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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. ISRAEL).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
January 29, 2008.

I hereby appoint the Honorable STEVE ISRAEL 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 Maryland (Mr. HOYER).

HONORING THE LIFE OF GWEN BRITT

Mr. HOYER. Mr. Speaker, today, along with my colleagues from the Maryland delegation, I want to take this opportunity to honor the life and legacy of a beloved figure from our State who passed into God's hands on January 12, State Senator Gwen Britt.

Gwen lived a full, wonderful life. She was a wife, a mother, a grandmother, legislator, a civil rights leader and a friend. But she also was an inspiration, a woman of deep faith and conviction, with an unshakable commitment to achieving justice, equality and fairness in our Nation.

The former Gwendolyn Greene grew up in northeast Washington at a time when our Nation was failing to live up to its promise of equal opportunity. She knew the racial divisions that existed in this segregated city, in our schools, in our stores, even in our parks.

And so in 1960, as an 18-year-old student activist of Howard University, Gwen and members of the District of Columbia's non-violent action group decided to take a stand. She walked into the Montgomery County park, then segregated, and tried to climb aboard a horse on a merry-go-round; something that all of us today would think is normal for any American, particularly any young American.

Yet as the Washington Post reported, the students' actions, as innocent and as unprovocative as they seem today, sparked 5 days of protests, and Gwen and other activists were arrested for trespassing, spat upon and harassed by counter-demonstrators.

This experience left Gwen undeterred. In fact, it fortified her already strong character, as well as her determination to do what she knew in her mind and in her heart was right.

Gwen took to heart Dr. King's words, ''Make a career of humanity, and you will make a greater person of yourself, a greater Nation of your country and a finer world to live in.'' So said Martin Luther King, Jr.

Gwen Britt took that to heart. So she did make our Nation a finer place in which to live. That experience in Glen Echo Park was only the beginning of Gwen's civil rights work.

She left Howard University to join the Freedom Riders who challenged Jim Crow laws in the South and in our transportation system. And in 1961, she spent 40 days in a Mississippi jail for sitting in a whites-only train station.

JOHN LEWIS was one of Gwen Britt's friends. JOHN LEWIS, a hero, a Member of this body. More people know about JOHN LEWIS because of his extraordinary leadership, but Gwen Britt was there by his side on Freedom Rides.

It is a testament to Gwen Britt's humility and quiet confidence that she never advertised her proud and very important civil rights work.

As Maryland State Delegate Victor Ramirez of Prince George's County recently said, ''She talked about the civil rights movement if you brought it up, but she was one of those people who spoke softly but carried a big stick.''

Since her passing, words of tribute have poured forth. Governor Martin O'Malley noted, ''She was a leader long before her years in the Senate.'' How true that is. Lieutenant Governor Anthony Brown called her a ''principled, active and fair-minded voice for equality.''

And Prince George's County executive Jack Johnson said she was ''one of the most honest people you ever met.'' And on The Washington Post's Web site, people who knew Gwen posted words of sympathy and tribute.

For example, Katey Boerner, the executive director of the Glen Echo Park Partnership for Arts and Culture, has said some, almost 50 years after the demonstration that occurred to open up Glen Echo's amusements to people of all colors, ''We plan to include her story of bravery and shepherding change in our upcoming civil rights exhibition here at the park. We can now treasure her memory for the amazing story that was her life and the impact that she had on so many through her leadership.''

Not surprisingly, Gwen Britt also made an important impact in the State Senate after she was elected in 2002. She rose to the position of deputy majority leader in 2007 and became an unwavering voice for those who have felt the cold chill of exclusion.

Carl Snowden, the director of civil rights in the State Attorney General's Office in Maryland, said this, ''She saw other groups that have historically been locked out of the system: women, Latinos, gays. And she felt all of those left out had to have a place at the table.''

Gwen Britt was a woman of extraordinary character and courage, and all those she touched during her 66 years on this earth, her beloved family; her sons, who spoke so eloquently at her funeral; her husband, who himself was a Freedom Rider, who himself was a great warrior and advocate for justice in the civil rights movement.

The State of Maryland and our Nation have been enriched by her actions and her leadership, as a young person, as a State Senator, as a neighbor, as a friend.

Mr. Speaker, today I want to extend my condolences to Gwen's husband of 46 years, Travis; her two sons, Travis, Jr., and John; and all of her family and many friends.

We will miss her dearly, although we are comforted that her life and legacy will endure and that she now is at rest in God's hands.

Gwen will live as so many before, in the hearts and minds of those she impressed, of those she motivated, of those she enriched. We will miss Senator Gwen Britt, but our State, our community and our Nation have been made better by her life.

HONORING THE LIFE OF PATRICIA A. CORBETT

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

Mrs. SCHMIDT. Mr. Speaker, this morning when I woke up and read the clips from Cincinnati's The Enquirer, the headline said, ''Cincinnati Philanthropist Dies.'' It should have read, ''Cincinnati's Best Friend Dies.'' We have lost a great friend of the arts, Patricia Corbett.

When we say the name Patricia Corbett in Cincinnati, we don't have to explain who she is. Her name appears on buildings: the University of Cincinnati Performing Arts building, the Northern Kentucky Arts Performing Center, Music Hall, Riverbend. And in a few short months, the Cincinnati public schools new Performing Arts Center will again bear her name.

But it is not just the buildings that she so actively got involved in and helped build. It's also what she did for the arts itself.

The opera, the symphony, the Pops, the ballet, the May Festival all owe a deep gratitude to the financial support that this woman gave. Her generosity to the arts went beyond the boundaries of Cincinnati.

In my own local town that I grew up in, Loveland, Ohio, we received a Patricia Corbett award, and now we have a stage company that has a small portion of the arts for our local residents to benefit from.

There are so many people in the newspaper today that talked about what a figure she was. But the one that brought to my mind the most was a woman by the name of Martha Winfrey of Westwood who worked as an usher at Music Hall, and she conveyed the kind of kindness that Patricia Corbett had that we don't know about. At Christmas, she would hand envelopes to the ushers and say, ''Just be quiet with these.'' She had the most prestigious box at Music Hall, Box 5, and when it got crowded, she'd say to Martha, ''I don't need to sit here. Let somebody else sit here instead of me,'' and she'd stand out in the hall and listen to the performance.

She didn't like people to know how old she was. I'm going to be kind and not tell you, since my own mother never wanted anyone to know how old she was. But we were blessed for many years to have Patricia Corbett be our gracious benefactor.

It is said over $65 million from the Corbetts were given to enrich the lives of the citizens of greater Cincinnati. I was one of those citizens that benefited not from just her generosity, but her kindness. I had the pleasure to meet her on several occasions. Her warm smile, her gentle hand will be a lasting memory.

A few weeks ago, we lost Joni Herschede, another friend of the arts. And now we've lost the Grande Dame. I only hope that they are in heaven enjoying the harps of the angels and that they will continue to smile down on us in Cincinnati.

THE TIME FOR EARMARK REFORM HAS ARRIVED

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the gentleman from Indiana (Mr. PENCE) is recognized during morning-hour debate for 5 minutes.

Mr. PENCE. Mr. Speaker, I rise today because the American people are tired of spending-as-usual here in Washington, DC, especially when it comes to earmarking. Now, earmarking, for the uninitiated, is a process in Congress which has expanded greatly over the last 15 years under Republican control of Congress and, as we saw last year, under Democrat control of Congress. It is where Members of Congress oftentimes, for perfectly meritorious and honorable reasons, request specific projects for their districts. But the American people know that something has gone wrong with the Federal budget process system, and the time for earmark reform has arrived.

This past weekend I'm pleased to report, Mr. Speaker, that House Republicans gathered in West Virginia and came together around a bipartisan challenge. We called on Speaker PELOSI and House Democrats to join us in a timeout on earmarking in Washington, DC.

House Republicans united behind a challenge for an earmark moratorium and the establishment of a new select committee that would engage in the kind of thoughtful analysis and hearings where we could truly change the way we spend the people's money.

When you are flying an airplane and the gauges start to tell you something is wrong with the engines, the first thing you do, Mr. Speaker, is put the airplane on the ground. Then you get under the hood and you figure out what is wrong.

Well, I have to tell you that the explosion of earmarks under Republican control in the past years and the inclusion of hundreds of unexamined earmarks in last year's omnibus bill, dropped in at the last minute under the color of darkness, are evidence that the gauge lights are going off.

We need to call a timeout, have a moratorium on earmark spending here in the Congress while we can come together, men and women, Republicans and Democrats, and figure out how we restore public confidence in the way we spend the people's money.

By challenging Speaker PELOSI and the House majority to join us in ending earmarks as usual in Washington, DC, House Republicans have thrown down the gauntlet of reform.

And I believe that while I still think our side should embrace an immediate moratorium on earmarks and lead by example, I applaud my colleagues for finding that common ground among Republicans wherein we can challenge, in a spirit of bipartisanship, our colleagues to join us.

Now, I still maintain nothing short of a full moratorium followed by public hearings and reform will be sufficient to restore public confidence in congressional appropriations.

But as those debates have gone on, it is amazing to me, Mr. Speaker, to look at the morning headlines here in Washington, DC. It shows you the difference between the Muncie Star Press and newspapers out here. Earmarks are page 1, the focus on the ''President's sudden severity is drawing bipartisan criticism.'' Roll Call says, ''Earmarks Still Roil GOP,'' and the Politico, not to be outdone, repeats the exact same headline: ''Earmark Debate Roils GOP Ranks.''

It is only in Washington, DC, where one party engages in a vigorous debate about how we restore public confidence in the Federal budget process that the focus then is on the debate of the party that wants to bring about change because the sound of silence from the Democrat majority is deafening.

Now, while Republicans are having a vigorous debate, and I'm still one of the people that believes that our party should even go farther, that we should embrace a 1-year moratorium, I have advocated that among my colleagues and will continue to. But nevertheless, it is remarkable to me that the Washington press corps is more interested in discussions among Republicans who

have arrived at a consensus challenging the governing majority to join us in an earmark moratorium than they are interested in the response of the majority who hold the reins of power.

I mean, headlines attest to a vigorous debate among the minority and dead silence among the majority.

And I must tell you, it has to be frustrating, Mr. Speaker, to millions of Americans who long for a Congress that will put integrity and the restoration of public confidence in the Federal budget above partisan differences.

So I say to my colleagues on the other side, what is your response to our challenge for an immediate moratorium on all earmark spending? What will Speaker PELOSI and House Democrats decide at their conference retreat this week?

My hope is as our challenge sits now on the table and is met with stark silence from the Democrats, that as your party meets, Mr. Speaker, as you consider how we can restore public confidence, that Democrats will join Republicans in an immediate earmark moratorium so we can put our fiscal house in order and restore public confidence.

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 48 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:

All-powerful and ever-living God, direct Your love and highest inspirations within us.

Congress stands today between days of retreat for both Republican and Democrat Members of the House. May these days of reflection and planning be blessed with clarity of vision and unified resolve.

Filled with gratitude for the people and the many gifts bestowed upon this Nation, help them to be attuned not only to the problems and questions of Your people, but empower them to build upon their strengths and their hopes for the future.

You alone can lift Your servants above self-interest and fractured alliances to create a renewed solidarity that will bring this Nation to unity and peace.

Only by discerning such gifts within ourselves, Lord, can we bring the seed of promise to others. For we place our trust not in money nor in munitions, but in the meaning You bring to Your people, 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 Texas (Mr. CUELLAR) come forward and lead the House in the Pledge of Allegiance.

Mr. CUELLAR 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.

SUPPORT ECONOMIC STIMULUS PACKAGE

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

Mr. CUELLAR. Mr. Speaker, I rise today to support the bipartisan economic stimulus plan that will help strengthen our Nation's economy and help millions of American taxpayers and their families.

In my congressional district, the median household income is $36,000, and those families face rising prices in utilities, food, and health insurance, which stretch their monthly budgets to nearly the breaking point.

Also, nearly 39 percent of these households are headed by single mothers living below the poverty level, who struggle to feed and clothe their children with limited budgets, as they are the sole earners.

The stimulus package will provide at least $900 to single mothers and their families, which helps alleviate their burden.

Mr. Speaker, I am glad to support the bipartisan economic stimulus plan, and I ask my colleagues on both sides of the aisle to join us today in supporting this legislation.

THE CHINESE CROCODILE

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

Mr. POE. Mr. Speaker, the Chinese attack on the Christian faith continues. For 60 days, the Chinese Government has held Shi Weiham, a Christian bookstore owner, in secret detention for praying.

As China readies for the 2008 Summer Olympics, it is trying to convince critics that it embraces religious freedom. But China is secretly moving religious believers to the dark, damp, hidden hideaway of jail.

China restricts all religious practice to state-sanctioned churches and certain places of worship. So Chinese don't dare pray or worship anywhere else, or off to jail they go. That is what happened to Shi Weiham.

China's religious tolerance is a public relations campaign draped in hypocrisy. China arrests thousands of Christians, Muslims, and Buddhists each year.

As religion is being attacked across atheistic Communist China, we should recall Winston Churchill's words about communism: ''A communist is like a crocodile, when it opens its mouth, you cannot tell whether it is trying to smile or preparing to eat you up.'' The Chinese crocodile is devouring religious freedom among its people.

And that's just the way it is.

PERMANENT FIX FOR FISA

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

Mr. WILSON of South Carolina. Mr. Speaker, I rise today to call on the Democrat majority to pass a permanent fix to our Nation's foreign surveillance law and give our intelligence community the tools they need to protect American families.

It has been 6 months since this body passed a temporary patch to the Foreign Intelligence Surveillance Act. If Congress fails to pass a permanent fix, our Nation's intelligence community will once again be limited in their ability to track terrorists and defeat their efforts to murder Americans.

In his State of the Union address last night, President Bush reiterated to Members of both parties that the time to act is now. On this most important of issues, we owe it to the American people not to put American families at risk.

We can all agree that the safety and well-being of our Nation's families is our utmost priority, so let's work together on an agreement that will ensure that we meet the challenge of defending our Nation for the long term. Our enemies will not hesitate to exploit our intelligence loopholes. It is imperative that we not give them that opportunity.

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

DEMOCRATS REFORM EARMARK PROCESS

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

Mr. ARCURI. Mr. Speaker, 7 years into his Presidency, President Bush is finally urging reform of the earmark process. He is a little late.

Congressional Democrats have already begun reforming the earmark process. We realized reform was necessary after the number of earmarks in appropriations bills skyrocketed under the Republicans. You didn't hear the President complaining then. In fact, he signed every appropriations bill that came to his desk.

Democrats, in stark contrast, have led the way in bringing transparency and accountability to the earmark process. We instituted a 1-year moratorium on earmarks in 2007 until a reformed process could be put into place. We also adopted rules that provided for unprecedented transparency in earmarks and then significantly reduced the number of earmarks last year.

Mr. Speaker, House Democrats are pleased to hear that the President is interested in reforming the earmark process. The Bush White House requests and receives funding for hundreds of earmarks each year, and we look forward to working with the President to both limit and bring increased transparency to the Presidential and congressional earmarks.

HONORING ARMY SERGEANT JON M. SCHOOLCRAFT III

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

Mr. JORDAN of Ohio. Mr. Speaker, I rise today to honor the life and recognize the ultimate sacrifice of a brave Ohio soldier, Army Sergeant Jon Michael ''Mike'' Schoolcraft III.

Mike attended high school in Wapakoneta and went on to study auto body repair at the Apollo Career Center in Lima. Teachers, coaches, family members, and friends all described Mike as a remarkable, reliable, hard-working young man who excelled at every activity in which he was engaged.

In his time on this Earth, Mike had a positive impact on people in his life. When he decided to join the military shortly after the September 11 attacks, he touched the life of every American family that lived under the blanket of safety he helped provide.

Mike Schoolcraft died on Saturday, January 19, while serving America in support of Operation Iraqi Freedom. In recognition of his valorous service, he was posthumously promoted to sergeant.

Mike is survived by his new wife, Amber, who lives in Hawaii. Mike's mother, Cynthia, along with many friends and loving family members, lives near his boyhood home. His father, Jon, lives in Indiana.

Mike stood up and volunteered to serve this great country. He fought to promote freedom. He gave his life in defense of his family, his community, his State and his Nation.

For this, each and every American owes him and his family a great debt of gratitude.

EXTENDING PROTECT AMERICA ACT UNNECESSARY

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

Mr. HOLT. Mr. Speaker, the House made a serious mistake last August when it passed the Protect America Act. I opposed the legislation at the time because it authorized a massive, unregulated electronic fishing expedition, an approach guaranteed to ensnare innocent Americans and a sloppy, inefficient way to collect intelligence. It lacks the basic standard of court review of the government's actions.

If we have learned anything, it is when officials must establish before an independent court that they know what they are doing when they collect communications, we get better intelligence than we do through indiscriminate collection and fishing expeditions.

Extending the PAA is unnecessary because existing orders issued under it will continue for a year and are broad enough in scope to deal with any contingencies that may arise.

In November we passed in this body a good bill to replace the PAA. Congress should never pass legislation under duress brought on by propaganda, misinformation, and fear-mongering. I urge my colleagues to remember this when we debate the topic today.

PASS ECONOMIC STIMULUS PACKAGE

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

Mr. ALTMIRE. Mr. Speaker, economists say the most important thing Congress can do to stimulate our struggling economy is to act quickly, and that is exactly what this House is going to do today.

House leaders from both parties worked with the President to craft the bipartisan agreement that is before us. We came together, and by acting quickly, we are hoping that our actions spark our economy.

The package is going to provide some relief to middle-income families who have been left behind in many ways over the last 7 years. This bill gives 117 million Americans a tax rebate so they can begin to breathe a little easier when paying their bills in the coming months.

Equally important, this economic package also gives tax breaks to small businesses to help spur investment and job creation.

Mr. Speaker, economists said we need to act fast, and that is what we did. Let's get to work and pass this economic stimulus package today.

PASS ECONOMIC STIMULUS PACKAGE

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

Mr. HALL of New York. Mr. Speaker, times are rough right now. Signs of economic turmoil are multiplying, and we seem to be headed for, or already are in, a recession. Last week stock markets around the world dropped precipitously, and only an emergency rate change by the Federal Reserve prevented them from falling even farther.

The people I represent in the Hudson Valley have been particularly hard hit. Oil has passed the $100-a-barrel mark, making it more expensive than ever for people to heat their homes and drive their cars. In suburban communities in the Northeast, like the area I represent, home heating bills are up by more than 30 percent over last year.

Expenses are rising; wages are stagnating. As a result, families struggle to pay their everyday costs. Our debts increase and investment in our future plummets.

Congress must act quickly. I am proud that this Congress will pass legislation today to stimulate the economy to help people and businesses, but especially the working families who need it most.

□ 1215

HEALTH CARE TAX DEDUCTION

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

Mr. STEARNS. Mr. Speaker, my colleagues, last night while attending our President's final State of the Union, I was encouraged to hear him say: Ending the bias in the Tax Code against those who do not get their health insurance through their employer is one reform that would put private coverage within reach for millions, and I call on the Congress to pass this piece of legislation this year.

My colleagues, I'd like to draw your attention to the Health Care Tax Deduction Act of 2007, a bill which I have offered, and one that accomplishes this goal of insuring every American man, woman and child. This bill will allow individuals a tax deduction from gross income for health insurance premiums and unreimbursed prescription drug expenses for themselves and their family.

I urge you to cosponsor this bill and attack this problem with meaningful and responsible legislation. With this legislation, we can end the debate over inefficient government-run health care.

FISA

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

Mr. PITTS. Mr. Speaker, in August of last year, Congress passed the Protect America Act to close a dangerous loophole in our ability to collect intelligence information on foreign targets in foreign countries.

When this legislation expires on Thursday of this week, our intelligence community, responsible to collect intelligence on terrorist enemies, will lose their eyes and ears. Congress has stalled for 6 months to review the policy and come up with a solution to bring FISA up to date with our 21st century technologies and give our intelligence community the tools they need to fight terrorism.

Now the House wants to pass a 30-day extension. The Senate can't even agree to that. Democrats in Congress want to empower judges and lawyers in their discovery proceedings and frivolous lawsuits over intelligence needs.

The laws governing our intelligence collection should not be dealt with in the same way one pays rent for an apartment, month to month. We need to pass legislation to permanently create a solution that gives our intelligence community the tools they need to fight terrorism that threatens the security of every American.

VOTER ID MEDIA BIAS

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

Mr. SMITH of Texas. Mr. Speaker, two-thirds of Americans say voters should be required to show photo identification before voting, according to a new Fox 5-Washington Times-Rasmussen survey. But not one major newspaper, aside from the Washington Times, featured those poll results.

Instead, the national media have portrayed the voter ID issue as unpopular with voters. To the contrary, the new survey found strong bipartisan support for voter ID, including 63 percent of Democrats and Independents, as well as over three-fourths of Republicans.

Clearly, voter ID has broad support among Americans. It's unfortunate you'll never hear about it from the major media.

COMMUNICATION FROM STAFF MEMBER, COMMITTEE ON ARMED SERVICES

The SPEAKER pro tempore laid before the House the following communication from Paul Arcangeli, Professional Staff Member, House Committee on Armed Services:

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 28, 2008.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have received a subpoena for testimony issued by the U.S. District Court for the Eastern District of Virginia.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

PAUL ARCANGELI,
Professional Staff Member.

COMMUNICATION FROM ACTING CHIEF OF STAFF, HON. WILLIAM J. JEFFERSON, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Roberta Y. Hopkins, Acting Chief of Staff, the Honorable WILLIAM J. JEFFERSON, Member of Congress:

JANUARY 28, 2008.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have received a subpoena for testimony issued by the U.S. District Court for the Eastern District of Virginia.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

ROBERTA Y. HOPKINS,
Acting Chief of Staff.

COMMUNICATION FROM DISTRICT MANAGER, HON. WILLIAM J. JEFFERSON, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Stephanie R. Butler, District Manager, the Honorable WILLIAM J. JEFFERSON, Member of Congress:

JANUARY 28, 2008.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have received a subpoena for testimony issued by the U.S. District Court for the Eastern District of Virginia.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

STEPHANIE R. BUTLER,
District Manager.

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 later today.

RECOVERY REBATES AND ECONOMIC STIMULUS FOR THE AMERICAN PEOPLE ACT OF 2008

Mr. RANGEL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5140) to provide economic stimulus through recovery rebates to individuals, incentives for business investment, and an increase in conforming and FHA loan limits.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5140

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Recovery Rebates and Economic Stimulus for the American People Act of 2008''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
TITLE I—RECOVERY REBATES AND INCENTIVES FOR BUSINESS INVESTMENT
Sec. 101. 2008 recovery rebates for individuals.
Sec. 102. Temporary increase in limitations on expensing of certain depreciable business assets.
Sec. 103. Special allowance for certain property acquired during 2008.
TITLE II—HOUSING GSE AND FHA LOAN LIMITS
Sec. 201. Temporary conforming loan limit increase for Fannie Mae and Freddie Mac.
Sec. 202. Temporary loan limit increase for FHA.

TITLE I—RECOVERY REBATES AND INCENTIVES FOR BUSINESS INVESTMENT

SEC. 101. 2008 RECOVERY REBATES FOR INDIVIDUALS.

(a) IN GENERAL.—Section 6428 of the Internal Revenue Code of 1986 is amended to read as follows:

''SEC. 6428. 2008 RECOVERY REBATES FOR INDIVIDUALS.

''(a) IN GENERAL.—In the case of an eligible individual, there shall be allowed as a credit against the tax imposed by subtitle A for the first taxable year beginning in 2008 an amount equal to the lesser of—

''(1) net income tax liability, or

''(2) $600 ($1,200 in the case of a joint return).

''(b) SPECIAL RULES.—

''(1) IN GENERAL.—In the case of a taxpayer described in paragraph (2)—

''(A) the amount determined under subsection (a) shall not be less than $300 ($600 in the case of a joint return), and

''(B) the amount determined under subsection (a) (after the application of subparagraph (A)) shall be increased by the product of $300 multiplied by the number of qualifying children (within the meaning of section 24(c)) of the taxpayer.

''(2) TAXPAYER DESCRIBED.—A taxpayer is described in this paragraph if the taxpayer—

''(A) has earned income of at least $3,000, or

''(B) has—

''(i) net income tax liability which is greater than zero, and

''(ii) gross income which is greater than the sum of the basic standard deduction plus the exemption amount (twice the exemption amount in the case of a joint return).

''(c) TREATMENT OF CREDIT.—The credit allowed by subsection (a) shall be treated as allowed by subpart C of part IV of subchapter A of chapter 1.

''(d) LIMITATION BASED ON ADJUSTED GROSS INCOME.—The amount of the credit allowed by subsection (a) (determined without regard to this subsection and subsection (f)) shall be reduced (but not below zero) by 5 percent of so much of the taxpayer's adjusted gross income as exceeds $75,000 ($150,000 in the case of a joint return).

''(e) DEFINITIONS.—For purposes of this section—

''(1) NET INCOME TAX LIABILITY.—The term 'net income tax liability' means the excess of—

''(A) the sum of the taxpayer's regular tax liability (within the meaning of section 26(b)) and the tax imposed by section 55 for the taxable year, over

''(B) the credits allowed by part IV (other than section 24 and subpart C thereof) of subchapter A of chapter 1.

''(2) ELIGIBLE INDIVIDUAL.—The term 'eligible individual' means any individual other than—

''(A) any nonresident alien individual,

''(B) any individual with respect to whom a deduction under section 151 is allowable to another taxpayer for a taxable year beginning in the calendar year in which the individual's taxable year begins, and

''(C) an estate or trust.

''(3) EARNED INCOME.—The term 'earned income' has the meaning set forth in section 32(c)(2) except that—

''(A) subclause (II) of subparagraph (B)(vi) thereof shall be applied by substituting 'January 1, 2009' for 'January 1, 2008', and

''(B) such term shall not include net earnings from self-employment which are not taken into account in computing taxable income.

''(4) BASIC STANDARD DEDUCTION; EXEMPTION AMOUNT.—The terms 'basic standard deduction' and 'exemption amount' shall have the same respective meanings as when used in section 6012(a).

''(f) COORDINATION WITH ADVANCE REFUNDS OF CREDIT.—

''(1) IN GENERAL.—The amount of credit which would (but for this paragraph) be allowable under this section shall be reduced (but not below zero) by the aggregate refunds and credits made or allowed to the taxpayer under subsection (g). Any failure to so reduce the credit shall be treated as arising out of a mathematical or clerical error and assessed according to section 6213(b)(1).

''(2) JOINT RETURNS.—In the case of a refund or credit made or allowed under subsection (g) with respect to a joint return, half of such refund or credit shall be treated as having been made or allowed to each individual filing such return.

''(g) ADVANCE REFUNDS AND CREDITS.—

''(1) IN GENERAL.—Each individual who was an eligible individual for such individual's first taxable year beginning in 2007 shall be treated as having made a payment against the tax imposed by chapter 1 for such first taxable year in an amount equal to the advance refund amount for such taxable year.

''(2) ADVANCE REFUND AMOUNT.—For purposes of paragraph (1), the advance refund amount is the amount that would have been allowed as a credit under this section for such first taxable year if this section (other than subsection (f) and this subsection) had applied to such taxable year.

''(3) TIMING OF PAYMENTS.—The Secretary shall, subject to the provisions of this title, refund or credit any overpayment attributable to this section as rapidly as possible. No refund or credit shall be made or allowed under this subsection after December 31, 2008.

''(4) NO INTEREST.—No interest shall be allowed on any overpayment attributable to this section.''.

(b) TREATMENT OF POSSESSIONS.—

(1) MIRROR CODE POSSESSION.—The Secretary of the Treasury shall make a payment to each possession of the United States with a mirror code tax system in an amount equal to the loss to that possession by reason of the amendments made by this section. Such amount shall be determined by the Secretary of the Treasury based on information provided by the government of the respective possession.

(2) OTHER POSSESSIONS.—The Secretary of the Treasury shall make a payment to each possession of the United States which does not have a mirror code tax system in an amount estimated by the Secretary of the Treasury as being equal to the aggregate benefits that would have been provided to residents of such possession by reason of the amendments made by this section if a mirror code tax system had been in effect in such possession. The preceding sentence shall not apply with respect to any possession of the United States unless such possession has a plan, which has been approved by the Secretary of the Treasury, under which such possession will promptly distribute such payment to the residents of such possession.

