorized to meet during the session of the Senate on Tuesday, December 11, 2007, at 10 a.m., in order to conduct a hearing entitled, ''Speculation in the Crude Oil Market.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Select

Committee on Intelligence be authorized to meet during the session of the Senate on December 11, 2007, at 2:30 p.m. in order to hold a closed briefing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON ANTITRUST, COMPETITION POLICY, AND CONSUMER RIGHTS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary, Subcommittee on Antitrust, Competition Policy, and Consumer Rights, be authorized to meet during the session of the Senate in order to conduct a hearing entitled ''The Sunshine in Litigation Act: Does Court Secrecy Undermine Public Health and Safety?'' on Tuesday, December 11, 2007 at 2:30 p.m. in room SD–226 of the Dirksen Senate Office Building.

Witness list

The Honorable Joseph F. Anderson, United States District Court Judge, United States District Court for the District of South Carolina.

Johnny Bradley, Jr., Pachuta, Mississippi.

Robert N. Weiner, Partner, Arnold & Porter, LLP, Washington, DC.

Leslie A. Bailey, Brayton-Baron Attorney, Public Justice, Oakland, CA.

Stephen G. Morrison, Partner, Nelson Mullins Riley & Scarborough, LLP, Columbia, SC.

Richard A. Zitrin, Adjunct Professor of Law, University of California at Hastings, San Francisco, CA.

The PRESIDING OFFICER. Without objections, it is so ordered.

SUBCOMMITTEE ON TERRORISM, TECHNOLOGY, AND HOMELAND SECURITY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary, Subcommittee on Terrorism, Technology, and Homeland Security, be authorized to meet during the session of the Senate in order to conduct a hearing entitled ''The Legal Rights of Guantánamo Detainees: What Are They, Should They Be Changed, and Is an End in Sight?'' on Tuesday, December 11, 2007 at 10 a.m. in room SD–226 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. ALEXANDER. Mr. President, I unanimous consent that a fellow on my staff, Jack Wells, be granted the privilege of the floor for the duration of the debate on the farm bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. KLOBUCHAR. First, on behalf of the Presiding Officer, Senator SALAZAR, I ask unanimous consent that Ben Brown, a fellow in Senator SALAZAR's office, be allowed floor privileges for the remainder of the debate on the farm bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

METHAMPHETAMINE REMEDIATION RESEARCH ACT OF 2007

Mr. REID. Mr. President, I ask unanimous consent that the Environment and Public Works Committee be discharged from further consideration of H.R. 365.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 365) to provide for a research program for remediation of closed methamphetamine production laboratories, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read a third time, passed, the motion to reconsider be laid upon the table, and that any statement relating to the bill be printed in the RECORD, without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 365) was ordered to a third reading, was read the third time, and passed.

REAUTHORIZATION OF THE TRAUMATIC BRAIN INJURY ACT

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 317, S. 793.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 793) to provide for the expansion and improvement of traumatic brain injury programs.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Reauthorization of the Traumatic Brain Injury Act''.

SEC. 2. CONFORMING AMENDMENTS RELATING TO RESTRUCTURING.

Part J of title III of the Public Health Service Act (42 U.S.C. 280b et seq.) is amended—

(1) by redesignating the section 393B (42 U.S.C. 280b–1c) relating to the use of allotments for rape prevention education, as section 393A and moving such section so that it follows section 393;

(2) by redesignating existing section 393A (42 U.S.C. 280b–1b) relating to prevention of traumatic brain injury, as section 393B; and

(3) by redesignating the section 393B (42 U.S.C. 280b–1d) relating to traumatic brain injury registries, as section 393C.

SEC. 3. TRAUMATIC BRAIN INJURY PROGRAMS OF THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

(a) PREVENTION OF TRAUMATIC BRAIN INJURY.—Clause (ii) of section 393B(b)(3)(A) of the Public Health Service Act, as so redesignated, (42 U.S.C. 280b–1b) is amended by striking ''from hospitals and trauma centers'' and inserting ''from hospitals and emergency departments''.

(b) NATIONAL PROGRAM FOR TRAUMATIC BRAIN INJURY SURVEILLANCE AND REGISTRIES.—Section 393C of the Public Health Service Act, as so redesignated, (42 U.S.C. 280b et seq.) is amended—

*(1) in the section heading, by inserting ''**SURVEILLANCE AND**'' after ''**NATIONAL PROGRAM FOR TRAUMATIC BRAIN INJURY**''; and*

(2) in subsection (a), in the matter preceding paragraph (1), by striking ''may make grants'' and all that follows through ''to collect data concerning—'' and inserting ''may make grants to States or their designees to develop or operate the State's traumatic brain injury surveillance system or registry to determine the incidence and prevalence of traumatic brain injury and related disability, to ensure the uniformity of reporting under such system or registry, to link individuals with traumatic brain injury to services and supports, and to link such individuals with academic institutions to conduct applied research that will support the development of such surveillance systems and registries as may be necessary. A surveillance system or registry under this section shall provide for the collection of data concerning—''.

(c) REPORT.—Section 393C of the Public Health Service Act (as so redesignated) is amended by adding at the end the following:

''(b) Not later than 18 months after the date of enactment of the Reauthorization of the Traumatic Brain Injury Act, the Secretary, acting through the Director of the Centers for Disease Control and Prevention and the Director of the National Institutes of Health and in consultation with the Secretary of Defense and the Secretary of Veterans Affairs, shall submit to the relevant committees of Congress a report that contains the findings derived from an evaluation concerning activities and procedures that can be implemented by the Centers for Disease Control and Prevention, the Department of Defense, and the Department of Veterans Affairs to improve the collection and dissemination of compatible epidemiological studies on the incidence and prevalence of traumatic brain injury in the military and veterans populations who return to civilian life. The report shall include recommendations on the manner in which such agencies can further collaborate on the development and improvement of traumatic brain injury diagnostic tools and treatments.''.

SEC. 4. STUDY ON TRAUMATIC BRAIN INJURY.

Part J of title III of the Public Health Service Act (42 U.S.C. 280b et seq.) is amended by inserting after section 393C the following:

''SEC. 393C–1. STUDY ON TRAUMATIC BRAIN INJURY.

''(a) STUDY.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention with respect to paragraph (1) and the Director of the National Institutes of Health with respect to paragraphs (2) and (3), shall conduct a study with respect to traumatic brain injury for the purpose of carrying out the following:

''(1) In collaboration with appropriate State and local health-related agencies—

''(A) determining the incidence of traumatic brain injury and prevalence of traumatic brain injury related disability and the clinical aspects of the disability in all age groups and racial and ethnic minority groups in the general population of the United States, including institutional settings, such as nursing homes, correctional facilities, psychiatric hospitals, child care facilities, and residential institutes for people with developmental disabilities; and

''(B) reporting national trends in traumatic brain injury.

''(2) Identifying common therapeutic interventions which are used for the rehabilitation of individuals with such injuries, and, subject to the availability of information, including an analysis of—

''(A) the effectiveness of each such intervention in improving the functioning, including return to work or school and community participation, of individuals with brain injuries;

''(B) the comparative effectiveness of interventions employed in the course of rehabilitation of individuals with brain injuries to achieve the same or similar clinical outcome; and

''(C) the adequacy of existing measures of outcomes and knowledge of factors influencing differential outcomes.

''(3) Identifying interventions and therapies that can prevent or remediate the development of secondary neurologic conditions related to traumatic brain injury.

''(4) Developing practice guidelines for the rehabilitation of traumatic brain injury at such time as appropriate scientific research becomes available.

''(b) DATES CERTAIN FOR REPORTS.—Not later than 3 years after the date of the enactment of the Reauthorization of the Traumatic Brain Injury Act, the Secretary shall submit to the Congress a report describing findings made as a result of carrying out subsection (a).

''(c) DEFINITION.—For purposes of this section, the term 'traumatic brain injury' means an acquired injury to the brain. Such term does not include brain dysfunction caused by congenital or degenerative disorders, nor birth trauma, but may include brain injuries caused by anoxia due to trauma including near drowning. The Secretary may revise the definition of such term as the Secretary determines necessary.''.

SEC. 5. TRAUMATIC BRAIN INJURY PROGRAMS OF THE NATIONAL INSTITUTES OF HEALTH.

Section 1261 of the Public Health Service Act (42 U.S.C. 300d–61) is amended—

(1) in subsection (b)(2), by striking ''Labor and Human Resources'' and inserting ''Health, Education, Labor, and Pensions'';

(2) in subparagraph (D) of subsection (d)(4), by striking ''head brain injury'' and inserting ''brain injury''; and

(3) in subsection (i), by inserting '', and such sums as may be necessary for each of fiscal years 2008 through 2011'' before the period at the end.

SEC. 6. TRAUMATIC BRAIN INJURY PROGRAMS OF THE HEALTH RESOURCES AND SERVICES ADMINISTRATION.

(a) STATE GRANTS FOR DEMONSTRATION PROJECTS REGARDING TRAUMATIC BRAIN INJURY.—Section 1252 of the Public Health Service Act (42 U.S.C. 300d–52) is amended—

(1) in subsection (a)—

(A) by striking ''may make grants to States'' and inserting ''may make grants to States and American Indian consortia''; and

(B) by striking ''health and other services'' and inserting ''rehabilitation and other services'';

(2) in subsection (b)—

(A) in paragraphs (1), (3)(A)(i), (3)(A)(iii), and (3)(A)(iv), by striking the term ''State'' each place such term appears and inserting the term ''State or American Indian consortium''; and

(B) in paragraph (2), by striking ''recommendations to the State'' and inserting ''recommendations to the State or American Indian consortium'';

(3) in subsection (c), by striking the term ''State'' each place such term appears and inserting ''State or American Indian consortium'';

(4) in subsection (e), by striking ''A State that received'' and all that follows through the period and inserting ''A State or American Indian consortium that received a grant under this section prior to the date of the enactment of the Reauthorization of the Traumatic Brain Injury Act may complete the activities funded by the grant.'';

(5) in subsection (f)—

(A) in the subsection heading, by inserting ''AND AMERICAN INDIAN CONSORTIUM'' after ''STATE'';

(B) in paragraph (1) in the matter preceding subparagraph (A), paragraph (1)(E), paragraph (2)(A), paragraph (2)(B), paragraph (3) in the matter preceding subparagraph (A), paragraph (3)(E), and paragraph (3)(F), by striking the term ''State'' each place such term appears and inserting ''State or American Indian consortium'';

(C) in clause (ii) of paragraph (1)(A), by striking ''children and other individuals'' and inserting ''children, youth, and adults''; and

(D) in subsection (h)—

(i) by striking ''Not later than 2 years after the date of the enactment of this section, the Secretary'' and inserting ''Not less than biennially, the Secretary'';

(ii) by striking ''Commerce of the House of Representatives, and to the Committee on Labor and Human Resources'' and inserting ''Energy and Commerce of the House of Representatives, and to the Committee on Health, Education, Labor, and Pensions''; and

(iii) by inserting ''and section 1253'' after ''programs established under this section,'';

(6) by amending subsection (i) to read as follows:

''(i) DEFINITIONS.—For purposes of this section:

''(1) The terms 'American Indian consortium' and 'State' have the meanings given to those terms in section 1253.

''(2) The term 'traumatic brain injury' means an acquired injury to the brain. Such term does not include brain dysfunction caused by congenital or degenerative disorders, nor birth trauma, but may include brain injuries caused by anoxia due to trauma. The Secretary may revise the definition of such term as the Secretary determines necessary, after consultation with States and other appropriate public or nonprofit private entities.''; and

(7) in subsection (j), by inserting '', and such sums as may be necessary for each of the fiscal years 2008 through 2011'' before the period.

(b) STATE GRANTS FOR PROTECTION AND ADVOCACY SERVICES.—Section 1253 of the Public Health Service Act (42 U.S.C. 300d–53) is amended—

(1) in subsections (d) and (e), by striking the term ''subsection (i)'' each place such term appears and inserting ''subsection (l)'';

(2) in subsection (g), by inserting ''each fiscal year not later than October 1,'' before ''the Administrator shall pay'';

(3) by redesignating subsections (i) and (j) as subsections (l) and (m), respectively;

(4) by inserting after subsection (h) the following:

''(i) DATA COLLECTION.—The Administrator of the Health Resources and Services Administration and the Commissioner of the Administration on Developmental Disabilities shall enter into an agreement to coordinate the collection of data by the Administrator and the Commissioner regarding protection and advocacy services.

''(j) TRAINING AND TECHNICAL ASSISTANCE.—

''(1) GRANTS.—For any fiscal year for which the amount appropriated to carry out this section is $6,000,000 or greater, the Administrator shall use 2 percent of such amount to make a grant to an eligible national association for providing for training and technical assistance to protection and advocacy systems.

''(2) DEFINITION.—In this subsection, the term 'eligible national association' means a national association with demonstrated experience in providing training and technical assistance to protection and advocacy systems.

''(k) SYSTEM AUTHORITY.—In providing services under this section, a protection and advocacy system shall have the same authorities, including access to records, as such system would have for purposes of providing services under subtitle C of the Developmental Disabilities Assistance and Bill of Rights Act of 2000.''; and

(5) in subsection (l) (as redesignated by this subsection) by striking ''2005'' and inserting ''2011''.

SEC. 7. GAO STUDY WITH RESPECT TO MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a national study regarding whether, and, if so, to what extent, members of the armed forces who have acquired a disability from serving in Operation Enduring Freedom and Operation Iraqi Freedom are being reintegrated into their communities. Such study shall specifically include an examination of factors affecting the reintegration of such members of the armed forces who have acquired a traumatic brain injury into their communities, including an analysis of—

(1) the unavailability of suitable employment, housing, and transportation;

(2) the existence, availability, and capacity of community care programs; and

(3) the extent to which there is coordination of benefits for these men and women.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Veterans' Affairs and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Veterans' Affairs and the Committee on Education and the Workforce of the House of Representatives, a report summarizing the results of the study conducted under subsection (a).

Mr. KENNEDY. Mr. President, in passing the reauthorization of the Traumatic Brain Injury Act today, the Senate has taken an important step toward making a difference in the lives of some of our Nation's most deserving citizens: our soldiers and our children. It is a privilege to have worked with my colleague, Senator HATCH, on this legislation. It is an important and timely bill that helps an especially deserving group of people.

Brain injuries have become the signature wound of the war in Iraq. Up to two-thirds of our wounded soldiers may have suffered such injuries. Here at home, an unacceptably large number of children from birth to age 14 experience traumatic brain injuries—approximately 475,000 a year and some of the most frequent of these injuries are to children under the age of five. In Massachusetts alone, more than 40,000 individuals experience brain injuries each year.

As a result of such injuries, over 5.3 million Americans are now living with a permanent disability. Today, we have taken a step toward ensuring that these citizens and their families will receive the best care we can provide.

The bill reauthorizes grants that assist States, Territories, and the District of Columbia in establishing and expanding coordinated systems of community-based services and supports for those with such injuries.

When Congress approved the Traumatic Brain Injury Act as part of the Children's Health Act of 2000, we included a specific provision called the Protection and Advocacy for Individuals with Traumatic Brain Injury Program. This program has become essential because persons with these injuries have an array of needs beyond treatment and health care, including assistance in returning to work, finding a place to live, obtaining supports and services such as attendant care and assistive technology, and obtaining appropriate mental health, substance abuse, and rehabilitation services.

Often these persons—especially our returning veterans—must remain in extremely expensive institutions far

longer than necessary, because the community-based supports and services they need are not available, even though they can lead to reduced government expenditures, increased productivity, independence and community integration. Those who provide such assistance must have special skills, and their work is often time-intensive.

Our legislation allocates funds for CDC programs that will provide important information and data on injury prevention. A recent Institute of Medicine report showed that such programs work. Their benefit is obvious, and we must do all we can to expand this appropriation in the years ahead to meet the urgent and growing need for this assistance.

A recent report by the Institute of Medicine calls the current TBI programs an ''overall success.'' It states that ''there is considerable value in providing funding,'' and ''it is worrisome that the modestly budgeted TBI Program continues to be vulnerable to budget cuts.''

Current estimates show that the Federal Government spends less than $3 dollars per brain injury survivor on research and services. As the IOM study suggests, this program must be able to grow, so that each State has the resources necessary to maintain vital services and advocacy for the large number of Americans who sustain such a brain injury each year.

Today's passage of this bipartisan bill moves us closer to continuing and strengthening these important programs which say to our Nation's wounded soldiers and injured children: ''You deserve the best we can provide''. I hope very much that Congress will continue to expand these programs, so that we can truly do all we can for these deserving individuals and their families.

Mr. REID. Mr. President, I ask unanimous consent that the amendment at the desk be considered and agreed to; that the committee-reported substitute, as amended, be agreed to; that the bill, as amended, be read a third time, passed, and the motion to reconsider be laid upon the table; and that any statements relating to the bill be printed in the RECORD, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3831) was agreed to.

(The amendment is printed in today's RECORD under ''Text of Amendments.''

The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill (S. 793), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

ORDERS FOR WEDNESDAY, DECEMBER 12, 2007

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9 a.m., Wednesday, December 12; that on Wednesday, December 12, following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour deemed expired, the time for the two leaders reserved for their use later in the day; that there then be a period of morning business for 3 hours, with the time equally divided and controlled between the two leaders or their designees and Senators permitted to speak therein for up to 10 minutes each, with the first half under the control of the majority and the final half under the control of the Republicans; that at the close of morning business, the Senate then resume consideration of H.R. 2419, as provided for under a previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. REID. Mr. President, I now ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 8:21 p.m., adjourned until Wednesday, December 12, 2007, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

YOUSIF BOUTROUS GHAFARI, OF MICHIGAN, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SLOVENIA.

JAMES K. GLASSMAN, OF CONNECTICUT, TO BE UNDER SECRETARY OF STATE FOR PUBLIC DIPLOMACY WITH THE RANK OF AMBASSADOR, VICE KAREN P. HUGHES.