(3) DEFINITIONS AND SPECIAL RULES.—

(A) POSSESSION OF THE UNITED STATES.—For purposes of this subsection, the term ''possession of the United States'' includes the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands.

(B) MIRROR CODE TAX SYSTEM.—For purposes of this subsection, the term ''mirror code tax system'' means, with respect to any possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

(C) TREATMENT OF PAYMENTS.—For purposes of section 1324(b)(2) of title 31, United States Code, the payments under this subsection shall be treated in the same manner as a refund due from the credit allowed under section 6428 of the Internal Revenue Code of 1986 (as added by this section).

(c) APPROPRIATIONS TO CARRY OUT RECOVERY REBATES.—

(1) IN GENERAL.—The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2008, to implement the provisions of this section (including the amendments made by this section):

(A) For an additional amount for ''Department of the Treasury—Financial Management Service—Salaries and Expenses'', $52,510,000, to remain available until September 30, 2009.

(B) For an additional amount for ''Department of the Treasury—Internal Revenue Service—Taxpayer Services'', $48,920,000, to remain available until September 30, 2009.

(C) For an additional amount for ''Department of the Treasury—Internal Revenue Service—Operations Support'', $149,700,000, to remain available until September 30, 2009.

(2) REPORTS.—No later than 15 days after enactment of this Act, the Secretary of the Treasury shall submit a plan to the Committees on Appropriations of the House of Representatives and the Senate detailing the expected use of the funds provided by this subsection. Beginning 90 days after enactment of this Act, the Secretary of the Treasury shall submit a quarterly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the actual expenditure of funds provided by this subsection and the expected expenditure of such funds in the subsequent quarter.

(d) CONFORMING AMENDMENTS.—

(1) Paragraph (2) of section 1324(b) of title 31, United States Code, is amended by inserting ''or 6428'' after ''section 35''.

(2) Paragraph (1) of section 1(i) of the Internal Revenue Code of 1986 is amended by striking subparagraph (D).

(3) The item relating to section 6428 in the table of sections for subchapter B of chapter 65 of such Code is amended to read as follows:

''Sec. 6428. 2008 recovery rebates for individuals.''.

SEC. 102. TEMPORARY INCREASE IN LIMITATIONS ON EXPENSING OF CERTAIN DEPRECIABLE BUSINESS ASSETS.

(a) IN GENERAL.—Subsection (b) of section 179 of the Internal Revenue Code of 1986 (relating to limitations) is amended by adding at the end the following new paragraph:

''(7) INCREASE IN LIMITATIONS FOR 2008.—In the case of any taxable year beginning in 2008—

''(A) the dollar limitation under paragraph (1) shall be $250,000,

''(B) the dollar limitation under paragraph (2) shall be $800,000, and

''(C) the amounts described in subparagraphs (A) and (B) shall not be adjusted under paragraph (5).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2007.

SEC. 103. SPECIAL ALLOWANCE FOR CERTAIN PROPERTY ACQUIRED DURING 2008.

(a) IN GENERAL.—Subsection (k) of section 168 of the Internal Revenue Code of 1986 (relating to special allowance for certain property acquired after September 10, 2001, and before January 1, 2005) is amended—

(1) by striking ''September 10, 2001'' each place it appears and inserting ''December 31, 2007'',

(2) by striking ''September 11, 2001'' each place it appears and inserting ''January 1, 2008'',

(3) by striking ''January 1, 2005'' each place it appears and inserting ''January 1, 2009'', and

(4) by striking ''January 1, 2006'' each place it appears and inserting ''January 1, 2010''.

(b) 50 PERCENT ALLOWANCE.—Subparagraph (A) of section 168(k)(1) of such Code is amended by striking ''30 percent'' and inserting ''50 percent''.

(c) CONFORMING AMENDMENTS.—

(1) Subclause (I) of section 168(k)(2)(B)(i) of such Code is amended by striking ''and (iii)'' and inserting ''(iii), and (iv)''.

(2) Subclause (IV) of section 168(k)(2)(B)(i) of such Code is amended by striking ''clauses (ii) and (iii)'' and inserting ''clause (iii)''.

(3) Clause (i) of section 168(k)(2)(C) of such Code is amended by striking ''and (iii)'' and inserting '', (iii), and (iv)''.

(4) Clause (i) of section 168(k)(2)(F) of such Code is amended by striking ''$4,600'' and inserting ''$8,000''.

(5)(A) Subsection (k) of section 168 of such Code is amended by striking paragraph (4).

(B) Clause (iii) of section 168(k)(2)(D) of such Code is amended by striking the last sentence.

(6) Paragraph (4) of section 168(l) of such Code is amended by redesignating subparagraphs (A), (B), and (C) as subparagraphs (B), (C), and (D) and inserting before subparagraph (B) (as so redesignated) the following new subparagraph:

''(A) BONUS DEPRECIATION PROPERTY UNDER SUBSECTION (K).—Such term shall not include any property to which section 168(k) applies.''.

(7) Paragraph (5) of section 168(l) of such Code is amended—

(A) by striking ''September 10, 2001'' in subparagraph (A) and inserting ''December 31, 2007'', and

(B) by striking ''January 1, 2005'' in subparagraph (B) and inserting ''January 1, 2009''.

(8) Subparagraph (D) of section 1400L(b)(2) of such Code is amended by striking ''January 1, 2005'' and inserting ''January 1, 2010''.

(9) Paragraph (3) of section 1400N(d) of such Code is amended—

(A) by striking ''September 10, 2001'' in subparagraph (A) and inserting ''December 31, 2007'', and

(B) by striking ''January 1, 2005'' in subparagraph (B) and inserting ''January 1, 2009''.

(10) Paragraph (6) of section 1400N(d) of such Code is amended by adding at the end the following new subparagraph:

''(E) EXCEPTION FOR BONUS DEPRECIATION PROPERTY UNDER SECTION 168(K).—The term 'specified Gulf Opportunity Zone extension property' shall not include any property to which section 168(k) applies.''.

(11) The heading for subsection (k) of section 168 of such Code is amended—

(A) by striking ''SEPTEMBER 10, 2001'' and inserting ''DECEMBER 31, 2007'', and

(B) by striking ''JANUARY 1, 2005'' and inserting ''JANUARY 1, 2009''.

(12) The heading for clause (ii) of section 168(k)(2)(B) of such Code is amended by striking ''PRE-JANUARY 1, 2005'' and inserting ''PRE-JANUARY 1, 2009''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2007, in taxable years ending after such date.

TITLE II—HOUSING GSE AND FHA LOAN LIMITS

SEC. 201. TEMPORARY CONFORMING LOAN LIMIT INCREASE FOR FANNIE MAE AND FREDDIE MAC.

(a) INCREASE OF HIGH COST AREAS LIMITS FOR HOUSING GSEs.—For mortgages originated during the period beginning on July 1, 2007, and ending at the end of December 31, 2008:

(1) FANNIE MAE.—With respect to the Federal National Mortgage Association, notwithstanding section 302(b)(2) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1717(b)(2)), the limitation on the maximum original principal obligation of a mortgage that may be purchased by the Association shall be the higher of—

(A) the limitation for 2008 determined under such section 302(b)(2) for a residence of the applicable size; or

(B) 125 percent of the area median price for a residence of the applicable size, but in no case to exceed 175 percent of the limitation for 2008 determined under such section 302(b)(2) for a residence of the applicable size.

(2) FREDDIE MAC.—With respect to the Federal Home Loan Mortgage Corporation, notwithstanding section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1454(a)(2)), the limitation on the maximum original principal obligation of a mortgage that may be purchased by the Corporation shall be the higher of—

(A) the limitation determined for 2008 under such section 305(a)(2) for a residence of the applicable size; or

(B) 125 percent of the area median price for a residence of the applicable size, but in no case to exceed 175 percent of the limitation determined for 2008 under such section 305(a)(2) for a residence of the applicable size.

(b) DETERMINATION OF LIMITS.—The areas and area median prices used for purposes of the determinations under subsection (a) shall be the areas and area median prices used by the Secretary of Housing and Urban Development in determining the applicable limits under section 202 of this title.

(c) RULE OF CONSTRUCTION.—A mortgage originated during the period referred to in subsection (a) that is eligible for purchase by the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation pursuant to this section shall be eligible for such purchase for the duration of the term of the mortgage, notwithstanding that such purchase occurs after the expiration of such period.

(d) EFFECT ON HOUSING GOALS.—Notwithstanding any other provision of law, mortgages purchased in accordance with the increased maximum original principal obligation limitations determined pursuant to this section shall not be considered in determining performance with respect to any of the housing goals established under section 1332, 1333, or 1334 of the Housing and Community Development Act of 1992 (12 U.S.C. 4562–4), and shall not be considered in determining compliance with such goals pursuant to section 1336 of such Act (12 U.S.C. 4566) and regulations, orders, or guidelines issued thereunder.

(e) SENSE OF CONGRESS.—It is the sense of the Congress that the securitization of mortgages by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation plays an important role in providing liquidity to the United States housing markets. Therefore, the Congress encourages the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation to securitize mortgages acquired under the increased conforming loan limits established in this section, to the extent that such securitizations can be effected in a timely and efficient manner that does not impose additional costs for mortgages originated, purchased, or securitized under the existing limits or interfere with the goal of adding liquidity to the market.

SEC. 202. TEMPORARY LOAN LIMIT INCREASE FOR FHA.

(a) INCREASE OF HIGH-COST AREA LIMIT.—For mortgages for which the mortgagee has issued credit approval for the borrower on or before December 31, 2008, subparagraph (A) of section 203(b)(2) of the National Housing Act (12 U.S.C. 1709(b)(2)(A)) shall be considered (except for purposes of section 255(g) of such Act (12 U.S.C. 1715z–20(g))) to require that a mortgage shall involve a principal obligation in an amount that does not exceed the lesser of—

(1) in the case of a 1-family residence, 125 percent of the median 1-family house price in the area, as determined by the Secretary; and in the case of a 2-, 3-, or 4-family residence, the percentage of such median price that bears the same ratio to such median price as the dollar amount limitation determined for 2008 under section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1454(a)(2)) for a 2-, 3-, or 4-family residence, respectively, bears to the dollar amount limitation determined for 2008 under such section for a 1-family residence; or

(2) 175 percent of the dollar amount limitation determined for 2008 under such section 305(a)(2) for a residence of the applicable size (without regard to any authority to increase such limitation with respect to properties located in Alaska, Guam, Hawaii, or the Virgin Islands);

except that the dollar amount limitation in effect under this subsection for any size residence for any area shall not be less than the greater of (A) the dollar amount limitation in effect under such section 203(b)(2) for the area on October 21, 1998; or (B) 65 percent of the dollar amount limitation determined for 2008 under such section 305(a)(2) for a residence of the applicable size. Any reference in this subsection to dollar amount limitations in effect under section 305 (a)(2) of the Federal Home Loan Mortgage Corporation Act means such limitations as in effect without regard to any increase in such limitation pursuant to section 201 of this title.

(b) DISCRETIONARY AUTHORITY.—If the Secretary of Housing and Urban Development determines that market conditions warrant such an increase, the Secretary may, for the period that begins upon the date of the enactment of this Act and ends at the end of the date specified in subsection (a), increase the maximum dollar amount limitation determined pursuant to subsection (a) with respect to any particular size or sizes of residences, or with respect to residences located in any particular area or areas, to an amount that does not exceed the maximum dollar amount then otherwise in effect pursuant to subsection (a) for such size residence, or for such area (if applicable), by not more than $100,000.

(c) PUBLICATION OF AREA MEDIAN PRICES AND LOAN LIMITS.—The Secretary of Housing and Urban Development shall publish the median house prices and mortgage principal obligation limits, as revised pursuant to this section, for all areas as soon as practicable, but in no case more than 30 days after the date of the enactment of this Act. With respect to existing areas for which the Secretary has not established area median prices before such date of enactment, the Secretary may rely on existing commercial data in determining area median prices and calculating such revised principal obligation limits.

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

The Chair recognizes the gentleman from New York.

Mr. RANGEL. Mr. Speaker, I ask unanimous consent that we extend the debate by 80 minutes, resulting in 2 hours equally divided between both sides.

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

There was no objection.

Mr. RANGEL. Mr. Speaker, I ask unanimous consent to yield 20 minutes of my time to be controlled by the chairman of the Financial Services Committee, Congressman BARNEY FRANK of Massachusetts.

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

There was no objection.

Mr. RANGEL. Mr. Speaker, I have asked the nonpartisan Joint Committee on Taxation to make available to the public a technical explanation of the provisions of H.R. 5140. The technical explanation expresses the committee's understanding and legislative intent behind this important legislation. This explanation, document JCX–5–08, is currently available on the Joint Committee's Web site.

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

Mr. MCCRERY. Mr. Speaker, I ask unanimous consent to allow the ranking member of the Financial Services Committee the ability to control 20 minutes of the time on our side.

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

There was no objection.

Mr. MCCRERY. Mr. Speaker, we're here this afternoon to discuss a matter that the President, the Treasury Department, former officials of the Clinton administration, all agree is extremely important for the economic health of the country.

When we speak of the economic health, Mr. Speaker, we are talking about not only the rate of GDP growth,

not only the health of the financial markets, we're talking about the impact on real people of a decline in the country's economic health; that means job losses, that means financial hardship for individuals and families. So the leadership, Mr. Speaker, of the House, Democratic and Republican, have worked hand in hand with the White House, the Treasury Department, to craft a package that we can call an economic growth package, an economic stimulus package. It doesn't matter to me what we call it.

But it seems to me, Mr. Speaker, that the weight of the evidence, if we listen to the opinions of respected economists, respected former officials of the Treasury Department, current members of the Treasury Department, the weight of the evidence indicates to me, at least, that the downside of this Congress doing nothing right now is much greater than any downside of our doing something around the level that is being proposed by the leadership in this House and the White House in this package that we're considering this afternoon.

So, Mr. Speaker, I am eagerly awaiting passage of this. I hope that the other body follows suit in an expeditious manner, and that we can get this package to the White House for the President's signature. And we hope that this will have the intended effect, which is to avert a recession, and to reduce the downturn that everybody agrees is underway right now.

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

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

First, I want to thank Mr. MCCRERY for getting his views and his willingness to listen to mine, with both of us understanding that, at the end of the day, that people are not concerned with our differences, but they are concerned about the United States Government responding to their needs. And to that extent, of course, I want to thank our Speaker in recognizing the legislative and political pressures as she negotiated with using the skills of Secretary of the Treasury Hank Paulson and working with the distinguished minority leader in recognizing that we were a part of trying to make certain that the American people knew that we weren't able to do everything that we wanted to do, but we did not ignore our obligations to come together with some type of a compromise. And I think it was historic as we expanded to reach people who would have been ignored had it not been for changes that were made in how we get the money to people.

So I want to thank the leadership of the House, but make it abundantly clear that all of us thought, at the time that we agreed to this agreement, that the Senate was prepared to accept our agreement without change. It's my understanding now, as we talk, that the Senate Finance Committee is marking up their own stimulus package, and I assume that it will not deviate substantially from what the leadership of this House has done. But I do hope that it's made abundantly clear that the House has done its responsibility, and that if there's anything that impedes the Senate from complying to the mandate that the President has set on our Congress, that they too have an obligation to make the type of compromises that's necessary so that we can move forward.

I also would like to add that sometimes it's very difficult in being chairman of a committee that not only do we have partisan differences, but we have differences among my own party.

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And while we are reaching out to provide assistance to people who are suffering economically, I cannot help but remind myself that these people were not selected out of any compassion of wanting to help the poor and those in need.

Indeed, the main reason that these people are targeted is because economists, conservative or liberal, agree that the assistance that we are giving has to be timely, fast. It has to be targeted to people that are going to have to spend the money, and it has to be temporary so that we don't do severe additional damage to the deficit.

I submit to you, Mr. Speaker, that we are talking about the heart of America, hardworking American middle-class people that are now being targeted because they can't afford to take care of their families.

Yes, they have to spend the money to put food on the table, put shoes on their kids' feet, put clothing on their backs, to pay for shelter. And I submit that we shouldn't walk away from this House, because we give economic assistance, proud of the fact that millions of people in this country find themselves in that predicament and for that the Congress cannot be charged.

And I do hope after we finish going through this bipartisan effort, which we have to do, that we might find some way to tell these people that we are going to provide relief without considering a stimulus, but we are going to provide relief because it's the right thing to do.

And no man and woman in this country that works hard every day should have to be stigmatized that they can't afford to provide a different type of lifestyle for their family because they can't meet their obligations.

And so I hope in the way we, in a bipartisan way, have cooperated with this administration, that they recognize that the Tax Code, which is tilted toward the wealthy and therefore supposed to create the jobs of the wealth for the middle class, didn't work this time. And maybe we can think in terms of how we can bring more equity to the moneys that are available to disposable income to those people who work hard every day and not have to target them because of their inability to meet their needs, but to know that we did what we should have done, and that's to provide them with the dignity and the means to continue to contribute toward the economy of this great Nation of ours.

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

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

Mr. RANGEL. Mr. Speaker, I would like at this time to recognize the majority whip from the sovereign State of South Carolina (Mr. CLYBURN) for 2 minutes.

Mr. CLYBURN. Thank you very much, Mr. RANGEL, for yielding me the time.

Mr. Speaker, I rise today in strong support of this economic stimulus package, and I commend the House leadership on both sides of the aisle for their efforts in quickly getting this important legislation to the floor. And while the deal may not be perfect—very few, if any, are—it will go a long way towards stimulating our economy while helping many Americans struggling to make ends meet.

Mr. Speaker, these are turbulent times for many working families: unemployment numbers are up, and the housing market is down; energy costs are rising, and stock values are falling.

In short, Mr. Speaker, our economy is underperforming, and the American people are looking to us for leadership.

This measure seeks to stimulate growth by helping businesses and workers. It extends tax rebates to 117 million families and offers write-offs to small businesses to assist them in the creation of much-needed jobs. This legislation serves as an important first step towards moving our economy in a new direction.

I encourage my colleagues to support this legislation. The American people are looking for a new direction, and this legislation provides just that.

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

PARLIAMENTARY INQUIRY

Mr. FRANK of Massachusetts. Parliamentary inquiry. Is my understanding correct that, as the Chair of the Financial Services Committee, I will control 20 minutes?

The SPEAKER pro tempore. The gentleman is correct, under the order of the House by unanimous consent.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, what's in this stimulus package is, A, good; B, not enough. But I believe it is important to move it. I say ''not enough'' because the Committee on Financial Services has been dealing particularly with the subprime crisis and the troubles that's generated.

We have in this stimulus package, by agreement between both sides here and the administration, some things that would be very helpful. There are further things that are important that are not in this package. No one should think that because they're not in this

package we are not going to go and deal with them.

As soon as this is done today, the staff of the Committee on Financial Services will be working closely, we've been in consultation with the Senate and others, on a broader set of measures that will both diminish the economic problems that the subprime crisis causes and also try to deal with the distress that results.

But let me talk today about what we do. We increase in this bill loan limits for the FHA and for Fannie Mae and Freddie Mac. We made a mistake at some point in public policy by setting as a limit for those three agencies, which deal with housing finance and facilitate housing finance, one flat nationwide dollar limit. In fact, nothing in our economy varies in the pricing area as much as house prices, because houses are immobile. Automobile prices, clothing prices, food prices, there are some regional variations; but they tend to be closer.

House prices have a very great variation, for obvious reasons; and, in fact, the limits that have been set which were intended to prevent luxury housing from benefiting from these public or public/private programs in much of the country excludes not just luxury housing but housing for people of moderate and middle incomes.

Now, that's always been a problem to many of us, but recently it's become part of an economic problem. The mortgage market, we understand, has been suffering at the lower end, at the subprime end, because people with weaker credit were charged too much with, we should always note, a racial and ethnic discriminatory factor; but, in general, there was a problem there.

What we now face, and have for some time, is a problem at the higher end. Because of the uncertainty in the mortgage market, people are unwilling to invest. People are unwilling to buy the mortgages. We have come to be dependent, unhealthily so it seems to me, on the secondary market in which the originators have to sell their loans.

People will not now invest in buying loans that are above the levels at which the FHA, Fannie Mae, and Freddie Mac can provide assurance. Those levels are too low.

So what we do in this stimulus bill is to raise the levels of Fannie Mae, Freddie Mac and the FHA, not uniformly but sensibly, as a percentage of median income with a cap. And that's a very important piece in trying to unlock the mortgage market and getting money flowing again.

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

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

I rise in support of the bipartisan economic stimulus package, and let me share with the Members a conversation I had yesterday.

I traveled to New York City, and there I met with 20 to 25 of the financial leaders of our country. The executives were from some of the largest banks and other lending institutions, insurance companies, in America. And almost to the person they told me that they had been talking to businesses all over the United States, and the message they continue to get from the majority of those business leaders is our business is good, we're making the money, we are receiving new orders, we want to expand, we want to hire people, we want to invest in new equipment, we want to invest in new technology. But we're holding back because we hear that things are getting worse, we hear that things may get worse, we're reading that in the newspaper, and we're not sure.

So I believe that what we have here in America today, and let's not minimize the problems. I'm going to speak about the housing market in a minute, and as Chairman FRANK said, I'll not minimize the difficulties that we have in the housing market or subprime, but let me say to the Members, let's not talk ourselves and the American people into a recession. And I'm not saying that any of us are. This is not directed at any Member. I say it this way: I want to encourage the Members and all Americans to have confidence in this country, have confidence in our market, because I will tell you that people in New York that are looking out there in America are saying that a lot of businesses are good, they want to invest, they want to hire people.

So part of what I think is so good about this stimulus package is that I believe it will encourage people to have confidence. It will encourage people to invest or spend.

The Financial Services Committee, as Chairman FRANK said, was responsible for the housing portion of the stimulus package, and I will direct some statements to those portions in a minute.

Before I do, I want to add a few words in strong support of the tax cuts contained in this stimulus package, and they are tax cuts. The stimulus package that we're considering today recognizes the basic economic reality that getting money back in the hands of people who earned it is the best way to help our economy.

The tax element of this package has been called a rebate, but in essence, it's a tax cut, a tax cut for millions of low- and middle-income Americans, those who need it the most, those with a moderate income.

I believe this will be immediate tax relief for hardworking taxpayers, and the improvement into our economy that always results from allowing taxpayers to decide how their hard-earned money will be spent will be beneficial.

Some have said not all Americans will spend this money. Some will save it. I think our answer to that ought to be, yes, some will spend it, most economists tell us that the vast majority. Some will save it, but that's their choice, not our choice. That's America. I am confident that whether they save it, whether they spend it, whether they pay down their bills, whether they invest as businesses will in new equipment, that it will all be good for America.

Hopefully, it will stimulate not only the economy but it will also prompt my colleagues to enact additional tax cuts in the future and make the Bush tax cuts that have worked so well permanent.

It is widely recognized that the troubled housing market is a significant contributor to the current downturn in our economy. It is not contributing to our economy as it has in the past. We all know housing prices are down. This stimulus package includes several provisions designed to address that lack of liquidity, that weak market in certain segments of the mortgage market. The bill increases, but only on a temporary basis, the loan limits that apply to mortgages that can be purchased by the housing GSEs, Fannie and Freddie, and by ensuring that the Federal Housing Administration and those that are insured by the Federal Housing Administration, most people refer to as FHA, it will increase the size of those mortgages and mortgages that they can insure and offer.

Greater availability of higher-cost mortgages and FHA-insured loans will help get prospective homebuyers off the sidelines and into the housing market. We're hearing that today from the national Realtors. In those markets, there have been price declines. In some they have been particularly severe.

This legislation will assist existing homeowners to refinance loans that they're struggling with. It will also allow those who want to buy and are on the sidelines now to begin making offers and to restore our housing market.

□ 1245

The combined changes, I believe, will help restore confidence to our economy, and we need that confidence. The higher GSE and FHA loan limits, like the other provisions of the package, are both targeted and temporary, they expire at the end of this year, thereby addressing the concerns of those who fear that expanding the eligibility for the GSEs and FHA loan products will unduly increase Federal housing subsidies. I share those concerns.

While I would have preferred that the increases be implemented as part of a comprehensive GSE and FHA reform, I'm encouraged, very encouraged, by the commitments that Chairman FRANK and the chairman of the Senate Banking Committee have made to us that achievement of those broader reforms in the GSEs and FHA are a priority for them, also, and that achievement of those broader reforms will be among the highest priorities of this congressional session. I look forward to that important work.

As the GSEs purchase larger mortgages and take on more risk, it is incumbent that this Congress produce legislation that creates a world-class

regulator for these enterprises and fully protects U.S. taxpayers. We have heard from both the Treasury Secretary and the President about the need for this reform. This House has passed legislation making that reform law. I urge my colleagues in the Senate to follow our example.

Let me close by saying the bottom line, I believe, is we must not only take the measures we do today, which are going to offer real solutions, but also do whatever we can to increase and encourage optimism among Americans. That's what we need. Hope has been mentioned very often in this Presidential campaign. Our message needs to be to the American people that our economy is strong. There are businesses that are ready to hire, ready to invest, ready to buy new technology. There is a legitimate reason for optimism today, and we should promote that optimism.

Mr. Speaker, let me conclude by commending President Bush, Chairman FRANK, Chairman RANGEL, Ranking Member MCCRERY, and all the Republican and Democratic leadership of the House for coming together so quickly for this stimulus package. There is hope for America. There is reason for optimism. This package, I believe, will contribute to that optimism and that hope.

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

Mr. RANGEL. Mr. Speaker, as we move forward to pass this historic piece of legislation that has been requested of us, I am, indeed, honored to yield 1 minute to our Speaker, who, on December 9, called us together to decide what we should be doing if, indeed, the economy was moving the way it has. Not only did she bring us together, but she brought Republicans and Democrats together in dealing with the administration in a way that some of us never thought was possible. It's a great honor for me to support and yield 1 minute to our distinguished Speaker.

Ms. PELOSI. I thank the gentleman for his kind and generous remarks. I especially thank him for his tremendous leadership, because under his leadership we are able today to vote on something that is relevant to the lives of the American people.

I commend Leader BOEHNER for his leadership as well. It has been a privilege to work in a bipartisan way to help relieve the pain of the American people.

For a long time now, homemakers, homeowners, and hard workers across America have known that there is a problem in our economy. They've had a hard time making ends meet, living paycheck to paycheck, with rising costs for gasoline, for groceries, for health care, you name it. American families felt this pain early on, and they knew that our economy was facing perhaps a serious downturn, but a downturn nonetheless.

On December 7, actually, I remember because my seventh grandbaby was born that day, Thomas Vincent, on December 7 we had a meeting, a bipartisan meeting with leaders from the business community, economists, leaders of industry, of labor, the academic community, people representing workers in the diversity of our country, and we talked about what we could do to head off a serious downturn in our economy. We knew from that meeting that it would have to be timely, that we would need to act quickly; that it would have to be targeted, that it would put money in the pockets of hardworking Americans who would immediately spend the money to meet their needs, inject demand into the economy to help create jobs; and it had to be temporary. The tax incentives in the package would have to be such that they would have to be acted upon in this calendar year so that the full impact could be felt for job creation and stimulus to the economy. Previous stimulus packages have not had that. They had a 2-year period of time in which the incentives would work, and therefore they lost impact. Previous stimulus packages did not have a cap on who received the rebate, or the tax cut as Mr. BACHUS calls it. And so, therefore, a lot of money went into the hands of people who never really spent it and injected it back into the economy.

But this is timely. We're acting very quickly, not hastily, but quickly and firmly in a disciplined way on a package that has as its one criterion for anything that's in the package, is it stimulus, is it stimulus, and does it meet the test of enabling us to move in a timely fashion, targeted and temporary.