DEPARTMENT OF THE TREASURY

DOUGLAS H. SHULMAN, OF THE DISTRICT OF COLUMBIA, TO BE COMMISSIONER OF INTERNAL REVENUE FOR THE TERM PRESCRIBED BY LAW, VICE MARK W. EVERSON.

DEPARTMENT OF ENERGY

STANLEY C. SUBOLESKI, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF ENERGY (FOSSIL ENERGY), VICE JEFFREY D. JARRETT, RESIGNED.

FEDERAL ENERGY REGULATORY COMMISSION

JON WELLINGHOFF, OF NEVADA, TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION FOR THE TERM EXPIRING JUNE 30, 2013. (REAPPOINTMENT)

THE JUDICIARY

GLENN T. SUDDABY, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF NEW YORK, VICE LAWRENCE E. KAHN, RETIRED.

G. MURRAY SNOW, OF ARIZONA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA, VICE STEPHEN M. MCNAMEE, RETIRED.

DEPARTMENT OF JUSTICE

GREGORY G. KATSAS, OF MASSACHUSETTS, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE PETER D. KEISLER, RESIGNED.

KEVIN J. O'CONNOR, OF CONNECTICUT, TO BE ASSOCIATE ATTORNEY GENERAL, VICE ROBERT D. MCCALLUM, JR.

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 624:

To be brigadier general

COL. BRUCE A. LITCHFIELD, 0000

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. EDIGER, 0000
COLONEL RICHARD A. HERSACK, 0000
COLONEL DANIEL O. WYMAN, 0000

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

COL. CHRISTOPHER F. BURNE, 0000
COL. DWIGHT D. CREASY, 0000

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT IN THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be lieutenant colonel

JOHN R. SHAW, 0000

To be major

GREGORY S.F. MCDOUGAL, 0000
NATALIE L. RESTIVO, 0000

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

QUINDOLA M. CROWLEY, 0000

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

PAUL A. MABRY, 0000

To be major

JON E. LUTZ, 0000
ROBERT PERITO, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

JOSEPH M. ADAMS, 0000
MICHAEL A. BALSER, 0000
BRETT A. BARRACLOUGH, 0000
ROGER S. BASNETT, 0000
DAVID G. BASSETT, 0000
THOMAS C. BEANE, JR., 0000
VERNON L. BEATTY, JR., 0000
TIMOTHY D. BECKNER, 0000
ALAN R. BERNARD, 0000
FRANCISCO R. BETANCOURT, 0000
MICHAEL C. BIRD, 0000
GREGG A. BLANCHARD, 0000
GEORGE W. BOND, 0000
MICHAEL T. BOONE, 0000
WILLIAM K. BOYETT, 0000
LEO E. BRADLEY III, 0000
WILLIAM B. BRENTS, 0000
BRIAN P. BRINDLEY, 0000
STEVEN R. BUSCH, 0000
DOUGLAS B. BUSHEY, 0000
KENNETH G. CARRICK, 0000
ANTHONY K. CHAMBERS, 0000
DOUGLAS G. CHAMBERS, 0000
DANIEL M. CHARTIER, 0000
MARCUS C. CHERRY, 0000
LARY E. CHINOWSKY, 0000
LINWOOD B. CLARK, JR., 0000
EMMA K. COULSON, 0000
STEVEN F. CUMMINGS, 0000
DEBRA D. DANIELS, 0000
WILLIAM J. DAVISSON, 0000
JAMES V. DAY, 0000
ROBERT W. DEJONG, 0000
BARRY A. DIEHL, 0000
RICHARD B. DIX, 0000
DAVID B. DYE, 0000
STEVEN M. ELKINS, 0000
RONALD P. ELROD, 0000
KENNETH E. EVANS, JR., 0000
CHRISTOPHER R. FARLEY, 0000
MICHAEL P. FLANAGAN, 0000
JEFFERY D. FORD, 0000
DARLENE S. FREEMAN, 0000
LAWRENCE W. FULLER, 0000
ROBERT E. GAGNON, 0000
MARIO V. GARCIA, JR., 0000
TODD GARLICK, 0000
KEVIN E. GENTZLER, 0000
LESLIE A. GERALD, 0000
CHARLES C. GIBSON, 0000
MAXINE C. GIRARD, 0000
MICHELE L. GODDETTE, 0000
NANCY J. GRANDY, 0000
KATHRYN R. HALL, 0000
SEAN T. HANNAH, 0000
DEBRA A. HANNEMAN, 0000
LEO R. HAY, 0000
ERIC J. HESSE, 0000
KENNETH E. HICKINS, 0000
MARK R. HICKS, 0000
MICHAEL D. HOSKIN, 0000
MICHAEL C. HOWITZ, 0000
KENNETH D. HUBBARD, 0000
WILLIAM B. HUGHES, 0000
MICHAEL L. HUMMEL, 0000
RONALD JACOBS, JR., 0000
GRANT A. JACOBY, 0000

ROBERT G. JOHNSON, 0000
JACK T. JUDY, 0000
KEVIN K. KACHINSKI, 0000
ALLEN W. KIEFER, 0000
JOHN C. KILGALLON, 0000
JAMES D. KINKADE, 0000
RONALD KIRKLIN, 0000
LENNY J. KNESS, 0000
ROBERT D. KNOCK, JR., 0000
RICHARD J. KRAMER, 0000
DREFUS LANE, 0000
THOMAS J. LANGOWSKI, 0000
JOHN M. LAZAR, 0000
JOHN R. LEAPHART, 0000
STANLEY M. LEWIS, 0000
EUGENE W. LILLIEWOOD, JR., 0000
SCOTT J. LOFREDDO, 0000
KERRY J. MACINTYRE, 0000
ROBERT L. MARION, 0000
PATRICK H. MASON, 0000
PATRICIA A. MATLOCK, 0000
THOMAS D. MCCARTHY, 0000
MARK A. MCCORMICK, 0000
TRACY E. MCLEAN, 0000
JOHN H. MCPHAUL, JR., 0000
PHILLIP A. MEAD, 0000
HOWARD L. MERRITT, 0000
THOMAS MINTZER, 0000
CONRADO B. MORGAN, 0000
JEFFREY S. MORRIS, 0000
MICHAEL S. OUBRE, 0000
FRANCIS S. PACELLO, 0000
GUST W. PAGONIS, 0000
PATRICK V. PALLATTO, 0000
RICHARD B. PARKER, 0000
THOMAS L. PAYNE, 0000
BRENT A. PENNY, 0000
BROC A. PERKUCHIN, 0000
MICHAEL P. PETERMAN, 0000
DIANNA ROBERSON, 0000
HARVEY R. ROBINSON, 0000
KENNETH P. RODGERS, 0000
RONALD J. ROSS, 0000
WILLIAM I. RUSH, 0000
KURT J. RYAN, 0000
WILLIAM A. SANDERS, 0000
LYNN W. SANNICOLAS, 0000
LISA R. SCHLEDERKIRKPATRICK, 0000
THOMAS S. SCHORR, JR., 0000
MICHAEL J. SCHROEDER, 0000
RICHARD L. SHEPARD, 0000
JOE K. SLEDD, 0000
JAMES H. SMITH, 0000
JEANNE C. SMITHHOOPER, 0000
JOHNNY W. SOKOLOSKY, 0000
JEFFREY K. SOUDER, 0000
LOUIS F. STEINBUGL, 0000
VANCE F. STEWART III, 0000
DEBORAH S. STUART, 0000
WAYNE L. STULTZ, 0000
JOHN P. SULLIVAN, 0000
JOHN H. SUTTON, 0000
MICHAEL R. SWITZER, 0000
MARK E. TALKINGTON, 0000
JOEL C. TAYLOR, 0000
DANNY F. TILZEY, 0000
FERNANDO L. TORRENT, 0000
EVELYN M. TORRES, 0000
JOHN S. TURNER, 0000
DAVID E. VANSLAMBROOK, 0000
JOEL D. WEEKS, 0000
FRANKLIN L. WENZEL, 0000
HARRY F. WILKES, 0000
CURTIS WILLIAMS, JR., 0000
KELVIN R. WOOD, 0000
REED F. YOUNG, 0000
MICHAEL E. ZARBO, 0000
JOHN V. ZAVARELLI, 0000
D0000
D0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

ANTHONY J. ABATI, 0000
DAVID P. ANDERS, 0000
BRUCE P. ANTONIA, 0000
ANDREW W. BACKUS, 0000
ROBERT A. BAER, 0000
JUNIOOMARU BARBER, 0000
DAVID B. BATCHELOR, 0000
MARK A. BERTOLINI, 0000
KENNETH J. BILAND, 0000
ALAN C. BLACKWELL, 0000
MARK A. BLAIR, 0000
MARLON D. BLOCKER, 0000
BRADLEY D. BLOOM, 0000
DONALD C. BOLDUC, 0000
JOHN R. BOULE II, 0000
PATRICK P. BREWINGTON, 0000
DARRYL J. BRIGGS, 0000
ERIC W. BRIGHAM, 0000
GARY M. BRITO, 0000
THOMAS H. BRITTAIN, 0000
MICHAEL W. BROBECK, 0000
JEFFREY M. BRODEUR, 0000
MICHAEL A. BROWDER, 0000
KEVIN P. BROWN, 0000
ROBERT S. BROWN, 0000
ROSS A. BROWN, 0000
VINCENT D. BRYANT, 0000
WILLARD M. BURLESON II, 0000
FRANCIS B. BURNS, 0000
DAVID A. BUSHEY, 0000
WILLIAM C. BUTCHER, 0000
MIKE A. CARTER, 0000
CHRISTOPHER G. CAVOLI, 0000
ROBERT P. CERJAN, 0000
RANDALL K. CHEESEBOROUGH, 0000
FREDRICK S. CHOI, 0000
PERRY C. CLARK, 0000
JOSEPH S. COALE, 0000
DAVID C. COGDALL, 0000
CRAIG A. COLLIER, 0000
LYDIA D. COMBS, 0000
ERIC R. CONRAD, 0000
LEONARD A. COSBY, 0000
KENNETH J. CRAWFORD, 0000
REGINALD R. DAVIS, 0000
BRANT V. DAYLEY, 0000
EDMUND J. DEGEN, 0000
TIMOTHY P. DEVITO, 0000
BARRY S. DIRUZZA, 0000
BRIAN J. DISINGER, 0000
MICHAEL J. DOMINIQUE, 0000
SCOTT E. DONALDSON, 0000
GEORGE T. DONOVAN, JR., 0000
TERENCE M. DORN, 0000
KENNETH E. DOWNER, 0000
STEVEN W. DUKE, 0000
BRIAN P. DUNN, 0000
JOHN C. DVORACEK, 0000
CHESTER F. DYMEK III, 0000
CHARLES N. EASSA, 0000
MARK L. EDMONDS, 0000
GEOFFREY D. ELLERSON, 0000
MICHAEL T. ENDRES, 0000
MALCOLM B. FROST, 0000
MICHAEL J. GAWKINS, 0000
WILLIAM K. GAYLER, 0000
STEPHEN J. GAYTON, JR., 0000
RAY D. GENTZYEL, 0000
BERTRAND A. GES, 0000
MICHAEL L. GIBLER, 0000
CARL L. GILES, 0000
MARK J. GORTON, 0000
DEWEY A. GRANGER, 0000
THOMAS C. GRAVES, 0000
WAYNE A. GREEN, 0000
PAUL S. GREENHOUSE, 0000
GREGORY J. GUNTER, 0000
MICHAEL J. HARRIS, 0000
ROBERT D. HAYCOCK, 0000
ASHTON L. HAYES, 0000
KYLE D. HICKMAN, 0000
THOMAS E. HIEBERT, 0000
MICHAEL S. HIGGINBOTTOM, 0000
BRYAN C. HILFERTY, 0000
ADAM R. HINSDALE, 0000
TERRY D. HODGES, 0000
PATRICK B. HOGAN, 0000
JAMES A. HOWARD, 0000
WILLIAM P. HUBER, 0000
PAUL G. HUMPHREYS, 0000
MARC B. HUTSON, 0000
MICHAEL J. INFANTI, 0000
JAMES P. INMAN, 0000
JOSEPH D. JACKY, 0000
JAMES H. JENKINS III, 0000
JACK J. JENSEN, 0000
BARRY A. JOHNSON, 0000
FRED W. JOHNSON, 0000
MICHAEL J. JOHNSON, 0000
MICIOTTO O. JOHNSON, 0000
HARVEY B. JONES III, 0000
ROGER T. JONES, 0000
ARTHUR A. KANDARIAN, 0000
THOMAS L. KELLY, 0000
PATRICK J. KILROY, 0000
SCOTT D. KIMMELL, 0000
WILLIAM E. KING IV, 0000
REINHARD W. KOENIG, 0000
STEVEN T. KOENIG, 0000
CHRISTOPHER D. KOLENDA, 0000
FRED T. KRAWCHUK, JR., 0000
RYAN J. KUHN, 0000
JOHN F. LAGANELLI, 0000
JAMES E. LARSEN II, 0000
LOUIS J. LARTIGUE, JR., 0000
TERRY M. LEE, 0000
JON N. LEONARD II, 0000
DAVID J. LIDDELL, 0000
TIMOTHY J. LONEY, 0000
VICTOR H. LOSCH II, 0000
VIET X. LUONG, 0000
LATONYA D. LYNN, 0000
CHARLES C. MACK, 0000
SCOTT F. MALCOM, 0000
SAMUEL P. MANSBERGER, 0000
FRED V. MANZO, JR., 0000
JAMES P. MARSHALL, 0000
JEFFREY R. MARTINDALE, 0000
PATRICK E. MATLOCK, 0000
SEAN W. MCCAFFREY, 0000
JOHN C. MCCLELLAN, JR., 0000
DAN MCELROY, 0000
BRIAN S. MCFADDEN, 0000
SHAWN P. MCGINLEY, 0000
JOHN M. MCHUGH, 0000
ROBERT F. MCLAUGHLIN, 0000
KEVIN W. MILTON, 0000
JAMES B. MINGO, 0000
JAMES J. MINGUS, 0000
JAMES M. MIS, 0000
LENTFORT MITCHELL, 0000
MARK E. MITCHELL, 0000
STEPHEN P. MONIZ, 0000
JOHN J. MULBURY, 0000
ROBERT M. MUNDELL, 0000
RICHARD J. MURASKI, JR., 0000
FRANK M. MUTH, 0000
DEBORAH A. MYERS, 0000
DONALD H. MYERS, 0000
BARRY A. NAYLOR, 0000
ANDREW B. NELSON, 0000
CRAIG M. NEWMAN, 0000
JAMES D. NICKOLAS, 0000
NOEL T. NICOLLE, 0000
GARY R. NICOSON, 0000
KIRK H. NILSSON, 0000
EDWARD T. NYE, 0000
ALFRED A. PANTANO, JR., 0000
PAUL M. PAOLOZZI, 0000
ROBERT J. PAQUIN, 0000
JOHN A. PEELER, 0000
WARREN M. PERRY, 0000
JAMES A. PETERSON, 0000
JEFFREY D. PETERSON, 0000
JODY L. PETERY, 0000
KURT J. PINKERTON, 0000
DANIEL A. PINNELL, 0000
MARK B. POMEROY, 0000
MICHAEL L. POPOVICH, 0000
ANDREW P. POPPAS, 0000
WILLIAM W. PRIOR, 0000
BRIAN M. PUGMIRE, 0000
MICHAEL D. PYOTT, 0000
VINCENT V. QUARLES, 0000
STEPHEN M. QUINN, 0000
VINCENT M. REAP, 0000
JOHN G. REILLY, 0000
PAUL K. REIST, 0000
JOHN S. RENDA, 0000
DARYL S. REY, 0000
TERRY L. RICE, 0000
TIMOTHY J. RICHARDS, 0000
RICHARD S. RICHARDSON, 0000
GLENN S. RICHIE, 0000
STEPHEN J. RICHMOND, 0000
JAMES M. ROBERTSON, 0000
JOHN R. ROBINSON, 0000
DAVID A. RODDENBERRY, 0000
ROBERT R. ROGGEMAN, 0000
ROBERT J. RUCH, 0000
BRYAN L. RUDACILLE, JR., 0000
OLIVER S. SAUNDERS, 0000
DANIEL P. SAUTER III, 0000
ERIC O. SCHACHT, 0000
GEORGE T. SHEPARD, JR., 0000
MILTON L. SHIPMAN, 0000
WILSON A. SHOFFNER, JR., 0000
GEORGE B. SHUPLINKOV, 0000
STEPHEN J. SICINSKI, 0000
GEORGE SIMON III, 0000
JOSEPH A. SIMONELLI, JR., 0000
JOHN D. SIMS, 0000
LAURA L. SINGER, 0000
MICHAEL K. SKINNER, 0000
AVANULAS R. SMILEY, 0000
KURT L. SONNTAG, 0000
WILLIAM E. SPADIE, 0000
JAMES R. SPANGLER II, 0000
WILLIAM T. STEELE, 0000
RUSSELL STINGER, 0000
MARK W. SUICH, 0000
GEORGE L. SWIFT, 0000
SEAN P. SWINDELL, 0000
JAMES F. SWITZER, 0000
ROBERT M. TARADASH, 0000
VINCENT J. TEDESCO III, 0000
PATRICK R. TERRELL, 0000
DAVID T. THEISEN, 0000
DAVID E. THOMPSON II, 0000
EDWARD W. TIMMONS, SR., 0000
KEITRON A. TODD, 0000
MICHAEL A. TODD, 0000
CHRISTOPHER R. TONER, 0000
WILLIAM A. TURNER, 0000
JOHN C. VALLEDOR, 0000
DOUGLAS L. VICTOR, 0000
JEFFREY E. VUONO, 0000
JOSEPH D. WAWRO, 0000
CHARLES R. WEBSTER, JR., 0000
DAVE WELLONS, 0000
RANDOLPH C. WHITE, JR., 0000
STEVEN J. WHITMARSH, 0000
DANIEL T. WILLIAMS, 0000
THEARON M. WILLIAMS, 0000
STEVEN C. WILLIAMSON, 0000
ERIC J. WINKIE, 0000
BRIAN E. WINSKI, 0000
JAMES M. WOLAK, 0000
JAMES J. WOLFF, 0000
D0000
D0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

DAVID P. ACEVEDO, 0000
CHARLES T. AMES, 0000
KEVIN J. AUSTIN, 0000
BERNARD B. BANKS, 0000
ROBERT A. BARKER, 0000
PETER J. BEIM, 0000
KIRK C. BENSON, 0000
BURT A. BIEBUYCK, 0000
KENNETH C. BLAKELY, 0000
ALFRED L. BROOKS, 0000
TODD D. BROWN, 0000
TIMOTHY S. BURNS, 0000
KIMBERLY L. CARDEN, 0000
THOMAS E. CARTLEDGE, JR., 0000
MICHAEL R. CHILDERS, 0000
MICHAEL J. CHINN, 0000
BRIAN J. CLARK, 0000
ALEXANDER S. COCHRAN III, 0000

JOHN P. CODY, SR., 0000
MARK F. CONROE, 0000
SYLVESTER COTTON, 0000
JOSEPH M. COX, 0000
JUAN A. CUADRADO, 0000
MICHAEL L. CURRENT, 0000
ANTHONY J. DATTILO, JR., 0000
DENNIS J. DAY, 0000
KEVIN J. DEGNAN, 0000
DAVID F. DIMEO, 0000
MARK A. EASTMAN, 0000
BRIAN K. EBERLE, 0000
MARK R. ELLINGTON, 0000
PAUL A. ENGLISH, 0000
KEVIN W. FARRELL, 0000
MICHAEL A. FARUQUI, 0000
TIMOTHY L. FAULKNER, 0000
JOSEPH H. FELTER III, 0000
JAMES C. FLOWERS, 0000
KEVIN D. FOSTER, 0000
VINCENT L. FREEMAN, JR., 0000
PATRICIA A. FROST, 0000
GARY J. GARAY, 0000
ANTHONY D. GARCIA, 0000
KATHLEEN A. GAVLE, 0000
GIAN P. GENTILE, 0000
JESSE L. GERMAIN, 0000
LEE P. GIZZI, 0000
MATTHEW P. GLUNZ, 0000
MATTHEW B. GRECO, 0000
JOHN B. HALSTEAD, 0000
DEBORAH L. HANAGAN, 0000
WILLIAM H. HARMAN, 0000
CHARLES E. HARRIS III, 0000
KEITH B. HAUK, 0000
ERIC P. HENDERSON, 0000
CHRISTOPHER M. HILL, 0000
TIMOTHY D. HODGE, 0000
SCOTT T. HORTON, 0000
JOE G. HOWARD, JR., 0000
PHILIP A. HOYLE, 0000
KEVIN L. HUGGINS, 0000
RODERICK E. HUTCHINSON, 0000
MICHAEL P. JACKSON, 0000
GARY W. JOHNSTON, 0000
BRADLEY E. JONES, 0000
MICHAEL T. KELL, 0000
GLENN A. KENNEDY II, 0000
MITCHELL L. KILGO, 0000
ROBERT C. KNUTSON, 0000
DONNA K. KORYCINSKI, 0000
ANTHONY D. KROGH, 0000
MARK D. LANDERS, 0000
STEVEN E. LANDIS, 0000
WILLIAM B. LANGAN, 0000
LARRY R. LARIMER, 0000
JOSEPH K. LAYTON, 0000
EDWARD D. LOEWEN, 0000
CHRISTOPHER D. LONG, 0000
STEPHEN J. MARIANO, 0000
DANIEL R. MATCHETTE, 0000
PETER J. MATTES, 0000
BRENDAN B. MCALOON, 0000
TAREK A. MEKHAIL, 0000
THOMAS J. MOFFATT, 0000
LOUISE M. MORONEY, 0000
DAVID W. MORRISON, 0000
JAY P. MURRAY, 0000
VINCENT P. OCONNOR, 0000
RICHARD J. ODONNELL, 0000
DEREK T. ORNDORFF, 0000
ORLANDO W. ORTIZ, 0000
LEO R. PACHER, 0000
CECIL R. PETTIT, JR., 0000
CHARLES A. PFAFF, 0000
BRADLEY W. PIPPIN, 0000
LISA K. PRICE, 0000
RICHARD B. PRICE, 0000
JAMES W. PURVIS, 0000
BURL W. RANDOLPH, JR., 0000
KIMBERLY A. RAPACZ, 0000
PATRICK D. REARDON, 0000
SEAN P. RICE, 0000
RANDOLPH E. ROSIN, 0000
EDWARD C. ROTHSTEIN, 0000
BRIDGET M. ROURKE, 0000
JOHN D. RUFFING, 0000
ARNOLD L. RUMPHREY II, 0000
MARIA D. RYAN, 0000
RONALD A. RYNNE, 0000
ROBERT W. SADOWSKI, 0000
JACINTO SANTIAGO, JR., 0000
PHILIP H. SARNECKI, 0000
JEFFREY B. SCHAMBURG, 0000
SCOTT SCHUTZMEISTER, 0000
GLENN G. SCHWEITZER, 0000
DAVID W. SEELY, 0000
STEPHEN S. SEITZ, 0000
RICHARD L. SHELTON, 0000
THOMAS E. SHEPERD, 0000
DAVID W. SHIN, 0000
MICHAEL S. SIMPSON, 0000
DAVID F. SMITH, 0000
TIMOTHY J. STARKE, JR., 0000
ROBERT P. STAVNES, 0000
JOHN M. SWARTZ, 0000
DANA S. TANKINS, 0000
RANDY S. TAYLOR, 0000
PERRY W. TEAGUE, 0000
JOHN M. THACKSTON, 0000
DAVID W. TOHN, 0000
OTILIO TORRES, JR., 0000
PHILIP VANWILTENBURG, 0000
FREDERICK L. WASHINGTON, 0000
RICHARD B. WHITE, 0000
WILLIAM E. WHITNEY III, 0000
ANDRE L. WILEY, 0000
CHARLES H. WILSON III, 0000
AUBREY L. WOOD III, 0000
GREGORY D. WRIGHT, 0000
D0000
D0000
X0000
X0000

IN THE NAVY

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

STEPHEN W. ALDRIDGE, 0000
RICHARD BETANCOURT, 0000
WILLIAM F. BUNDY, JR., 0000
DAVID M. DONSELAR, 0000
ROBERT J. GELINAS, 0000
DAVID C. GRATTAN, 0000
TRAVIS W. HAIRE, 0000
CHRISTOPHER J. HIGHLEY, 0000
HEATH E. JOHNMEYER, 0000
JASON V. JULAO, 0000
CRAIG E. LITTY, 0000
ERIK T. LUNDBERG, 0000
KEITH MARINICS, 0000
JEREMY A. MILLER, 0000
EDWIN E. OSTROOT II, 0000
LUKE D. SCHMIDT, 0000
JACKIE A. SCHWEITZER, 0000
COLBY W. SHERWOOD, 0000
BRENT C. SPILLNER, 0000
BRIAN C. STOUGH, 0000
CHARLES W. TURNER, 0000
WILLIAM E. WELCH II, 0000
KRISTOFER J. WESTPHAL, 0000

WITHDRAWAL

Executive Message transmitted by the President to the Senate on December 11, 2007 withdrawing from further Senate consideration the following nomination:

JAMES K. GLASSMAN, OF CONNECTICUT, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2010. (REAPPOINTMENT), WHICH WAS SENT TO THE SENATE ON APRIL 26, 2007.

EXTENSIONS OF REMARKS

TRIBUTE TO JOB MARTIN

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Mr. THOMPSON of Mississippi. Madam Speaker, today I rise to salute Job Martin. Job, more widely know as Jobie, was recently recognized as Mississippi's Outstanding Older Worker. At the age of 88, Jobie won the honor for his substitute teaching in Jackson Public Schools. The award was given by Experience Works of Mississippi which is part of a national employment and training organization that selects working men and women above 65 from every State who have made continuous contributions to their community and workplace.

Madam Speaker, not only has Jobie been a hard worker, but he is also a pioneer. Jobie was a well-known disc jockey, eventually becoming known as ''the Loud Mouth of the South.'' Jobie's radio fame paved the way for him to make Mississippi television history. Jobie Martin was Mississippi's first African-American commercial television show host. The Jobie Martin Show hosted many famous guest including Muhammad Ali, B.B. King, Bill Cosby, Joe Louis, and James Earl Jones.

Madam Speaker, Jobie's success was not just limited to mass communication; he was an entrepreneur as well. Jobie operated Jobie's Chicken Restaurant—''where the flavor's locked in and the grease is locked out.'' Located in the historic Lynch Street area, it became a landmark for decades. Later, Martin would open Valerie's, a restaurant named after one of his two children. Martin also became a member of the board of trustees for Hinds Community College.

Jobie Martin has worn many hats in his life—disc jockey, television show host, entrepreneur, and educator. Today, Madam Speaker, I take my hat off to him for his many contributions and continuous service to the State of Mississippi.

HONORING AMANDA MARINOFF AND JANELLE SCHLOSSBERG

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Mr. ISRAEL. Madam Speaker, I rise today to honor Amanda Marinoff and Janelle Schlossberger. These young women from Plainview-Old Bethpage John F. Kennedy High School in my district won the top team prize in the prestigious Siemens national math, science and technology competition. They will split a $100,000 scholarship. The contest attracts some of the Nation's most talented high school students. More than 1,600 projects were submitted this year.

Marinoff and Schlossberger are enrolled in Plainview-Old Bethpage John F. Kennedy High School's advanced research science program. With the guidance of their teacher Mary Lou O'Donnell, they conducted research designed to find new methods of treating tuberculosis. They created a molecule that helps block the reproduction of the bacteria of drug-resistant tuberculosis. Marinoff and Schlossberger came up with the idea after Marinoff's semester working at a cancer research lab at Stony Brook University.

I want to applaud the accomplishments of these young women. I offer my congratulations on their success and commend them on their dedication to the study of the medicine.

PERSONAL EXPLANATION

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Ms. DELAURO. Madam Speaker, due to medical reasons I missed a series of suspension votes, the vote on the Motion to Close Portions of the FY08 Defense Authorization Conference Report, H.R. 1585 and the vote to Instruct Conferees on H.R. 1585.

Had I been present, I would have voted ''aye'' on rollcall No. 1127, ''aye'' on rollcall No. 1128, ''aye'' on rollcall No. 1129, ''aye'' on rollcall No. 1130, ''aye'' on rollcall No. 1131, ''aye'' on rollcall No. 1132, and ''aye'' on rollcall No. 1133.

TRIBUTE TO JIM SAXTON

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Mr. YOUNG of Alaska. Madam Speaker, it was with a deep sense of loss that I learned that my dear friend and committee colleague JIM SAXTON will retire at the end of the 110th Congress. JIM has served the Third Congressional District of New Jersey with the highest distinction for the past 23 years.

JIM and I have not always been on the same side on a number of environmental issues; however, there is no question that he always articulates his views with passion and conviction. When I became chairman of the House Natural Resources Committee on January 3, 1995, I was honored to appoint JIM SAXTON as the first chairman of the Subcommittee on Fisheries Conservation, Wildlife and Oceans. He served as chairman of that subcommittee during the 104th, 105th, and 106th Congresses.

He was a superb subcommittee chairman and sponsored a number of important conservation measures that became law during the Clinton administration. This included the Asian Elephant Conservation Act of 1997. This landmark law, which has been extended several time, created the Asian Elephant Conservation Fund to assist this highly endangered species whose population had been decimated to less than 40,000 elephants living in the wild. As a result of his law, in the past decade the U.S. Fish and Wildlife Service approved 183 grant proposals to assist Asian elephants. There is no question that these projects halted this species' slide toward extinction.

A second bill was the National Wildlife Refuge System Volunteer and Community Partnership Enhancement Act of 1998. This measure, Public Law 105–242, statutorily created the framework for volunteer activities within the National Wildlife Refuge System. In the past 10 years, this Act allowed the number of volunteers to dramatically increase to nearly 40,000 Americans who contributed more than 1.5 million hours of service last year. The value of the volunteer work has been estimated in excess of $26 million and it represents 20 percent of all staff work done in the National Wildlife Refuge System. At a time when the Fish and Wildlife Service is suffering an operations funding crisis within the refuge system, it is difficult to imagine how this system would function without the valuable contributions of volunteers.

A third measure was the Rhino and Tiger Product Labeling Act of 1998. The fundamental goal of P.L. 105–312 was to eliminate the U.S. market for illegally obtained rhino and tiger products, and therefore, the incentives to kill these magnificent animals. Under this law, if a label on a product says that it contains rhinoceros and tiger parts, then we accept the manufacturer's claim and the U.S. Fish and Wildlife Service is responsible for stopping its sale, confiscating any products, and persecuting the illegal importers.

A fourth measure sponsored by Chairman JIM SAXTON was the Arctic Tundra Habitat Conservation Act of 1999. This legislation allowed the U.S. Fish and Wildlife Service to undertake various conservation and management steps to reduce the exploding population of mid-continent light geese. These geese were systematically destroying the fragile arctic tundra in the Hudson Bay Region which is essential to the survival of millions of migratory birds. By all accounts, the implementation of this measure has been responsible for saving thousands of acres of vital wetland habitat.

A fifth proposal which was signed into law was the Marine Mammal Rescue Assistance Act of 2000. This legislation, P.L. 106–555, established a small grant program to fund the rescue and rehabilitation of marine mammals, it encouraged scientific work associated with live and dead marine mammals and it provided a small amount of financial assistance to marine mammal rescue centers. Federal agencies frequently ask marine mammal rescue centers to provide around-the-clock monitoring and veterinarian care to injured animals without giving them any financial assistance. This measure established a humanitarian partnership between Federal and non-federal entities.

A sixth proposal was JIM SAXTON'S sponsorship of the Coral Reef Conservation and Partnership Act of 2000. Coral reefs are among the world's most productive ecosystems and they are often referred to as the ''rainforests'' of the oceans. These reefs are critical to the survival of thousands of fish species. Sadly, about 40 percent of all coral reefs are either degraded beyond recovery or in critical condition. This legislation was designed as a lifeline for our coral reef ecosystems by providing a limited amount of Federal funding to finance coral reef grants to assist in their protection and recovery.

Finally, I am proud that JIM SAXTON joined with me as an original co-sponsor of the National Wildlife Refuge System Improvement Act of 1997. On October 9, 2007, we celebrated the 10th anniversary of this act which is Public Law 105–57. This landmark law established for the first time an ''organic'' statute for our 96 million acre national wildlife refuge system. It defined the term ''wildlife-dependent recreation'' to include hunting, fishing, wildlife observation, and environmental education. It also established a ''conservation mission'' for the system and required the completion of a Comprehensive Conservation Plan for each refuge unit. The act gave wildlife dependent recreation priority consideration in refuge planning, management and funding. Finally, it required the Fish and Wildlife Service to evaluate the likelihood of ongoing historic uses on private lands prior to their inclusion within the system. JIM SAXTON authored this important provision.

This is far from an exhaustive list of JIM SAXTON's legislative accomplishments in the resources arena. It is representative only of the 6-year period that he served as chairman of the Subcommittee on Fisheries Conservation, Wildlife and Oceans. Nevertheless, it clearly demonstrates his dedication and commitment to wildlife conservation which he exemplified throughout his congressional career. His constituents living in Cherry Hill, Mount Holly, and Toms River, New Jersey, will miss JIM SAXTON and his lifelong advocacy of Theodore Roosevelt's vision and principles. I look forward to working with JIM through the 110th Congress. I wish him calm sailing seas in the days beyond Congress. ''May the wind always be on your back and the sun shine upon your face!''

TRIBUTE TO THE WEST BOLIVAR EAGLES

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Mr. THOMPSON of Mississippi. Madam Speaker, today I rise to congratulate the West Bolivar Eagles for completing a perfect season and Winning the Class 2A State championship. This is West Bolivar's fourth State title, but their first since 1906—before any of this year's seniors were born. West Bolivar was ranked No. 1 the entire season by the Clarion-Leggert 2A football poll.

Madam Speaker, West Bolivar High School has a rich football history. Along with four State championships, they have 17 division championships and 5 appearances in State championship games. Over the last 3 seasons the Eagles are 37–4 and have three consecutive Region 3–2A championships.

Madam Speaker, not only have the Eagles enjoyed success this year, but they have done so dominantly. On the season, the Eagles have outscored their opponents 582–184. In the playoffs, the Eagles have outscored their opponents 177–101. The Eagles have scored 40 or more points 9 times, helping them amass more points that any team in Mississippi 2A football.

Madam Speaker, West Bolivar's recent success has come with the leadership of Coach Henry Johnson. Coach Johnson is a former West Bolivar player who played wide receiver and defensive back on the Eagles' last State finalist team under legendary Rosedale coach Leland Young.

Madam Speaker, one of the traditions that Coach Johnson restored at his alma mater was running up and down a steep Mississippi River levee.

Madam Speaker, I would like to congratulate the student-athletes, student body, faculty, staff, administration, and the community of West Bolivar for winning the 2007 Mississippi Class 2A State Championship.

HONORING THE KETEWAMOKE CHAPTER OF THE NATIONAL SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Mr. ISRAEL. Madam Speaker, I rise today to honor the Ketewamoke Chapter of the National Society of the Daughters of the American Revolution. The National Society of the Daughters of the American Revolution was organized on August 9, 1890 in Washington, DC. Seventeen years later, on December 2, 1907, in the Town of Huntington, Long Island, the Ketewamoke Chapter, NSDAR was organized with 19 charter members. The name Ketewamoke is the Native American name for the region around Huntington known as ''the place having the best beach or shore.'' The Chapter was incorporated in 1913. Today they have 88 members.