I was pleased that, working with my colleague, Mr. BOEHNER, and with the administration under the leadership of Secretary Paulson, that we were able to come to terms on how we would proceed. We could only do that because of the extraordinary respect in which Mr. RANGEL is held, and Mr. MCCRERY, and them working cooperatively as they have for a while. We could only include in the package those features that related to the subprime crisis because of the extraordinary reputation of the distinguished chairman of the Financial Services Committee, Mr. FRANK, understanding the terms under which we wanted to proceed, and respecting his expertise in those areas and those of Mr. BACHUS as well. So, this has been bipartisan in terms of committee, in terms of working together over time, and bipartisan in terms of the leadership working together a short time frame, benefiting from the work that had gone before us.

It's important in this package to have a level of discipline, because one of the features that the economists, business leaders, labor leaders, et cetera, had told us in the course of all these discussions is you don't want to do anything in a stimulus package that will hinder your ability to act in a recovery.

So, it's important that this bill not get overloaded. I have a full agenda of things I would like to have in the package, but we have to contain the price, and in doing so, you have to establish your priorities. And the priority we had was to put $28 billion in the hands of 35 million families who had never received a rebate or a child tax credit before, and to do it quickly. That was our priority. Because if you do, to do that, again, is true stimulus. All the other things, while worthy and important, again, we made a decision, because that's where we could find our common ground. But if we heap too much on top of that package, it will then take us deeply into debt.

And PAYGO is important to us. And while in recession the PAYGO law allows for us to take certain initiatives, you don't want to abuse that by again adding to the deficit for items in the package that are not strictly timely, temporary, targeted or stimulus.

So, I think we have a good product here. It's all a compromise. It's all about decisions and priorities that have to be established. But it also speaks to the fact that we really do, hopefully, we need to work in a bipartisan way, to have a very aggressive initiative for job creation in our country. And we've already laid the framework for that in a bipartisan way. We've had overwhelming votes in this Congress, for example, on SCHIP, expanding health care to many more children in America. Health care needs health-trained professionals at every aspect of the delivery of health care. So, it creates good-paying jobs in America when you expand health care accessibility to Americans.

Education, innovation, all of those are about keeping us competitive, keeping us number one; again, creating good-paying jobs in America so that we prevail in the global marketplace.

And we talk about infrastructure, that we must have a package for rebuilding our roads, our highways, mass transit, taking initiatives for new projects as well, creating good-paying jobs in America. And global warming. We, as a generation and as a Congress, will be judged by posterity as to how we deal with the issue of a global climate crisis. This affords for us a whole new world of job opportunity where we're all on the ground floor, largely, where we go into urban America and our inner cities or we go into rural America and create good-paying green jobs that are new.

It's about being entrepreneurial about this, to thinking in new and different ways about how our decisions have to be seen in the light of ''do they create good-paying jobs in America.''

So, again, while we stand ready to present a stimulus, if need be, we want to, in the long term, not that long term but longer term than a stimulus, create jobs to avoid such a downturn and, in any event, raise the living standard of the American people. And so, whether it's about this rebate and

what it means to these hardworking Americans who are facing rising costs and need help to live paycheck to paycheck, and I'm telling you, that's not just the working poor, that is the middle class in America. This is a middle-class tax rebate bill. We call it the Recovery, Rebate and Economic Stimulus for the American People Act. It targets the middle class and those who aspire to it. And for that same middle class, we must have an ongoing aggressive initiative for job creation so that across the board America's families have the confidence that they need. Because in a downturn, what you need is confidence. You need consumer confidence. You need confidence in the markets. And as Mr. RANGEL always tells me, a message of confidence is given to the American people when Members of Congress can work with the administration in a bipartisan way to put the American people first.

So, I thank you, Mr. Chairman, and I thank Mr. FRANK, Mr. RANGEL, Mr. MCCRERY, and Mr. BACHUS, and to my colleagues, Mr. SERRANO, Ms. VELÁZQUEZ, and CHARLIE RANGEL, again, for all their leadership in terms of the territories, which is a very important part of this legislation.

I think it's a good day for us here. And let's hope that the Senate will take its lead from us and be disciplined, focused, fiscally responsible, and act in a timely, temporary, and targeted way on behalf of meeting the needs of the American people.

Mr. MCCRERY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Mr. Speaker, I rise today in opposition to H.R. 5140.

There is no question that our economy is in trouble, and the best way Congress can help fix it is to cut taxes. But this bill is too little and too late.

Rather than sending checks that won't arrive until June, 5 months from now, Congress can give the economy the immediate shot in the arm it needs by eliminating Federal income tax withholding for a month or two. That would give wage earners a boost in their take-home pay next month, which they can spend or save or reduce their debt. Individual income tax rates could be adjusted so that taxpayers won't be hit when they file their 2008 tax returns a year from now.

Rather than telling the country that the check's in the mail in June, let's do the right thing that will put money into taxpayers' pockets in the quickest and least bureaucratic way possible by canceling Federal income tax withholding for a limited period of time.

Mr. FRANK of Massachusetts. Mr. Speaker, I now yield 2 minutes to the chairman of the Subcommittee on Capital Markets, a man who had a major role in our dealing with the structural issues going forward, the gentleman from Pennsylvania (Mr. KANJORSKI).

□ 1300

Mr. KANJORSKI. Mr. Speaker, I rise to applaud the President and the bipartisan House leadership for quickly coming to an agreement to stimulate the economy through legislation that is timely, targeted, and temporary.

The bill before us today contains an important provision that I helped to craft as the chairman of the subcommittee of jurisdiction. This reform will temporarily increase the conforming loan limits of Fannie Mae and Freddie Mac to enhance the liquidity of several local mortgage markets. I support this short-term change.

I would, however, also like to take the opportunity to encourage the Congress to expand the economic stimulus plan to include cash benefits for those citizens whose only source of income is Social Security. Our Nation's seniors and disabled individuals are facing difficult economic times. For years these men and women have been forced to survive on less and less, and their costs continue to increase and their incomes remain the same.

In my home State of Pennsylvania, home heating prices are up 19 percent in the last year. Gas prices are up 86 percent in 5 years. Food prices continue to rise. And seniors continue to struggle with high prescription drug costs. Low-income senior citizens and disabled individuals are forced to make terrible choices to try to cope with these realities. These Americans need cash rebates just as much as the individuals currently included in this stimulus bill.

Mr. Speaker, once again, I applaud the bipartisan effort that brought this economic stimulus package to the floor. We should also work to ensure that our Nation's seniors and disabled individuals are included in this worthwhile legislation.

Mr. BACHUS. Mr. Speaker, at this time I yield 3 minutes to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. I thank the gentleman for yielding.

Mr. Speaker, I rise in unenthusiastic support of this legislation. Perhaps it is a true sign of bipartisanship. I think if we were all honest with ourselves, we would say there was much about this legislation that disappoints us; yet most of us will support it.

Mr. Speaker, my own personal disappointment is I see very little economic stimulus in this so-called economic stimulus package. I see tax relief, income tax relief, for those who do not pay income taxes. I see tax relief for middle-income families, which is very important, very important, Mr. Speaker, at a time when their paychecks are squeezed with high energy costs, with high food costs, and high health care costs. But I don't confuse temporary tax rebates with economic growth.

Now, I did look closely, and there is some economic growth component of this legislation of which I approve. But ultimately, true growth doesn't come from temporary tax rebates. It comes from allowing entrepreneurs and families and capitalists to actually have their own capital to expand and grow the economy.

The last time our Nation was facing a recession, I went to a small factory in my district called Jacksonville Industries. They employed 21 people. They were an aluminum die cast business. Because of competitive pressures, they were on the verge of laying off two people. But because of the tax relief passed by this Congress, particularly expensing capital gains tax relief, they bought a new piece of equipment. And that new piece of equipment made them more competitive, and instead of laying off two people, they hired two new people.

So, Mr. Speaker, I ask the question, surely middle-income families, I know they need help, but this package, I fear, is more akin to helping them pay one month's worth of credit card bills at a time when people are getting laid off at the local factory when, instead, what they really need to know is that their paycheck is preserved and that they have opportunities to even grow that paycheck and that their employer can become more competitive and give them more opportunities to advance and grow that paycheck. And, Mr. Speaker, unfortunately those components are sadly lacking.

If we wanted those components in the bill, the first thing we would do, Mr. Speaker, is try to prevent all of these scheduled tax increases on families and the economy that our friends on this side of the aisle have put in place. The second thing we would do, Mr. Speaker, is try to make our business tax rate more competitive with our international competitors. We have the second highest corporate tax rate in the industrialized world. That's what we need to do.

Now, Mr. Speaker, many people here come with their theories. I come with evidence. If you look early on in 2003, if you look to the Reagan administration, the Kennedy administration, when you're faced with a recession, lower marginal tax rates, lower capital gains rates, and you will grow people's paychecks. That's the economic growth that we need.

Mr. RANGEL. Mr. Speaker, the committee has reported out a bill that reduces corporate taxes from 35 percent to 30.5. I'm not saying that we have all of the answers, but it does challenge the administration to come forward either with support, opposition, or compromise. But I agree with the last speaker.

Mr. Speaker, it's my great honor to yield 2 minutes to the gentleman from Connecticut (Mr. LARSON), the vice chairman of our caucus, a leader in the Democratic Party, a leader in the Congress and in our country.

Mr. LARSON of Connecticut. I thank the chairman for those generous remarks.

Mr. Speaker, I rise to commend Speaker PELOSI and commend Leader BOEHNER for working together to bring this package before us and working in

conjunction with the President. Speaker PELOSI, I think, was correct in reaching out to the President first through letter and then, of course, by making sure that we could bring to fruition this important package. It wouldn't happen, though, without the leadership of CHARLIE RANGEL and JIM MCCRERY, who have epitomized in this Chamber what working together is all about and the productive results that can come from that.

I am so pleased and honored to see that this package reaches out to 35 million people, 35 million Americans who would otherwise never know the benefits of a stimulus package and debunks once and for all the myth that they do not pay taxes. They pay the most regressive of taxes. And, therefore, this is money that will help stimulate this economy immediately. And, again, I commend the leadership for coming up with this progressive approach.

We also recognize that there is much more that needs to be done as well. Again, I want to commend our chairman, CHARLIE RANGEL, for recognizing the kind of long-term stimulus that we're going to need.

President Roosevelt said of another generation they had a ''rendezvous with destiny.'' For America today what Mr. RANGEL understands and recognizes is that we have a rendezvous with reality. It's a reality that people face every day when they stare across the kitchen table and look at their spouses and understand what's happening to our economy. When you look at the national debt, when you look at the trade imbalance, when you look at personal credit card debt, when you look at the college tuition debt that people are experiencing, that's what's happening with this middle-class crunch. That's why long-term investment in infrastructure is so important. And, again, I commend Mr. RANGEL and the entire body for pursuing it.

Mr. MCCRERY. Mr. Speaker, at this time I yield 2 minutes to a distinguished member of the Ways and Means Committee, the ranking member on the Health Subcommittee, the gentleman from Michigan (Mr. CAMP).

Mr. CAMP of Michigan. I thank the gentleman for yielding.

Mr. Speaker, Americans are increasingly concerned about the U.S. economy, and in Michigan economy is the number one issue families worry about. It's critical for Congress to address this issue and enact legislation that will encourage job growth, renew consumer confidence, and spur new business investment today. We can't afford to wait and waste time loading up a bill with extra spending measures.

The bill before us is a positive step and one we should take. I want to thank Chairman RANGEL and Ranking Member MCCRERY and the leadership on both sides for bringing this bill forward today. However, I don't know a single American who prefers a tax rebate, even a rebate as generous as this one, to a good-paying job. So by no means is this the only step we should take if we are to become truly competitive and create long-term job growth in this country. The Tax Code continues to be a drag on families and businesses. If we're serious about putting America on a growth track, we must tackle substantive tax reform sooner rather than later.

In 1960 America was home to 18 of the world's 20 largest corporations and their employees. By 1996, however, only eight of the world's largest companies and their employees were based in America. This shouldn't surprise us. The United States has the second highest corporate tax rate in the industrialized world. While the average rate is 31 percent, the U.S. rate is a whopping 39 percent, exceeded only by Japan at 40 percent.

So before we congratulate ourselves on this economic stimulus package, we ought to address this jarring trend that is far more dangerous to American prosperity than next quarter's economic forecast.

I urge my colleagues to send this bill to the President as quickly as possible and to begin to address long-term strategies such as regulatory relief, tax reform, and expiring tax relief measures for sustained job creation and economic growth.

Mr. FRANK of Massachusetts. Mr. Speaker, I now yield 2½ minutes to the Chair of the Housing Subcommittee of our committee, who has played a very significant role and will be in a major role as we go forward in the necessary next steps after this, the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker and Members, I first would like to thank all of our leaders who were involved in the negotiations on this most important stimulus package. Despite the fact there are some differences and some things we would have liked to have seen differently, this was a good effort, and I think we all have to get behind this effort and move forward with it. I'm thankful for the work that the Speaker did in particular.

And I rise in support of the economic stimulus package before us today. It is urgently needed in light of home foreclosure rates that are 70 percent above the same time last year. Labor Department figures show that a sharp slowdown in job creation actually took place in December and the worst holiday season in over 5 years.

Americans need help, and I applaud Speaker PELOSI for working with the administration and Minority Leader BOEHNER to provide it to them and quickly. This package will provide rebates to 117 million households, the kind of broad-based relief required to help jump-start consumer spending and the economy. Individuals can look forward to up to $600 in tax relief, while married couples may get as much as $1,200 to meet their expenses, including skyrocketing costs of fueling their cars and heating their homes.

Equally critical, this package is not tilted toward the high income to the extent that the President's original proposal was. Indeed, thanks to Speaker PELOSI's efforts, the package includes tax relief of up to $300 for 35 million working individuals who earn too little to pay income taxes, a group that had been left out of the initial plan. Further, the bill will temporarily raise loan limits for the GSEs and the FHA, which will allow these entities to play an increased role in helping distressed homeowners across the country, especially in high-cost housing markets like my home State of California. As the lead sponsor of H.R. 1852, the Expanding American Homeownership Act of 2007, I am pleased that the bill incorporates loan limit increases for loans written by the Federal Housing Administration. The reforms in H.R. 1852 are critical in addressing the current foreclosure crisis, and I look forward to ensuring enactment of other elements of this much-needed legislation.

There are a few critical measures to assist our Nation's lowest income households, those who are most likely to inject any assistance they receive directly into the economy, that I am disappointed were left out of the final stimulus package.

In particular, extension of Unemployment Insurance benefits and a 10 percent increase in Food Stamp benefits would provide critical assistance to the Nation's poor families. Moreover, both could start injecting more consumer purchasing power into the economy within 1 to 2 months, even faster than the planned rebate checks are likely to go out. A recent analysis by Economy.com found that for each dollar spent on extended Unemployment Insurance benefits, $1.64 in increased economic activity would be generated and for each dollar in increased food stamp benefits, $1.73 in new economic activity would be generated. This is substantial ''bang-for-the buck'' in fiscal stimulus.

Nonetheless, I recognize that Speaker PELOSI had to make some hard choices in negotiations with the Administration and our colleagues from across the aisle, who view appropriate economic stimulus very differently; therefore, I urge my colleagues to support this negotiated proposal.

□ 1315

Mr. BACHUS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. NEUGEBAUER).

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

Mr. NEUGEBAUER. Mr. Speaker, I have some reservations about the effectiveness of this economic stimulus package and its impact on our Federal deficit; however, I am going to support it. One of the reasons I am going to support this package is it takes an important step toward providing more options for homeowners and homebuyers in America. By temporarily increasing the size of mortgages for our GSEs and FHAs, they will be able to purchase mortgages in high-cost areas across the country where some of those people

have been locked out of those particular markets.

By bringing additional buyers into this marketplace and rather than leaving them on the sidelines, we are going to help reduce housing inventories that, as you know, have been increasing all across the country. Increasing these conforming loan limits for these particular entities adds additional liquidity to a marketplace that is in dire need of additional liquidity and will help provide additional mortgages around the country.

However, their taking this action is not nearly enough. Congress has completed important legislation that reforms FHA, and we must complete this legislation. We have passed legislation that brings reform to our GSEs. It's time for Congress to sign that legislation as well. We need to do this without siphoning important resources from these entities at a time where we are going to be relying on them to help provide additional mortgages and liquidity in the marketplace.

In order to increase the loan limits to have its full desired effects, we need to also make sure that we increase the portfolio caps of Freddie Mac and Fannie Mae. Congresswoman BEAN and I have introduced legislation to increase these caps, and I urge the administration and Congress to act on these immediately. This marketplace is in need of liquidity, and by raising the loan portfolio limits and the caps, it will allow Freddie Mac, Fannie Mae, and FHA to come into the market and help bring back additional robustness in those markets.

In hindsight, we see that borrowers, lenders and investors made poor decisions. In Congress' attempt to help stabilize this downturn we must avoid more poor decisions.

Congress must ensure that we cause no further harm as we facilitate bringing more liquidity to the marketplace.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. EMANUEL), the Chair of our Democratic Caucus. No one has received more creative ideas of how to improve this legislation than him. But I want to thank him publicly for his leadership and directness toward this bipartisan historic legislation.

Mr. EMANUEL. Mr. Speaker, I'd like to thank my chairman.

While other speakers have noted some of the shortcomings and their reluctant support, I enthusiastically support this legislation. Unlike the 2001–2003 tax cuts, in 2001, 36 percent of the tax benefit went to folks earning more than $200,000 a year. In the 2003 tax cut, 67 percent of the tax rebates and tax refunds and tax cuts went to those earning over $200,000 a year. In this stimulus package, zero. The lion's share of the tax rebate goes to people earning between $40,000 and $80,000 a year.

I enthusiastically support the middle class of this country, and we are doing it in this bill. Thirty-seven million Americans who were left out of the 2001 and 2003 tax cut will get close to $28 billion of this tax cut. I enthusiastically support that type of economic prosperity.

Like my colleague on the other side from Michigan, once we right this economy hopefully with this stimulus package and interest rate cuts, we need to deal with long-term issues. On those issues, how did we get here? In the last 7 years, our debt went from $5.7 trillion to $9.2 trillion. President Bush inherited 3 years in a row of surplus, to 6 years in a row of deficit spending. Health care costs went from $6,000 for a family of four to doubling to $12,000 for a family of four. College costs increased by over $2,000 a year for a middle-class family. Energy costs went from $1.39 a gallon to $3.07 a gallon.

So I look enthusiastically to debating long-term future economic challenges the middle class have been feeling. The reason this is so important is because we are reversing and beginning to reverse the economic policies leading, and have been the leading causes, to middle-class squeeze: rising energy costs; rising health care costs; rising home values that shut out the middle class; depleting savings rates in this country; and a median household income that has shrunk by $1,000 in the last 6 years, while in 2000, over the last 6 years leading into 2000, median income rose by $6,000.

So in the long-term debate about this country, we have got to come to the rescue of middle-class families, and this stimulus package begins to do that.

Mr. MCCRERY. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Pennsylvania (Mr. ENGLISH), a ranking member on the Ways and Means Committee.

Mr. ENGLISH of Pennsylvania. I thank the gentleman.

Over the last couple of months I have watched with growing trepidation as the economic news turned worse and increasingly in the market there were uncertainties about the large tax increases being threatened from the other side of the aisle, and generally a sense of pessimism about the economy. I came to the conclusion we needed to consider moving forward with a stimulus package.

Today, Mr. Speaker, I am proud to say our Chamber has an opportunity to find common ground and rally, despite our ideological differences, behind a short-term stimulus package that will have limited utility but will provide the ailing American economy with the right incentives at exactly the right time.

Through bipartisan dialogue and agreement, we have been able to settle on a plan that will benefit both wage earners and job creators, encourage investment, and put more money back in the pockets of America's hardworking middle-class families. As a result of this plan, working Americans will have access to extra cash to cushion increased costs in food and energy; families, in fear of losing their homes, will have new opportunity to refinance their mortgages and retain homeownership; and businesses will be rewarded for making capital investments here in the domestic economy, which, in turn, will jump-start spending and create more good-paying jobs.

This compromise was negotiated as a simple, clean, and targeted bill. It is the best that we can do that we can pass quickly and accomplish our goal of stimulating the economy in the near term. I urge my colleagues to join me to vote for jobs, to vote for American workers, and to vote for economic growth.

Mr. FRANK of Massachusetts. Mr. Speaker, I now yield 1 minute to the gentlewoman from Illinois (Ms. BEAN), a member of the Financial Services Committee, who has been particularly creative in trying to make sure that there are tax incentives in here that will help the business community play its most productive role.

Ms. BEAN. Mr. Speaker, I rise today in support of H.R. 5140, the stimulus package that will strengthen the economic health of our businesses, our Nation, and the families we represent. Recently, I introduced legislation to double the section 179 expense tax deduction, which allows small business owners to write off expenses immediately. I am pleased that this meaningful tax incentive was included in the House stimulus package, which encourages small businesses to increase investment and hiring.

In my district, Chris Dahm, owner of Dahm Trucking in Woodstock, Illinois, is an example of how this will make a difference. In 1980, Chris started his company with one truck; 28 years later, he has a fleet of 33. His success, like small businesses across the country, is a cornerstone of our economy. However, over the last 3 months, his business has declined and he has reduced the workweek for many of his drivers. When I talked to Chris about this incentive, he said, ''If something like this came out, I'd go full speed.'' Instead of stalling expansion plans, he would invest now.

I commend our leadership and administration in crafting this bipartisan legislation and urge its swift passage.

Mr. BACHUS. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. PENCE).

Mr. PENCE. I thank the gentleman for yielding.

One year into the liberal Democrat majority in Congress, the economy is struggling. In the wake of more government spending, threats of tax increases, and energy legislation that did nothing to expand our access to domestic reserves, this massive American economy is slowing down. The time has come for Congress to act to stimulate the economy and stave off the possibility of a Democrat recession. This stimulus bill that will come to the floor today, while welcome, will not do enough to stimulate this economy.

Congress must do more. The Recovery, Rebate and Economic Stimulus Act is a shot in the arm for a patient in need of major surgery.

I will support this bill because I believe the American people are overtaxed. Putting money in the pockets of American families is a good thing. I never met a tax cut I didn't like. But this one comes close. Showering the landscape with government rebates is no way to truly strengthen the foundations of a free market economy. If we are serious about bolstering this economy and helping America's working families, we must make the President's tax cuts permanent and implement other tax reform focused on capital formation.

Congress should do more. But this is a small move in the right direction. For families struggling to make a mortgage payment or meet a college loan, for families ready to invest in a new car or a home, or for families simply fighting to keep food on the table, this relief is needed and welcomed. With this rebate, the American consumer will do their part to revive this economy, but I challenge Congress and all of our colleagues in both parties to do our part and demand that this legislation ultimately include tax relief for the wage payer as well as for the wage earner.

Mr. RANGEL. Mr. Speaker, I would like to share with the gentleman from Indiana the fact that we should blame the Congress for this because clearly we have had no leadership from the executive branch. So I guess the blame has to fall on us. For those who are concerned about tax reform, we waited 7 years, and we have got nothing. So either accept what we have got, or ask the President to at least bring something to the Congress.

Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. MCDERMOTT), who is a subcommittee chairman of this committee, that has fought hard for the creation of jobs but has just as much compassion for those who, through no fault of their own, have lost their jobs. I publicly thank you for your service.

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

Mr. MCDERMOTT. Mr. Speaker, the stimulus package before us today is a call to arms for Congress to act on behalf of the American people. The President waited too long and offered too little. While he spent months pretending the economy was just fine, Americans were losing their jobs, their homes, and their confidence.

Last week, he apparently woke up, noticed the problem, and, to her credit, Speaker PELOSI negotiated a stimulus package that, for the first time in 7 years, recognized our first responsibility to the middle class and America's vulnerable families. People earning $200,000 a year don't need a rebate to weather the economic storm, but people earning $20,000 do need one.

But, for all the stimulus package does, we must recognize it is a work in progress, because there is unfinished business we must address in the coming months. This package falls silent on the plight of Americans who have already lost their jobs in the economy, and this package does not address the reforms needed to our unemployment insurance programs to deal with the reality of the modern-day workforce competing in a global economy.

Two-thirds of the people who pay unemployment insurance can't draw benefits. People with part-time jobs can't draw benefits. Spouses whose husbands are transferred elsewhere and lose the second job the family has been depending on can't draw benefits. Those are the kinds of things that need to be done. But there's nothing new today.

The gentleman from Indiana was a wonderful counterpoint. In 1935, when we passed the Social Security Act in Congress, during the middle of the Depression, and unemployment insurance was right in the middle of it, the last issue the Republicans fought in the United States Senate at the very end of the bill was whether or not they should have unemployment insurance. The gentleman from Indiana would have fit beautifully in the Republican caucus in the U.S. Senate in 1935. And that is why we got rid of them.

This is not a day for a victory lap. It's a day when we begin to restore the faith of the American people in the ability of their government to act as an agent for positive change. This is the first day, but it must not be the last day, or we will fail the American people when they need us most. But I don't want to see unemployment brought out here, married to the war funding, like we had to accept when we had the raise in the minimum wage. This ought to stand on its own. We should stand behind the American workers in their time of need. It shouldn't be mixed with a lot of other things.

Mr. MCCRERY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. BRADY), a member of the Ways and Means Committee.

Mr. BRADY of Texas. Mr. Speaker, I don't need much of an excuse to give people back their own tax money, especially the way we spend it up here in Washington. So I support this measure and appreciate the leadership of President Bush and the bipartisan way this came together.

But let's not hold a parade for ourselves just yet. While economic estimates vary, I am somewhat skeptical about how much impact this tiny package will have on America's large and complex economy. I hope it does. But I worry this yet may become more a political stimulus package than a true economic stimulus.

The truth is our economy is so strong and resilient that it bounces back and recovers quickly from major challenges, whether it's the attacks of 9/11 or the dot-com crash. There's no question the housing downturn and future credit crunch are real and serious, and we ought to look at every way to limit their impact, but not in any way that prolongs those problems or creates an excuse for a spending spree that we cannot afford.

Our goal as a government should be to do no harm. At this point, this package accomplishes that.

□ 1330

In fact, incentives for small businesses I think will help create new business investment in the economy, which keeps and creates jobs. And we should never miss an opportunity to help families at all income levels to stretch their budgets, especially with prices so high.

In the end, we should remember that it is not Washington that creates jobs, but rather a business climate that rewards rather than punishes Americans for working smarter, for succeeding, and developing the innovations that our changing world demands.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO), the member of the leadership who has had a major role in recognizing the need for this package.

Ms. DELAURO. Mr. Speaker, from negative economic data on wages and consumer prices, to a falling stock market, there is almost no margin for error in today's tight economy. We face an urgency and a moral obligation to get it right and ensure no American is forced to live in those margins.

This legislation represents a strong bipartisan agreement on an economic stimulus package that will begin to provide financial relief and income security to middle-class Americans most at risk in a prospective recession.

Building on our work to extend the child tax credit, and my belief that all hardworking low- and middle-income families should receive at least a partial credit, this package will ensure that any family that pays taxes and earned at least $3,000 last year will get a $300 rebate per child. It is long past time that we finally recognize that the child tax credit should be available to all families, including those who serve in our military.

With the economy in so much difficulty, this is the right approach: immediate, focused on those who need resources, and who will spend it. Unlike previous efforts to stimulate the economy, this package is focused on the middle class, and provides real, not token, relief. That includes $28 billion in tax relief for 35 million families who work but make too little to pay income taxes, but they pay sales tax, FICA tax, property taxes, families who otherwise would not have been included in this recovery effort, more than 19 million of them with children.

To meet our obligation, boost our struggling economy, and provide real assistance for middle-class Americans, I urge a ''yes'' vote.

Mr. MCCRERY. Mr. Speaker, I yield 2½ minutes to a member of the Ways and Means Committee, the distinguished gentleman from Illinois (Mr. WELLER).

Mr. WELLER of Illinois. I thank the gentleman from Louisiana for the opportunity to speak. Of course, I come before this body today to stand in support of our bipartisan agreement put together by the President and our leadership in an effort to boost our economy. I do want to express to my chairman and my ranking member my disappointment, however, that this product didn't come through the committee, since I know we have good leaders, beginning with our chairman and ranking member, who have good ideas; and I believe this product should have come through the committee with committee action and committee input. But I do stand in support of what I feel is a good compromise.