The threefold purpose of the Society as a whole is the same now as it was when the Society was organized in 1890 and chartered by an Act of Congress in 1895: ''To perpetuate the memory and spirit of the men and women who achieved American independence; to promote, as an object of primary importance, institutions for the general diffusion of knowledge; to cherish, maintain and extend the institutions of American freedom, to foster true patriotism and love of country.'' The Ketewamoke Chapter continues to include these three objectives (historical, educational and patriotic) in its monthly programs.

One of the first accomplishments of the Ketewamoke Chapter was to restore the Village Green and mark the spot with a bronze tablet on a boulder, in 1915. inscribed, ''Huntington Village Green.'' This ''Town Spot'' was the location of Huntington's earliest form of government where, beginning from its settlement in 1653, a small group of men continued to meet and vote over the years.

Also in 1915, the Ketewamoke Chapter outfitted the original Women's Ward in Huntington Hospital with 8 beds. A bronze plaque marking this event still hangs in the old Huntington Hospital building. During World War II, when the National Society bought $210,000,000 worth of war bonds, more than $100,000 of these bonds were purchased by members of the Ketewamoke Chapter. Since then, the Chapter has placed mill stones from local mills at the ''Town Spot'' and on the grounds of the Chapter House, thus preserving local history. It has cleaned up and marked the graves of many of the local American Revolutionary soldiers. They continue to honor these patriots by placing flags on their grave sites every Memorial Day and by the Annual Wreath Laying Ceremony at Huntington's Old Burial Ground.

Currently, the Chapter works to promote patriotism through community projects. They encourage local students to appreciate American history through our annual American History Essay Contest for grades 5 through 8. They encourage students to be good citizens by awarding annual Good Citizenship medals to students of 15 local schools. These students must fulfill the qualities of honor, service, leadership and patriotism. They support other local community services through our individual volunteer efforts in hospitals, literacy programs, and veteran and senior citizen projects. They give financial support to many National and State DAR projects such as the two DAR schools in the Appalachian region and the education of Native American youths through scholarships and the support of the Bacone College and the Chemawa Indian School. We present ROTC medals to qualifying cadets in local secondary schools.

They are uniquely fortunate to be one of only a few Chapters in New York State which owns an historic Chapter House with a fine collection of period artifacts. It is their privilege and responsibility to preserve and to maintain this Chapter House which dates back to 1837.

We take great pride in being members of the Ketewamoke Chapter, NSDAR, which is the oldest established DAR Chapter on Long Island. We take pride in honoring the memory of our patriot ancestors and in honoring all American patriots, past and present.

PERSONAL EXPLANATION

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Ms. DELAURO. Madam Speaker, due to medical reasons I missed a series of suspension votes and the vote on the Motion to Instruct Conferees on H.R. 2082, Intelligence Authorization Act for Fiscal Year 2008.

Had I been present, I would have voted ''aye'' on rollcall No. 1123, ''aye'' on rollcall No. 1124, ''no'' on rollcall No. 1125, and ''aye'' on rollcall No. 1126.

INTRODUCTION OF THE WILDLIFE WITHOUT BORDERS AUTHORIZATION ACT OF 2007: DECEMBER 11, 2007

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Mr. YOUNG of Alaska. Madam Speaker, I am pleased to introduce today the Wildlife Without Borders Authorization Act.

The Wildlife Without Borders Program was created administratively by the U.S. Fish and Wildlife Service in 1983. The mission of this program is to develop wildlife management and conservation efforts to maintain global species diversity.

While the Congress has already created Multinational Species Conservation Funds to assist highly imperiled African and Asian elephants, Rhinoceros and Tigers, Great Apes and Marine Turtles, this program has provided a funding lifeline to a number of additional endangered species that are not currently eligible for funding, are not considered a megafauna or a flagship species and frankly lack the public attention necessary to generate private financial assistance.

The first conservation grants issued under this program were awarded to the Wildlife Without Borders Program for Latin America and the Caribbean Initiative. Since that time, additional grants have been allocated for projects in Mexico, India, China and the Russian Federation. In fact, in the past two decades, the International Affairs Office within the U.S. Fish and Wildlife Service has approved 583 conservation projects at a cost of $13 million in taxpayer money. These funds have been matched by $43.7 million in private nonfederal money which is a remarkable 3 to 1 matching ratio.

Among the conservation projects that have been approved are funds for the Winged Ambassadors Program to stop the killing of Swainsons' hawks, a project to restore and conserve the forest habitat for monarch butterflies, jaguar conservation in the Yucatan region, the restoration of the California condor in Baja California, Mexico and the purchase of essential equipment for law enforcement personnel to protect imperiled Far Eastern leopards, Amur tigers and snow leopards.

A fundamental goal of this program has been to build conservation capacity and establish ecosystem management regimes by allocating a small amount of U.S. taxpayer money. It is no exaggeration to state that these are the only funds available to assist these highly endangered international species and without this investment these species may become extinct in the wild. In addition, this program has complemented the activities of the Multinational Species Conservation Funds.

By establishing a Congressional authorization for the Wildlife Without Borders Program we will send a positive message to the international community that the United States is committed to its international wildlife treaty obligations and we recognize the long-term importance of this program by enacting it into law.

I urge my colleagues to support this important conservation legislation and want to thank my distinguished colleague from New Jersey, Congressman JIM SAXTON for joining with me in this effort.

TRIBUTE TO DR. DENNIS FRATE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Mr. THOMPSON of Mississippi. Madam Speaker, I would like to recognize the life and legacy of Dr. Dennis Frate, a medical anthropologist known for his studies of rural health in the Mississippi Delta.

Dr. Frate was a former pharmacy professor at the University of Mississippi. He worked in the School of Pharmacy from 1980 until 2000. He retired June 30, 2007 as a professor of preventative medicine at the University of Mississippi Medical Center, which is in my Congressional District.

As we are all well aware, rural areas of this country are vastly underserved. Dr. Frate took this problem head-on through the Rural Health Research Program. Dr. Frate served as the coordinator of the Rural Health Research Program and principal investigator of a National Institutes of Health study to develop community-based programs to control high blood pressure in rural populations.

Many of our colleagues here in Congress have espoused the notion of expanding healthcare coverage. Dr. Frate lived it.

It is through community efforts as demonstrated by Dr. Frate that we may be able to achieve a reality of accessible and affordable healthcare for all.

During his 20-plus years of service, Dr. Frate touched the lives of many, proving that even the simplest ideas can make a big difference.

I take great pride in commending the work of Dr. Dennis Frate on a job well done for more than 20 years.

MORTGAGE REFORM AND ANTI-PREDATORY LENDING ACT OF 2007

SPEECH OF

HON. BRAD MILLER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 15, 2007

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 3915) to amend the Truth in Lending Act to reform consumer mortgage practices and provide accountability for such practices, to establish licensing and registration requirements for residential mortgage originators, to provide certain minimum standards for consumer mortgage loans, and for other purposes:

Mr. MILLER of North Carolina. Mr. Chairman, this legislation may be interpreted to have the unintended consequence of changing the federal regulator governing Farm Credit System lenders, who as mortgage loan originators will be subject to the regulatory controls in this legislation. As H.R. 3915 progresses through Congress, I intend to work with my colleagues to ensure that any regulatory controls resulting from this legislation to Farm Credit System institutions are managed by their current federal regulator, the Farm Credit Administration.

IN HONOR OF DAN deGRASSI

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Mr. FARR. Madam Speaker, I rise today to congratulate my cousin Dan deGrassi on his retirement. Dan has worked for Santa Cruz County in environmental preservation for most of his adult life.

A third generation Berkley graduate, Dan deGrassi completed his education to enter his adult years in a world in turmoil over war, race relations and social mores. With deep feelings about the changes he observed in the societal fabric around him, he became a conscientious objector to the Vietnam War and as such, Dan sought alternative service. It was then that he started his environmental work in 1971 at the Ecology Center in Berkley, California.

Realizing a connection to environmental preservation, Dan moved down to Santa Cruz in 1973 and began work at the local recycling center. The following year, Dan returned to school, this time to study in environmental studies, a passion that would follow him throughout his life. In 1974 Dan married Laurel and the two welcomed their daughter Jessica 2 years later.

Starting 2 weeks after his daughter's birth, Dan began his work at the Santa Cruz County Advanced Planning Department, where he worked to preserve prime agricultural areas. Two years later, he and Laurel welcomed their second child, a boy, Aaron to the family. Later on Dan moved on to curbside recycling and helped pioneer the Materials Recovery Facility, which specializes in organization of recyclable materials.

Madam Speaker, it is my honor to consider Dan both family and friend. His work in ensuring the preservation of the environment and his dedication to Santa Cruz County is inspiring and I would like to congratulate him on his retirement and thank him for his service.

TRIBUTE TO C.T. COZART

HON. ZACH WAMP

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Mr. WAMP. Madam Speaker, I rise today to honor Mr. C.T. Cozart from my hometown of Chattanooga, TN, as he steps down as Chairman of the Board of Carson Newman College. Thank you for allowing me to take a moment to recognize his tremendous contributions and to thank him for his service to our state and nation. Mr. Cozart has been an outstanding leader in our civic and faith communities.

C.T. graduated from the University of Tennessee and began a 30-year career with Chevron. In 1996, he retired as the vice president of marketing for Chevron Lubricants and moved back to his home state of Tennessee. His career caused frequent moves, so he and his wife became active in over ten churches throughout the country. The church was his most important connection with each new town and its people. C.T. is a deacon, has taught Sunday school, and served as head of the pastor search committee at two churches, most recently at Red Bank Baptist Church.

In 2000, C.T. was asked to serve on the Board of Trustees of Carson Newman College, one of the nation's premiere Baptist colleges, located in Jefferson City, Tennessee. Upon becoming chairman in 2006, he led the board with integrity and dignity through some of the most challenging times in the school's history. Throughout his tenure, his leadership has united Carson Newman and provided a clear and distinct path for the future of this Christian institution. Without exception, his tenure demonstrates the Christ-like manner in which C.T. Cozart has led his life.

C.T. is a charter member of the SimCenter; National Center for Computational Engineering at the University of Tennessee at Chattanooga. As one of only two members of this board with a non-engineering background, he brings a unique business prospective to the education community.

C.T. has been married to his wife Molly, for 46 years and is the proud father of two married adult children, Kathy and Scott Cushing, and Scott and Elaine Cozart. He is blessed with two grandchildren Camden and Mackenzie. C.T. is a wonderful example of integrity and leadership, and I am proud to recognize him today.

PERSONAL EXPLANATION

HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Mr. ABERCROMBIE. Madam Speaker, I regret that I was unable to record my vote on rollcall No. 1141. Had I been present, I would have voted ''yea.''

TRIBUTE TO THE MARYLAND LEGAL SERVICES CORPORATION

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Mr. SARBANES. Madam Speaker, I rise today to congratulate those honored by the Maryland Legal Services Corporation for their outstanding contributions to the provision of legal services and access to justice to the poor.

While every American has a constitutional right to counsel when facing criminal prosecution, when faced with a civil action—including eviction, debt collection and bankruptcy—financial means too often determine access to our courts. The Maryland Legal Services Corporation has fought against this barrier to equal justice, raising funds and distributing grants to nonprofit organizations that provide civil legal assistance to low-income Marylanders.

Established by the Maryland General Assembly in 1982, MLSC has been at the forefront of the civil legal services movement for 25 years, awarding grants totaling over $81 million to help provide services in more than 1.2 million legal matters for Maryland's families.

In 2007, MLSC honored the following five individuals and one organization for their extraordinary efforts to expand access to justice for the poor—

The Robert M. Bell Medal for Access to Justice was presented to Hon. J. Joseph Curran, Jr., former Attorney General for Maryland and now counsel to the Maryland Injured Workers Fund, for his extraordinary commitment to furthering access to justice for the poor throughout his distinguished career. MLSC created this award in 2004 and presented it to Chief Judge Bell, after which the award was named in his honor to be given only when warranted.

The Arthur W. Machen, Jr., Award was presented to Connie Kratovil Lavelle, who has been a legal services attorney, private practitioner and now deputy director of the Department of Family Administration of the Administrative Office of the Courts, for her extraordinary public service by providing legal representation to the poor and improving the delivery of legal services in Maryland.

The Benjamin L. Cardin Distinguished Service Award was presented to Lauren Young, director of litigation of the Maryland Disability Law Center, for her outstanding work as a public interest lawyer providing civil legal services to the poor and the developmentally disabled.

The William L. Marbury Outstanding Advocate Award was presented to Maureen Larenas, manager of the Tacoma Park Silver Spring, TESS, Community Service Center, for her outstanding advocacy in Maryland on behalf of low-income persons.

The Herbert S. Garten Public Citizen Award was given to The Daily Record, which has provided Maryland's business and legal news since 1888, for demonstrating an extraordinary commitment to increase access to justice for the poor in Maryland.

MLSC also presented an Award of Special Recognition to John H. Michener, former director of Maryland Volunteer Lawyers Service and director of the Department of Human Resources Legal Services and Judicare Programs.

Madam Speaker, I ask that you join me today in honoring the recipients of the 2007 Maryland Legal Services Corporation Awards for their exceptional dedication and exemplary commitment to public service, equal justice and the welfare of the most vulnerable Marylanders.

IN TRIBUTE TO DR. SALOMÓN HERNÁNDEZ FLORES

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Ms. MOORE of Wisconsin. Madam Speaker, I rise today to recognize a compassionate educator, a civil rights activist, an ordained Baptist minister and veteran from the Fourth Congressional District, Dr. Salomón Hernández Flores. Dr. Flores passed away on Wednesday, December 5, 2007, in Milwaukee at age 79.

Dr. Flores was dedicated to his students, and his illustrious career as an educator began over 50 years ago, as a high school teacher of English and Spanish in Kansas and Missouri. Dr. Flores retired at age 72 as Professor Emeritus from the University of Wisconsin-Milwaukee after 24 years of service in the School of Education. He had also taught and trained teachers at universities including Avila College, Northeastern State University, Ohio State University, University of Maryland and Chicago State University. At the national level, he was an early practitioner, advocate and scholar on bilingual education and served over the years as a consultant on bilingual education and multi-cultural education to numerous agencies and educational institutions.

During the 60s and 70s, Dr. Flores was active in the civil rights and Chicano rights movements as an educational activist and proposal writer. He worked directly with the Teacher Training Corp. of Texas, and the Midwest Desegregation Center. In recognition for his contributions as a Chicano activist, he was granted an audience with President Echeverria of Mexico. As an ordained American Baptist minister, he served as pastor at two churches, one each in Kansas and Missouri, with bilingual ministries. He participated in two missionary tours, one to Cuba and the other to Mexico, while attending Ottawa University.

Dr. Flores was born on October 14, 1928, in Kansas City, Kansas to immigrant Mexican parents. He attended Rosedale High School in Kansas City, where he held championship titles in the mile run. He continued his track career in college. Dr. Flores received his B.A. in English at Ottawa University in 1953, his M.A. in Spanish at the University of Kansas in 1963, and his Ph.D. in foreign language instruction at the Ohio State University in 1969. He honorably served his country during the Korean conflict.

Dr. Flores leaves behind a wonderful legacy of not only three children, Maria, David and José and beloved sister and brother, Damaris F. Mendez (nee Flores) and Faron; but also, the many colleagues, students and friends with whom he shared his knowledge, kindness and generosity over the years. The ''Salomón Flores Scholarship Fund'' has been established in his name to assist students in the completion of their educations.

Madam Speaker, for these reasons, I am honored to pay tribute to Dr. Salomón Hernández Flores and his many positive contributions to the Fourth Congressional District.

TRIBUTE TO DR. CAMERON MARTINDALE

HON. TERRY EVERETT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Mr. EVERETT. Madam Speaker, I rise today to pay tribute to the contributions of Dr. Cameron Martindale who is retiring from Troy University on December 13. Her record of accomplishments for the university, the students and our community at large is impressive.

On April 13, 2000, Dr. Martindale was named third president of Troy University Montgomery and in May 2001, she was also named vice chancellor for advancement for the Troy University System. Prior to these appointments, she served the university for more than 14 years in a number of positions including interim president, vice president for institutional advancement, and project officer for Troy's Rosa Parks Museum. In August 2003, Dr. Martindale was appointed senior vice chancellor for advancement and external relations for Troy University.

At Troy, Dr. Martindale stabilized the institution's finances and, during a period of proration of State funds, was able to carry over a

balance of $2 million. She totally renovated classrooms to include state-of-the-art equipment and built a new bilevel parking deck for university students and visitors.

Her contributions extended, however, to more than balancing budgets and improving campus facilities. She authored the case statement for Alabama higher education for the 2000 legislative session, she led Troy's development of a new institutional strategic plan, and activated two compressed master's programs—master of science in management and master of science in public administration, and began a civil rights concentration and technical writing program.

Dr. Martindale also oversaw completion and dedication of the landmark Rosa Parks Library and Museum in downtown Montgomery, which has hosted more than 70,000 visitors since December 1, 2000, and was named Alabama Event of the Year in 2001 by the Alabama Bureau of Tourism and Travel.

An extremely active member of the Montgomery and Alabama educational, business and civic communities. Dr. Martindale has been a tremendous asset to the advancement of Troy University. I join her colleagues and many friends in wishing Dr. Martindale and her family all the best in the future.

TRIBUTE TO MR. ASHLEY A. FOARD

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Mr. SIMPSON. Madam Speaker, I rise today to honor Mr. Ashley A. Foard, a dedicated and faithful public servant who devoted his life to Idaho and his country. Mr. Foard passed away last week at the age of 97.

Ashley A. Foard was committed to serving the people of the United States. After earning his law degree from the University of Chicago, Mr. Foard began his 37-year-long career with the Federal Government. During his years of exemplary civil service, he served as a law clerk for the Public Works Administration, the National Housing Agency, and the Housing and Home Finance Agency. Mr. Foard later served as Acting General Counsel for the Department of Housing and Urban Development, where his efforts helped shape the country's housing and urban development policies.