Under this plan, a family of four making $70,000 a year in the district I represent in Illinois will see an extra $1,800 that they can use for family expenses, and that is a good thing, money that can be spent locally and creating local jobs.

I would like to focus on the component that I feel is the centerpiece of this stimulus package, which is the 50 percent bonus depreciation, a mechanism that works. It should be called, rather than bonus depreciation, it should be called the ''invest in American jobs component'' of the stimulus package. Because this extra 50 percent bonus depreciation goes to invest in new computers and company equipment and assembly lines, manufacturing lines, they are going to get an extra 50 percent for depreciation purposes.

That is an incentive to invest in American jobs here in America, and that is why bonus depreciation is so important. Because when we did it in 2003, it worked. You look at this chart here; and when bonus depreciation was passed into law, we saw an immediate jump in demand for U.S. manufactured goods. The law had an impact, and it had a big impact.

Now, I have heard reports today that our friends in the Senate, the Senate Finance Committee, according to reports, may be considering cutting in half the bonus depreciation. Well, in 2001, in the first Bush tax cut, we tried 30 percent bonus depreciation back in this period of time; and as you can see on the chart, it had a little bit of an impact, not very much.

As the House and Senate work out our differences if we pass different legislation, I urge that we keep the 50 percent bonus depreciation, again, the ''invest in American jobs'' provision that is in the stimulus act.

Mr. Speaker, I urge bipartisan support of this important legislation.

Mr. RANGEL. Mr. Speaker, I would like to yield 2 minutes to Mr. LEVIN of Michigan and congratulate him for the outstanding contribution that he makes to the committee and the Congress.

Mr. LEVIN. Thank you, Mr. RANGEL, for your kind words, and congratulations to the bipartisan leadership that has worked this out.

Yesterday in this very place, the President said: ''Our economy is undergoing a period of uncertainty.'' For millions of people in this country, our economic difficulties are very, very certain indeed, and that is true of the over 7 million who are unemployed.

Economists agree that unemployment insurance is one of the most stimulative approaches that can be undertaken. Unemployment is rising significantly. In December, the total number of unemployed was 900,000 higher than the same month in the prior year, and long-term unemployment is now twice as high as it was in the last recession. Almost a fifth of those who are unemployed have been unemployed over 26 weeks, and in Michigan, 72,000 people will exhaust their jobless benefits in the first half of this year.

In the past, the extensions of unemployment compensation have come too late. The time for action on extension is here and now.

Mr. BACHUS. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL of California. I thank the gentleman for yielding.

I guess this afternoon I am going to be a fairly lonely voice in opposition to this bipartisan agreement, and I hope that my colleagues on both sides of the aisle will listen as in the next 3 minutes I present to you five reasons why I think we should not be passing this bill.

First of all, it is not really going to be stimulative. Look at what caused the problem that we are in right now. This is a credit problem and a capital problem. We got into this arguably because people borrowed and spent too much money. So what are we going to do? We are going to send people a check and say, spend it. Go buy a flat screen TV and save America. I just don't think that is the proper stimulus or the right way to go about this.

Second, it is really wealth redistribution. People who pay well over 50 percent of the taxes in this country get nothing, zero, nada. But yet a substantial portion of this package will go to people who pay nothing in taxes. So we call it a tax rebate, but people are going to get a rebate who paid nothing, and people who paid most of the taxes will get nothing.

Third, it increases the deficit. We have had three years of decline in this deficit. We are finally seeing perhaps the end of these deficits. And now with this and everything going on, we are looking at increasing it for the first time in 4 years, maybe going back to a deficit as much as $400 billion, which gets us back almost to where we were before 9/11.

Fourth, I know that it says in there that nonresident aliens, meaning illegal aliens, are not supposed to get a check. However, this is a 2007 1040 form, and if you look at it, you can look around all over the place and see there is no box to check where it says I am a nonresident or illegal alien and therefore am not eligible to receive this check. This thing is ripe for fraud, because you send in a tax return paying no money and get a check. So there will be opportunities for fraud.

Finally, fifth, it goes against all of our long-term goals. We all sit in here on a bipartisan basis, particularly my friends on the Democratic side have talked about reducing the deficit and getting to a balanced budget. We have talked in this country that we don't save enough. We talked in this country that many times we need to invest more, as some of our friends in some of the emerging markets are doing.

We are sending completely the wrong message here, a message which is don't save, spend; a message for the government which is don't save, don't balance, but spend. We do need stimulus.

We should be providing stimulus that attacks the problem. If your leg hurts, don't do something to try and help your arm. Help your leg. Our leg hurts. The leg that hurts is credit and capital, and there is stimulus we could do that would enhance the availability of credit and encourage the movement and investment of capital. Unfortunately, this doesn't do that.

Mr. FRANK of Massachusetts. Mr. Speaker, as I listened to my friend from California, I was struck as he excoriated the President's program, that in his metaphor he seemed to think the President can't tell one body part from another, which is a troubling thing.

Mr. RANGEL. Mr. Speaker, I ask unanimous consent to have the remainder of my time be controlled by the gentleman from Connecticut (Mr. LARSON).

The SPEAKER pro tempore. Without objection, the gentleman from Connecticut will control the time.

There was no objection.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 1 minute to our very distinguished majority leader, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for yielding.

Before the gentleman who spoke before me leaves, I just wanted to make sure that we correct the record. He said we might go back to the deficits that we had prior to 9/11. I will remind the gentleman that this President inherited a surplus and we had three surplus years preceding the fiscal year 2001, and in fact the Clinton administration ended up with a net surplus, the only President in our lifetimes to have done so. I know he misspoke and I knew what he meant, and I share his view on the deficits.

However, I am very supportive of this package because uniquely deficits I think are justified in the time when you have a crisis economically confronting you and you want to stimulate

the economy. That is in fact I think classic economics in many ways, and it is what we hear almost every economist telling us, from conservative economists to liberal economists and in between.

Mr. Speaker, for several years the American people have been confronting an economy that most working people are not being advantaged by. We were told that if we adopted an economic policy in the early part of this administration that that would turn our economy around, grow jobs, stimulate growth. In point of fact, of course, less than one-third of the number of jobs that were created from 1993 to 2001 have been created from 2001 to today, less than a third in the private sector, 6 million versus 20 million under Bill Clinton.

This prediction of economic well-being was not in fact true, and it is now abundantly clear that millions of hardworking American families are struggling and that the American economy needs a strong shot in the arm.

I want to congratulate my friend Hank Paulson, the Secretary of the Treasury. I want to congratulate the Joint Economic Committee that provided good statistics, our Budget Committee and Ways and Means Committee for the work they have done. I want to congratulate Mr. BOEHNER and Mr. BLUNT for the leadership they have shown, and I certainly want to congratulate our Speaker, Speaker PELOSI, all of whom worked together tirelessly to try to come to agreement. And I want to congratulate Mr. RANGEL and Mr. MCCRERY, who in a bipartisan way worked together to try to get us to where we are today.

I think this is good news for the American public, because we are going to vote in an overwhelmingly and bipartisan fashion to reach out to try to get this economy moving and help a lot of Americans.

The number of Americans living in poverty and the number of uninsured is up by 5 million and 7 million respectively. Job growth has been unimpressive. Foreclosures have hit record levels, and Americans all across this country are struggling with exploding gasoline prices, higher grocery bills, and increasing college and health care costs.

□ 1345

Thus, I am very pleased that Members on both sides of the aisle and the White House have come together in the spirit of bipartisanship and good faith to produce the economic stimulus package that we will have the opportunity to vote on today.

In particular, the Speaker, the minority leader, Mr. BOEHNER, as I said, and Treasury Secretary Paulson deserve great credit for their efforts. The Speaker clearly, as someone who has watched her work on this for the last 2 weeks, I can tell you, she was indefatigable and focused, as was Mr. BOEHNER.

In short, this stimulus will put money in the hands of hardworking Americans to give them the help they need and at the same time stimulate the economy. That is what economists tell us we ought to be doing.

Former Treasury Secretary Larry Summers told the New York Times last Friday about this stimulus package: ''It is a much-needed and very constructive step. It will provide some confidence, but policy-making will need to be on standby, because more may be needed.'' That is obviously a fact. We hope this will do the job, but we will be on alert to make sure that we do not recede further.

I am pleased that this stimulus package adhered to the principles that Democrats have stressed for weeks, that an economic stimulus package be timely, targeted, and temporary. That is not just an alliterative phrase that rolls from your mouth relatively easily. It is a premise on which we have based this package so it would be stimulus, so it would be temporary and not exacerbate long-term deficits, and would be targeted to those people who need it and will help stimulate the economy.

Democrats are particularly pleased that under this package 35 million working families who would not otherwise have been helped will receive tax relief. My friend who spoke before me spoke about transfer of wealth from one to the other. We treat, unfortunately, 50 percent of America who pays more FICA taxes than they do income taxes, 50 percent of working Americans pay more FICA tax than they do income tax, we treat them as if somehow they are not paying taxes. They pay property taxes, franchise taxes, excise taxes, sales taxes. They pay a lot of taxes, and they are hurting. This is a tight economy for them, and this bill added 35 million additional Americans, middle-income and lower-income working Americans, with help. They will help stimulate the economy.

This economic package also will expand financing opportunities for Americans in danger of losing their homes. I congratulate Mr. FRANK for the extraordinary leadership he has shown on this issue. The mortgage crisis obviously is squeezing many, many Americans and putting them in danger. Too many have already lost their homes, and many are in danger of losing their homes.

It also gives that business stimulus that is a concurrent partner of this stimulus package, not only giving people the opportunity to purchase but giving people the opportunity to expand jobs, expand their businesses, and grow our economy.

I commend it to both sides. I thank both sides for working on this. My friend CHARLIE RANGEL said during the course of these negotiations, he said that not only will the stimulus package through its economic impact give confidence to our country, but the fact that we have in a bipartisan way come together and concluded that we can work together in time of challenge will also give our citizens confidence. I think they will be pleased with the work we do this day.

Mr. MCCRERY. Mr. Speaker, I yield 2½ minutes to a distinguished member of the Ways and Means Committee, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. Mr. Speaker, I, too, would like to congratulate the Speaker and the leader for bringing this bill to the floor with such expediency. I do hope this is the beginning of a year in which we can count on cooperation for strong pro-growth fiscal policy.

Now, there is not a person in here who likes everything in this bill, and I certainly would be one who is counted that there are provisions in here I would rather not see. But I want to focus on the provisions that I think work, and they work because they will point towards job creation. At the end of the day, if we are talking about stimulus, the best stimulus is a job.

There are two provisions in here, one which is the bonus depreciation and the other, 179 small business expensing, which mean incentives for our entrepreneurs and our small businesses and large businesses to have cash come to the bottom line to be able to create more jobs.

If we can imagine the entrepreneurs in our communities at home who are dealing with the question of whether they can deal with an economic downturn or not, whether they have to let off jobs or not, this is real relief to those entrepreneurs and those small businesses. That is why I am excited about these provisions that will create jobs.

In response to some of the discussion which has ensued on the floor here, I want to say that unemployment insurance and other things that may or may not be what one is for, if we are talking stimulus, let's call those what they are. Unemployment insurance extension of benefits are enhancing a safety net. I don't think any of us would say that is stimulative because, frankly, it allows individuals a safety net while they are looking for a job. That is not stimulus for our economy.

Long term I would like to see this House continue to focus on the uncertainty in the investment environment. My colleague from California was here saying it is about capital, it is about the lack of investment going on. We need to focus long term on lifting the cloud of uncertainty for the investors and families in this economy so they can count on the fact that their allocation of capital from a risk-based standpoint is going to be rewarded, and that means keeping cap gain dividend rates low, lowering corporate rates so that we can reward those who take risks in our economy to create jobs.

Mr. LARSON of Connecticut. Mr. Speaker, I am proud to yield to a distinguished member of the Ways and Means Committee, the gentleman from Texas (Mr. DOGGETT) for 2 minutes.

Mr. DOGGETT. Mr. Speaker, while the Bush Administration's reaction to

the economic downturn was to continue whistling ''Don't Worry, Be Happy,'' we were at work on a prompt response. But today's stimulus is far less effective than it could have been and should have been because those who doubted that we needed to do anything insisted on supporting only action that would give one of every $3 to corporate America and would delay until this summer giving any assistance to ordinary working families.

And now there is even an effort to add tax cut rebates to this bill for multi-millionaires. That is hardly ''stimulus'' unless they decide to increase their tips to the butler or the limousine driver.

Although the risk of recession is very real and it requires a bipartisan response, let's be very clear: this danger did not result from any bipartisan cause.

Like the Republican mythology that tax cuts pay for themselves, this downturn had its genesis in the wrong-headed notion that markets can do no evil, whether the subject is environmental protection or economic stability. They think the only desirable action is for the government to get out of the way. Well, the Bush Administration got way out of the way, and as a result we had overzealous lending and sometimes fraud in the subprime market while the Bush Administration stood by.

We wouldn't need a $150 billion stimulus today if they had done their job. Whatever we do here, it can still be a stimulus without letting go of the pay-as-you-go rule and adding to our soaring national debt.

Borrowing too much is what helped create this Bush economic mess. Borrowing even more can make it even worse. Political expedience should not trump sound fiscal policy.

The SPEAKER pro tempore. The gentleman from Alabama has 1½ minutes. The gentleman from Louisiana has 27 minutes. The gentleman from Connecticut has 20 minutes. The gentleman from Massachusetts has 8½ minutes.

Mr. BACHUS. Mr. Speaker, at this time I yield to the gentlewoman from West Virginia (Mrs. CAPITO) the balance of my time.

Mrs. CAPITO. Mr. Speaker, I rise today in support of the financial economic stimulus package we have before us. As we know, our economy has begun to slow after a robust growth period of 52 months. It is imperative that we act swiftly in a bipartisan manner. I congratulate the Speaker, the minority leader, and the President for their ability to work together and come forth with this package.

We have learned about tax rebates for filers. I think this is good for family budgets. Furthermore, they are targeted to the low- and moderate-income Americans who are most in need. I am also pleased that this package includes important tax incentives for small business growth. In a State like West Virginia, business is small business, and they are the job creators. It is critical that we provide them with the assistance that they need to keep their businesses viable and growing.

This agreement includes much-needed incentives to encourage the investment that creates jobs and seeks to maintain our Nation's competitiveness.

Lastly, I would like to talk about the long-overdue step toward modernizing the Federal Housing Administration to provide support for Americans who are struggling in this current housing crunch. This bill will make it easier for many Americans to refinance their mortgages and receive the support to do so. Yet while I am encouraged by this step, we must continue to work towards more comprehensive FHA modernization to make sure that this program continues to be the resource for creditworthy borrowers that may not qualify for conventional market loans.

I look forward to continuing to work with the chairman and Ranking Member BACHUS on this important issue, and our colleagues in the other body, to proceed with negotiations and produce a final product we can all support.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 1 minute to a member of the committee who has been a hard worker on this, the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Mr. Speaker, we have had a great debate in here this afternoon. What is on the American people's mind right now are two words: ''quickly'' and ''now.'' They want this economy turned around quickly and now.

The best way to do that is in our plans, getting money to the people who will spend it quickly and now, extending the limits on our lending capacity in FHA quickly and now, and in Fannie Mae and Freddie Mac.

Mr. Speaker, about 143 years ago, Abraham Lincoln, as well as Robert E. Lee, came before this Congress at the end of the Civil War, and they said to this Congress: we need to move. It is not incumbent upon us to complete this task, but neither are we free to desist from doing all we possibly can quickly and now.

Those are the words that are tripping off the tongues of the American people. We need to stop them from being put out of their homes with foreclosures. That is why we have the limits for Fannie Mae and Freddie Mac, as well as for the FHA loans.

Americans want to be able to have their jobs. You do that by stimulating the economy and putting the money in the hands of the people who will spend it quickly and now.

Mr. MCCRERY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. HERGER), a member of the Ways and Means Committee and ranking member on the Subcommittee on Trade.

Mr. HERGER. I thank the gentleman.

I commend the House leaders for coming together in a bipartisan way on today's tax relief bill. But I believe we must do much more to truly foster business certainty, economic expansion, and a prosperous America for workers and their families.

The doubled small business expensing and bonus depreciation tax relief in this bill will help employers invest in their businesses, retain the workers they already have, and hire new employees in 2008.

It would be even more beneficial if we were focused on permanent relief. Even today, U.S. industry is looking 2 and 3 years down the road and making investment plans based on the expectations of the massive Democrat tax increases. Absent predictable, low rates on capital formation, tax increases will take a toll on economic activity and growth, meaning fewer jobs, lower wages and tougher times for families in the future.

Such a hit to our economy would far outweigh any static revenue loss we would see from enacting big-picture tax relief.

Mr. Speaker, we should also focus on putting our employers on an even tax footing with countries around the globe. Currently, the United States has the second highest business tax rates among world market economies.

Mr. Speaker, if we are to encourage a sound and prosperous American economy tomorrow, we have to begin by planting the seeds of prosperity and growth today.

□ 1400

Mr. LARSON of Connecticut. Madam Speaker, at this time, I am honored to recognize the preeminent authority on smart growth in the Congress, and I dare say this Nation, the gentleman from Oregon, a distinguished member of the Ways and Means Committee, Mr. BLUMENAUER, for 2 minutes.

Mr. BLUMENAUER. I thank the gentleman for his kind words and for his leadership on this issue.

I rise in support of this legislation, but, frankly, we've waited too long to get to this point. We have watched as this administration has exploded the national debt. We have watched the growth in the gross domestic product slow 35 percent in this administration over the previous one. Median incomes declined. The savings rates have gone negative, and the trade deficit has doubled.

Most important, they ignored the symptoms of the subprime mortgage markets, a failure to exercise reasonable oversight. This legislation is an important first step towards rebalancing the equity.

I commend the Speaker for targeting aid for those who need it most. I appreciate what my friend from Massachusetts Mr. FRANK has focused on, to make it easier for hard-pressed families to refinance their loans. I hope before we get through this process that we'll be able to add to it unemployment and food stamp benefits, which will have even more stimulative effect.

After this bill, we need to deal with issues of infrastructure, making sure that we don't shut down our wind energy production tax credit, and deal with bankruptcy equity so that homeowners get the same protections as people who speculated in property.

Last but not least, I hope that this is the beginning of real progress in Congress that becomes a critical issue of accountability on the campaign trail so that next year we won't have to make compromises that compromise what we need to do for the American family.

Mr. MCCRERY. Madam Speaker, I yield 1½ minutes to the distinguished gentleman from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. Madam Speaker, the basic principle of this economic stimulus package I agree with, and that is allowing taxpayers to keep more of what they contribute to the government in order to keep more of what they earn so they can spend it for their families and the communities.

Yesterday, the Speaker said that she estimates that each dollar of broad tax cuts leads to $1.26 in economic growth. Now, that's a wonderful thing, 26 percent return on your investment for allowing people to keep what they earn. That's wonderful and that's a very good thing. Tax relief spurs economic growth. That is true.

But we have to also go a step further in this economic stimulus package. At a time when people are concerned about high gas prices, rising costs of health care, as well as keeping their homes, we have to be acutely aware of helping them. And I think what we can do as a Congress is go a step further in this stimulus package, one step further, and that is to take the rising taxes, the tax increases that are on the table and take them off the table.

Look, we need to do a whole lot more to keep this economy strong, to keep it consistently strong. We need to make permanent the tax relief from 2001 and 2003. I think it would be immoral for Washington politicians to take more out of people's hard-earned incomes for wasteful spending programs. And I think we have to go further.

By taking that tax increase off the table, we will help every kitchen table in America, for every middle-class family in America.

Mr. FRANK of Massachusetts. Madam Speaker, I yield now 1 minute to a member of the Financial Services Committee whose expertise in the world of business and finance has been very helpful to us, the gentleman from Florida (Mr. MAHONEY).

Mr. MAHONEY of Florida. Madam Speaker, the good news is the debate is over. The President, Congress, and the American people all agree that the economy is in trouble and that the old cures that the Bush administration has used to grow our economy have failed to provide working and middle-class Americans a better life and a secure future.

I support this economic stimulus package because American families are hurting and small business needs help and they need it now.

Unlike the President, both Wall Street and Main Street know that we need a bold new vision to ensure America's economic leadership is a global economy.

Americans understand that we need to reward companies that create jobs here at home, and we must stop giving American businesses incentives to move our jobs overseas. We need to once again be the place where entrepreneurs from around the world come to live their dream.

Madam Speaker, I urge my colleagues to take the first step today by giving families and small businesses a helping hand. I also ask my colleagues to come together with the courage and resolve to give America an economic plan that ensures our children's American Dreams.

Mr. MCCRERY. Madam Speaker, I yield 2 minutes to the distinguished gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Madam Speaker, I rise in support of the bipartisan economic stimulus package. I believe we have talked ourselves into a recession, and confidence in our economy is waning. By passing this legislation, we are taking an important step to lessen the impact of an economic slowdown, but there is more work to be done.

I am pleased the legislation includes the bonus depreciation and section 179 expensing provisions, which will encourage companies and especially small businesses to immediately purchase new equipment and expand their businesses.

Allowing Fannie Mae and Freddie Mac and the FHA to purchase larger loans gives needed flexibility to support sound lending in the 21st century. The recent slump in the housing market has been a major factor in our current economic uncertainty, so it is appropriate we address home loans in the stimulus package. In doing this, we increase the need for a new regulator of Fannie Mae and Freddie Mac, which I am hopeful we will enact into law soon.

While this is a start, the bipartisanship displayed in crafting this legislation, which will have an impact in the short term, must continue to develop long-term solutions to address the increased cost of energy, uncertainty about future tax increases, and unsustainable growth in health insurance costs. Only by tackling the issues that impact the American people will we restore confidence in our economy.

In closing, I am disappointed the stimulus package being considered today does not have a cost-of-living differential for regions. There are many residents of the Fourth Congressional District who make over $75,000 but are struggling to keep up with education, energy, and health expenses in our region.

It would have been better if the legislation before us today recognized it costs more to live in a State like Connecticut than it does other parts of the country.

With that being said, this is a good bill and worthy of all Members' support.

Mr. LARSON of Connecticut. Madam Speaker, it is my honor and privilege to introduce the person in Congress who knows more about article I in the Constitution than anyone else, the distinguished gentleman from Kentucky (Mr. YARMUTH) for 1 minute.

Mr. YARMUTH. Madam Speaker, today we will pass a bipartisan economic stimulus package that will help American families and jump-start our growing economy.

Throughout our great country, hardworking citizens are making major sacrifices to make ends meet, cutting back on winter clothes to pay for heat, scaling back groceries to pay for kids' medical bills, or sacrificing college in attempt to prevent mortgage foreclosure.

For 117 million families, 1.6 million in Kentucky alone, rebate checks of $600 per individual, $1,200 per couple and an additional $300 per child will be in their mailboxes by as early as May. This is dramatic departure from the old strategy in which leaders hoped tax breaks for billionaires would trickle down to the people who really needed help.

Hope is a wonderful thing. But as the last 7 years have taught us, it is not effective fiscal policy for most Americans. By targeting those who need help, who we know without doubt will spend and invest and put money back in the economy, we aren't depending on hope; we're providing it.

I urge my colleagues to join me in providing that hope and jump-starting the economy today.

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

Mr. FRANK of Massachusetts. Madam Speaker, I'm now going to yield to the Chair of the Financial Institution Subcommittee, who has been a very important part of our effort to try and deal with this crisis, the gentlewoman from New York (Mrs. MALONEY) for 1 minute.

Mr. LARSON of Connecticut. Madam Speaker, I would also like to yield 1 minute as well to the distinguished lady from New York.

The SPEAKER pro tempore (Ms. DEGETTE). The gentlewoman from New York is recognized for 2 minutes.

Mrs. MALONEY of New York. I thank the gentlemen for yielding the time, and I appreciate their leadership.

Madam Speaker, today we will vote on an important bipartisan achievement, an economic stimulus package that is truly timely, temporary and targeted. Under the plan, more than 100 million families squeezed by the high cost of basic living expenses will get a meaningful tax rebate, and it is targeted to those families most in need. Millions of families can get help to avoid losing their homes, and small

businesses can take advantage of tax cuts that will help spur investment and job creation.

This package will provide a boost to the economy by putting hundreds of dollars into the hands of middle and lower income families who will generate demand without the fear of igniting inflation.

Our plan also temporarily raises the mortgage lending limits for FHA, Fannie Mae, and Freddie Mac to increase affordable refinancing options for those facing foreclosure and to inject much needed liquidity into the housing markets.

I regret that many of the aspects of the FHA reform were cut out of the bill, and we hope to have them passed in the Senate. These efforts build on the hard work of Democrats in Congress to help families stay in their homes and to prevent other crises like this from happening in the future.

This package is an important first step, but there is much more to do. We will keep fighting to restore the American Dream and to help America's hardworking families.

Mr. LARSON of Connecticut. Madam Speaker, at this time I yield the distinguished lady from Texas, SHEILA JACKSON-LEE, 1 minute.

Ms. JACKSON-LEE of Texas. I thank the distinguished manager of this legislation and vice chairman of our caucus.

Madam Speaker, the United States, the American people asked us to act, and I'm proud today to rise and to support the kind of stimulus that provides opportunity not only for those who you would expect or those who are argued for, but the working men and women, middle-income Americans in my congressional district in Houston making less than $50,000, allowing them to get either $600 as a single person, $1,200 as a family, and $300 as a married couple.

The most important aspect is that economists estimate that each dollar of broad tax cuts leads to $1.26 in economic growth. But I hope that we will look to the addition of food stamps, summer job programs, and extension of the unemployment. And we must have the language, I hope, in the final bill, a sense of Congress that there should be a moratorium on foreclosures that are happening in America today; 2.4 million foreclosures expected in this coming year. It is imperative that we give a sense that these individuals can reconstruct their loans and survive.

This is a package that is needed for America. I ask my colleagues to support it.

Madam Speaker. I rise today in support of the Recovery Rebate and Economic Stimulus for the American People Act. I would like to thank Speaker PELOSI for her leadership on this issue, as well as my colleagues on both sides of the aisle who have worked together to overcome partisan divisions to work together to stimulate our national economy. This legislation will inject $145.9 billion into the economy in 2008, over two-thirds of which will come in the form of tax rebate checks, given directly to individuals and families.

However, while I support this legislation, I would like to express my concern about some of this bill's omissions. I requested and had hoped that this legislation would include language declaring that it is the sense of Congress that a moratorium of up to 90 days should be declared on all home foreclosures, and that it is the sense of Congress that the financial industry should allow for the reconstruction and reconfiguration of the mortgage loan market.

Madam Speaker, I would like to see the following language included in the final legislation, agreed on by both Houses and signed into law by the President:

(i) It is the sense of Congress that a moratorium of up to 90 days should be declared on all home foreclosures.

(ii) It is the sense of Congress that the financial industry should allow for the reconstruction and reconfiguration of the mortgage loan market.

It was my sincere hope, shared by many economists, that a temporary economic adjustment period would provide relief for millions of Americans, and that this added time would give them time to look for other resources. By delaying foreclosure, Congress would have declared that millions of Americans deserve to make their payments, or to get their loans restructured before they lose their homes. Those who can keep paying would continue putting money back into our economy. Madam Speaker, we must act now to prevent what could be a disaster for millions of Americans.

There are a number of additional proposals that I would like to see included in the final economic stimulus package. I believe it should include a summer job program, aimed at helping our Nation's youth gain the crucial work experience and job skills that will allow them to be competitive in today's increasingly difficult employment market. By working to provide Americans with the skills they need to successfully secure and keep employment, we cannot only help both adults and youth to develop their careers and to support themselves and their families, but we can bolster the whole economy by combating poverty and unemployment.

I would also like to see the extension and expansion of several existent programs which are already doing important work toward helping Americans. Under the strain of current financial circumstances, I believe that we must bolster these important programs. Madam Speaker, I call for the expansion of food stamps and Medicaid programs, and for the extension of unemployment benefits. Given the current economic climate, I believe that is our responsibility, as the leaders of our Nation, to do all in our power to ensure that the most vulnerable populations are protected.

Madam Speaker, now is the time for innovative leadership and concerted action. Recent data shows economic growth is slowing, and many economic analysts predict a 50 percent chance of recession. According to the Bureau of Labor Statistics, unemployment rose from 4.7 to 5.0 percent in November 2007 alone. This data, coupled with a struggling housing market and overall slowing economic growth, has caused a "credit crunch" that has reduced available funding and has caused rising prices for housing and food.

Over the past year, we have seen a crisis in subprime mortgage lending, which has threatened the stability of the housing market and the livelihoods of large numbers of Americans. During the third quarter of 2007, the Nation's home foreclosures doubled from the previous year. This Democratic Congress is committed to strengthening the housing market and stabilizing the economy, and we have passed important legislation to address this crisis.

Because of the lack of regulation by the Federal Government, many housing loans were accompanied by fraud, predatory lending, inadequate information and other failures of responsible marketing. With exceptionally high—and rising—foreclosure rates across the country, homeowners all over America are losing their homes. Homeowners are surprised to find out that their monthly payments are spiking and they are struggling to make these increasingly high payments.

The subprime mortgage crisis has impacted families and communities across the country. Home foreclosure filings rose to 1.2 million in 2006, a 42 percent jump, due to rising mortgage bills and a slowing housing market. Nationally, as many as 2.4 million subprime borrowers have either lost their homes or could lose them in the next few years.

In my home State of Texas, citizens are feeling the impact of the looming financial crisis. In November 2007 alone, there were 11,599 foreclosure filings in Texas. According to the Center for Responsible Lending, in Harris County alone 11,944 homes were lost from 2005 to 2006 through foreclosure on subprime loans. During the same time period, the average home decreased $1,355 in total value.

Madam Speaker, I firmly believe that this agreement should include a moratorium on foreclosures of at least 90 days on owner-occupied homes with subprime mortgages. Any agreement should also include a rate freeze on adjustable mortgages of at least 5 years or until the loan is converted into a fixed-rate mortgage. The freeze on foreclosures would give the housing market time to stabilize and homeowners time to build equity. It is critical that we address this crisis. The Bush administration and the mortgage industry must reach an agreement that matches the scale of the problem. The U.S. Treasury Department has been pushing the mortgage industry to agree to temporarily freeze interest rates for some borrowers who took out loans with low teaser rates that will soon be resetting much higher.

Madam Speaker, it is imperative that we address the serious underlying housing issues faced by our Nation. Seventeen million households, or one in seven, spend more than 50 percent of their income on housing. On any given night, approximately 750,000 men, women, and children are homeless. Constructing more affordable housing is necessary to help families who have lost their homes in the subprime mortgage crisis or due to a family financial crisis, such as illness or job loss. In my home district in Houston, homelessness remains a significant problem. Houston's homeless population increased to approximately 14,000 in 2005, before Hurricanes Katrina and Rita, and hurricane evacuees remaining in the Houston area could result in the homeless population increasing by some 23,000. Approximately 28 percent of homeless Americans are veterans.

In August, I, in coordination with the Texas Department of Housing and Community Affairs, hosted a workshop on the introductory concepts and considerations in applying for

Housing Tax Credits in Texas. This workshop was designed to create new incentives for developers to expand business opportunities in housing development, as well as to generate a significant increase in the availability of low-income and affordable housing for the residents of Houston and Harris County. I believe that an increase in affordable housing and job opportunities will help reduce the high rates of homelessness among Houston residents.

Madam Speaker, today's economic stimulus legislation will make important strides towards helping hardworking Americans who are struggling with the high costs of gas, health care, and groceries. By putting several hundred dollars directly into the hands of 117 million American families, this legislation will make important strides toward invigorating our economy, giving money to those who will quickly spend it, reinvesting this money in the American economy.

This bill provides broad-based relief for individuals and families, valued at approximately $109 billion over 10 years. The packages includes tax cuts for 117 million families, providing up to $600 per individual, $1,200 per married couple, and an additional $300 per child. On top of these recovery rebate checks, which could be sent as early as mid-May, this legislation will provide unprecedented tax relief for working families, with $28 billion in tax relief for 35 million families who work but make too little to pay income taxes, who would therefore otherwise not be included in this recovery effort. It is targeted to reach those who need the relief the most: Of these 35 million working families, over 19 million are families with children. I support provisions in this legislation providing tax relief to middle-income Americans, as well as those aspiring to the middle class, leaving out the wealthiest taxpayers. Nearly $50 billion of the rebate will go to those making less than $50,000.

Madam Speaker, family incomes and home prices are down, even as the costs of health care, energy, food, and education are on the rise. Combined with the jump in mortgage foreclosures, the American economy is struggling, with American families falling behind on their bills and consumer confidence hitting a 5-year low.

This bill also contains some provisions to help families avoid foreclosure. It increases affordable refinancing opportunities and liquidity in the housing market, increasing the Federal Housing Administration loan limits to $729,750 for 2008. This will expand affordable mortgage loan opportunities for families at risk of foreclosure. Further, it includes a 1-year increase in loan limits for single family homes from Fannie Mae and Freddie Mac, enhancing credit availability in the mortgage market.

While this legislation includes provisions intended to provide a short-term "fix" to many of the economic difficulties our economy is currently facing, I do not believe that it addresses the long-term needs of our Nation. While short-term response is critical, we must not neglect infrastructure, energy independence, and innovation needs, without which we will not be able to establish a vibrant U.S. economy. I look forward to working with House leadership, and with my fellow Members on both sides of the aisle, to look to the future, and to build innovative and long-term solutions to the underlying problems our economy faces.

Madam Speaker, this legislation is not perfect, but I believe it is an important step. I continue to advocate for a 90-day moratorium on home foreclosures to give financially troubled borrowers time to work with lenders and avoid losing their homes. I also believe we, together, must address the underlying infrastructure problems plaguing our economy. However, I do believe today's legislation will provide important benefits to millions of Americans, to the entire economy, and to our Nation as a whole. I urge my colleagues to join me in support of this legislation.

[Discussion Draft]

AMENDMENT TO H.R. ____

OFFERED BY MS. JACKSON-LEE OF TEXAS

At the appropriate place in the bill, insert the following new section:

SEC. ___. SENSE OF CONGRESS REGARDING HOME MORTGAGE FORECLOSURE MORATORIUM AND MARKET.

It is the sense of the Congress that—

(1) a moratorium of up to 90 days should be declared on all foreclosures on home mortgage loans; and

(2) the financial industry should allow for the reconstruction and reconfiguration of the home mortgage loan market.

Mr. LARSON of Connecticut. Madam Speaker, it is now my high honor to call upon the chairman of the Select Revenue Committee for the Ways and Means Committee, the distinguished gentleman from Springfield, Massachusetts (Mr. NEAL) for 2 minutes.

Mr. NEAL of Massachusetts. Madam Speaker, I want to first congratulate the Speaker and Chairman RANGEL and Chairman FRANK for negotiating this economic stimulus bill which will provide relief to working families and businesses in these difficult times.

The bill provides $100 billion in tax relief to working families, targeting this relief to families that really need it. A family earning between 10 and $20,000 will see their taxes cut by 50 percent. For New England families facing rising energy bills, this is well-timed relief and cash in the hands of those most likely to use it to spur on economic growth.

Like others, I believe we can and will do more. But I'm a strong supporter of the legislation that's in front of us and urge its adoption.

Some have quibbled with the impact of this stimulus, but I believe this is how the Congress should respond in a troubled economy. Abe Lincoln noted that "The legitimate object of government is to do for a community of people whatever they need to have done, but cannot do at all in their separate and individual capacities."

Working families, businesses, homeowners, and investors are hurting. This quick infusion of cash to low- and middle-income families, to small businesses and large businesses where necessary, making capital purchases, will jump-start our economy in a quick and efficient way.

Is it perfect? No.

Is it possible? Yes.

Is there more work to be done? Certainly. We will come to that as well in late winter and early spring.

□ 1415

This is good work and the leadership should be commended. Mr. RANGEL, Mr. FRANK, and Speaker PELOSI all should be acknowledged for the work.

I thank our friend from Hartford, Connecticut (Mr. LARSON) for giving me time.

Mr. LARSON of Connecticut. Madam Speaker, at this time, I would like to recognize the gentlewoman from New Hampshire (Ms. SHEA-PORTER) for 1 minute.

Ms. SHEA-PORTER. Madam Speaker, the administration's policies of the past 7 years have led us to this point. The American people know that prices have gone up for everything, from groceries to heating oil to gasoline, while at the same time jobs are moving overseas, the housing market is in a crisis and the economy is struggling. This is what happens when there is no oversight for 7 long years and mismanagement is allowed to run rampant.

I'm pleased that we did come together in a bipartisan manner to produce this bill. Over 117 million American families will receive rebates under this plan, including 600,000 in my own State of New Hampshire.

This bill also helps small businesses, which are at the heart of our Nation. It is a very good start, but we need to do more for senior citizens and for those who receive Social Security. We need to do more for families who need to stay warm this winter. They are the most vulnerable members of our society. They need help the most, and we know they will put the money directly into the economy.

We must continue to turn this Nation's attention towards restoring a vibrant, robust middle class.

Mr. LARSON of Connecticut. Madam Speaker, at this time it is an honor to call upon the distinguished gentleman from Virginia (Mr. MORAN) for 1½ minutes.

Mr. MORAN of Virginia. Madam Speaker, I thank my friend and vice-Chair of our caucus for yielding me the time.

If his chairman, Mr. RANGEL, and Mr. FRANK had had their druthers, not to mention the Speaker, this would have been a far better bill than it is today. It would have included the extension of unemployment insurance and food stamp benefits; it would have helped out States with their Medicaid funding crisis.

It would also have included home mortgage foreclosure mitigation which has had a tremendous impact upon thousands of families throughout the country. We know that a one-time payment of $600 will do nothing to help a family facing foreclosure, as some 250,000 American families are expected to do every month this year.

The Bush White House insisted that this mortgage foreclosure counseling be taken out over the objections of Mr. FRANK, and it is a darn shame when this could have had such a positive impact.

The impact of home foreclosures isn't limited to the lender and borrower, as we so well know. They have a negative impact on the entire community.

The reality is that across this country over the ensuing year there will be nearly 45 million homes that will be foreclosed on. This will shrink the local property tax base by $223 billion this year as a result of the foreclosure of home mortgages. And, yet, when we look around at what has worked, we find that one hotline, for example, is currently taking more than 1,000 calls a day preventing an estimated 200 foreclosures by empowering borrowers with the skills and education they need to work out terms with their lenders and to stay in their homes.

That's one of the things that this this bill needs to be about. It needs to be about extending unemployment insurance and the kind of helping hand to America's working class that this party stands for. We are going to pass the bill, but we could and should have done better.

Mr. MCCRERY. Madam Speaker, it is a pleasure to yield 3 minutes to the gentlelady from Illinois (Mrs. BIGGERT), the ranking member on the Financial Institutions Subcommittee of the Financial Services Committee.

Mrs. BIGGERT. Madam Speaker, I rise in support of this important bill and urge its swift passage.

I'm pleased that House leaders, both Republican and Democrat, and the administration have been able to come together quickly on a clean, targeted economic stimulus package. The bill promises to relieve the financial strain on hardworking Americans while providing a much-needed boost to the economy and the housing market.

Today, I want to highlight a few provisions in the bill produced by the Financial Services Committee. These provisions increase the conforming loan limits for both the Federal Housing Administration and the GSEs, Fannie Mae and Freddie Mac. And what will this do? It will keep property values from falling further by temporarily permitting Fannie, Freddie and the FHA to help homeowners and buyers finance and refinance mortgages in high-cost areas like the City of Chicago.

In short, it will help save the neighborhood.

These are important first steps; but as the President indicated last night, there are additional steps that require our full attention in the days to come if we are to reinvigorate the economy. We need to prevent a return of the marriage penalty, the death tax and the alternative minimum tax, along with higher taxes on income dividends and capital gains. We also need to send comprehensive FHA and GSE reform to the President.

During the last two Congresses, our committee in the full House has passed bills to modernize the FHA and reform Fannie and Freddie, but these efforts have yet to become law. The latest FHA proposal was even rumored to be part of the stimulus package, but it is not.

And that is why I urge my colleagues in the House and Senate to conference these two bills and get a final product to the President immediately.

A modernized FHA program will provide insurance so that more struggling American homeowners can refinance their existing mortgages and keep their homes. It will give first-time homebuyers a viable alternative to bad subprime loans. By providing Fannie and Freddie with a world-class regulator, we can infuse the housing market with liquidity so that more financing is available for perspective homeowners.

In addition, we need to supply more funding for housing counseling. Counselors can help guide homeowners into a loan that best meets their budgets and needs, steering them away from a situation that could lead to foreclosure down the road.

Madam Speaker, it is critical to the housing market and our economy that we finalize GSE and FHA reform and increase housing counseling. Adding liquidity and consumer confidence to the flagging housing market can restore vigorous growth to our economy, and we must do it without delay.

And in the near term, I urge my colleagues to support this economic stimulus package as a critical first step.

Mr. FRANK of Massachusetts. Madam Speaker, I now yield 1 minute to a member of our committee who has been very active in trying to deal with housing and especially with the area of manufactured housing, which is such an important part of our efforts to meet the housing needs, the gentleman from Indiana (Mr. DONNELLY).

Mr. DONNELLY. Thank you, Mr. Chairman, for your leadership.

I rise today in strong support of this bipartisan economic stimulus package. These are difficult times for working families. From rising energy prices and health care costs, to mortgage concerns and a volatile job market, families in my district are feeling the squeeze in almost every facet of their lives.

This stimulus package before us is carefully crafted to provide immediate tax relief to working families, while maximizing the benefit to the economy.

It is estimated that 2.6 million middle-class Hoosier families will receive $2.4 billion in tax relief.

In addition, this stimulus package also recognizes the important role that small businesses play in creating jobs and strengthening our economy. The package doubles the amount small businesses can write off their taxes for new investments made in 2008, and it increases the number of small businesses that are eligible for this basic tax relief.

Madam Speaker, I'm proud to support this stimulus package.

Mr. MCCRERY. Madam Speaker, we only have one remaining speaker to close. So assuming that the gentleman from Connecticut has additional speakers, I would ask that he be allowed to yield time.

Mr. LARSON of Connecticut. Madam Speaker, I thank the gentleman from Louisiana.

At this time, I yield 1 minute to the distinguished gentleman from New York City, Mr. SERRANO, who is loved dearly by her citizens. Only Roberto Clemente is respected more in his great City of New York.

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

Mr. SERRANO. I thank the gentleman. I have no voice, but I have a lot of joy. This is a great day.

This is the first time that a package of this kind has included so many poor people and so many folks in the middle class, but I especially want to thank the leadership on both sides for including the Territories. This is the first time in the history of this country that the people who live in the Territories are treated as equal, as Americans as they are, living under the American flag.

And where will they spend the money? At the same retail stores that we will be spending our money here in this country. It's the same economy; but for the first time, this Congress in a bipartisan way has accepted the fact that it is one economy and the Territories are as much a part of this Nation as any other part, and I thank you for that.

Mr. LARSON of Connecticut. Madam Speaker, it is my honor to now prevail upon the distinguished gentlelady from Nevada (Ms. BERKLEY) for 2 minutes.

Ms. BERKLEY. I thank the gentleman from Connecticut.

Madam Speaker, I rise in strong support of this bipartisan stimulus package. This bill will provide tax relief for over 1 million Nevada families who will receive an average rebate of over $800.

With the unemployment rate in my State climbing above the national average to a 5-year high of 5.8 percent, this timely support will help these families weather the financial storm while they search for and find new employment.

I'm also especially supportive of the provisions of the bill that address the housing crisis. Unfortunately, my State of Nevada has the highest rate of foreclosures in the country. The increased funding for mortgage counseling, along with new higher loan limits for loans from Fannie Mae and Freddie Mac and the FHA, will help thousands of Nevadans avoid foreclosure and keep their families in their homes.

I urge my colleagues to support this bill. I thank the gentleman for giving me so much time.

Mr. LARSON of Connecticut. Madam Speaker, at this time, I would like to prevail upon the gentleman from Colorado (Mr. PERLMUTTER) for 1 minute.

Mr. PERLMUTTER. Madam Speaker, I thank Mr. LARSON, and I want to thank the leadership on both sides of the aisle for working together, for the give and take that's gone into this bill.

I rise in support, but I do recognize the complaints that Mr. CAMPBELL raised in connection with this bill and this package. This is a short-term fix to some long-term fundamental economic problems that we have in the country, but it gives us a chance now to focus mid term and long term on strategies and investments that will strengthen our families and our Nation. These are strategies and investments that will call for sacrifice on the part of the Nation, as well as each one of us as individuals.

We will get a chance now, I hope, in future packages to look at the infrastructure of this Nation in energy and transportation, but this today will give the shot in the arm this country needs and give us a chance to really plan for the future.

Mr. MCCRERY. Madam Speaker, can I inquire from the gentleman from Connecticut how many speakers he has remaining.

Mr. LARSON of Connecticut. Yes, we would be prepared to close at this time. I don't know whether the gentleman from Massachusetts is going to close as well. So, with that, we would reserve the balance of our time and be prepared to close.

Mr. MCCRERY. Madam Speaker, so am I to understand that the majority has two remaining speakers, one from Financial Services, one from Ways and Means?

Mr. LARSON of Connecticut. That is correct.

Mr. MCCRERY. Very well. In that case, Madam Speaker, I would yield 2 minutes to the gentleman from Alabama (Mr. BACHUS), the ranking member of the Financial Services Committee, and then we will have one remaining speaker to close.

Mr. BACHUS. Madam Speaker, let me say this to the membership on both sides. I believe that we've come together in a bipartisan way to pass this legislation today because we have confidence in America. We have confidence in the American people. We believe the American people have a right to have confidence.

And I would say whether we're Members or Americans, I would say to all of us, you have every reason to have confidence in this country. You have every reason to have confidence in the workers of this country, their innovative ability and their ability to produce and compete in the world economy. You have every reason to be confident in the American economic system.

□ 1430

That's the message that I heard in New York City from many institutions that said they had money to loan. There are companies out there who are making money, that want to hire people, that want to build new plants, that want to expand, that want to buy equipment, that want to invest in new technology, but because of what they read in the paper, not because of their balance sheet, but because of what they're hearing is that things may get worse, there is a lack of confidence out there. I don't believe that it is entirely justified.

This country has challenges. This economy has weaknesses, and we've talked about those. But our underlying fundamental economic system and our financial system is sound. And I hope by us today joining together in a bipartisan way to pass this legislation we'll be saying to the American people, your Congress has confidence in you and the economy.

The SPEAKER pro tempore. The Chair wishes to announce that the gentleman from Louisiana has 16½ minutes, the gentleman from Massachusetts has 4½ minutes, and the gentleman from Connecticut has 8 minutes.

Mr. FRANK of Massachusetts. Madam Speaker, the argument has been made that this is just a short-term fix, and that is what we hope it will be. We have both a short-term and a long-term problem.

A recession is, by definition, a specific incident in the cycle, and what we are trying to do now is to respond to what we believe and hope to be a specific, more short-term weakness. That's why we are able to come together in a bipartisan way.

And partisanship is, I believe, a much unfairly maligned concept. Partisanship is essential to a healthy democracy. There has never been a self-governing polity in the history of the world, I believe, of any size where political parties did not emerge, because large numbers of people trying to govern themselves need an organizing principle other than the authority of the leadership.

In America today, a division between the two parties reflects serious, thoughtful differences on how the public and private sectors should interact. We're a capitalist Nation and we're all capitalists, but we differ. On the Republican side there is, I think, an unjustified belief in the essential self-sufficiency of the capitalist system.

We believe, following many who have done work on the technical ''doctrine of market failure,'' market failure in the economic sense, that the free market is a great generator of wealth, but that to achieve the quality of life we want, there must also be a vigorous public sector that interacts with it. That's partly in expenditures, because there are public goods that all of us want that the private sector does not have the capacity to produce, public safety and transportation, and including some compassion for those among us who will not live minimally decent lives unless the rest of us show some of that compassion.

There is also the need for regulation. And the biggest single problem we face today, I believe, is the consequence of too little regulation. It is possible to overregulate, but it is possible to regulate inadequately.

Innovation is very important, and innovation does not survive and grow if it doesn't meet a real need in the economy. One of the innovations of recent times was securitization made possible by large pools of money, by great liquidity that came from various places, not from depository funds, because funds that are in depository institutions are regulated. But a lot of money was generated now, not by bank deposits, but in other ways. And we've also got the ability, technically and in other ways, to sell off those loans.

The lender-borrower relationship that was at the core 30 years ago of many transactions has been essentially diluted. And it turns out that those who thought they had a way to substitute for that missing lender-borrower relationship were deluded. The relationship was diluted, but they were deluded in thinking that they had these techniques that would allow them to deal with it.

We are in a difficult situation today because the innovation and securitization, which has many advantages, was allowed to go forward without adequate regulation, without people knowing, literally, what they were doing and what they were buying and what they were selling, and keeping things off their balance sheets, and not being reserve requirements and not being careful about what loans they bought. We have differences between the parties as to how to deal with those, and we will continue to work on those.

We, however, have a short-term, we hope, shortfall that needs to be addressed. And let me talk for a minute for those who say, Well, what makes you think people are going to go out and spend more because of this? The purpose of a short-term stimulus like this is not to get people to spend more; it is to help them not to spend less. We're not talking about the need for a surge over the norm in consumer spending. We are talking about a fiscal crunch that faces many Americans, in response to which they will have to cut back spending. And people are saying, Oh, they're going to buy flat screen TVs, they're going to do this and that. We have, thanks to the leadership of Speaker PELOSI, a bill before us that will send most of the individual money to people who don't have the option of saying, Well, I think I'll buy another flat screen TV, but who need the money. Helping them avoid pain in their lives and damage to the economy is the justification for this very narrow, short-term stimulus.

Mr. MCCRERY. Madam Speaker, our closing speaker on the minority side is a gentleman who deserves much of the credit for the swiftness with which this stimulus package was brought to the floor. He deserves much of the credit for the balancing of the interests of the majority and the minority that is contained in this legislation. And he deserves much of the credit for the majority and the minority leadership being able to bring this bill forward to the floor today under suspension. So,

it's with a great deal of pleasure that I introduce our closing speaker, the respected minority leader, Mr. BOEHNER, and yield him as much time as he may consume.

Mr. BOEHNER. Let me thank my colleague from Louisiana for his generous words and thank all of my colleagues for the generous spirit that we find in the Chamber today.

I think that the bill that we have before us that embodies an agreement that Speaker PELOSI and I came to last week, along with the administration, is going to help middle-class families that are in a pinch. Their cost of living is rising, whether it be the cost of health insurance, the cost of gasoline, energy, and at a time when their salaries and their incomes aren't rising.

And I think that what the American people want is they want solutions, solutions to the problems that we face in our country. And I believe that the bipartisan measure that we have will, in fact, help give a short-term boost to our economy. It will put money in the pockets of American families. It will give businesses reasons to invest in new equipment, to maintain and hopefully to expand their employment.

Is the bill perfect? No, it's not perfect. Republicans gave a little, the Speaker gave a little, and at the end of the day, we came to an agreement that I think represents what the American people expect of us. They expect us to find ways to work together, not reasons to continue to fight with each other. And the bill that we have before us is the way good legislation occurs.

I've said this many times before, if I look back over my career in Congress: The bills that I remember most, the most significant legislation that I've worked on, has always been done in a bipartisan way, whether I was in the minority or in the majority. And I want to thank Speaker PELOSI for her willingness to sit down and work together in a bipartisan way, in a constructive way. I want to thank Secretary of the Treasury Paulson for their work in helping to facilitate this agreement. And I look forward to this bill passing today and hopefully quick action in the Senate.

The sooner this happens and the sooner we get this relief in the hands of the American people, the sooner they can begin to do their job of being good consumers and investing this money in our economy.

Some people say it won't work, that it's too little, it's too late, and we shouldn't be doing this. You know, I've thought about that. I've got concerns about whether this package will, in fact, work. But I've got bigger concerns that if we do nothing, if we do nothing, we're just asking for our economy to slow even further. And what that will do to Federal revenues, what that will do to inflict pain on middle-class American families, frankly, is unacceptable. So, I think it's worth the chance and worth the opportunity for us to do this economic growth package and to do it now.

Now, having said that, we've got a longer term issue in terms of economic growth in America. Our economy, frankly, has been very good over, really, if you go back, over the last 15 years we've had a very strong economy. We've had a couple of slowdowns along the way, but when you look down the road, there are some clouds on the horizon that we ought to be concerned about. The idea that the tax relief that we put in place earlier this decade to help those who invest in our economy, those who pay taxes on our economy, the fact that that tax relief was temporary, it might come back, I think causes a lot of investors to wonder whether they should invest more in America's economy. And so, making that tax relief permanent is a very important part of our long-term economic growth.

Secondly, corporations in America pay taxes. And a lot of Members think corporations pay taxes. The entity pays taxes to the Federal Government, but corporations don't pay taxes, their customers and their employees pay taxes. And having a tax structure on corporate America that gives them reason to wonder should they locate here or should they locate somewhere else, I think, is, again, sending the wrong signal. If we want people to invest in our economy, our corporate tax structure has to be competitive with those around the world. And today, it is not. And it needs to be done.

The tax extenders that we've talked about in the past, especially the research and development tax credit that gives companies a reason to invest in research and development here in the United States, is critical to our long-term success. And why that hasn't been reauthorized as of yet is beyond me, but I hope it will be reauthorized soon.

Madam Speaker, many Americans, in my view, correctly believe that Washington is broken. I hope that this agreement in this bipartisan bill that we will move today gives Americans some hope that we really can begin to fix the problems, that we can begin to make sure that Washington works for the American people.

And so, I'm glad to be here today. I'm glad to join with Speaker PELOSI and my colleagues on both sides of the aisle in hailing this agreement and moving it in a bipartisan way. And I am hopeful that the Senate can move very quickly.

Mr. LARSON of Connecticut. Madam Speaker, I rise to associate myself with the remarks of our distinguished Republican leader, Mr. BOEHNER, and thank him for the large role that he played in putting this package together.

As he said in his remarks, the comity that exists in this Chamber today is warming. President Roosevelt used to say that what we need in this Nation is the warm courage of national unity. And it's great to see, on a day like today, that we can all pull together.

I think, again, Mr. BACHUS and Mr. FRANK deserve an awful lot of credit as well. And to my distinguished colleague from Massachusetts, whose eloquence is only superceded by his wit and understanding of the parliamentary process, he continues to amaze.

But in getting philosophical, my grandfather, Nolan, would say, in explaining the difference in the free market system, one thing has to apply, and that's Peter Finley Dunn's reminder to ''trust everyone, but cut the cards.'' And I think in coming together today, that's what we've seen is a cutting of the cards.

But as we all know, this wouldn't have happened without the great work of the distinguished chairman of the Ways and Means Committee, CHARLIE RANGEL, and again, the distinguished gentleman from Louisiana (Mr. MCCRERY). So, we're sad to see him leave, but the partnership that the two of them have had, as I've said earlier, exemplifies how the Chamber and how committees should conduct themselves.

Madam Speaker, Speaker PELOSI deserves so much credit for this, for first reaching out to the President, and then working hand in glove with Mr. BOEHNER to make sure that we were able to bring this important legislation to the floor today. As Mr. RANGEL has outlined and Mr. HOYER as well, we made sure that this was simplistic in its approach to get money out in a timely, targeted, and temporary manner. And I believe that we have been able to achieve those goals.

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We further recognize, however, that we have a rendezvous with reality, and the Ways and Means Committee and Mr. RANGEL are prepared, as we move forward in this session and into the next, to make sure that we're addressing the long-term concerns that we know this economy faces.

With that, again, I would like to thank the staffs of the respective committees who have worked tirelessly to make sure that this legislation was able to come to the floor in as speedy a manner as it possibly can and can only pray to God that the other body acts in as timely and targeted and temporary fashion as we have demonstrated here.