The extraordinary service that Mr. Foard showed was very apparent to his superiors and peers alike, earning him many awards, such as the Superior Accomplishment Award and the Distinguished Service Award from the Housing and Home Finance Agency. Included in his long list of accomplishments is the role he played in the planning and drafting of President Kennedy's Executive Order 11063, which ended racial discrimination in Federal housing programs and led directly to the elimination of legal segregation in housing throughout the United States. Mr. Foard also assisted the Agency for International Development in the planning and development of national housing programs for numerous foreign countries.

In 1969, Mr. Foard was once again recognized for his service with the Rockefeller Public Service Award from Princeton University's Woodrow Wilson School of Public and International Affairs. At his retirement, Mr. Foard was honored by Members of Congress and members of the President's cabinet. Mr. Foard's service did not end after retirement—he was an active member in the Kiwanis Club and the National Active and Retired Federal Employees, and he produced two books and a number of shorter pieces about his life.

Mr. Foard was described by those around him as ''unassuming and modest to a fault'' and ''quietly devoting himself to the common good.'' He lived a life that mattered to his family, his community, and his country, and I am gratified to honor him today.

TRIBUTE TO MS. C. PAMELA HOLLIDAY

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Ms. NORTON. Madam Speaker, I rise today to recognize a fellow native Washingtonian with whom, my staff and I have had the distinct pleasure of working since 1992: Ms. C. Pamela Holliday, Regional Director of the Washington Passport Agency.

Ms. Holliday, ''Pam,'' began her career with the State Department on February 1, 1971 as a GS–3 Passport Processing Clerk. From 1971 until her selection as Regional Director of the Washington Passport Agency in 1992, Pam served as a passport examiner, automated records manager, Consular Officer in Overseas Citizens Services, Fraud Prevention Programs, and at the US Embassy in Belize. The State Department sent her in many different official capacities to Belgium, the Dominican Republic, Egypt, France, Haiti, Jamaica, Mexico, the Netherlands, the United Kingdom, and Switzerland.

However, Pam's hallmarks are not the titles and positions she has held, but the efficiency, collegiality, and dedication she brought to her work. As the delegations from Maryland, Virginia, and West Virginia know, our constituents expect us to sort out the thorniest of passport problems before their flights leave the next morning. When the going gets especially tough, the tough call Pam.

Madam Speaker, I ask this house to join with me and Pam's friends, associates, and co-workers, who on December 13th will recognize her thirty-five years of extraordinary service to the travelling public as she prepares to retire in January.

PERSONAL EXPLANATION

HON. BRIAN BAIRD

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Mr. BAIRD. Madam Speaker, on December 11, 2007, I was visiting with displaced residents and touring flood damaged areas in my district. As a result, I was unable to be present for votes. I take my voting responsibility very seriously. Had I been present, I would have voted the following: rollcall vote 1134—H. Res. 846 (Will the House Now Consider the Resolution): ''yea''; rollcall vote 1135—H.R. 3505 (On Motion to Suspend the Rules and Pass): ''yea''; rollcall vote 1136—H. Res. 846 (On Agreeing to the Previous Question): ''yea''; rollcall vote 1137—H. Res. 846 (On Agreeing to the Resolution): ''yea''; rollcall vote 1138—H.R. 4253 (On Motion to Suspend the Rules and Pass): ''yea''; rollcall vote 1139—Quorum (Call of the House): ''present''; rollcall vote 140—H.R. 6 (On Agreeing to the Senate Amendments with Amendments): ''yea''; and rollcall vote 1141—H.R. 2085 (On Motion to Suspend the Rules and Pass): ''yea.''

TRIBUTE TO KEITH COLLINS, CHIEF ECONOMIST, U.S. DEPARTMENT OF AGRICULTURE

HON. JOHN E. PETERSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Mr. PETERSON of Minnesota. Madam Speaker, I rise today to recognize the dedicated service of Dr. Keith Collins who has served with distinction as the Chief Economist for the U.S. Department of Agriculture for almost 14 years. At the end of this year Keith will retire, and he will be missed, not only by his colleagues at USDA, but by all of us who came to respect and rely on his non-partisan, thoughtful and detailed analysis of economic issues in agriculture.

Keith began his career as an economist with USDA in 1977, and his tenure there has spanned four presidencies of both political parties. He has served under nine Secretaries of Agriculture.

In 1994, Keith was named Chief Economist at USDA, and in that capacity he has been responsible for economic forecasts and projections and has advised the Secretary of Agriculture on the economic implications of alternative programs, regulations and legislative proposals. His advice has not been limited to the Secretary either—he has become a valued advisor to Members of Congress and others involved in agriculture policy.

On highly charged political issues, Keith is known for his honesty, competency, and influence. Even when facing tough questions from Members of Congress, nothing seems to rattle Keith's calm, rational demeanor.

Keith has also earned the respect of his peers in the field of agricultural economics. Keith is a Fellow of the American Agricultural Economics Association, which is the highest honor the agricultural economics profession can bestow.

One economist who worked with Keith over the years measured the potential success for newly appointed Secretaries of Agriculture using what he called the ''Keith Collins intelligence test.'' If the new Secretaries reappointed Keith as Chief Economist, they passed.

Keith's colleagues at USDA have also recognized his outstanding contributions. He received the Presidential Rank Award for Meritorious Executive in 1990 and 1996 and the Presidential Rank Award for Distinguished Executive in 1992, the highest award a Federal executive can receive.

Madam Speaker, Keith's retirement is a real loss for American agriculture. Through his service at USDA, he has influenced agriculture policy in many positive and lasting ways. His work truly has touched the lives of many Americans, especially our Nation's farmers and ranchers.

On behalf of the House Agriculture Committee, I extend to Keith our deepest appreciation for his service to American agriculture and wish him great happiness in retirement.

RECOGNIZING JAYCE H. BERRY FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Jayce H. Berry, 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 13, and in earning the most prestigious award of Eagle Scout.

Jayce has been very active with his troop, participating in many scout activities. Over the many years Jayce 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 Jayce H. Berry for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PERSONAL EXPLANATION

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Mr. POE. Madam Speaker, due to other congressional business, I unfortunately missed recorded votes on the House floor on Tuesday, December 4, 2007. Had I been able to vote that day, I would have voted ''nay'' on rollcall vote No. 1123 and ''yea'' on rollcall votes Nos. 1124, 1125, and 1126.

ENERGY INDEPENDENCE AND SECURITY ACT OF 2007

SPEECH OF

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 6, 2007

Mr. ETHERIDGE. Mr. Speaker, I rise today in strong support of H.R. 6, the Renewable Fuels, Consumer Protection, and Energy Efficiency Act of 2007.

Let me congratulate Speaker PELOSI, Chairman DINGELL, and the House Democratic leadership for bringing this legislation to the floor for a new direction for America's energy independence.

Anyone who has filled up a gas tank in the past year knows that gas prices are highly volatile and too high for the average American. Yet while Americans are struggling to make ends meet, oil companies are making record profits. As a former North Carolina small businessman, and a part-time farmer, I believe that it is our duty to find alternatives to what has become a dangerous reliance on foreign oil.

And let me be clear, our Nation has the capability to gain its energy independence. H.R. 6 will move us close to this goal by promoting the use of renewable fuel. This legislation will create a fund, which will be used to extend and expand tax credits for ethanol and biodiesel, extend loan guarantees to farmers to produce renewable energy, and increase the use of flex fuel vehicles.

Today we have the technology to solve our energy crisis growing in our fields. We have the ability to turn soybeans and peanuts, both grown in large numbers in my home State of North Carolina, into biodiesel, and the technology to turn sugarcane and corn into ethanol. What we haven't had up to this point is the leadership to develop the infrastructure needed to facilitate the use of these fuels.

The legislation before us today will begin to do just that. I encourage my colleagues to vote for H.R. 6.

PERSONAL EXPLANATION

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Ms. WOOLSEY. Madam Speaker, on December 6, I was unavoidably detained and was not able to record my vote for rollcall No. 1141. Had I been present I would have voted: rollcall No. 1141—''yea.''

TRIBUTE TO JIM GRISSO

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Mr. STUPAK. Madam Speaker, I rise to pay tribute to a news professional in my district who has served the people of northern Michigan with distinction. The Publisher of the Gaylord Herald Times, Jim Grisso, will retire at the end of this year after a 47-year career in the newspaper industry, 39 of them at the helm of the Gaylord Herald Times.

As the publisher of the Gaylord Herald Times (the Times), Mr. Grisso has made the newspaper a leader in the industry, garnering nearly 500 awards at the state and national levels since 1968. In 2007, the Herald Times was named the national Newspaper of the Year in its circulation class by the Suburban Newspapers of America, a testament to Mr. Grisso's vision and leadership of the paper.

Under Mr. Grisso's leadership, the Herald Times has been a steadfast advocate of the public's right to know, on occasion resulting in challenges, even lawsuits, against public bodies that violated the Open Meetings Law or failed to comply with the Freedom of Information Act. Mr. Grisso has always insisted that the newspaper represent the people of Otsego County and reflect the values of the residents of Gaylord: hard work, honesty, tenacity and telling it like it is.

Mr. Grisso's leadership in northern Michigan extends beyond the Times. Mr. Grisso has held several leadership positions with professional associations: Past President, Michigan Press Association; Past President, Michigan Newspapers Industry and Michigan State Chairman, National Newspaper Association.

Over the years, Mr. Grisso has also been a leader in the Gaylord community and used his position at the Times to promote community service within Gaylord. In 1980, Mr. Grisso established the Buergermeister Award, which the Herald Times annually presents to recognize an individual who epitomizes service and dedication to the community. The Buergermeister Award is considered the most prestigious award in Otsego County and, thanks to Mr. Grisso's leadership, it has been used to recognize and encourage community service throughout the county.

Mr. Grisso's commitment to community does not end there. He has donated enormous space in the Gaylord Herald Times in the form of community announcements and in-kind advertising for charitable and nonprofit organizations. While the Gaylord Herald Times has certainly put plenty on his plate, he has donated generously of his personal time through work on many boards and organizations. He co-founded and was the first vice-president of Otsego County Big Brothers organization. He served as President of the Gaylord Rotary Club and the Gaylord High School Athletic Boosters Club. He served on the Boards of the Otsego Memorial Hospital Foundation, the Gaylord/Otsego County Chamber of Commerce, Gaylord Little League, and Alpenfest. He continues to serve today as Otsego County Economic Alliance Executive Committee and is currently Vice President of the University of Michigan Alumni Club of Gaylord.

Over the years, Mr. Grisso has been recognized with numerous awards for his participation in community and civic groups. The Gaylord/Otsego County Chamber of Commerce honored Mr. Grisso with the ''You Made It Happen Award'' and the Otsego County United Way recognized his service with the ''Thanks To You, It Worked For All of Us.'' He has been named Otsego County Fair Association Citizen of the Year. Mr. Grisso has received the Founder's Award of Appreciation, presented by Alpenfest Committee as a founder and leader in building Gaylord as the Alpine Village. The Otsego County Emergency Medical Service honored him and five other Gaylord Rotarians for raising $15,000 to purchase defibrillators as a result of a 150-mile walk from Gaylord to Manistique in Michigan's Upper Peninsula.

Madam Speaker, I have a special relationship with Mr. Grisso. His paper has covered my work since I began serving Michigan's 1st Congressional District in 1992. As might be expected, I have not agreed with every word his paper has written or his angle on every story. However, without a doubt he has endeavored to ensure that the Gaylord Herald Times covers the issues important to the people of northern Michigan and informs and serves them with excellent local journalism. As the Publisher of the Times, he has ensured the Times covers the challenges facing Gaylord and Otsego County. As a leader in his community, he has helped develop solutions to those same challenges.

Today, as he prepares to enter a well deserved retirement I offer him, his wife Sue, his four daughters, four step sons and eight grandchildren all the best for the future. I would ask, Madam Speaker, that you and the entire U.S. House of Representatives join me in thanking Jim Grisso for his service to the Gaylord community, commending him for his many years of exceptional work as a journalist

and newspaperman and congratulating him on his many achievements.

PERSONAL EXPLANATION

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Ms. WASSERMAN SCHULTZ. Madam Speaker, on December 4, 2007, I missed the following rollcall votes due to illness: rollcall vote No. 1123, H.R. 3998, passage of America's Historical and Natural Legacy Study Act; rollcall vote No. 11124, passage of H.R. 3887, the William Wilberforce Trafficking Victims Protection Reauthorization Act; rollcall vote 1125, the Motion to Instruct Conferees on H.R. 2082, the Intelligence Authorization Act; and rollcall vote No. 1126, passage of the Charlie W. Norwood Living Organ Donation Act.

If present, I would have voted ''aye'' on rollcall Nos. 1123, 1124, and 1126, and I would have voted ''nay'' on rollcall No. 1125.

HONORING THE 2007 MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION DIVISION II FOOTBALL CHAMPIONS, MARTIN LUTHER KING, JR. HIGH SCHOOL

HON. CAROLYN C. KILPATRICK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Ms. KILPATRICK. Madam Speaker, it is a great pleasure and privilege that I offer the following resolution and an accolade of tribute to Head Coach James Reynolds, Jr., the assistant coaches, and the players of Martin Luther King, Jr. High School's boys football team on their stellar season. I am proud to salute this wonderful organization. This organization was honored during a special ceremony on Friday, November 30, 2007 at Cobo Hall where thousands of Detroiters paid tribute to the King Crusade.

Whereas, under the skilled guidance of Head Coach James Reynolds, Jr. and Defensive Coordinator Dale Harvel, Martin Luther King, Jr. High School's boys football team won the Michigan High School Athletic Association (MHSAA) Division II title, defeating Midland Dow High School by the score of 47 to 21 on Friday, November 23, 2007. Detroit King is the first Detroit Public School League (PSL) team to win a State title since the MHSAA started the playoff system in 1975.

Whereas, Coach Reynolds found his calling as the head coach of the King Crusaders football team—a post he has held for 34 years; made many personal sacrifices for the sake of training his teams; gave freely of his time and focused on developing athletes, mentoring young men, and instilling the principles of good sportsmanship; and retired in June of 2007 but returned to King High School to coach football. Under Coach Reynolds's leadership, his teams have posted an impressive record of 250 wins and 106 losses; nine city championships; four regional championships; and three appearances in the State finals. Coach Reynolds is the only Detroit Public School coach who has led football teams to the Michigan State finals.

Whereas, Defensive Coordinator Harvel, a valuable member of the staff, made personal sacrifices in order to help the players develop their athletic skill, good character and to abide by the principles of good sportsmanship. Mr. Harvel exhibited true team spirit by working in unison with the other coaches for the benefit of the athletes and the best results on the football field.

Whereas, with a balance of excellent scoring and tough defense, Detroit King displayed great poise in setting goals for themselves at the beginning of the season by going out and making their dreams become reality through hard work and commitment. Many of the talents and characteristics they exhibited in reaching this goal will help them in all aspects of their lives.

In special tribute, therefore, this resolution is dedicated to extend the highest commendation to the Martin Luther King, Jr. High School, the coaching staff, and the members of the boys football team for their victorious and first MHSAA Division II Football State Championship. On behalf of the United States House of Representatives, and the Congressional Black Caucus, we salute you. May the Congress of the United States, and the Nation, know of our collective pride in your accomplishments and achievements.

CONGRATULATING THE FARMINGTON COMPANY ON ITS 27TH ANNIVERSARY

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Mr. LARSON of Connecticut. Madam Speaker, I rise today to congratulate the Farmington Company for 27 faithful years of service in the insurance industry. Based in Farmington, Connecticut, this local company has proven hard work is more than a virtue.

In 1980, two Connecticut men, Bob Burke and Brad Collins, recognized that the majority of America—the Nation's lower and middle wage earners were underserved by the insurance community. Understanding the opportunity of meeting the insurance needs of the average American, Bob and Brad moved forward to develop a company founded on the basic principle of ''people helping people.''

The product of hard work and vision, the Farmington Company has grown to national and industry-wide recognition. As a fledgling enterprise, the two-man operation of the Farmington Company targeted the New York and New England regions. Now, 27 years later, the Farmington Company is still led by Bob Burke, the company president and Brad Collins, the executive vice president. The company employs more than 150 staff members that provide services to thousands of individuals across the United States. The 27-year record of success for the Farmington Company can be attributed to the heart of the operation—the company's dedicated and talented employees. Most notably, it is the hard work and leadership of people like Sales Vice President Doug Mantz, Senior Vice President Carol Rosenblatt, the New England branch president Jay Hershman, regional directors like Ed Calitri and John Lenihan, director of corporate services Steve Frankel and finance vice president Chris Thaurau that define the success of the Farmington Company.

In the insurance capital of the world—the State of Connecticut—we are proud of companies like the Farmington Company that have long worked to create and expand meaningful insurance opportunities for those who normally couldn't or wouldn't get insurance. A business built on basics, the Farmington Company understands the needs of both employers and employees, and most importantly the needs of the community. As a company defined with success, I would like to also recognize how the Farmington Company gives back to the community. Whether supporting the important work of the Jimmy Fund or participating in the Making Strides Against Breast Cancer campaign, the Farmington Company lives up to their motto of ''people helping people.''

On their 27th anniversary, I urge my colleagues to join me in honoring the achievements and important contributions of the Farmington Company. I applaud their work in Connecticut and across the country.

A TRIBUTE TO RALPH HENRY ''SMILEY'' SEYLLER

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Ms. SCHAKOWSKY. Madam Speaker, I rise today to pay tribute to a great community leader, Ralph Henry ''Smiley'' Seyller, of Hampshire, Illinois who passed away November 17, 2007 at the age of 82.

Ralph was a man of many hats who dedicated his life to community service. Whether as a coach or park district director, much of his life was spent mentoring and encouraging children and developing programs in Burlington, St. Charles and Hampshire, Illinois.