Mr. ETHERIDGE. Madam Speaker, I rise today in strong support for this needed economic stimulus legislation. This bipartisan bill will provide timely, targeted and temporary relief to American families suffering from the national economic downturn and provide a shot in the arm to boost growth and avert a recession.

I commend Speaker NANCY PELOSI, Minority Leader JOHN BOEHNER, Treasury Secretary Harry Paulson for working together across party lines to find common ground. As North Carolina's only member of the Democratic Majority on the House Budget Committee, I have been working on a bipartisan basis to pass responsible legislation to respond to worsening economic conditions. High energy prices, mounting national debt, the crisis in the Nation's housing market and rising unemployment levels have prompted calls for emergency legislation to arrest the decline in the

economy and put us back on a path of sustainable growth.

First, this economic trouble serves as a reminder of the importance of putting our Nation's fiscal house in order to free America's future generations from the crushing debt burden they now face. Unfortunately, the record of this current Administration is the transformation of record budget surplus projections into record national debt and massive annual deficits without end. Although short-term deficits can be useful to correct hurtful economic downswings, the current structural budget problems featuring perpetual debt and deficits hamstring our ability to invest in the future and build broad-based prosperity for hard-working Americans.

This economic stimulus package will be effective because it is targeted, timely and temporary. It will be targeted to families that need the money and can be expected to spend it quickly on necessities like food and clothing. It will be timely to yield the economic benefits within the timeframe of the anticipated problem. And it will be temporary to prevent exacerbation of the fiscal imbalance and make our economic problems worse.

Specifically, H.R. 5140 will provide tax rebate checks to working people of up to $600 for individuals and up to $1,200 for families, as well as a $300 tax credit per dependent child. This immediate infusion of cash will provide real relief to North Carolinians struggling to pay their bills. Economic experts tell us this action will help stimulate consumer spending and spur economic growth across the board to mitigate the slowdown we are otherwise experiencing in the economy. Tax incentives to encourage business investment and help small business weather this economic storm should also be included in a responsible package. I understand Governor Easley and others have raised concerns about the impact of some of the business tax provisions in this bill. At today's Budget Committee hearing, former Treasury Secretary Lawrence Summers suggested slight revisions to these provisions to minimize any negative impact, and I support modifications that will achieve that goal as the process moves forward. I am hopeful the House will pass this bill today and Congress can get a final version to the President to sign into law within the next few weeks.

Over the longer term, Congress must invest in neglected priorities like school construction to put workers back on the job and improve our communities with better schools and healthier learning environments. We must take better care of our military families and veterans returning from the wars in Iraq and Afghanistan. We must expand quality health care so working families no longer face economic ruin when a loved one gets sick. And we must continue to support our first responders to keep our communities safe and secure.

Madam Speaker, I rise in strong support for this bipartisan legislation, and I urge my colleagues to join me in voting to pass it.

Ms. LEE. Madam Speaker, I rise in strong support of the effort to prevent our economy from sliding into recession. but I have strong reservations about any strategy that does not take meaningful steps to help those in need.

Just last week, the House passed my resolution (H. Con. Res. 198) to cut poverty in half. While this stimulus bill is a step in the right direction, it's also important to act on our words by ensuring ''the least among us'' don't bear the brunt of an economic downturn. For example, I'm concerned that the minimum earnings requirement of $3,000 leaves out the neediest.

And we have a lot of reasons to be concerned about the plight of those in need. Since the Bush administration took office in 2001, the median income is nearly 2 percent below its high in 2000, more than 5 million have fallen into poverty for a total 37 million Americans living in poverty, and the unemployment rate has risen to 5 percent and is almost double for African American males.

Congress must ensure that any relief it provides to stem the downward slide reaches all Americans.

We must assist those who are going to lose their homes in the mortgage foreclosure crisis. We must provide increased funding for food stamps and FMAP Medicaid payments to States. Finally we must make sure that unemployment benefits are extended.

Madam Speaker, any economic relief we provide will be a hollow victory if those most in need are excluded. We must make certain that the gap between the haves and have nots isn't widened by our action here today. This is our solemn moral obligation.

Mr. PAUL. Madame Speaker, I find it odd that H.R. 5140, a bill allegedly designed to provide a stimulus for the anemic American economy, contains provisions that could damage the economy and hurt American taxpayers. Specifically, the provisions increasing the loan limitations of the Federal Housing Administration and the Government Sponsored Enterprises (e.g. Fannie Mae and Freddie Mac), will exacerbate the long-term problems in the housing market, and may even lead to a future taxpayer bailout of the housing industry. The recent bursting of the housing bubble should have taught my colleagues the dangers of government polices that distort the market by diverting resources to housing, when those resources would be more efficiently used in other sectors of the economy.

Ironically, many of the same members who insisted that upper income taxpayers be denied the tax rebates are enthusiastic champions of the provisions in H.R. 5140 increasing the FHA loan limit to $633,500 and the GSE loan limit to $729,750. This increase in the loan limits represents a generous taxpayer subsidy to high-income homeowners.

A one-time ''rebate'' check, while it may provide a temporary boost to many working American families struggling with the current downturn, is not going to provide the type of sustained income growth necessary to restore consumer confidence. In fact, history shows that when the Government forgoes serious tax cuts in favor of one-time ''rebates'' most people either save the money for a ''rainy day'' or use it to pay down some of their debt.

In addition, I am concerned that the 50 percent bonus depreciation and the increase in the amount of qualifying purchases that small businesses can expense in the year they bought their equipment will be of limited effectiveness because they are limited to 1 year. A more effective way to stimulate the economy would be to make the 2001 and 2003 tax cuts permanent. I also hope Congress considers the long-term tax cuts contained in H.R. 5109, the Economic Growth Act.

Congress should also pass my Tax Free Tips Act (H.R. 3664), which makes tips exempt from Federal income and payroll taxes. Making tips tax-free will strengthen American families and the American economy by allowing millions of hard-working Americans to devote more resources to their children's, or their own, education, or to save for a home, retirement, or to start their own businesses.

Another disturbing feature of H.R. 5140 is that, instead of taking the fiscally responsible course and pairing the tax cuts with spending cuts, this bill simply adds to the national deficit. Madam Speaker, unless Congress acts soon to reign in its excessive spending the American people will face confiscatory tax rates or skyrocketing inflation.

Tax cuts by themselves will not restore long-term economic health unless and until this body finally addresses the fundamental cause of our economic instability, which is monetary policy. The inflationary policies of the Federal Reserve are the root of the boom-and-bust cycle that has plagued the American economy for almost 75 years. The Federal Reserve's inflationary policies are also at the root of the steady decline in the American people's standard of living. A good step toward monetary reform would be for Congress to pass my H.R. 2576, which repeals the Federal legal tender laws. This would allow people to use alternatives to Government-issued fiat money and thus protect themselves from Federal Reserve-created inflation.

One of the best things Congress could do for the American economy is to repeal, or at least reform, the misguided Sarbanes-Oxley law, particularly Section 404. Rushed through Congress in the wake of the Enron and WorldCom scandals in order to show that Congress was ''getting tough'' on corporate crime, Sarbanes-Oxley imposes unreasonable costs on small businesses and entrepreneurs.

A survey by Financial Executives International, an organization of chief financial officers, put the average cost of compliance with Sarbanes-Oxley at $4.4 million, while the American Economics Association estimates Sarbanes-Oxley could cost American companies as much as $35 billion. Because of these costs, many small businesses are delisting from United States stock exchanges. According to a study by the prestigious Wharton Business School, the number of American companies delisting from public stock exchanges nearly tripled the year after Sarbanes-Oxley became law, thus these companies are finding it more costly to attract the necessary capital to grow their business and create jobs.

In conclusion, Madam Speaker, H.R. 5140 does not provide the kind of permanent, deep tax relief that will protect long-term economic growth, and will actually compound the damage Congress has already done to the housing market. Instead of pretending that we are addressing America's economic problems via temporary tax cuts, Congress should address the fundamental problems of the American economy by pursuing serious monetary reform, spending cuts, and regulatory reform. Congress should also provide real long-term tax relief to the American people by passing legislation such as H.R. 5109 and H.R. 3664.

Mr. LANGEVIN. Madam Speaker, I rise today to voice my strong support for the Recovery Rebates and Economic Stimulus for the American People Act, H.R. 5140. This important measure represents a bipartisan commitment to help hard-working Americans weather these turbulent economic times.

Millions of Americans have been faced with the rising costs of energy, housing and health

care, which have taken a toll on the state of our economy. In my home state of Rhode Island, the typical monthly housing payment is over $2,200, making homeownership a dream out of reach for too many. The situation for renters is not much better, as the average two-bedroom apartment in Rhode Island rents for nearly $1,200 a month. Compounding the cost of housing are the skyrocketing costs of energy, which rose 18.4 percent in 2007. Our employment outlook is also discouraging. Earlier this month, the Bureau of Labor Statistics announced that the national unemployment rate has risen to a 2-year high of 5 percent.

These harsh realities, combined with the snowballing effects of the recent subprime lending crisis, have made it increasingly clear that our economy will face an even sharper downturn if we do not act soon. With that in mind, today we are taking swift and bipartisan action to jump-start our Nation's economy with a measure that is timely, targeted and temporary.

This measure will quickly inject $150 billion into our economy to revitalize our markets, increase consumer confidence, and protect against recession. Our package is targeted at low-income and middle-class Americans who need assistance the most, providing rebates that will put money directly into their pockets, which will, in turn, stimulate our economy. I am particularly pleased that this package will provide relief to 35 million Americans who work and contribute to payroll taxes, but make too little to pay income tax.

Our measure will also temporarily increase the size of individual mortgages that Fannie Mae and Freddie Mac can purchase, offering help to those in need of affordable housing, particularly in high-cost areas like Rhode Island. Also included is a provision to allow the Federal Housing Administration to insure a greater number of subprime loans so thousands of Americans facing foreclosure may refinance their mortgages with fairer terms.

Finally, I am pleased this package will help to stimulate our Nation's small businesses by allowing them to write off 50 percent of the cost of equipment the year it is purchased. This important incentive—which expires at the end of the year—will encourage growth and help keep our small businesses strong.

This measure solidifies our commitment to revitalize our economy in a way that is timely, targeted, and temporary. I commend Speaker PELOSI for her leadership in negotiating this significant bipartisan agreement, and I urge my colleagues to support this measure.

Mr. STARK. Madam Speaker, this stimulus package is a small dose of medicinal venom for an economy that has been bitten by the short-sighted, regressive policies pursued by the Bush Administration. While the administration pushed tax cuts for the rich and war without end through a rubber-stamp Congress, the President gutted and stifled the executive agencies that should have been reining in predatory lenders and regulating what became a financial house of cards.

I support this package because we must do something to help American families. I am disappointed, however, at the failure to adopt the common sense initiatives that all agree would have the most effect.

At this time of economic uncertainty, in which those at the bottom feel pinched the hardest, economists tell us that we must implement relief in the form of stimulus that is timely, targeted, and temporary. For a moment, it appeared that Republicans and Democrats, progressives and conservatives, economists and activists, could actually join in agreement that the best way to help all of us is to help the least of us. We were told that the most "bang for the buck" could be accomplished by increasing food stamps, expanding unemployment insurance, and providing additional Medicaid funding for States squeezed by the economic downturn. Somehow though, here we are a week or so later, and none of that is in this package.

Never let it be said that the President, or his Republican allies, was derailed from what he wanted to do by common sense, economic sense, or a sense of compassion. The Republicans have a way of seeing every bill that comes before them as a vehicle for gifts to their industry friends, and this stimulus is no different. So instead of more unemployment assistance for those who lost their jobs as a result of this mismanaged economy, we get bonus depreciation for industrial equipment. Instead of more food stamps for families facing record high energy and food costs, we raise the Section 179 Expensing cap. If you don't know what that is, believe me, it's not going to help you.

The refundable tax rebate will help average families, and that is why I support this bill. I commend the Speaker for making sure that this rebate includes some of those who did not make enough to pay taxes last year. After all, these people will do what we are asking them to do with these rebates—spend the money to stimulate the economy.

Unfortunately, one important group was left out of this rebate. Millions of seniors receive their only income from Social Security. They do not have enough "earned income" to receive the refund check, yet they are among our most vulnerable. At a time when we are reaching out to accomplish the dual goals of stimulating the economy and providing relief for those most adversely affected, this omission is glaring.

I join my colleagues who call for a second package going forward that would address unemployment, food stamps, Medicaid relief to States, and would help our most vulnerable senior citizens.

Mrs. CHRISTENSEN. Madam Speaker, I rise in strong support of H.R. 5140, the Economic Stimulus for the American People Act of 2008. I especially want to congratulate you for your strong leadership, in first reaching across the isle here in the House, then working with the President to secure what I believe is a historic agreement that will bring much needed help to the American people as well as provide a badly needed shot in the arm to our slowing economy.

I also want to express my sincerest thanks to you on behalf of the five U.S. insular areas for insisting that our residents and economies also receive a stimulus. Because of your strong support, Americans in the territories will be treated no differently than Americans in the 50 States, under the bill. If you qualify for a rebate in Rhode Island then you qualify for one in the Virgin Islands.

Madam Speaker, H.R. 5140 is both timely and badly needed. As you know, the American economy is in serious peril and our constituents are feeling the impact. Whether it is the skyrocketing energy prices with gasoline costing more than $3 a gallon or the continuing impact of the subprime mortgage debacle, our national economy continues to face the very real possibility of imminent recession.

It is imperative that we act and act now and H.R. 5140 represents a bipartisan approach towards getting our economy moving. It would provide more than 100 million Americans with a recovery rebate; allow 300 million families to benefit from a $300 increase in the child tax credit; help millions of Americans get the tools to avoid losing their homes and; provide small businesses with much needed tax cuts to spur investment and job creation.

Madam Speaker, you and the entire House leadership are to be congratulated for the work you have done in crafting this important bill. I urge my colleagues to support its adoption.

Mr. GEORGE MILLER of California. Madam Speaker, the economy needs our help right now. And it will need our help in the long-term as well.

The American people don't need expert economic forecasts to tell them that our country and our economy are seriously off track. They experience it every day—when their paychecks shrink, when foreclosure signs go up in their neighborhoods or even on their own home, and when friends and family members receive pink slips.

It's clear that the economy needs help. The bill before us today, the Recovery Rebates and Economic Stimulus for the American People Act, offers an urgently-needed first step to boost the economy and help save jobs.

The economy may be complicated, but the reasoning behind this bi-partisan bill is not. By putting money into the hands of low- and middle-income families who will spend it quickly, we will inject demand back into the economy. While we can't know for sure what the future holds for our economy, we know that we can make a difference if we pass this stimulus package quickly.

I am very pleased that this package includes unprecedented tax relief for 35 million American families who work hard every day but earn too little to pay income taxes. Past economic relief packages, including the one developed to respond to the 2001 recession, did not benefit these families. But these families must be included to really help boost the economy. This represents a very significant change in policy thanks to pressure from Speaker PELOSI and Democrats in Congress and I applaud the Speaker for working so hard to ensure that these families and workers were included in our package.

Under this bill, a married couple with two children and an annual income of $33,000 will see a rebate of $1,450. A single parent with an annual income of $20,000 and two children will see a rebate of $1,035. This financial assistance will provide substantial relief to families struggling with the rising costs of energy, food, transportation, and other basics.

Another important feature of our stimulus plan is the help it provides to homeowners seeking to avoid foreclosure. The bill increases loan limits for single-family houses from Fannie Mae and Freddie Mac from $417,000 to $729,750 for 2008.

This increased loan limit will enable qualified homeowners with larger mortgages to refinance their mortgages, lower their monthly payments, and avoid foreclosure.

In Contra Costa County, CA, where I live and which I am proud to represent in Congress, the median home price in 2006 was

more than $640,000. In Solano County, which I also am proud to represent in Congress, the price was nearly $490,000. Both prices are well above the current $417,000 limit. So, the change our bill makes will provide critical help to untold numbers of families in my district and around the country who are struggling to hold onto their homes.

Indeed, foreclosures in California skyrocketed in the fourth quarter of 2007, up 421 percent compared with the fourth quarter of 2006. This is an economic crisis that we must address, and our bill takes a strong first step in that direction.

We have a responsibility to do everything we can to limit the economic trouble that our country is now facing. We have this responsibility to American workers who could lose their jobs and to families that could lose their financial security.

We also know that passing this legislation is only a first step. That's because our economy faced fundamental problems well before the housing bubble began to burst and the turmoil started in the credit markets.

Indeed, ever since the end of the last recession in November 2001, the economy has been growing. But the benefits of that growth went mostly to corporate profits—not to workers' paychecks.

Indeed, despite that economic growth, median family income last year was actually lower than it was before the 2001 recession. Since 2001, the number of Americans living in poverty has increased. So has the number of Americans without health insurance.

These are long-term challenges that we must continue to address after we pass this short-term stimulus package. We have an obligation not just to get the economy on the right track again, but also to create a stronger economy that truly benefits all Americans for years and years to come.

Mr. HARE. Madam Speaker, I rise today in support of H.R. 5140, the Recovery Rebates and Economic Stimulus for the American People Act.

For the last 7 years, powerful interests—whether its oil and gas companies, PHARMA, or the wealthiest Americans—have had their day in Congress.

Today, as the economy is on the brink of recession, we are finally providing relief to those who need it most—working families.

These tax rebates will put money back into the pockets of Americans who are struggling to make ends meet. I recently asked a young mother in my district how she would spend her rebate check. ''Buy new clothes for my kids,'' she said.

While today's package is a good start, checks in the mail are not enough. Just last week, Methode Electronics announced that it would close its Carthage plant—costing my district an additional 850 jobs. This is the latest example of how the Bush economy has failed average Americans and a stark reminder that we need to do more for working families.

I am extremely supportive of the Senate proposal to extend unemployment benefits to millions of Americans and strongly believe we must reauthorize the Trade Adjustment Assistance program to provide a safety net for workers who lose their jobs due to unfair trade. If we are sincerely dedicated to stimulating the economy, we need to invest in our greatest economic asset—our workers.

Today's legislation is just a start, but it shows that this Democratic Congress is committed to putting working families first—in good times and in bad.

I strongly urge the President to accept these common-sense measures expected in the Senate's proposal as we move forward on the stimulus package.

Mr. UDALL of Colorado. Madam Speaker, I will vote for this bill because we must act to reduce the risk of a potentially deep recession, provide a measure of assistance to people most at risk from the economy's troubles, and encourage job-creating investments by the private sector. But we must recognize that the bill's scope is limited and it isn't a full response to the economy's problems.

Ironically, the bill's limited scope reflects its best feature—the fact that it was developed through a bipartisan process producing a broadly-supported compromise among the leadership on both sides of the aisle and the Administration.

Like most compromises, it has shortcomings. For example, I think Congress should recognize growing unemployment by providing extended unemployment-insurance coverage—and doing so now would reduce the chance that action later will be too late to be fully effective.

Still, as it comes before the House, this is a good bill that is undeniably timely, appropriately targeted, and—because it is temporary—will not add excessively to the budget deficit.

It provides for payments—technically treated as refundable tax credits—of up to $600 for an individual and up to $1,200 for a married couple, plus $300 per child. It is estimated that some 117 million families will receive these payments, including 35 million working families—including more than 19 million with children—that would not have qualified under the original Administration proposal. Nearly $40 billion in payments, which will phase out for people with incomes of $75,000 for a single person and $150,000 for a married couple, will go to families making less than $50,000. The Treasury Department estimates a total of about $1.7 billion will go to 1,900,000 Colorado households that will receive an average of $895 each.

In addition, the bill will temporarily double the amount of new investments in plants and equipment that small businesses can write off their taxes and increase the number of businesses eligible for this tax treatment. This will provide an incentive with the potential to reduce job losses and spur additional employment.

As we all know, the housing market is one of the most troubled parts of the economy. The bill addresses that issue by providing a 1-year increase in Fannie Mae's and Freddie Mac's conforming loan limits—from $417,000 to $729,750—as well as a permanent increase in the Federal Housing Administration's loan limit, from $367,000 up to a maximum of $729,750. It also includes provisions intended to help people facing foreclosure to refinance their loans and get housing counseling that may help them avoid that outcome.

If the House was operating under a procedure that allowed amendments to be proposed, the bill might be improved. For example, I would have liked to address the problem of consumer credit card debt by changing some of the predatory practices of credit card companies—even if only on a temporary basis—because as other interest rates are being cut, I wonder if credit card companies will extend a reduced interest rate to consumers who are feeling the effects of high interest rates those companies are imposing.

But the choice before us today is a simple one—whether the bill should be approved or rejected. On that, I think the choice is clear and the bill should be passed.

Mr. DINGELL. Madam Speaker, I rise today in cautious support of the stimulus measure before us. This is an important first step.

However, it is the first step; it cannot be the last. I am particularly concerned that increases in Medicaid funding, food stamps and an extension in unemployment benefits are not a part of the package to be considered by Congress today.

It is important to note that an extension of unemployment insurance is a tried and true mechanism for not only helping out families in need, but also for infusing much needed cash into the economy. The Department of Labor, which administers the program, has the administrative framework and the know-how to get benefits to people quickly and efficiently. The IRS, on the other hand, does not have the same know-how. Moreover, the IRS will be otherwise occupied; after all, it is tax season.

All of this said, I am hopeful that negotiations continue on next steps to strengthen our economy and to provide relief to working families and would like to see the following items considered and ultimately included in any further measures brought before the House.

Given the decrease in nationwide job creation and the growth of state unemployment rates an emergency extension of unemployment compensation is critically important.

We also need a uniform increase in the Federal Medical Assistance Percentage, similar to that approved by Congress in 2003. An increase of this nature is one of the simplest, fastest, and best ways to provide stimulus to states.

Making legislation similar to the National Affordable Housing Trust Fund part of the stimulus package would provide much needed assistance to communities, of which there are many in Michigan, that have been hardest hit by the housing crisis.

In addition, swift action is needed to assist the over 2 million homeowners who, as a result of the housing crisis, are predicted to face foreclosure over the next year.

We need increased investment in schools, roads, water and sewer projects, and other public infrastructure projects that are ready to go, which will put people to work and build or repair needed capital assets while pumping up the economy.

In addition to stimulating the economy, we must have a strategy to create good paying jobs and prepare a workforce in transition. As such, some of the top priorities for Congress should be:

To promote both health information technology and increased availability of generic pharmaceuticals, both of which have the potential to streamline the U.S. healthcare system, reducing overall healthcare costs.

In addition, the tax code should be amended to allow the Federal government to pay for a portion of catastrophic healthcare costs.

Congress should support the development and production of advanced technologies. Such technologies also would aid in weaning

our country from its dependence on foreign oil and are key to the American manufacturing industry's ability to compete globally.

The House approved a complete overhaul of the Trade Adjustment Assistance program last fall. We must expand the program to cover more workers.

We must create a more level playing field for U.S. businesses and workers by enforcing trade agreements, ending the unfair trading practices of other nations, including currency manipulation, and knocking down unfair trade barriers that discriminate against U.S. goods in foreign markets.

Again, I commend leadership for acting quickly and decisively in a bipartisan manner to bring this package to the floor. It is my hope we can continue to work together in an effort to stimulate the economy in a manner which will benefit middle-class families and create a 21st century workforce.

Mr. CASTLE. Madam Speaker, I rise today in support of the bill before us and consider it a good mix of fiscal policy solutions. Others before me today have already described this legislation in some detail, so I'll refrain from repeating what's already been said. However, I think the approach agreed to by the administration and House leaders from both parties is prudent and responsible. It is no simple matter to find an artful mix of fiscal policy solutions that will stimulate the economy yet mitigate inflationary risks.

As this legislation moves on to the Senate for further consideration, the House and administration should be open to other ideas. There is much at stake and the other body knows that we can always return to this issue if the results of this package need adjusting. We have to recognize that we alone cannot solve an economic slow down. The Federal Reserve will play a major role by setting interest rates and the costs of borrowing at levels commensurate with economic conditions. So some restraint and caution is needed at times like these.

This stimulus package uses a variety of fiscal policy tools—some that will have long term benefits like accelerated depreciation, and others that will have a more immediate impact like recovery rebates. While we can debate the particulars and merits of exactly who is eligible and for what amount of rebate, history shows us that programs like this do positively impact the economy as Americans pay down debt or make modest purchases.

Homebuilding is a major part of our economy, and that industry sector employs many, many Americans. Housing starts this year are forecast to be half of what they were in 2007, and the current stock of new and existing homes on the market is increasing markedly. Therefore, I am particularly pleased that the size of loans the Federal Housing Administration can insure is increasing, and the size of loans that Fannie Mae and Freddie Mac can purchase will be temporarily increased. This will benefit homeowners who are in a subprime mortgage and struggling to make payments now or when their loan resets.

Finally, the accelerated depreciation schedules included in this package are very important components. As businesses find it advantageous to replace existing equipment or purchase new goods for expansion purposes, the effects of these decisions will be vast and have a positive impact for those that manufacture the equipment or goods, on those that install and in turn use these new or upgraded resources.

All in all, Madam Speaker, I think we have taken some very sound steps here with this bill. Much is at stake here, and we need to move with care and consideration.

Mr. VAN HOLLEN. Madam Speaker, I rise in support of this stimulus package for the relief it provides over 117 million American families and the timely boost it delivers our slowing economy.

Let's be clear: As a product of genuine bipartisan compromise, this legislation does not contain everything one might have included in a stimulus package. For example, I support—and I hope the President will accept—the Senate's proposal to extend the relief in this package to low-income seniors and people with disabilities. That being said, this legislation proposes to put $145 billion into the hands of those who will use it to strengthen our economy, and it deserves our support today.

The centerpiece of this package is tax relief in the form of rebates of up to $600 for individuals and $1200 for married couples—with an additional $300 available for every dependent child. Importantly, it extends relief to 35 million hard-working families who make too little to pay federal income taxes but do pay payroll, sales, property and other taxes. These rebates will generate $1.26 in economic activity for every dollar we put back into the economy.

The package before us also encourages business investment by doubling the amount small businesses can expense for capital investments made in 2008 and by allowing all businesses to immediately write off 50 percent of depreciable plants and equipment purchased in 2008. Finally, it assists those facing foreclosure by increasing Federal Housing Administration, FHA, loan limits to $729,750 in 2008, and it provides greater liquidity to the mortgage market by temporarily increasing loan limits for single family homes at Fannie Mae and Freddie Mac from $417,000 to a maximum of $729,750.

For this initiative to be meaningful, it must be timely. Therefore, while I agree with many of the additional elements being discussed by the Senate—such as an appropriate extension of unemployment insurance for those who need it—we must not let prolonged arguments over these items delay swift enactment of the stimulus our economy so clearly needs.

If additional steps prove necessary, we will of course stand ready to act. But for today, I urge my colleagues on both sides of the aisle to support this bipartisan agreement.

Ms. MATSUI. Madam Speaker, I rise today in strong support of the economic stimulus package. I want to congratulate our Leadership for working in a bipartisan manner to bring much-needed economic relief to all sectors of our economy.

Madam Speaker, our economy is on a downturn. We are seeing gas prices, grocery prices, heating bills, and the price of consumer goods steadily increase.

The dollar has fallen to new alltime lows, prompting inflation fears and the standing of our currency in the world market.

Our housing foreclosure rates continue to threaten the quality of life for our constituents. In my hometown of Sacramento, the foreclosure rate is now the fourth highest in the Nation, with 1 out of every 48 homeowners burdened by this crisis last year.

Madam Speaker, as more and more Americans are feeling insecure about their future, I believe it is the right time for economic intervention by this Congress.

This economic stimulus package put forth today is targeted, temporary, and timely.

It will put hundreds of dollars into consumer pockets and bring financial relief to millions of working families. It will significantly expand the child tax credit.

Madam Speaker, this package also seeks to help those in danger of losing their homes. Americans across our Nation are being challenged daily by the mortgage crisis.

By raising the FHA and GSE loan limits, this bill will inject much-needed liquidity into the California housing market, and more importantly into the Sacramento region.

It will allow struggling homeowners to get out of bad loans and refinance into more affordable loans.

This bill is an important first step. I am proud that we were able to work quickly in a bipartisan fashion to start the process of relieving the economic strain being felt by families across this great country.

Madam Speaker, I again want to thank our Leadership for their hard work on this bill. It is critical that we get our economy back on track. This stimulus package is a step in the right direction.

Mr. SPRATT. Madam Speaker, I rise in support of the fiscal stimulus package.

We face mounting evidence that the economy is faltering and in sectors like housing, clearly losing ground, and many Americans are hurting as a result. Unemployment has spiked from 4.7 to 5.0 percent in one month; retail sales actually fell in December by 0.4 percent from the prior month, and last week the Federal Reserve made an emergency cut of 75 basis points in the Fed funds rate, the largest such reduction in 25 years. Across the country, Americans are feeling the effects of a slump in our economy, and if we want to avert or mitigate the effects of a recession, we need to act, and act now.

In hearings and discussions over the last 2 months, the consensus has emerged that fiscal stimulus is needed to complement monetary policy, and it needs to meet three criteria: it needs to be timely, targeted, and temporary. Timely means taking effect quickly to boost the economy; targeted means getting dollars into the hands of households more likely to spend it quickly; temporary means that it has only a short-term impact on the Federal budget so that it does not add to our long-term fiscal deficits. The package before us meets all these criteria.

There is general agreement that the fiscal stimulus needs to be roughly 1 percent of GDP. Two-thirds of this package goes to individuals and amounts to approximately $100 billion; one-third goes to business and amounts to about $50 billion to begin with, but since this stimulus comes in the form of accelerated depreciation, most of it will be recaptured over the life of the depreciable asset. If the two-thirds allocated to individual taxpayers is spent and helps avert or mitigate a recession, then it too may be recaptured to some extent, because a full-fledged recession could add $150 to $300 billion to the budget's bottom line, according to the Congressional Budget Office.

This package is a practical step to boost the economy, to bolster confidence, and to give a hand-up to millions of hard-working Americans. As with any compromise, no one got everything that he or she wanted in this package—but it is critical to get a bill enacted

quickly in order to help the economy and our people without undue delay. I could name several features I would like to add or modify, and there may be other aspects that we may need to address in later legislation, such as an extension of unemployment insurance. If the Senate adds that, and the administration concedes, I will gladly vote for it. But moving quickly to boost our economy and fend off a recession matters most.

I think the bill coming to the floor today is likely to be the best agreement we can strike with the Bush administration if we want stimulus to come quickly and be effective. The package clearly meets our criteria of being timely, targeted, and having only a temporary cost to the budget.

I urge its adoption.

Mr. FORTUÑO. Madam Speaker, I want to commend President Bush, Speaker PELOSI, and Ranking Member BOEHNER for their bipartisan leadership in compromising on this economic stimulus package, and in their generosity and sense of fairness in making these economic relief measures extensive to the U.S. citizens of Puerto Rico. I also want to take this opportunity to thank my colleague and friend, Congressman JOSÉ SERRANO. His leadership and sense of fairness was key in our inclusion in the economic stimulus package.

Puerto Rico is in dire need of this economic stimulus package. Although this measure is intended to avert a potential recession in the U.S. economy after several years of strong growth, Puerto Rico's economy has been in a recession for the last 2 years. Our economy is in a ''perfect storm'' scenario with recurring fiscal imbalances caused by uncontrolled government expense, dramatic tax increases, and misguided economic development strategies of the local state administration, resulting in higher unemployment and reduced consumer confidence.

Residents of Puerto Rico pay the same Social Security and Medicare payroll taxes as our fellow citizens in the States. Payroll taxes are especially regressive in the case of Puerto Rico since the per capita income on the island is only one-third the national average.

My constituents are hurting badly, so it is imperative that the assistance that this economic stimulus package provides be channeled directly to those in need, the individual taxpayers, and not to the state government that has repeatedly mismanaged our resources. If at the end, this legislation provides for the Secretary of the Treasury to make a block payment to the territorial governments, including Puerto Rico, the Secretary must retain the capacity to guarantee our citizens that they will receive their payments in a timely fashion and for the correct amount. We are not asking for special treatment, I am only asking that our workers be treated on the same terms as their fellow citizens in the States.

Mr. GARY G. MILLER of California. Madam Speaker, I strongly support H.R. 5140, the much needed Economic Growth Package to address troubles in the mortgage marketplace.

In the past year, we have witnessed significant upheaval in the U.S. housing markets. Increased delinquencies and defaults among borrowers have contributed to turmoil in the mortgage finance sector, which has affected our entire economy. Many areas of the country have been heavily impacted by the mortgage crisis, with many families facing increased payments and foreclosures.

Over the years, many hard-working families have been faced with a situation where they are either unable to own homes, or they are forced to resort to risky loans that might impair their ability to keep their home. This is especially true in high cost areas of the country, like California, New York, Massachusetts, and Connecticut, where statutory loan limits have eliminated federal housing programs as an option to purchase entry-level homes.

Under the current loan limits, FHA products have become unavailable for homebuyers in high cost areas of the country because the maximum mortgage limit is lower than housing prices. Families who need and qualify for FHA have been unable to participate in the program due to these geographic barriers.

The median home prices in high cost areas, like my district in southern California, is well above the GSE conforming loan limit of $417,000. A starter home for a family in Los Angeles, for example, usually puts a buyer into the so-called ''jumbo'' loan market. Jumbo loan premiums add hundreds of dollars onto a monthly payment for a fixed rate loan. Thus, many moderate income families have been priced out of a home loan by virtue of where they live and work.

Housing experts predict that the number of foreclosures that have occurred over the last year may double in the next 2 years as more adjustable rate mortgages with low introductory rates reset at significantly higher levels. By increasing the conforming loan limits, Fannie Mae, Freddie Mac, and the FHA program will have the ability to put affordable home purchases and refinancing options within reach of more moderate-income families.

Chairman FRANK and I have been working for many years to create affordable housing opportunities for families across the country by increasing the conforming loan limits. Many communities in America are being underserved by the GSEs and FHA, because home prices in these areas surpass the national loan limit. I am pleased we are addressing this disparity in the legislation before us today and hope that the Senate also supports this critical change.

In addition to providing much needed liquidity to the struggling mortgage market, increasing the conforming loan limit will make safe, conforming mortgage loans available for homebuyers across the country and reduce aggressive lending practices that have contributed to the current credit and housing crisis.

Foreclosure rates are rising with harmful effects for borrowers, lenders, the neighborhood, and our overall economy. As we continue to experience instability in the housing market, this important change will be essential for successful homeownership. There is no more important priority for Congress than helping to keep families in their homes.

Mr. LARSON of Connecticut. Madam 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. RANGEL) that the House suspend the rules and pass the bill, H.R. 5140.

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. LARSON of Connecticut. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on suspending the rules and passing H.R. 5140 will be followed by a 5-minute vote on suspending the rules and adopting House Resolution 933.

The vote was taken by electronic device, and there were—yeas 385, nays 35, answered ''present'' 1, not voting 10, as follows:

[Roll No. 25]

YEAS—385

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conaway
Conyers
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
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
Everett
Fallin
Farr
Fattah
Ferguson
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Goodlatte
Gordon
Granger
Graves
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
Holt
Honda
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry

McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Perlmutter
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
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
Welch (VT)
Weldon (FL)
Weller
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NAYS—35

Baird
Berry
Boyd (FL)
Broun (GA)
Burgess
Campbell (CA)
Coble
Cooper
Cubin
Davis, Tom
Deal (GA)
Flake
Forbes
Gingrey
Gohmert
Goode
Hunter
Johnson (IL)
Kaptur
Kingston
Linder
Paul
Peterson (MN)
Poe
Price (GA)
Rohrabacher
Royce
Sanchez, Loretta
Sensenbrenner
Shadegg
Smith (WA)
Tancredo
Taylor
Westmoreland
Wexler

ANSWERED ''PRESENT''—1

Brown, Corrine

NOT VOTING—10

Baker
Feeney
Filner
Hastings (FL)
Jones (OH)
Lantos
Lewis (KY)
Miller, Gary
Simpson
Wasserman Schultz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1511

Mrs. CUBIN and Messrs. GINGREY and FORBES changed their vote from ''yea'' to ''nay.''

Messrs. PITTS, CARNAHAN, PEARCE and DELAHUNT changed their vote from ''nay'' to ''yea.''

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.

Stated for:

Mr. FILNER. Madam Speaker, on rollcall No. 25, I was away due to a family emergency. Had I been present, I would have voted "yea."

Mr. GARY G. MILLER of California. Madam Speaker, on rollcall No. 25, had I been present I would have voted "yea."

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The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 933, 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 Pennsylvania (Mr. ALTMIRE) that the House suspend the rules and agree to the resolution, H. Res. 933, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 409, nays 1, answered ''present'' 4, not voting 16, as follows:

[Roll No. 26]

YEAS—409

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

NAYS—1

Berry

ANSWERED ''PRESENT''—4

Broun (GA)
Gingrey
Space
Walsh (NY)

NOT VOTING—16

Carnahan
Doyle
Feeney
Filner
Hastings (FL)
Hastings (WA)
Jones (OH)
Lantos
LaTourette
Lewis (KY)

McDermott Simpson Schultz
Miller, Gary Sires
Rangel Wasserman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1520

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. FILNER. Madam Speaker, on rollcall No. 26, I was away due to a family emergency. Had I been present, I would have voted "yea."

PROTECT AMERICA ACT OF 2007 EXTENSION

Mr. CONYERS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5104) to extend the Protect America Act of 2007 for 30 days, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5104

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

SECTION 1. 15-DAY EXTENSION OF THE PROTECT AMERICA ACT OF 2007.

Section 6(c) of the Protect America Act of 2007 (Public Law 110–55; 121 Stat. 557; 50 U.S.C. 1803 note) is amended by striking ''180 days'' and inserting ''195 days''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CONYERS. Madam Speaker, I ask unanimous consent that all Members 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 Michigan?

There was no objection.

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

Madam Speaker, the temporary Foreign Intelligence Surveillance Act law that we enacted in August as a stopgap measure expires on Friday. We passed the RESTORE Act in November to provide some FISA reform. The Senate is at this moment completing the action. This extension will give us time to consider responsible FISA reform in both Houses of the Congress while fully preserving current intelligence capabilities while we do so. I hope that everyone would agree that this is the most responsible approach for protecting our freedom, as well as our security.

I further hope that we would all agree that we need to consider FISA reform responsibly, with the care it deserves, and to preserve the prerogatives of the House to have our own voice heard.

This extension is not a vote on the temporary law that we have been living under since August of last year, nor is it a vote against the temporary bill or against what the Senate is working on. It is a vote for avoiding a headlong rush into possibly ill-conceived legislation. We should all be able to come together on that, and I am confident that we can.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I reluctantly support H.R. 5104, which extends the Protect America Act for 2 weeks.

Last year, the Director of National Intelligence, Admiral McConnell, notified Congress about a dangerous loophole in our ability to collect intelligence information overseas. Director McConnell estimated that the intelligence community was missing two-thirds of all overseas terrorist communications. Congress passed the Protect America Act last August to close this loophole. Unfortunately, the legislation contained an arbitrary 6-month sunset and is currently set to expire this Friday.

After 6 months of waiting, the Democratic majority is now coming perilously close to threatening the safety of every American. But rather than pass a long-term fix to the terrorist loophole, the Democratic majority wants another extension. The White House promised to veto the 30-day extension that the majority was going to bring to the floor yesterday. Today's bill represents a compromise for only a 2-week extension.

The truth is we do not need any temporary extension. In fact, there is a bipartisan bill that we can and should pass today. The Senate Intelligence Committee already has approved a bill to close the terrorist loophole and provide liability protection to the telecommunication companies. That is being blocked by the Democratic majority.

As the deadline draws near, the urgent needs of the intelligence community must be addressed. This is no time for partisanship. This is a time for responsible action.

Any bill must include two critical provisions. First, Congress has the responsibility to enact long-term legislation that allows intelligence officials to conduct surveillance on foreign targets without a court order. A U.S. Army intelligence officer in Iraq should not have to contact a Federal judge in Washington to conduct surveillance on Iraqi insurgents.

Second, Congress must provide liability protection to U.S. telecommunication companies that responded to government requests for information following the terrorist attacks of September 11. Close to 40 frivolous lawsuits against the telephone companies already have been filed. These companies deserve our thanks, not a flurry of meritless lawsuits.

Terrorists have not placed an expiration date on their plots to destroy the American way of life. Congress should not put an expiration date on our intelligence community's ability to protect our Nation.

Madam Speaker, I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I am pleased to yield 2½ minutes to the gentlewoman from California (Ms. HARMAN), the chairperson of the Subcommittee of Intelligence on Homeland Security and a veteran Member of the House on intelligence matters.

□ 1530

Ms. HARMAN. Madam Speaker, I thank the gentleman for yielding and commend him for his leadership. I also commend many on the other side, including Mr. HOEKSTRA, for their devotion to getting intelligence right.

I hope we have bipartisan agreement on the subject before us. But, Madam Speaker, I feel compelled to correct the record. Last night in his State of the Union address, the President said: ''If Congress does not act by Friday, our ability to track terrorist threats would be weakened and our citizens could be in greater danger.''

As a Member who worries 24/7 about terrorist threats against our country, I strongly object to that statement. It is inaccurate and yet again a bald-faced attempt to play the fear card and to jam Congress into gutting a carefully crafted, three-decades old bipartisan law called FISA, the Foreign Intelligence Surveillance Act.

FISA, Madam Speaker, does not expire on Friday. Only the hastily cobbled together Protect America Act amendments to FISA expire on Friday.

This country will not go dark on Friday. Our government has aggressively used surveillance tools, and in the past year or so secured warrants in compliance with FISA. Those warrants do not expire on Friday.

As for the claim that citizens will be in greater danger, in my view actions that fail to follow the laws Congress passes and ignore the requirements of the fourth amendment put our democracy in grave danger.

Madam Speaker, security and liberty are not a zero-sum game.

In October, the House passed thoughtful legislation, the RESTORE Act, to replace the flawed Protect America Act. Once the Senate acts later this week and the House has had adequate time to review documents concerning activities of telecommunications firms, we should conference our bill. Fifteen days is a good estimate of how long it will take to send a responsible bill to the President. Let's act responsibly. Vote ''aye.''

Mr. SMITH of Texas. Madam Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. HOEKSTRA), who is the ranking member of the Select Committee on Intelligence.

Mr. HOEKSTRA. Madam Speaker, while I will not oppose this bill, even though it has not gone through regular order in the committee process, I continue to have serious reservations about further putting off the critical issue of FISA modernization. I also have significant concern with the failure of the majority to ensure a long-term and effective solution to the critical problem of ensuring that our intelligence community has the tools that it needs to detect and protect potential terrorists.

Last August, Congress acted on an overwhelming bipartisan basis after months of prodding to pass the Protect America Act and close significant intelligence gaps against foreign terrorists in foreign countries. The failure to clarify the authorities of our intelligence professionals on a long-term basis had clearly jeopardized America's ability to detect and prevent potential terrorist attacks and to effectively collect intelligence on foreign adversaries.

The Protect America Act expires on Friday, February 1. This temporary extension will now push that date to February 15. While elements of surveillance under the Protect America Act could have temporarily continued without an extension, the failure to act permanently on the lapsing authorities still ultimately threatens the capabilities of the intelligence community to react with speed and agility to new threats and changing circumstances.

We cannot continue to make excuses. We cannot continue to avoid our responsibility to deal with this vital issue. National security should not be on a week-to-week lease. I think both the President and Members on our side of the aisle have made clear that our patience with further delays to this vital legislation will be extremely limited.

Democrats have failed to do their job on this critical national security issue, even after Speaker PELOSI boasted last August that they would act as soon as possible. Their partisanship on this issue clearly has failed. A bipartisan Senate solution, acceptable to the President, has been available for weeks, but has been held up by liberal activists over the issue of retroactive liability for third parties who may have helped the government to detect potential terrorists.

Madam Speaker, columnist Stuart Taylor recently pointed out that holding the private sector hostage to ideological extremism is a ''risky game.'' It is a risky game for our national security and may chill cooperation in future emergencies. He wrote: ''Most Americans would want the telecoms to say yes without hesitation. But the telecoms would have reason to say no, or delay for a few dangerous days to consult their lawyers, if liberals get their way in a battle currently raging in Congress.''

[From the National Journal, Jan, 19, 2008]

HOLDING TELECOMS HOSTAGE: A RISKY GAME

(By Stuart Taylor, Jr.)

Suppose that the next big terrorist attack on our country comes two weeks after a new Democratic president has taken office. Simultaneous suicide bombings devastate 20 schools and shopping malls around the country, killing 1,500 people. The intelligence agencies believe that at least 20 more trained jihadists, including American citizens, are in the United States planning follow-up attacks.

The president is told that the best hope of stopping a second wave of attacks is to immediately wiretap as many calls and e-mails as possible from and to every private citizen who has been to Pakistan or Afghanistan since 1999. These hundreds of domestic wiretaps, with neither warrants nor probable cause to suspect any individual of terrorist ties might well violate the Foreign Intelligence Surveillance Act.

The president nonetheless asks the major telephone companies to place the taps for 30 days while the administration seeks congressional approval. He or she also assures the telecoms in writing that the new attorney general has advised that the Constitution empowers the president to temporarily override FISA during such an emergency—a controversial theory never tested in court.

Most Americans would want the telecoms to say yes without hesitation. But the telecoms would have reason to say no—or delay for a few dangerous days to consult their lawyers—if liberals and libertarians get their way in a battle currently raging in Congress.

The issue is whether to immunize these same telecoms retroactively, as President Bush and a bipartisan majority of the Senate Select Committee on Intelligence (including Chairman Jay Rockefeller IV) urge, from liability for having said yes to Bush's warrantless surveillance program during the unprecedented national crisis precipitated by the 9/11 attacks.

The telecoms face more than 40 class actions seeking hundreds of billions of dollars in damages for their roles in the Bush program, which they agreed to after being assured that the attorney general had deemed the program lawful.

Allowing this litigation to continue would, as a group of highly respected former Justice Department officials wrote in a joint letter to the Senate Judiciary Committee, ''produce perverse incentives that risk damage to our national security,'' because ''both telecommunications carriers and other corporations in the future will think twice before assisting any agency of the intelligence community seeking information.''

This particular group includes Jack Goldsmith, James Comey, Patrick Philbin, and John Ashcroft. They (especially the first three) won bipartisan applause for leading a rebellion in 2004 against overreaching claims of power by Bush, who chose to secretly override FISA not just for a few weeks but for years.

''Given our experiences,'' the former officials wrote, ''we can certainly understand that reasonable people may question and wish to probe the legal bases for such intelligence activities.'' But the proper forum is the congressional oversight process, they asserted, not ''a public lawsuit against private companies that were asked to assist their nation.''

Such leading Democrats as former Sen. Bob Kerrey, former Rep. (and 9/11 commission Co-Chair) Lee Hamilton, and former Attorney General Benjamin Civiletti have also called for immunizing the telecoms.

On the other hand, People for the American Way, like other liberal groups, argues that immunity would ''protect telecoms that knowingly violated law.'' But the telecoms did not violate the law—even if Bush did—according to an October 26, 2007, Senate Intelligence Committee report urging adoption of the immunity proposal as part of an important bill updating FISA.

The committee, after forcing the administration to show investigators the relevant presidential and Justice Department documents, found that the record showed that the telecoms ''acted on a good-faith belief that the president's program, and their assistance, was lawful.'' Courts have for centuries seen such a good-faith belief as grounds for immunizing from lawsuits private parties that heed government officials' requests for help in protecting public safety, especially in emergencies.

And, in fact, hardly anyone in Congress thinks that the telecoms should (or will) be forced to pay huge damages to the plaintiffs, who after all have suffered no real harm. So why are some senators, including Patrick Leahy, the Senate Judiciary Committee's senior Democrat, fighting the immunity proposal?

The real reasons are election-year pressure from liberal groups and the hope that the lawsuits will force public disclosure of information embarrassing to the Bush Administration. Leahy said in a press release that he opposed giving retroactive immunity to the telecoms because that would reduce their incentives to protect privacy and ''would eliminate the courts as a check on the illegality of the warrantless wiretapping of Americans that the administration secretly engaged in for almost six years.''

Leahy may well be right that some aspects of the highly classified wiretapping program were illegal. Indeed, Goldsmith, who took over the Justice Department's Office of Legal Counsel in late 2003 and later touched off the above-mentioned rebellion, has publicly called the still-secret OLC surveillance memos that he inherited a ''legal mess.''

In my own view, Bush's decision to secretly override FISA for a time immediately after 9/11 was probably a lawful exercise of his war powers. But his legal rationale became weaker and weaker when he continued to override the law for months and years without seeking congressional approval.

It is one thing to say that the president has inherent power to disregard an outdated law during an emergency in which immediate action might save many lives. It is something else to say that the president can secretly continue to disregard that law for several years without ever seeking to amend it. (See my 1/28/06 column.)

But doubts about the legality of Bush's actions are no justification for holding hostage telecoms that relied on the administration's assurances of legality and were in no position to second-guess its assertions that the surveillance program was essential to national security.

Not, that is, unless we want to risk that the telecoms, credit card companies, banks, airlines, hospitals, and other private companies—whose cooperation is essential to finding terrorists before they strike—will balk or delay when the next president seeks their help in an emergency.

And to keep things in perspective, let's remember that even if Bush did violate the law, the terrorist groups targeted by his surveillance program have taken thousands of American lives; that the program itself has apparently caused no serious harm to anyone (except terrorists); and that no evidence exists that Bush or anyone else has ever made

any improper use of any intercepted communications.

Opponents of immunity say that the telecoms have nothing to fear in court if they can show that they acted lawfully. And it does seem most unlikely that the telecoms would ultimately lose; the lawsuits face huge obstacles, including the state secrets privilege and doubts about the plaintiffs' standing to sue, as well as the strong evidence that the telecoms acted lawfully.

But even a remote risk of massive liability for doing the right thing in the past might deter some from doing the right thing in the future. And in the vast, interminable, unpredictable, often perverse meat grinder that high-stakes litigation has become in this country, victory in court would come only after many years of expensive legal battles, uncertainty, downward pressure on stock prices, and publicity damaging to the telecoms' international business interests. This prospect might drive them to accept a nuisance settlement that would yield millions of dollars for the plaintiffs' lawyers and very little for anyone else. Indeed, that's what many plaintiffs' lawyers are hoping for.

Some senators and others have proposed ways to relieve the telecoms of monetary liability while keeping the litigation alive to force a healthy public airing of information about what Bush and his aides did. One such proposal would have the government cover any damage awards; another would place a very low cap on any damages; a third would ask the FISA court to decide whether the telecoms broke the law. Such expedients would be better than no protection at all. But they would not give the telecoms the finality and the relief from litigation costs that they want and deserve.

In any event, it seems unlikely that any kind of litigation against the telecoms will yield much new information about what Bush and his aides did. The main reason is that any such evidence is probably inextricably intertwined with operational details of the surveillance, which are highly (and properly) classified. And lawsuits against the government, which would be unaffected by immunizing the telecoms, would be a more logical vehicle for exposing whatever can properly be exposed.

But the bottom line is that a remote chance of exposing any Bush misconduct is simply not a good enough reason to run even a small risk of losing potentially lifesaving intelligence. And it's simply unfair to hold hostage private companies that thought they were helping to save lives and did nothing wrong.

Partisan political points and the nonexistent rights of radical jihadists shouldn't be more important than giving the most effective tools to the intelligence community to detect and prevent attacks. As soon as the Senate passes this comprehensive bipartisan bill, the House should consider it immediately in order to send a responsible bill to the President as quickly as possible.

There is bipartisan agreement that Congress must act immediately to ensure a long-term effective solution that empowers intelligence community professionals to act with speed and agility against foreign targets, provides retroactive liability protection for third parties who may have assisted the government after 9/11, and ensures that court orders will continue to be required for any surveillance targeting Americans.

We should stop the bipartisan obstructionism and move forward with permanent legislation to fully ensure the protection of the American people and their civil rights.

Mr. CONYERS. Madam Speaker, I am pleased now to yield 3 minutes to the distinguished gentleman from Ohio, Mr. DENNIS KUCINICH.

Mr. KUCINICH. Madam Speaker, I rise today in opposition to H.R. 5104, a 30-day extension of the Protect America Act.

When the Protect America Act was passed by this body on August 4, 2007, I voted against the legislation because it gave legitimacy to the administration's surveillance of Americans without warrants. It is in the best interest of our Nation to allow this temporary law to expire and return to the permanent FISA law until this body can agree on legislation that protects our Constitution and upholds the civil liberties of U.S. citizens.

The FISA Court has ruled to prohibit warrantless spying on Americans when communications between foreign targets overseas are routed through the U.S. The permanent FISA law leaves in place mechanisms to monitor potential terrorist activity with the approval of the FISA Court.

We cannot allow baseless claims of being soft on terror to drive this debate. Those who use fear to gain power for themselves are in effect subverting our Constitution.

We are at a moment in the history of this country where it is absolutely important that Congress must not accept a false choice. We must defend Americans and our Constitution from the politics of fear. We must demand that the President cease his attacks on our civil liberties.

I oppose this legislation, and I will oppose all future attempts by this body to pass fear-provoking legislation that sanctions oppression against the American people.

When our Constitution was written and amended, the fourth amendment said: ''The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.''

This fourth amendment has been the bedrock of the freedoms that Americans enjoy from a government that would use its power to go deeply into people's private affairs.

We must stand for our Constitution. We must stand for the Bill of Rights. That is the purpose of my presence at this very moment before this House.

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

Last August, a number of Members with whom I agree lamented the fact that we got jammed by the other body and the clock and ended up with a bad law. Here I am again today trying to stop that same thing from happening again. And yet, in what I can call only in kindness misguided perfectionism, there are those here who would come to the floor to criticize this bill, a 15-day extension. Now it is easy to do that; it is harder to get a good law from both of these bodies at the same time, and that's only what this committee is trying to do this afternoon.

Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield 1 minute to the gentleman from California (Mr. ISSA), who is a member of both the Judiciary and Intelligence Committees.

Mr. ISSA. Madam Speaker, 1 minute is just the right amount of time to deal with an issue that is as simple as this: we cannot allow our enemies abroad to have secrets, and we must maintain the secret of how we discover, uncover, reveal, and react to their attempts to hide their activities, including the attempt to kill Americans. That's what this is all about. That's what we are looking for within the next 15 days. I am supportive of this bill because I want to make sure that we cover these two points.

It is not enough to simply attack your enemy when he attacks you. We clearly have to know what he intends to do, including when he communicates with his operatives in America from overseas; and we very clearly need to not let our enemies, through discovery in more than 40 lawsuits leveled against all of our communications companies, uncover what they may or may not have done.

I want to make sure that we understand: it is not just what communications companies may have done. We do not want our enemies to know what they may not have done.

Mr. CONYERS. Madam Speaker, I am pleased to yield to the distinguished majority leader of the House of Representatives, STENY HOYER, 1 minute.

Mr. HOYER. I thank the distinguished chairman for yielding.

I rise in support of this particular extension. I do not rise and did not rise in support of the underlying bill that we are extending. And I think the gentleman from Ohio raised some valid points, as the chairman thinks he raised valid points as well.

But the issue here is really one of allowing this body an opportunity to pass a bill that speaks to the constitutional issues that have been raised, as well as the substantive issues raised by Mr. ISSA in what we all want to do: protect America and Americans.

Today the House is voting on a 15-day extension, nothing more, nothing less. Before we do that, I want to remind my colleagues that this body has already passed legislation to reauthorize FISA.

On November 15, 2½ months ago, this body passed the RESTORE Act, a bill that modernizes the technologically outdated Foreign Intelligence Surveillance Act of 1978, gives the intelligence community the authority to intercept critical foreign communications, and

protects our fundamental constitutional rights.

The bill was skillfully assembled by two of our best chairmen, JOHN CONYERS and SILVESTRE REYES. Those chairmen join me today in support of this short-term extension for several reasons. First, despite the body's efforts over 2½ months ago, the Senate has yet to complete its work on its own FISA legislation. This week they failed to get cloture on either alternative. We are going to await its bill and look forward to an undoubtedly challenging, but productive, conference. This will take some time.