His many contributions and honors include:

Ralph Seyller established the Burlington Boys Club and served as counselor for 17 years. For his efforts, the Village named the baseball field in his honor and inducted him into their Hall of Fame.

After 25 years of employment at St. Charles High School, Ralph was honored for his service to the youth of St. Charles High School and his contributions to the Athletic Department. He was inducted into their Hall of Fame and given a Lifetime Achievement Award.

In retirement, Ralph organized the Hampshire Park District and served as Director for 20 years. During his tenure, he established programs for people of all ages. His major accomplishments included creation of the Little People Playtime Pre-School program, now in its 25th year and occupying its own facility. He created the Coon Creek Classic Run/Walk which eventually included 800 runners. And he organized trips to Cellular and Wrigley Fields to watch the Chicago White Sox and Cubs play baseball. In appreciation of those and many other contributions, the east park was named the Ralph H. Seyller Park.

Ralph served many years as Democratic Precinct Committeeman.

I was privileged to know Ralph Seyller, whose son David Edmonson is married to my niece Jodi. His life serves as a role model for

those who want to make their own communities the best that they can be in serving the needs and desires of their residents. My heart goes out to those who will miss him most, his loving wife and partner, Catherine, and his children Sarajane, David, Donald and Susan.

PROMOTE AND PROTECT OUR STRONG ECONOMY

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Mr. WILSON of South Carolina. Madam Speaker, America's third quarter GDP grew at an impressive 4.9 percent. That means we have had 6 straight years of economic growth coupled with a record 51 straight months of job growth creating 8.3 million additional jobs. In the district I represent, the Nation's fourth largest cabinet company, the Elkay Cabinet Division, has announced a new manufacturing plant in Barnwell which will create hundreds of jobs. This job success is the product of the pro-growth tax policies that President Bush signed into law 4 years ago.

There remains much more that we must do in order to promote strong economic growth. We need energy legislation that actually helps create new energy, health care reform that values individual choice over government mandate, and sensible tax reform. We must enact legislation—including a repeal of the Alternative Minimum Tax—that doesn't expand the burden of Washington spending on the backs of middle class Americans and small businesses.

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

IN RECOGNITION OF KATE WHITACRE

HON. BRAD ELLSWORTH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Mr. ELLSWORTH. Madam Speaker, I rise today to recognize the outstanding achievements of Cadet Kate Whitacre from Boonville, IN. Kate recently received the Carl A. Spaatz Award—the highest honor bestowed upon members of the Civil Air Patrol.

The award is based on a demonstrated excellence in leadership, character, fitness and aerospace education. And Kate's receipt of this prestigious award is a testament not only to her abilities in these areas but also to her commitment to our community.

As a member of the Civil Air Patrol, she is volunteering to risk her own life to make others safer, and she understands that there is no higher calling than service to others.

I congratulate Kate Whitacre on her tremendous accomplishment. She is a leader among many and an inspiration to us all.

ENERGY INDEPENDENCE AND SECURITY ACT OF 2007

SPEECH OF

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 6, 2007

Ms. WOOLSEY. Mr. Speaker, the energy bill before us today raises the bar and sets new, higher standards for us as a Nation and all I can say is ''It' s about time.''

It's about time we raised CAFE standards to a level to be competitive with the rest of the world. Allowing these standards to fall behind is an embarrassment for a country that should be a role model for other countries in technology and efficiency.

It's about time that we had a nationwide renewable energy standard. Renewable energy in some form is available in every corner of this Nation. We need to invest in it and make it work for us and for a cleaner future for our children. Setting a standard at 15 percent is a good start.

And it's about time that we work toward making cleaner fuels for our automobiles. That's why I'm proud language is included in this bill that i authored with the gentleman from Maryland, Mr. BARTLETT, which sets a goal of reducing greenhouse gas emissions from the production and use of biofuels.

Mr. Speaker, I urge my colleagues to support this bill and move our energy policy forward for our children and grandchildren. It's about time.

TRIBUTE TO THE HONORABLE SHIRLEY WADDING

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Mr. VISCLOSKY. Madam Speaker, it is with great honor and pleasure that I stand before you today to recognize the many accomplishments of the Honorable Shirley Wadding, Mayor of Lake Station, Indiana. I have known Shirley for many years, and she is one of the most involved citizens that I have ever known, especially when it comes to her service to the residents of Lake Station. Shirley has been a public official in Lake Station for the past twenty years, the last twelve of which she served as the city's mayor. Though Shirley has been the cornerstone of her community, she decided not to run for reelection and will be retiring from her elected office at year's end. For her efforts and many contributions to the City of Lake Station, Shirley was honored at a retirement celebration on Saturday, December 1, 2007, at the Lake Station Veterans of Foreign Wars Post #9323.

Originally from Indiana, Pennsylvania, Shirley came to Northwest Indiana in 1960. A resident of Lake Station since that time, Shirley's familiarity with the people of Lake Station and her fondness for the city emerged from her everyday interactions with them as the owner of a local sandwich shop. Undoubtedly, it was her connection to the people that steered her in the direction of public service and led to her election to the city council in 1987. Following eight years on the council, Shirley's leadership skills and dedication led to her election as mayor, serving from 1996 to 2007. During this time, Shirley received numerous accolades from the community, including: the Liberty Bell Award from the Indiana State Bar Association in 2002, the Department of the Army's Certificate of Appreciation in 2005, and the Marine Corps League Distinguished Service Award in 2007.

As the mayor of Lake Station, Shirley was instrumental in many improvements and upgrades within the city. Throughout her tenure, Lake Station has welcomed several new subdivisions and businesses, as well as many new public facilities, including a community center, a senior and nutrition center, a food pantry, a public library, and a compost facility. Thanks to Shirley's leadership and perseverance, the city was also able to acquire and restore what would become her most rewarding contribution, the Lake Station Boys and Girls Club. Throughout the years, Shirley's commitment to public safety and the well-being of the community was constant. During this time, the city saw improvements and additions made to the ambulance service, the police department, and the fire department. These included additional vehicles, equipment, officers, computer upgrades, and a new 911 emergency system. Public health services were also improved through the addition of a mosquito sprayer, new storm sewers, a renovated water tower, and new sidewalks and walking trails. Beautification of the city has also been one of Shirley's primary objectives, as is evidenced by Lake Station's Veterans' Community Park, a covered walking bridge, and numerous landscaping projects throughout the city.

Having decided to retire from public service, Shirley will now be able to spend much of her time with those closest to her, her family. A loving wife, mother, and grandmother, Shirley's commitment to the people of Lake Station is surpassed only by her dedication to her family. Shirley and her husband, Harry, have shared many wonderful years together. They have been blessed with three children: Jody, Toni, and James. Harry and Shirley are also the proud grandparents of 6 adoring grandchildren: Larissa, Kristin, Jordan, Jenna, Jake, and Jonas.

Madam Speaker, Shirley Wadding has given her time and efforts selflessly to the people of Lake Station for the past twenty years and beyond. At this time, I ask that you and all of my distinguished colleagues join me in commending her for her service and dedication. I also ask you to join me in wishing her the best of health and happiness in the years to come.

CARDINAL JOHN P. FOLEY DAY IN PHILADELPHIA

HON. CHAKA FATTAH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Mr. FATTAH. Madam Speaker, December 13, 2007, is a special day in Philadelphia. The City Council has declared 'Cardinal John P. Foley Day in the City of Philadelphia' to honor a great and humble priest of our city who has been elevated to Cardinal of the Roman Catholic Church.

Both in Philadelphia and on the world stage, Cardinal Foley has served ably as the communicator of both faith and social policy for the

Catholic Church as it performs vital work in maintaining the health and welfare safety net for many of our citizens in need, regardless of religion, race or nationality.

Even as Cardinal Foley has served two Popes at the Vatican for the past 23 years, he always left his heart in Philadelphia. He has made frequent return visits to friends, family, fellow priests and all his admirers in the Archdiocese of Philadelphia, where he was born, raised and ordained.

December 13 highlights Cardinal Foley's first visit home since the Consistory in Rome on November 24, 2007, at which he and 22 other priests were elevated to Cardinal. He will be honored in Philadelphia City Council, where he will open the weekly session with a prayer. Then he will celebrate the Mass of Thanksgiving at the Cathedral Basilica of Saints Peter and Paul along Philadelphia's Benjamin Franklin Parkway.

Cardinal Foley's career as a Catholic communicator extends back to his youth, as a teenager in Sharon Hill. As a student at St. Joseph's Preparatory School, he wrote and produced plays on the lives of saints that were broadcast on a radio station that specialized in Catholic programming. Also at St. Joseph's Prep he developed an abiding lifetime friendship with Richard A. Doran, an outstanding Philadelphian on whose counsel and friendship I often relied in the dawn of my career. Tragically, Dick Doran died less than a year before this week's celebration, but the ceremonies this week will be graced by his widow Mary Doran.

As a student at St. Joseph's University the future Cardinal Foley was a TV regular on a Channel 3 college debate series, often jousting with Penn's ARLEN SPECTER, now Pennsylvania's senior senator. And in typical Foley storytelling fashion he recalls that the show shared studio space with "Bertie the Bunyip," a legendary local puppet show of the 1950s.

The late Cardinal John Krol spotted this young priest as a devout man of great talent and potential. Cardinal Krol arranged for him to attend Columbia University Graduate School of Journalism, installed him as Editor of the Catholic Standard and Times for the Archdiocese of Philadelphia from 1970 to 1984, then recommended him to Pope John Paul II for a new post as President of the Pontifical Council for Social Communications at the Vatican.

Then-Archbishop Foley undertook the task of explaining church teachings through the worldwide media. He designed and implemented the Vatican's modern communications policy. He also served as the voice of the Vatican on such occasions as the global telecast of Midnight Mass from St. Peter's—a role he intends to continue.

Now, in addition to solemn duties as advisor to Pope Benedict XVI, Cardinal Foley has taken on the responsibility at the Vatican for overseeing the Catholic holy places in the Middle East as Pro Grand Master of the Equestrian Order of the Holy Sepulchre of Jerusalem.

Through it all, this man of God has never lost his humility, his gentle wit and his broad smile as he has risen to this most elite level of the billion-member worldwide church to which he devotes his life. Cardinal Foley Day is a day of celebration for all of us.

PAYING TRIBUTE TO JELINDO ANGELO "J.A." TIBERTI

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Mr. PORTER. Madam Speaker, I rise today to honor the life of Jelindo Angelo "J.A." Tiberti, who died on Wednesday May 3, 2006.

J.A. was a pillar of the Las Vegas construction industry, patriarch of Tiberti construction and a civic leader. J.A. came to Las Vegas from California in 1941 with the U.S. Army Corps of Engineers to build the runway at what is now Nellis Air Force Base. He formed Waale, Camplan and Tiberti Construction Co. in 1947 and developed Bonanza Village on Bonanza Road before venturing out on his own in 1950. Among his many prominent works in Las Vegas are the Las Vegas Club, Palace Station, Sunset Station, Club Bingo and the Gold Coast. He built schools, hospitals, and public buildings. Not only was he a great craftsman, he was also a benevolent member of society. J.A.'s charitable contributions include a million dollar donation to help create the UNLV College of Engineering in 1979, and he provided the funds to build Camp Potosi for the Boy Scouts Boulder Dam Area Council. He was also appointed to the Las Vegas City Planning Commission in 1953 and served six consecutive four-year terms. J.A. received a number of professional awards as well, such as the Southern Nevada Engineer of the Year award in 1972, and the state's Most Distinguished Nevadan in 1987.

Madam Speaker, I am proud to honor the life of Jelindo Angelo "J.A." Tiberti. His professional success and philanthropic nature should serve as an example to us all. He will surely be missed by the community.

TRIBUTE TO MR. LEE STRAWHUN–

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 2007

Mr. VISCLOSKY. Madam Speaker, it is with great admiration and pleasure that I stand before you today to recognize the many years of dedicated service of Mr. Lee Strawhun. Having known Lee for many years, I can truly say that he is one of the most committed, knowledgeable, and honorable citizens in Northwest Indiana. Nowhere has his knowledge and commitment been more evident than in his faithful service to the mental health profession, and more specifically, to the Southlake Center for Mental Health. Lee has served as President and Chief Executive Officer of Southlake Center since its founding in April of 1976. For many years, Lee has been a constant fixture at the Southlake Center for Mental Health, and for his efforts, he was honored at a farewell reception on Thursday, December 6, 2007, at the Avalon Manor in Merrillville, Indiana.

Lee Strawhun has spent his entire life, both professionally and personally, working at ways to improve not only mental health services, but society as a whole. From his service to his country as a member of the United States Army Reserves to his consulting work with various organizations to his service to the youth of his community as faculty member at Indiana University-Northwest and guest lecturer at Purdue University-Calumet, Valparaiso University-School of Law, and DePaul University-School of Law, Lee has always sought opportunities to improve the quality of life for all people.

Looking back, it is not surprising that Lee was chosen as the first staff member at the Southlake Center for Mental Health back in 1976. Following a very successful six years as the Deputy Director of the Northwest Indiana Comprehensive Health Planning Council, Lee was brought on during a time when mental health services were not readily accepted. Since serving Southlake Center's first clients in 1977, Lee Strawhun has led the way and has been the catalyst for the improvement of mental health services in Northwest Indiana and beyond. During Lee's tenure, the Southlake Center for Mental Health has seen astonishing growth. To name a few of these outstanding advances, Southlake Center has expanded to include: drug and alcohol treatment programs, GED and general medical services programs, supervised group living homes, a psychology doctoral internship program, an acute partial hospitalization program, a countywide divorce education program, residential treatment centers for adolescents and children, independent group living facilities, and a forensic diversion program.

Without a doubt, Lee Strawhun has been an innovative and respected leader throughout the years. To attest to this fact, Lee has been the recipient of numerous awards for his leadership and dedication. To name a few of his many accolades, Lee was honored with the "Distinguished Hoosier Award" in 1982 by Governor Robert Orr, the "Adam Benjamin Advocacy Award" in 1989 by the Indiana Mental Health Association's Lake County Chapter, the "Outstanding Achiever Award" in 1990 by the American Cancer Society, and the "Outstanding Board Member of the Year Award" in 2001 by the Indiana Association of Community Corrections Counties. Then, in 2004, Lee was awarded the prestigious "Sagamore of the Wabash" by Governor Frank O'Bannon.

Though it may be difficult to imagine where he has found the time, Lee has always been an active member of various professional organizations, including: the National Council of Community Mental Heath Centers, American Society for Public Administration, Reserve Officers Association, American Correctional Association, and the Mental Health Corporations of America. He has also been a member of various organizations within Northwest Indiana, including: the Mental Health Association, Indiana Council of Community Mental Health Centers, Calumet Region Montessori, Merrillville Rotary Club, Alumni Association of the Indiana University—School of Public and Environmental Affairs, Indiana University-Northwest—Center for Medical Education, Lake County Community Corrections Advisory Board, Workforce Investment Board, Merrillville Chamber of Commerce, Merrillville Sanitary District, and the Merrillville "Vision 21" Committee.

Madam Speaker, Lee Strawhun has devoted his life to improving mental health services and to serving the people of Northwest Indiana. At this time, I ask that you and all of my distinguished colleagues join me in commending him for his lifetime of service, perseverance, and dedication. I also ask that you join me in wishing him the best of health and happiness in the years to come.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S15083–S15156

Measures Introduced: Ten bills and three resolutions were introduced, as follows: S. 2442–2451, S.J. Res. 27, and S. Res. 400–401. **Page S15138**

Measures Reported:

S. 2445, to provide for the flexibility of certain disaster relief funds, and for improved evacuation and sheltering during disasters and catastrophes. (S. Rept. No. 110–240)

S. 2135, to prohibit the recruitment or use of child soldiers, to designate persons who recruit or use child soldiers as inadmissible aliens, to allow the deportation of persons who recruit or use child soldiers, with an amendment. **Pages S15137–38**

Measures Passed:

Methamphetamine Remediation Research Act: Committee on Environment and Public Works was discharged from further consideration of H.R. 365, to provide for a research program for remediation of closed methamphetamine production laboratories, and the bill was then passed, clearing the measure for the President. **Page S15152**

Reauthorization of the Traumatic Brain Injury Act: Senate passed S. 793, to provide for the expansion and improvement of traumatic brain injury programs, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S15152–54**

Reid (for Kennedy) Amendment No. 3831, in the nature of a substitute. **Pages S15152–54**

Measures Considered:

Farm Bill Extension Act: Senate continued consideration of H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, taking action on the following amendments proposed thereto: **Pages S15090–S15128**

Rejected:

By 37 yeas to 58 nays (Vote No. 417), Chambliss (for Lugar) Amendment No. 3711 (to Amendment No. 3500), relative to traditional payments and loans. **Pages S15090–95, S15107**

Withdrawn:

Baucus/Crapo Amendment No. 3660 (to Amendment No. 3500), relative to agricultural supply. **Pages S15095–97**

Pending:

Harkin Amendment No. 3500, in the nature of a substitute. **Page S15090**

Harkin (for Dorgan/Grassley) Modified Amendment No. 3695 (to Amendment No. 3500), to strengthen payment limitations and direct the savings to increase funding for certain programs. **Pages S15090, S15125**

Brown Amendment No. 3819 (to Amendment No. 3500), to increase funding for critical Farm Bill programs and improve crop insurance. **Pages S15090, S15107–08**

Klobuchar Amendment No. 3810 (to Amendment No. 3500), to improve the adjusted gross income limitation and use the savings to provide additional funding for certain programs and reduce the Federal deficit. **Page S15090**

Chambliss (for Cornyn) Amendment No. 3687 (to Amendment No. 3500), to prevent duplicative payments for agricultural disaster assistance already covered by the Agricultural Disaster Relief Trust Fund. **Page S15090**

Chambliss (for Coburn) Amendment No. 3807 (to Amendment No. 3500), to ensure the priority of the farm bill remains farmers by eliminating wasteful Department of Agriculture spending on casinos, golf courses, junkets, cheese centers, and aging barns. **Page S15090**

Chambliss (for Coburn) Amendment No. 3530 (to Amendment No. 3500), to limit the distribution to deceased individuals, and estates of those individuals, of certain agricultural payments. **Page S15090**

Chambliss (for Coburn) Amendment No. 3632 (to Amendment No. 3500), to modify a provision relating to the Environmental Quality Incentive Program. **Page S15090**

Salazar Amendment No. 3616 (to Amendment No. 3500), to amend the Internal Revenue Code of 1986 to provide incentives for the production of all cellulosic biofuels. **Page S15090**

Thune (for McConnell) Amendment No. 3821 (to Amendment No. 3500), to promote the nutritional health of school children, with an offset. **Page S15090**

Craig Amendment No. 3640 (to Amendment No. 3500), to prohibit the involuntary acquisition of farmland and grazing land by Federal, State, and local governments for parks, open space, or similar purposes. **Page S15090**

Thune (for Roberts/Brownback) Amendment No. 3549 (to Amendment No. 3500), to modify a provision relating to regulations. **Page S15090**

Domenici Amendment No. 3614 (to Amendment No. 3500), to reduce our Nation's dependency foreign oil by investing in clean, renewable, and alternative energy resources. **Page S15090**

Thune (for Gregg) Amendment No. 3674 (to Amendment No. 3500), to amend the Internal Revenue Code of 1986 to exclude charges of indebtedness on principal residences from gross income. **Pages S15090, S15108–11, S15117**

Thune (for Gregg) Amendment No. 3673 (to Amendment No. 3500), to improve women's access to health care services in rural areas and provide improved medical care by reducing the excessive burden the liability system places on the delivery of obstetrical and gynecological services. **Pages S15090, S15111**

Thune (for Gregg) Amendment No. 3671 (to Amendment No. 3500), to strike the section requiring the establishment of a Farm and Ranch Stress Assistance Network. **Pages S15090, S15108–11, S15127**

Thune (for Gregg) Amendment No. 3672 (to Amendment No. 3500), to strike a provision relating to market loss assistance for asparagus producers. **Pages S15090, S15108–11, S15116–17**

Thune (for Gregg) Amendment No. 3822 (to Amendment No. 3500), to provide nearly $1,000,000,000 in critical home heating assistance to low-income families and senior citizens for the 2007–2008 winter season, and reduce the Federal deficit by eliminating wasteful farm subsidies. **Page S15090**

Thune (for Grassley/Kohl) Amendment No. 3823 (to Amendment No. 3500), to provide for the review of agricultural mergers and acquisitions by the Department of Justice. **Page S15090**

Thune (for Sessions) Amendment No. 3596 (to Amendment No. 3500), to amend the Internal Revenue Code of 1986 to establish a pilot program under which agricultural producers may establish and contribute to tax-exempt farm savings accounts in lieu of obtaining federally subsidized crop insurance or noninsured crop assistance, to provide for contributions to such accounts by the Secretary of Agriculture, to specify the situations in which amounts may be paid to producers from such accounts, and to limit the total amount of such distributions to a producer during a taxable year. **Pages S15090, S15125–26**

Thune (for Stevens) Amendment No. 3569 (to Amendment No. 3500), to make commercial fishermen eligible for certain operating loans. **Page S15090**

Thune (for Alexander) Amendment No. 3551 (to Amendment No. 3500), to increase funding for the Initiative for Future Agriculture and Food Systems, with an offset. **Pages S15090, S15111–13, S15127**

Thune (for Alexander) Amendment No. 3553 (to Amendment No. 3500), to limit the tax credit for small wind energy property expenditures to property placed in service in connection with a farm or rural small business. **Pages S15090, S15113–16, S15126–27**

Thune (for Bond) Amendment No. 3771 (to Amendment No. 3500), to amend title 7, United States Code, to include provisions relating to rulemaking. **Page S15090**

Salazar (for Durbin) Amendment No. 3539 (to Amendment No. 3500), to provide a termination date for the conduct of certain inspections and the issuance of certain regulations. **Page S15090**

Tester Amendment No. 3666 (to Amendment No. 3500), to modify the provision relating to unlawful practices under the Packers and Stockyards Act. **Page S15095**

Schumer Amendment No. 3720 (to Amendment No. 3500), to improve crop insurance and use resulting savings to increase funding for certain conservation programs. **Pages S15097–98**

Gregg Amendment No. 3825 (to Amendment No. 3673), to change the enactment date. **Page S15111**

Sanders Amendment No. 3826 (to Amendment No. 3822), to provide for payments under subsections (a) through (e) of section 2604 of the Low-Income Home Energy Assistance Act of 1981, and restore supplemental agricultural disaster assistance from the Agricultural Disaster Relief Trust Fund. **Pages S15118–22**

Wyden Amendment No. 3736 (to Amendment No. 3500), to modify a provision relating to bioenergy crop transition assistance. **Pages S15122–25**

Harkin/Kennedy Amendment 3830 (to Amendment No. 3500), relative to public safety officers. **Page S15126**

A unanimous-consent-time agreement was reached providing for further consideration of the bill at approximately 12 noon, on Wednesday, December 12, 2007, and that there be 2 minutes equally divided and controlled for debate on Thune (for Gregg) Amendment No. 3671 (listed above), and that Senate vote on or in relation to the amendment, and following the vote, Senate vote on Thune (for Gregg) Amendment No. 3672 (listed above), and that there

be 2 minutes, equally divided and controlled for debate, and Senate vote on or in relation to the amendment; provided further, that the second vote be 10 minutes in duration, and that there be time limitations of debate on the following amendments: Thune (for Alexander) Amendment Nos. 3551 and 3553 (to Amendment No. 3500) (listed above), 30 minutes, equally divided and controlled for debate between Senators Alexander, Bingaman, and Salazar; Chambliss (for Cornyn) Amendment No. 3687 (to Amendment No. 3500) (listed above), 30 minutes, equally divided and controlled for debate; Harkin (for Dorgan/Grassley) Modified Amendment No. 3695 (to Amendment No. 3500) (listed above), 2 hours equally divided and controlled for debate; Klobuchar Amendment No. 3810 (to Amendment No. 3500) (listed above), 60 minutes equally divided and controlled for debate; Thune (for Gregg) Amendment No. 3673 (to Amendment No. 3500) (listed above), 2 hours equally divided and controlled for debate; Thune (for Sessions) Amendment No. 3596 (to Amendment No. 3500) (listed above), 40 minutes equally divided and controlled for debate (20 minutes for the proponent and 20 minutes for the opposition); Chambliss (for Coburn) Amendments Nos. 3807, 3530, and 3632 (to Amendment No. 3530) (listed above), 90 minutes equally divided and controlled for debate; provided further, that Senate vote on or in relation to Harkin (for Dorgan/Grassley) Modified Amendment No. 3695 (to Amendment No. 3500), at 9:15 a.m., on Thursday, December 13, 2007; that Amendment Nos. 3695, 3673, and 3810 (listed above) each receive a minimum of 60 votes in the affirmative to be agreed to, and that if Senate fails to agree to the amendment with a minimum of 60 affirmative votes, the amendment be withdrawn; provided further, that there be 2 minutes, equally divided and controlled, for debate prior to each vote, and that each vote following the first be 10 minutes in duration in any ''stacked'' sequence ordered. **Page S15128**

Renewable Fuels, Consumer Protection, and Energy Efficiency Act—House Message: A unanimous-consent agreement was reached providing that any cloture motions presented on the motion to concur in the House amendments to the Senate amendments to accompany H.R. 6, to move the United States toward greater energy independence and security, to increase the production of clean renewable fuels, to protect consumers from price gouging, to increase the energy efficiency of products, buildings, and vehicles, to promote research on and deploy greenhouse gas capture and storage options, and to improve the energy performance of the Federal Government, on Wednesday, December 12, 2007, be considered to have been presented on Tuesday, December 11, 2007. **Page S15128**

Nominations Received: Senate received the following nominations:

Yousif Boutrous Ghafari, of Michigan, to be Ambassador to the Republic of Slovenia.

James K. Glassman, of Connecticut, to be Under Secretary of State for Public Diplomacy with the rank of Ambassador.

Douglas H. Shulman, of the District of Columbia, to be Commissioner of Internal Revenue for the term prescribed by law.

Stanley C. Suboleski, of Virginia, to be an Assistant Secretary of Energy (Fossil Energy).

Jon Wellinghoff, of Nevada, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2013.

Glenn T. Suddaby, of New York, to be United States District Judge for the Northern District of New York.

G. Murray Snow, of Arizona, to be United States District Judge for the District of Arizona.

Gregory G. Katsas, of Massachusetts, to be an Assistant Attorney General.

Kevin J. O'Connor, of Connecticut, to be Associate Attorney General.

6 Air Force nominations in the rank of general.

Routine lists in the Air Force, Army, Navy. **Pages S15154–56**

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

James K. Glassman, of Connecticut, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2010, which was sent to the Senate on April 26, 2007. **Page S15156**

Measures Placed on the Calendar: **Pages S15084, S15133**

Executive Communications: **Pages S15133–37**

Additional Cosponsors: **Pages S15138–40**

Statements on Introduced Bills/Resolutions: **Pages S15140–44**

Additional Statements: **Pages S15132–33**

Amendments Submitted: **Pages S15144–51**

Notices of Hearings/Meetings: **Page S15151**

Authorities for Committees to Meet: **Pages S15151–52**

Privileges of the Floor: **Page S15152**

Record Votes: One record vote was taken today. (Total—417) **Page S15107**

Adjournment: Senate convened at 10 a.m. and adjourned at 8:21 p.m., until 9 a.m. on Wednesday, December 12, 2007. (For Senate's program, see the

remarks of the Majority Leader in today's Record on page S15154.)

Committee Meetings

(Committees not listed did not meet)

SCIENCE AND ENGINEERING TO COMPREHENSIVELY UNDERSTAND AND RESPONSIBLY ENHANCE (SECURE) WATER ACT

Committee on Energy and Natural Resources: Committee concluded a hearing to examine S. 2156, to authorize and facilitate the improvement of water management by the Bureau of Reclamation, to require the Secretary of the Interior and the Secretary of Energy to increase the acquisition and analysis of water resources for irrigation, hydroelectric power, municipal, and environmental uses, after receiving testimony from Robert W. Johnson, Commissioner, Bureau of Reclamation, and Robert M. Hirsch, Associate Director for Water, United States Geological Survey, both of the Department of the Interior; John D'Antonio, New Mexico State Engineer, Santa Fe, on behalf of the Western States Water Council; Jon C. Lambeck, Metropolitan Water District of Southern California, Los Angeles; David R. Wunsch, National Groundwater Association, Concord, New Hampshire; Patrick O'Toole, Family Farm Alliance, Savery, Wyoming; and Brian Richter, Nature Conservancy, Charlottesville, Virginia.

PROMOTING AMERICAN AGRICULTURAL AND MEDICAL EXPORTS TO CUBA ACT

Committee on Finance: Committee concluded a hearing to examine S. 1673, to facilitate the export of United States agricultural products to Cuba as authorized by the Trade Sanctions Reform and Export Enhancement Act of 2000, to remove impediments to the export to Cuba of medical devices and medicines, to allow travel to Cuba by United States citizens, to establish an agricultural export promotion program with respect to Cuba, after receiving testimony from Colonel Lawrence B. Wilkerson, USA (Ret.), New America Foundation, and Frank Calzon, Center for a Free Cuba, both of Washington, D.C.; Jaime Suchlicki, University of Miami Institute for Cuban-American Studies, Miami, Florida; David McClure, Montana Farm Bureau Federation, Bozeman; and Carlos Lazo, Lynnwood, Washington.

IRAN

Committee on Foreign Relations: Committee met in closed session to receive a briefing to examine the national intelligence estimate on Iran, focusing on nuclear intentions and capabilities, from Stephen S. Kaplan, Vice Chairman, National Intelligence Council; and Vann Van Diepen, National Intelligence Officer for Weapons of Mass Destruction and Proliferation, and Leslie Ireland, Issue Manager for Iran, both of the Office of the Director of National Intelligence.

E-GOVERNMENT REAUTHORIZATION ACT

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine e-government 2.0, focusing on improving innovation, collaboration, and access, including S. 2321, to amend the E–Government Act of 2002 (Public Law 107–347) to reauthorize appropriations, after receiving testimony from Karen Evans, Administrator, Electronic Government and Information Technology, Office of Management and Budget; John Lewis Needham, Google, Inc., Mountain View, California; Ari Schwartz, Center for Democracy and Technology (CDT), Washington, D.C.; and Jimmy Wales, Wikipedia, and Wikimedia Foundation, St. Petersburg, Florida.

CRUDE OIL PRICES

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations concluded a joint hearing with the Committee on Energy and Natural Resources Subcommittee on Energy to examine the role of speculation in recent crude oil prices, after receiving testimony from Guy Caruso, Administrator, U.S. Energy Information Administration, Department of Energy; Edward N. Krapels, Energy Security Analysis, Inc., Wakefield, Massachusetts; Philip K. Verleger, Jr., PKVerleger LLC, Aspen, Colorado; and Fadel Gheit, Oppenheimer and Co., Inc., New York, New York.

GLOBAL CHALLENGE OF AIDS, TB, AND MALARIA

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine the global challenge of HIV/AIDS, tuberculosis, and malaria, focusing on the President's Emergency Plan for AIDS Relief (PEPFAR), after receiving testimony from Mark Dybul, Ambassador, United States Global AIDS Coordinator, Department of State; Julie L. Gerberding, Director, Centers for Disease Control and Prevention, Department of Health and Human Services; Kasune Zulu, World Vision, Federal Way, Washington; Norman Hearst, University of California, San Francisco; Helen L. Smits, National Academies, Washington, D.C.; and Peter Piot, Joint United Nations Programme on HIV/AIDS (UNAIDS), Geneva, Switzerland.

LEGAL RIGHTS OF GUANTANAMO DETAINEES

Committee on the Judiciary: Subcommittee on Terrorism, Technology and Homeland Security concluded a hearing to examine the legal rights of Guantanamo detainees, focusing on what they are, should they be changed, and whether there is an end in sight, including S. 1249, to require the President to close the Department of Defense detention facility at Guantanamo Bay, Cuba, after receiving testimony from Brigadier General Thomas W. Hartman, Legal Advisor to the Convening Authority, Office of Military Commissions, Department of Defense; Steven A. Engel, Deputy Assistant Attorney General, Office of Legal Counsel, Department of Justice; Rear Admiral John D. Hutson, USN (Ret.), Franklin Pierce Law Center, Concord, New Hampshire; Mark P. Denbeaux, Seton Hall University School of Law Center for Policy and Law, Newark, New Jersey; and Debra Burlingame, National September 11 Memorial and Museum, New York, New York.

SUNSHINE IN LITIGATION ACT

Committee on the Judiciary: Subcommittee *on Antitrust, Competition Policy and Consumer Rights* concluded a hearing to examine the Sunshine in Litigation Act, focusing on whether court secrecy undermines public health and safety, after receiving testimony from Joseph F. Anderson, Jr., United States District Judge, District Court of South Carolina; Robert N. Weiner, Arnold and Porter, LLP, Washington, D.C.; Leslie A. Bailey, Public Justice, Oakland, California; Stephen G. Morrison, Nelson Mullins Riley and Scarborough, LLP, Columbia, South Carolina; Richard Zitrin, University of California Hastings School of Law, San Francisco; and Johnny Bradley, Pachuta, Mississippi.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 13 public bills, H.R. 4343–4455; and 4 resolutions, H.J. Res. 68; and H. Res. 856–858, were introduced.

Pages H15314–17

Additional Cosponsors: **Pages H15317–18**

Reports Filed: Reports were filed today as follows:

H.R. 1413, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to address vulnerabilities in aviation security by carrying out a pilot program to screen airport workers with access to secure and sterile areas of airports, with amendments (H. Rept. 110–482);

H.R. 123, to authorize appropriations for the San Gabriel Basin Restoration Fund, with an amendment (H. Rept. 110–483);

H.R. 3739, to amend the Arizona Water Settlements Act to modify the requirements for the statement of findings (H. Rept. 110–484);

H.R. 2601, to extend the authority of the Federal Trade Commission to collect fees to administer and enforce the provisions relating to the ''Do-not-call'' registry of the Telemarketing Sales Rule, with an amendment (H. Rept. 110–485);

H.R. 3541, to amend the ''Do-not-call'' Implementation Act to eliminate the automatic removal of telephone numbers registered on the Federal ''do-not-call'' registry, with an amendment (H. Rept. 110–486);

H. Res. 859, providing for consideration of the conference report to accompany the bill (H.R. 2082) to authorize appropriations for fiscal year 2008 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (H. Rept. 110–487);

H. Res. 860, providing for consideration of the conference report to accompany 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 (H. Rept. 110–488);

H. Res 861, providing for consideration of the bill (H.R. 4351) to amend the Internal Revenue Code to provide individuals temporary relief from the alternative minimum tax, and for other purposes (H. Rept. 110–489); and

H. Res 862, providing for consideration of the bill (H.R. 4299) to extend the Terrorism Insurance Program of the Department of the Treasury, and for other purposes (H. Rept. 110–490). **Page H15314**

Speaker: Read a letter from the Speaker wherein she appointed Representative Clay to act as Speaker Pro Tempore for today. **Page H15217**

Recess: The House recessed at 10:41 a.m. and reconvened at noon. **Page H15218**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Amending the Joint Resolution Approving the Covenant to Establish a Commonwealth of the Northern Mariana Islands: H.R. 3079, amended, to amend the Joint Resolution Approving the Covenant to Establish a Commonwealth of the Northern Mariana Islands; **Pages H15219–27**

Agreed to amend the title so as to read: "To amend the joint resolution that approved the covenant establishing the Commonwealth of the Northern Mariana Islands, and for other purposes.". **Page H15227**

Authorizing appropriations for the San Gabriel Basin Restoration Fund: H.R. 123, amended, to authorize appropriations for the San Gabriel Basin Restoration Fund; **Pages H15227–29**

Amending the Arizona Water Settlements Act to modify the requirements for the statement of findings: H.R. 3739, to amend the Arizona Water Settlements Act to modify the requirements for the statement of findings; **Pages H15229–30**

Expressing sympathy to and pledging the support of the House of Representatives and the people of the United States for the victims of Cyclone Sidr in southern Bangladesh: H. Res. 842, amended, to express sympathy to and pledge the support of the House of Representatives and the people of the United States for the victims of Cyclone Sidr in southern Bangladesh, by a ⅔ yea-and-nay vote of 388 yeas with none voting "nay", Roll No. 1142; **Pages H15230–31, H15273–74**

Honoring the life and accomplishments of Luciano Pavarotti and recognizing the significant and positive impact of his astounding musical talent, his achievement in raising the profile of opera with audiences around the world, and his commitment to charitable causes: H. Res. 708, to honor the life and accomplishments of Luciano Pavarotti and to recognize the significant and positive impact of his astounding musical talent, his achievement in raising the profile of opera with audiences around the world, and his commitment to charitable causes; **Pages H15231–33**

Recognizing the importance of Christmas and the Christian faith: H. Res. 847, amended, to recognize the importance of Christmas and the Christian faith, by a ⅔ yea-and-nay vote of 372 yeas to 9 nays with 10 voting "present", Roll No. 1143; **Pages H15233–34, H15274**

Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2007: H.R. 3890, amended, to amend the Burmese Freedom and Democracy Act of 2003 to waive the requirement for annual renewal resolutions relating to import sanctions, impose import sanctions on Burmese gemstones, expand the number of individuals against whom the visa ban is applicable, and expand the blocking of assets and other prohibited activities; **Pages H15234–39**

Agreed to amend the title so as to read: "To amend the Burmese Freedom and Democracy Act of 2003 to impose import sanctions on Burmese gemstones, expand the number of individuals against whom the visa ban is applicable, expand the blocking of assets and other prohibited activities, and for other purposes.". **Page H15239**

Honoring the life of Thomas "Tommy" Makem: H. Res. 768, to honor the life of Thomas "Tommy" Makem; **Pages H15239–41**

Honoring the University of Hawaii for its 100 years of commitment to public higher education: H. Con. Res. 264, to honor the University of Hawaii for its 100 years of commitment to public higher education; **Pages H15241–43**

Recognizing the 100th Anniversary of Robstown, Texas: H.R. 785, to recognize the 100th Anniversary of Robstown, Texas; **Pages H15243–44**

Turrill Post Office Building Designation Act: H.R. 4009, to designate the facility of the United States Postal Service located at 567 West Nepessing Street in Lapeer, Michigan, as the "Turrill Post Office Building"; **Pages H15244–45**

Supporting the designation of a week as "National Cardiopulmonary Resuscitation and Automated External Defibrillator Awareness Week": H. Con. Res. 215, amended, to support the designation of a week as "National Cardiopulmonary Resuscitation and Automated External Defibrillator Awareness Week"; **Pages H15245–47**

Expressing the support for designation of a "National Fire Fighter Appreciation Day" to honor and celebrate the fire fighters of the United States: H. Res. 695, amended, to express the support for designation of a "National Fire Fighter Appreciation Day" to honor and celebrate the fire fighters of the United States **Pages H15247–48**

Agreed to amend the title so as to read: "Expressing the support of the House of Representatives for the designation of a National Fire Fighter Appreciation Day to honor and celebrate the fire fighters of the United States.". **Page H15248**

Extending the special postage stamp for breast cancer research for 4 years: S. 597, amended, to extend the special postage stamp for breast cancer research for 4 years. **Pages H15248–49**

Agreed to amend the title so as to read: ''To amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research.''. **Page H15249**

Amending section 3328 of title 5, United States Code, relating to Selective Service registration: H.R. 4108, amended, to amend section 3328 of title 5, United States Code, relating to Selective Service registration; **Pages H15249–50**

Commemorating the centennial anniversary of the sailing of the Navy's ''Great White Fleet,'' launched by President Theodore Roosevelt on December 16, 1907, from Hampton Roads, Virginia, and returning there on February 22, 1909: H. Con. Res. 261, to commemorate the centennial anniversary of the sailing of the Navy's ''Great White Fleet,'' launched by President Theodore Roosevelt on December 16, 1907, from Hampton Roads, Virginia, and returning there on February 22, 1909; **Pages H15250–52**

Fair Treatment for Experienced Pilots Act: H.R. 4343, to amend title 49, United States Code, to modify age standards for pilots engaged in commercial aviation operations, by a 2/3 yea-and-nay vote of 390 yeas with none voting ''nay'', Roll No. 1144; **Pages H15152–55, H15274–75**

John F. Kennedy Center Reauthorization Act of 2007: H.R. 3986, amended, to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts; **Pages H15255–56**

Honoring the accomplishments of Barrington Antonio Irving, the youngest pilot and first person of African descent ever to fly solo around the world: H. Res. 661, amended, to honor the accomplishments of Barrington Antonio Irving, the youngest pilot and first person of African descent ever to fly solo around the world; **Pages H15257–59**

Honoring those who have volunteered to assist in the cleanup of the November 7, 2007, oil spill in San Francisco Bay: H. Res. 853, to honor those who have volunteered to assist in the cleanup of the November 7, 2007, oil spill in San Francisco Bay; **Pages H15259–61**

Providing for the concurrence by the House in the Senate amendment to H.R. 797, with amendments: H. Res. 855, to provide for the concurrence by the House in the Senate amendment to H.R. 797, with amendments; **Pages H15261–65**

Extending the authority of the Federal Trade Commission to collect fees to administer and enforce the provisions relating to the ''Do-not-call'' registry of the Telemarketing Sales Rule: H.R. 2601, amended, to extend the authority of the Federal Trade Commission to collect fees to administer and enforce the provisions relating to the ''Do-not-call'' registry of the Telemarketing Sales Rule; **Pages H15265–67**

Do-Not-Call Improvement Act of 2007: H.R. 3541, amended, to amend the ''Do-not-call'' Implementation Act to eliminate the automatic removal of telephone numbers registered on the Federal ''do-not-call'' registry; **Pages H15267–69**

Agreed to amend the title so as to read: ''To amend the Do-not-call Implementation Act to eliminate the automatic removal of telephone numbers registered on the Federal 'do-not-call' registry.''. **Page H15269**

Extending the trade adjustment assistance program under the Trade Act of 1974 for 3 months: H.R. 4341, to extend the trade adjustment assistance program under the Trade Act of 1974 for 3 months; and **Pages H15269–70**

Directing the Assistant Secretary of Homeland Security (Transportation Security Administration) to address vulnerabilities in aviation security by carrying out a pilot program to screen airport workers with access to secure and sterile areas of airports: H.R. 1413, amended, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to address vulnerabilities in aviation security by carrying out a pilot program to screen airport workers with access to secure and sterile areas of airports. **Pages H15270–73**

Agreed to amend the title so as to read: ''To direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to address vulnerabilities in aviation security by carrying out a pilot program to screen airport workers with access to secure and sterile areas of airports, and for other purposes.''. **Page H15273**

Recess: The House recessed at 4:54 p.m. and reconvened at 6:30 p.m. **Page H15273**

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed:

Over-the-Road Bus Transportation Accessibility Act of 2007: H.R. 3985, to amend title 49, United States Code, to direct the Secretary of Transportation to register a person providing transportation by an over-the-road bus as a motor carrier of passengers only if the person is willing and able to comply with

certain accessibility requirements in addition to other existing requirements. **Pages H15256–57**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H15252.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H15273–74, H15274 and H15274–75. There were no quorum calls.

Adjournment: The House met at 10:30 a.m. and adjourned at 11:42 p.m.

Committee Meetings

AFGHANISTAN: STATUS OF U.S. STRATEGY

Committee on Armed Services: Held a hearing on Security and Stability in Afghanistan: Status of U.S. Strategy and Operations and the Way Ahead. Testimony was heard from the 4 following officials of the Department of Defense: Robert M. Gates, Secretary; Adm Michael G. Mullen, USN, Chairman, Joint Chiefs of Staff; Ambassador Eric S. Edelman, Under Secretary, Policy; and LTG John F. Sattler, USMC, Director, Strategic Plans and Policy, Joint Chiefs of Staff.

REVIEW CENSUS BUREAU'S RISK MANAGEMENT ACTIVITIES FOR IT ACQUISITIONS

Committee on Oversight and Government Reform: Subcommittee on Information Policy, Census, and National Archives held a hearing on A Review of the Census Bureau's Risk Management Activities for IT Acquisitions. Testimony was heard from Charles Louis Kincannon, Director, Bureau of the Census, Department of Commerce; the following officials of the GAO: David Powner, Director, Information Technology Management Issues; and Matthew Scire, Director, Strategic Issues; and public witnesses.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2008—CONFERENCE REPORT

Committee on Rules: Granted, by a voice vote, a rule waiving all points of order against the conference report to accompany H.R. 2082, the Intelligence Authorization Act for Fiscal Year 2008, and against its consideration. Testimony was heard from Chairman Reyes.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008—CONFERENCE REPORT

Committee on Rules: Granted, by a non-record vote, a rule waiving all points of order against the conference report to accompany H.R. 1585, the National Defense Authorization Act for Fiscal Year 2008, and against its consideration. The rule also provides that the conferees on H.R. 3093 are hereby discharged and that the conference and its accompanying papers are hereby tabled. Testimony was heard from Chairman Skelton and Representative Saxton.

AMT RELIEF ACT OF 2007

Committee on Rules: Granted, by a non-record vote, a closed rule providing 1 hour of debate on H.R. 4351, the AMT Relief Act of 2007, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means.

The rule waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The rule provides that the bill shall be considered as read. The rule waives all points of order against provisions of the bill. The rule provides one motion to recommit the bill. Finally, the rule permits the Chair, during consideration of the bill, to postpone further consideration of it to a time designated by the Speaker. Testimony was heard from Chairman Rangel and Representative Neal of Massachusetts.

TERRORISM RISK INSURANCE PROGRAM REAUTHORIZATION ACT OF 2007

Committee on Rules: Granted, by a voice vote, a closed rule providing 1 hour of debate in the House on H.R. 4299, the Terrorism Risk Insurance Program Reauthorization Act of 2007, equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services. The rule waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The rule waives all points of order against provisions of the bill. The rule provides that the bill shall be considered as read. The rule provides one motion to recommit with or without instructions.

Finally, the rule provides that during consideration of H.R. 4299, the Chair may postpone further consideration to a time designated by the Speaker. Testimony was heard from Chairman Frank.

COMMITTEE MEETINGS FOR WEDNESDAY, DECEMBER 12, 2007

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Foreign Relations: to receive a closed briefing on North Korea, focusing on the six-party talks, 11 a.m., S–407, Capitol.

Committee on Health, Education, Labor, and Pensions: business meeting to consider S. 579, to amend the Public

Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer, and any pending nominations, Time to be announced, Room to be announced.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the nominations of Harvey E. Johnson, Jr., of Virginia, to be Deputy Administrator and Chief Operating Officer, Federal Emergency Management Agency, and Jeffrey William Runge, of North Carolina, to be Assistant Secretary for Health Affairs and Chief Medical Officer, both of the Department of Homeland Security, 10 a.m., SD–342.

Committee on the Judiciary: Subcommittee on the Constitution, to hold hearings to examine S. 1782, to amend chapter 1 of title 9 of United States Code with respect to arbitration, 9:30 a.m., SD–226.

Committee on Rules and Administration: to hold hearings to examine a recently released Government Accountability Office report, focusing on funding challenges and facilities maintenance at the Smithsonian Institution, 10 a.m., SR–301.

Special Committee on Aging: to hold hearings to examine reverse mortgages, focusing on polishing not tarnishing the golden years, 10:30 a.m., SD–628.

House

Committee on Agriculture, to consider the following: the CFTU Reauthorization Act of 2007; H.J. Res. 15, Recognizing the contributions of the Christmas tree industry to the United States economy; H.R. 1374, To amend the Florida National Forest Land Management Act of 2003 to authorize the conveyance of an additional tract of National Forest System land under that Act, and for other purposes; and H.R. 3454, To provide for the conveyance of a small parcel of National Forest System land in the George Washington National Forest in Alleghany County, Virginia, that contains the cemetery of the Central Advent Christian Church and an adjoining tract of land located between the cemetery and road boundaries, 10:30 a.m., 1300 Longworth.

Committee on Armed Services, Subcommittee on Readiness, hearing on implementation of the Base Realignment and Closure 2005 decisions, 10 a.m., 2118 Rayburn.

Committee on Energy and Commerce, Subcommittee on Oversight and Investigations, hearing entitled ''Energy Speculation: Is Greater Regulation Necessary to Stop Price Manipulation?'' 9:30 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Financial Institutions and Consumer Credit, hearing entitled ''The Financial Consumer Hotline Act of 2007: Providing Consumers with Easy Access to the Appropriate Banking Regulator,'' 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on the Middle East and South Asia, hearing on Connecting the Money to the Mission: The Past, Present, and Future of U.S. Assistance to the Palestinians, 10 a.m., 2200 Rayburn.

Committee on Homeland Security, Subcommittee on Transportation Security and Infrastructure Protection, hearing on the Chemical Facility Anti-Terrorism Act of 2008, 10 a.m., 311 Cannon.

Committee on the Judiciary, to mark up the following bills: H.R. 3609, Emergency Home Ownership and Mortgage Equity Protection Act of 2007; and H.R. 3753, Federal Judicial Salary Restoration Act of 2007, 10:15 a.m., 2141 Rayburn.

Committee on Natural Resources, oversight hearing on New Fees for Filming and Photography on Public Lands, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, to consider the following measures: H.R. 4220, Federal Food Donation Act of 2007; H.R. 3468, To designate the facility of the United States Postal Service located at 1704 Weeksville Road in Elizabeth City, North Carolina, as the ''Dr. Clifford Bell Jones, Sr. Post Office;'' H.R. 3720, To designate the facility of the United States Postal Service located at 424 Clay Avenue in Waco, Texas as the ''Army PFC Juan Alonso Covarrubias Post Office Building;'' H.R. 3721, To designate the facility of the United States Postal Service located at 1190 Lorena Road in Lorena, Texas, as the ''Marine Gunnery Sgt. John D. Fry Post Office Building;'' H.R. 3803, To designate the facility of the United States Postal Service located at 3100 Cashwell Drive in Goldsboro, North Carolina, as the ''John Henry Wooten, Sr. Post Office Building;'' H.R. 3911, To designate the facility of the United States Postal Service located at 95 Church Street in Jessup, Pennsylvania, as the ''Lance Corporal Dennis James Veater Post Office;'' H.R. 3988, To designate the facility of the United States Postal Service located at 3701 Altamesa Boulevard in Fort Worth, Texas, as the ''Master Sergeant Kenneth N. Mack Post Office Building;'' H.R. 4210, To designate the facility of the United States Postal Service located at 401 Washington Avenue in Weldon, North Carolina, as the ''Dock M. Brown Post Office Building;'' H.R. 4211, To designate the facility of the United States Postal Service located at 725 Roanoke Avenue in Roanoke Rapids, North Carolina, as the ''Judge Richard B. Allsbrook Post Office;'' H.R. 4240, To designate the facility of the United States Postal Service located at 10799 West Alameda Avenue in Lakewood, Colorado, as the ''Felix Sparks Post Office Building;'' H.R. 4342, To designate the facility of the United States Postal Service located at 824 Manatee Avenue in West Bradenton, Florida, as the ''Dan Miller Post Office Building;'' S. 2110, To designate the facility of the United States Postal Service located at 427 North Street in Taft, California, as the ''Larry S. Pierce Post Office;'' S. 2174, To designate the facility of the United States Postal Service located at 175 South Monroe Street in Tiffin, Ohio, as the ''Paul E. Gillmor Post Office Building;'' H. Con. Res. 198, Expressing the sense of Congress that the United States has a moral responsibility to meet the needs of those persons, groups and communities that are impoverished, disadvantaged or otherwise in poverty; H. Con. Res. 254, Recognizing and celebrating the centennial of Oklahoma statehood; and H. Res. 816, Congratulating the Colorado Rockies on winning the National League Championship and playing in the World Series, 10 a.m., 2154 Rayburn.

Subcommittee on Domestic Policy, hearing on Assessing the Environmental Risks of the Water Bottling Industry's Extraction of Groundwater, 2 p.m., 2154 Rayburn.

Committee on Small Business, hearing entitled ''Sarbanes-Oxley Section 404: New Evidence on the Cost for Small Companies,'' 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Economic Development, Public Buildings, and Emergency Management, hearing on the New DHS Headquarters at St. Elizabeths: Local Business Opportunities, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, hearing on Stopping Suicides: Mental Health Challenges Within the Department of Veterans Affairs, 10 a.m., 345 Cannon.

Subcommittee on Oversight and Investigations and the Subcommittee on Health, joint hearing on Outpatient Waiting Times, 2 p.m., 345 Cannon.

Permanent Select Committee on Intelligence, executive, briefing on CIA Tapes, 8:45 a.m., H–405 Capitol.

Next Meeting of the SENATE

9 a.m., Wednesday, December 12

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond 12 noon), Senate will continue consideration of H.R. 2419, Farm Bill Extension Act, and after a period of debate, vote on or in relation to certain amendments.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m. Wednesday, December 12

House Chamber

Program for Wednesday: Consideration of the conference report to accompany H.R. 2082—Intelligence Authorization Act for Fiscal Year 2008 (Subject to a Rule) and the conference report to accompany H.R. 1585—National Defense Authorization Act for Fiscal Year 2008 (Subject to a Rule).

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