Second, on the question of immunity, which the President has so highly touted, our committees have been asking for 8 months to see the legal documents pertaining to the President's terrorist surveillance program. And we have received 8 straight months of denials. The White House only offered this access last Friday. It is reasonable to conclude that for the committees to carry out its own responsibilities and constitutional duties, it needs some time to do that.

This afternoon, our Judiciary members will be read-in to the program, and only next week will they begin to digest the hefty stack of documents that, in turn, will help them make a judgment on what, if any, immunity is merited. My position has been that in order to give immunity, we need to know what we are giving immunity for and what the justification for the actions were. Again, we need time for this important review. This extension gives us that time.

Finally, let me say to my colleagues that even if we were unable to do this extension, and this is very important, even if we were unable to do this extension, February 1 were to come and go without any new legislation, no one should fall victim to those fear-mongers who suggest that our intelligence community could ''go dark.'' It would not. That is simply not the case.

The authorizations issued under the Protect America Act are in effect for up to one full year. So any requests that have been made and authorized up to this point in time from August on would be in effect at least through next July even if they had been authorized in August. The authorization issued under the Protect America Act will help protect us to that extent.

This means that all of the surveillance in effect today will remain in effect for least 6 more months. Even the administration's own Assistant Attorney General for National Security, Kenneth Wainstein, acknowledged this, saying that if the PAA were allowed to expire, intelligence officials would still be able to continue eavesdropping on already approved targets for another year.

□ 1545

In fact, out of an abundance of caution, last Thursday, when I announced the schedule for this week, I urged the administration, if it had any authorizations, it needed to proceed on that for fear that we might not extend this act. I think we'll do that today, so that fear will not be realized.

For those new threats that develop after February 1, let us not forget that the underlying statute still gives the administration 3 days' worth of emergency authority to immediately begin surveillance without going to the Court, no lesser court. The Court, by the way, now has no backlog.

I encourage my colleagues to support this legislation. It is simply much like a CR, which is not a judgment on the merits of a particular appropriation bill one way or the other. It is simply a judgment that the congressional will ought to be done, that we ought to make our judgment based upon a conference report, with the Senate having passed a bill, which it has been unable yet to do.

So I urge my colleagues to support this bill, not because you support the underlying bill, but because you share with me and with Mr. CONYERS and Mr. KUCINICH and Mr. ISSA and all the others who have dealt with this bill a concern about protecting our country and protecting our Constitution.

Mr. SMITH of Texas. Madam Speaker, I yield 3 minutes to the gentleman from California (Mr. LUNGREN), who is a member of the Judiciary Committee and the Homeland Security Committee.

Mr. DANIEL E. LUNGREN of California. Madam Speaker, first of all, let me say I rise in support of this bill. Unfortunately, we are at this occasion where we have to have this short-term extension.

But let me just say a couple of things in response to what the majority leader said. In the first instance he said that if we don't have the Protect America Act, but we have the underlying bill, it will work well enough to deal with the problems in an emergency situation. Unfortunately, that's contradicted by the head of our intelligence services. The reason we are here is because it doesn't work.

Secondly, the majority leader said the RESTORE Act, the so-called RESTORE Act that we passed in November is a bill that we passed that should take care of these problems. It is a bill that does not work, and I will give you just one example of its difficulty.

In section 2(a)(2), treatment of inadvertent interceptions, it grants greater protections to Osama bin Laden than it would to an American citizen heard inadvertently in the United States. That happens to be a fact. We've debated it on this floor. Not a single person on that side of the aisle has been able to contradict that. And even the chairman of the Constitutional Law Subcommittee has come to me and said we are right; a huge mistake was made. And yet that was the bill that was passed here and that we are told and the American people are being told needs to go forward.

Frankly, the bill we passed in August, the Protect America Act, is nothing short of a legislative LASIK surgery. We had the head of the intelligence services of the United States come to us and say we were blinded so that we could not see over 60 percent of the legitimate terrorist targets in the world because of an interpretation of the law impacted by the new technology; that is, the way communications are transmitted. It was at his request that we looked at this. We did that in August. We've opened our eyes. We've been able to look at those targets, those legitimate targets around the world. And if we do not act today we will close our eyes once again.

The fact of the matter is, the strangeness of this institution, of only allowing the Protect America Act for 6 months, then coming and saying, Well, the new bill ought to be limited to 30 days, or 15 days, is really something we ought to examine.

Does anyone suggest that the threat out there is a 6-month threat, a 15-day threat, a 30-day threat? It is an almost permanent threat that we see out there. We need legislation that will give us certainty, that will allow us to keep our eyes open, to gather the intelligence necessary to protect our homeland.

You can argue about the Iraq war all you want. This goes to the essence of protecting us against the terrorists who would bring the war to our shores, who have already brought the war to our shores. This goes to the effectiveness of the techniques that are used in today's new technology.

We were asked by Admiral McConnell to do the job. We did the job in August, with the exception of not giving the protection to those communications companies who actually responded to a patriotic request to help in this fight.

For some reason, my friends on the other side believe in the reverse Good Samaritan act: Don't help us; be worried. But bring your attorneys when asked.

Mr. CONYERS. Madam Speaker, it is with great pleasure I recognize a distinguished member of the Judiciary Committee, ADAM SCHIFF of California, for 2 minutes.

Mr. SCHIFF. Madam Speaker, last year the President and the Director of National Intelligence pushed for legislation that would make it easier for the NSA to collect intelligence on Americans and groups abroad. Among other things, the administration's legislation would allow warrantless eavesdropping of virtually all communications of Americans with anyone outside the U.S., so long as the government declared that the surveillance was directed at people reasonably believed to be located outside the U.S.

I opposed the bill when it was considered by the House and instead joined with Chairman CONYERS and Chairman REYES in support of a responsible alternative that would have met the needs of the Director of National Intelligence

without compromising the privacy of law-abiding Americans in ways that don't improve our security. The proposal included robust oversight and audit provisions designed to determine the impact of these changes on Americans. Unfortunately, Congress was forced hastily to pass the administration's version before adjourning in August. Nonetheless, Congress provided the law would sunset in 6 months to ensure that modifications were quickly made.

Over 2 months ago the House returned to this debate by passing the RESTORE Act, legislation that updated FISA, provided these effective surveillance tools while ensuring robust oversight. Importantly, the RESTORE Act also provided protections to ensure that communications of U.S. persons were not acquired without some court involvement or supervision, provisions that were left out of the proposal passed in August.

The other body has also drafted legislation aimed at modifying the bill that passed out of the House in August to provide oversight and additional protections. Unfortunately, they haven't completed their work. Some very thoughtful proposals like that by Senator DIANNE FEINSTEIN offer fresh ways to break the impasse over some very difficult issues. The proposals that they are debating and attempting to finalize have a number of notable departures from the House-passed version. With the August bill set to expire in 3 days, it's necessary for us to seek a temporary extension in order to ensure this House has a role in crafting its revision. The impending deadlines necessitate an extension, and I'm proud to support that very modest extension.

Mr. SMITH of Texas. Madam Speaker, I yield 1 minute to the gentleman from Iowa (Mr. KING), who is a distinguished member of the Judiciary Committee.

Mr. KING of Iowa. Madam Speaker, I rise in support of this 15-day extension to the FISA law, but I ask the question, why are we here? And the reason we are here is because of a court decision that I think appropriately defined the letter of the language in the 1978 FISA law. But because the technology changes, that court decision was made. And that opened up this can of worms, this Pandora's box of who's concerned about whose civil liberties versus how we provide this balance in our intelligence. And I would point out that this is a two-front war that we're fighting: One is in the Middle East, successfully I will add, and the other one is the surveillance that protects us domestically here at home and provides for our military to have the tools to work with overseas. That is the highest constitutional responsibility that we have. We have congressional oversight. We can look into this and see what's going on with the FISA law anyway, but the effort to protect our retroactive liability of those companies that cooperate with our intelligence community is essential. We will lose our ability to do surveillance if we lose the ability of the companies to cooperate with us. And this is not a trial lawyer's issue; it's a national security issue.

Mr. CONYERS. Madam Speaker, we reserve our time at this point.

Mr. SMITH of Texas. Madam Speaker, may I ask how much time remains on each side.

The SPEAKER pro tempore. The gentleman from Texas has 8 minutes remaining. The gentleman from Michigan has 9½ minutes remaining.

Mr. SMITH of Texas. Madam Speaker, I yield 2 minutes to my colleague from Texas (Mr. GOHMERT) who is the ranking member of the Crime, Terrorism, and Homeland Security Subcommittee of the Judiciary Committee.

Mr. GOHMERT. Madam Speaker, it seems what we're experiencing here and have been for the last 6 months is just the eternal optimism. I love that in the Democratic majority. But it's like the fellow that fell off the tall building and at each floor was heard to say, ''I'm doing okay so far.'' The trouble is, you're going to have the day of reckoning. And here we had the 6-month extension back August 4. Now, we've heard the majority leader come in and say, Well, it was basically, in so many words, it was the White House's fault because they could have given us this information about the immunity of the companies, and that's what's held this up. But if you go back to August 4 and the vote that did not have the immunity in it, there were 41 Democrats that voted for it and 181 Democrats that voted against it and 9 didn't vote. It was the Republicans that passed this. It didn't have anything to do with immunity. It had to do with one group wanted to make sure our intelligence protected us and had the tools they need, and the other was more concerned about the rights of terrorists.

Now, I would submit to you that this isn't about 6 months. It's not about 15 days. We could put it off 30 days, another 6 months, but the day of reckoning is coming. And our enemies that want to destroy our way of life, they don't think in terms of 15 days, 30 days. They think in terms of generations, and they've got to be defeated.

So I understand and I appreciate my dear friend, Mr. KUCINICH, and the concerns about civil liberties. I'm concerned about them, too. But when it involves, as this act does, a foreign terrorist on foreign soil, and I know the concern is, Well, what if they call an American citizen? And I'll leave you with this: I would submit to you, if your friends are getting calls from foreign terrorists on foreign soil, again, tell them to tell the terrorists not to call them at home and they'll be okay.

We need to pass this. We need to give our intelligence the tools they need.

Mr. SMITH of Texas. Madam Speaker, I yield 1 minute to the gentleman from Connecticut (Mr. SHAYS). He is a former chairman, now ranking member of the National Security Subcommittee of the Government Oversight and Reform Committee. He is also a senior Republican member of the Homeland Security Committee as well.

Mr. SHAYS. Madam Speaker, the Cold War is over and the world is a more dangerous place. Our strategy is no longer containment reaction and mutually assured destruction. That went out the window on September 11. It is detection, prevention, preemption, and, when necessary, even unilateral action.

As the 9/11 Commission points out, we are not combating terrorism as if it's some ethereal being. We are confronting Islamists terrorists, real people who would do us harm. If you want to deal with the consequence of a terrorist attack, write a weak FISA law. But if you want to detect and prevent a terrorist act, write a law that works and help insure the communication industry works with us.

The SPEAKER pro tempore. The gentleman from Michigan advises that he is ready to close.

Mr. SMITH of Texas. Madam Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. FRANKS). He is the ranking member of the Constitution, Civil Rights, and Civil Liberties Subcommittee of the Judiciary Committee.

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Mr. FRANKS of Arizona. Madam Speaker, jihadist terrorism is an existential threat to human peace. Our Terrorist Surveillance Program is the most powerful tactical weapon we have against terrorists. If we knew where every terrorist in the world was tonight, we could end the war on terror within weeks. Director of National Intelligence, Mike McConnell, has repeatedly asked this body to update this critical tool, and he has been met only with stalling from Democrats.

This tool only allows us to target America's enemies on foreign soil with electronic surveillance, and it continues to protect those that are on foreign soil including, Madam Speaker, if Osama bin Laden was in a hotel on Capitol Hill, we could not target his phone or e-mail with electronic surveillance without a FISA warrant.

This continues to protect Americans. And if we cannot pass this critical legislation in the day in which we live, we not only fail our primary purpose as a Congress; we fail the American people in future generations.

Madam Speaker, we need to pass this.

Mr. SMITH of Texas. Madam Speaker, I yield myself the balance of the time.

The Senate Intelligence Committee has already approved a bipartisan bill to replace the Protect America Act. It contains important provisions to help the intelligence committee gather foreign surveillance and provides liability protection to telecommunications

companies that assisted the government after the terrorist attacks on 9/11.

The Democratic majority has a duty to end political gamesmanship with America's national security and immediately pass legislation that gives our intelligence community the tools they need to protect us.

Madam Speaker, given the rapidly approaching Friday deadline, today I ask that my colleagues support a temporary extension; but, of course, that's with the understanding that we come back immediately and pass a good bill that is long term, that gives liability protection to the telephone companies, and that doesn't force us to get a court order to listen to Osama bin Laden when he makes a cell phone call from a cave in Pakistan to initiate attacks on the United States.

I hope that any bill that we consider in the coming days will have those provisions in them.

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

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

I rise, first, to thank the Members of the House for this very reasonable debate, and I want to thank particularly my colleagues on the other side. Ranking Member SMITH has been excellent in helping us work out, as closely as we can with reservations, nothing is perfect, but I appreciate the spirit with which he has come to the floor today.

The extension is not a vote for the temporary law that we have been living under since August. It is not a vote against the temporary bill or against what the Senate is working on. It is a vote only to avoid a head-long rush into possibly ill-conceived legislation. And I think we have all been able to come together on that.

I'm grateful to our leadership and to the Members on the other side of the aisle for the discussion that brings us here this afternoon.

Mr. PAUL. Madam Speaker, I rise in opposition to the extension of the Protect America Act of 2007 because the underlying legislation violates the U.S. Constitution.

The mis-named Protect America Act allows the U.S. government to monitor telephone calls and other electronic communications of American citizens without a warrant. This clearly violates the Fourth Amendment, which states:

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

The Protect America Act sidelines the FISA Court system and places authority over foreign surveillance in the director of national intelligence and the attorney general with little if any oversight. While proponents of this legislation have argued that the monitoring of American citizens would still require a court-issued warrant, the bill only requires that subjects be "reasonably believed to be outside the United States." Further, it does not provide for the Fourth Amendment protection of American citizens if they happen to be on the other end of the electronic communication where the subject of surveillance is a non-citizen overseas.

We must remember that the original Foreign Intelligence Surveillance Act was passed in 1978 as a result of the U.S. Senate investigations into the Federal government's illegal spying on American citizens. Its purpose was to prevent the abuse of power from occurring in the future by establishing guidelines and prescribing oversight to the process. It was designed to protect citizens, not the government. The effect seems to have been opposite of what was intended. These recent attempts to "upgrade" FISA do not appear to be designed to enhance protection of our civil liberties, but to make it easier for the government to spy on us!

The only legitimate "upgrade" to the original FISA legislation would be to allow surveillance of conversations that begin and end outside the United States between non-U.S. citizens where the telephone call is routed through the United States. Technology and the global communications market have led to more foreign to foreign calls being routed through the United States. This adjustment would solve the problems outlined by the administration without violating the rights of U.S. citizens.

While I would not oppose technical changes in FISA that the intelligence community has indicated are necessary, Congress should not use this opportunity to chip away at even more of our constitutional protections and civil liberties. I urge my colleagues to oppose this and any legislation that violates the Fourth Amendment of the Constitution.

Ms. SCHAKOWSKY. Madam Speaker, I rise today in strong opposition to H.R. 5104. I do so because there is no reason to extend the Protect America Act. Should the Protect America Act expire, our intelligence community will not be left in the "dark," as some suggest. Rather the FISA courts will simply return to operating under the original FISA law, a law which protected the civil liberties of all Americans while also granting the President the tools he needs to conduct an aggressive campaign against terror.

As many of my colleagues have argued today, the original FISA law, which passed in 1978 needs to be updated. It was passed to address surveillance concerns at a different time in our Nation's history, when some of the technological strides we have made since, were simply unimaginable. As a member of the Intelligence Committee, I strongly support efforts by the Speaker and leaders of both parties to work together to update FISA. However, I cannot in good conscience vote in favor of a one-month extension of the Protect America Act. I cannot do so because the reality is that the Protect America Act does not make Americans any safer—rather it allows the Government to pursue an enormous and untargeted collection of international communications without court order or meaningful oversight by either Congress or the courts. Furthermore, it is one of the most damaging pieces of legislation against civil liberties I have seen in my eight years in the U.S. Congress.

I feel so strongly that the Protect America Act is an affront to our values, that in my opinion it is in the best interest of all Americans that this misguided bill be allowed to expire rather than extended for even one more day.

In order to understand why I feel so strongly, let me take a moment to outline some of the most abhorrent provisions in the bill we are considering extending:

First, it allows the Attorney General to issue program warrants for international calls without court review. This provision removes the FISA court, which has overseen the process for 30 years and instead places the Attorney General in charge of determining the legitimacy of surveillance. Needless to say, this is an enormous responsibility and we must all question the wisdom of placing so much authority on the shoulders of one Administration official.

Secondly, it includes no provisions to prevent "reverse targeting," the practice whereby surveillance is conducted on a foreign person in order to hear their conversations with a person in the United States who is the actual target. Under the Protect America Act, these conversations can be heard, recorded and stored without a warrant.

Lastly, the Protect America Act reduces the oversight capabilities of Congress by requiring the Attorney General to provide to Congress only the information the Justice Department sees fit to report. This provision removes an important check upon America's secret surveillance program.

Taken together, the Protect America Act represents a significant infringement on each American's civil liberties and allows for a potentially dangerous abuse of power by our government. I urge each of my colleagues to vote against its extension and allow the original FISA law to be reinstated. Doing so will allow the Congress time to work on a bipartisan update of the FISA and in the meantime give the intelligence community the tools they require while also protecting the rights and liberties of all Americans.

Mr. UDALL of Colorado. Madam Speaker, I will reluctantly support this short extension of current law dealing with electronic surveillance related to efforts to counter the threat of terrorism.

My support is reluctant because I did not vote for the current law, which I think does not properly balance the need to counteract that threat with protection of Americans' rights and liberties. But today I will support a brief extension of that law—scheduled to expire in two days' time—for several reasons.

First, I do think the basic law in this area—the Foreign Intelligence Surveillance Act, or FISA—needs to be updated to respond to changes in technology, which was the purpose of the current, temporary law.

Last August, I voted for a bill (H.R. 3356) to provide such an update. Unfortunately, while that bill was supported by a majority of the House, it did not receive the two-thirds vote required by the procedure under which it was considered, and so was not adopted. Its defeat resulted from the opposition of the Bush Administration—supported by all but 3 of our Republican colleagues—which was demanding instead that the House approve a different version. Regrettably, that tactic succeeded and the result was passage of the current law, which I did not support.

Then, last November, I again voted for a bill to update FISA, H.R. 3773, the "Responsible Electronic Surveillance That is Overseen, Reviewed, and Effective" (or RESTORE) Act.

That bill is not perfect, but as I said then I did not insist on perfection because I thought the House should act to correct the shortcomings of the temporary law enacted last

year and because in my opinion the RESTORE Act would give the Administration the authority it says it needs to conduct surveillance on terrorist targets while restoring many of the protections that the temporary law has reduced.

The House passed the RESTORE Act on November 15th, and we have been waiting for the Senate to act. President Bush has criticized the House-passed bill because it does not grant retroactive immunity from lawsuits for telecommunications companies that assisted in the Administration's secret surveillance program without being compelled to do so by a warrant. As I said in November, I think it might be appropriate to consider that, but not until the Bush Administration has responded to bipartisan requests for information about the past activities of these companies under the program. I have not been ready to grant immunity for the companies' past activities while we don't know what those activities were.

Recently, the Administration has finally relented and is allowing appropriate review of documents on this subject. But that review is not yet complete—and so the second reason I support this legislation is to allow the review to continue before Congress is required again to act on this subject. This would not be necessary if the Administration had not been so resistant to the idea of properly informing Congress and providing the relevant information, but now it is needed.

Finally, because the Senate has been slow to act, I think the current law should be extended briefly to provide a reasonable opportunity for any differences between the House-passed bill and whatever the Senate may approve to be resolved through careful and thorough discussion rather than in the kind of exaggerated haste that too often leads to unsatisfactory results.

Therefore, despite what I think are the very real flaws of the current, temporary law, I will support this measure to extend it for an additional 30 days.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise today with great concern to H.R. 5104, to extend the Protect American Act of 2007 for 30 days. I thank the distinguished chairman of the Judiciary Committee and I applaud him for his consistent and impeccable commitment to civil liberties and civil rights.

Madam Speaker, this administration has the legal responsibility to protect the American people. Let no one come to this floor and suggest that what we are doing today is going to save lives, because last year we passed legislation that indicated that foreign-to-foreign communication had no barriers, no barriers for those who are seeking intelligence.

Yet when an American was involved, the Bill of Rights, the fourth amendment, civil liberties with the underpinnings, and therefore a court intervened. Extending the Protect America Act for 30 days in the hopes that the Senate will produce a version that we are satisfied with is not a sufficient reason for violating the civil rights and liberties of the American people.

Homeland security is not a Republican or a Democratic issue. It is an issue for all Americans—all of us. Not one of us who sang "God Bless America" on the steps of this House will allow anyone to undermine the security of America.

The original legislation offered by the House Majority gave the Administration everything that they needed. However, the legislation that ultimately triumphed, and which this bill today would extend, is a disgrace to the United States constitution. By passing this bill today, we are compromising the Bill of Rights. We are telling Americans that no matter what your business is, you are subject to the unscrupulous, undisciplined, irresponsible scrutiny of the Attorney General and others without court intervention.

This is not the day to play politics. It is too important to balance civil liberties along with the homeland security and the protection needs of America. I feel confident that the House FISA Bill does do that. I am disheartened by the other body for their failure to recognize that we can secure America by securing the American people with fair security laws and by giving them their civil liberties. I find the Senate language extremely troublesome, and I am extremely disappointed that we could not reach common ground based on the original language passed by this House.

I would ask my colleagues to defeat this so that we can go back to the bill that protects the civil liberties of Americans and provides homeland security. I ask my colleagues to support the Bill of Rights and National Security.

Had the Bush Administration and the Republican-dominated 109th Congress acted more responsibly in the 2 preceding years, we would not be in the position of debating legislation that has such a profound impact on the national security and on American values and civil liberties in the crush of exigent circumstances. More often that not, it is true as the saying goes that haste makes waste.

Madam Speaker, the legislation before us is intended to fill a gap in the Nation's intelligence gathering capabilities identified by Director of National Intelligence Mike McConnell, by amending the Foreign Intelligence Surveillance Act, FISA. But in reality it eviscerates the Fourth Amendment to the Constitution and represents an unwarranted transfer of power from the courts to the Executive Branch and a Justice Department led by an Attorney General whose reputation for candor and integrity is, to put it charitably, subject to considerable doubt.

Madam Speaker, FISA has served the Nation well for nearly 30 years, placing electronic surveillance inside the United States for foreign intelligence and counter-intelligence purposes on a sound legal footing and I am far from persuaded that it needs to be jettisoned or substantially amended. But given the claimed exigent circumstances by the Administration, let me briefly discuss some of the changes to FISA I am prepared to support on a temporary basis, not to exceed 120 days.

To give a detailed illustration of just how superior the RESTORE Act, which the House passed October, is to the ill-considered and hastily enacted Protect America Act, I wish to take a few moments to discuss an important improvement in the bill that was adopted in the full Judiciary Committee markup.

The Jackson-Lee Amendment added during the markup made a constructive contribution to the RESTORE Act by laying down a clear, objective criterion for the Administration to follow and the FISA court to enforce in preventing reverse targeting.

"Reverse targeting," a concept well known to members of this Committee but not so well understood by those less steeped in the arcana of electronic surveillance, is the practice where the government targets foreigners without a warrant while its actual purpose is to collect information on certain U.S. persons.

One of the major concerns that libertarians and classical conservatives, as well as progressives and civil liberties organizations, have with the PAA is that the understandable temptation of national security agencies to engage in reverse targeting may be difficult to resist in the absence of strong safeguards in the PAA to prevent it.

My amendment reduces even further any such temptation to resort to reverse targeting by requiring the Administration to obtain a regular, individualized FISA warrant whenever the "real" target of the surveillance is a person in the United States.

The amendment achieves this objective by requiring the Administration to obtain a regular FISA warrant whenever a "significant purpose of an acquisition is to acquire the communications of a specific person reasonably believed to be located in the United States." The current language in the bill provides that a warrant be obtained only when the Government "seeks to conduct electronic surveillance" of a person reasonably believed to be located in the United States.

It was far from clear how the operative language "seeks to" is to be interpreted. In contrast, the language used in my amendment, "significant purpose," is a term of art that has long been a staple of FISA jurisprudence and thus is well known and readily applied by the agencies, legal practitioners, and the FISA Court. Thus, the Jackson-Lee Amendment provides a clearer, more objective, criterion for the Administration to follow and the FISA court to enforce to prevent the practice of reverse targeting without a warrant, which all of us can agree should not be permitted.

First, I am prepared to accept temporarily obviating the need to obtain a court order for foreign-to-foreign communications that pass through the United States. But I do insist upon individual warrants, based on probable cause, when surveillance is directed at people in the United States.

The Attorney General must still be required to submit procedures for international surveillance to the Foreign Intelligence Surveillance Court for approval, but the FISA Court should not be allowed to issue a "basket warrant" without making individual determinations about foreign surveillance.

There should be an initial 15-day emergency authority so that international surveillance can begin while the warrants are being considered by the Court. And there must also be congressional oversight, requiring the Department of Justice Inspector General to conduct an audit every 60 days of U.S. person communications intercepted under these warrants, to be submitted to the Intelligence and Judiciary Committees. Finally, as I have stated, this authority must be of short duration and must expire by its terms in 120 days.

In all candor, Madam Speaker, I must restate my firm conviction that when it comes to the track record of this President's warrantless surveillance programs, there is still nothing on the public record about the nature and effectiveness of those programs, or the trustworthiness of this Administration, to indicate that they require any legislative response, other than to reaffirm the exclusivity of FISA and insist that it be followed. This could have

been accomplished in the 109th Congress by passing H.R. 5371, the "Lawful Intelligence and Surveillance of Terrorists in an Emergency by NSA Act," "LISTEN Act," which I have co-sponsored with the then Ranking Members of the Judiciary and Intelligence Committees, Mr. Conyers and Ms. HARMAN.

The Bush administration has not complied with its legal obligation under the National Security Act of 1947 to keep the Intelligence Committees "fully and currently informed" of U.S. intelligence activities. Congress cannot continue to rely on incomplete information from the Bush administration or revelations in the media. It must conduct a full and complete inquiry into electronic surveillance in the United States and related domestic activities of the NSA, both those that occur within FISA and those that occur outside FISA.

The inquiry must not be limited to the legal questions. It must include the operational details of each program of intelligence surveillance within the United States, including: (1) Who the NSA is targeting; (2) how it identifies its targets; (3) the information the program collects and disseminates; and most important; (4) whether the program advances national security interests without unduly compromising the privacy rights of the American people.

Given the unprecedented amount of information Americans now transmit electronically and the post-9/11 loosening of regulations governing information sharing, the risk of intercepting and disseminating the communications of ordinary Americans is vastly increased, requiring more precise—not looser—standards, closer oversight, new mechanisms for minimization, and limits on retention of inadvertently intercepted communications.

Madam Speaker, the legislation before us is not necessary. The bill which a majority of the House voted to pass last year is more than sufficient to address the intelligence gathering deficiency identified by Director McConnell. That bill, H.R. 3356, provided ample amount of congressional authorization needed to ensure that our intelligence professionals have the tools that they need to protect our Nation, while also safeguarding the rights of law-abiding Americans. That is why I supported H.R. 3356, but cannot support H.R. 5104.

I encourage my colleagues to join me in voting against the unwise and ill-considered reauthorization of the Protect America Act of 2007.

Mr. CONYERS. Madam Speaker, 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. CONYERS) that the House suspend the rules and pass the bill, H.R. 5104, 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 extend the Protect America Act of 2007 for 15 days.".

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 1528, NEW ENGLAND NATIONAL SCENIC TRAIL DESIGNATION ACT

Mr. CARDOZA. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 940 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 940

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1528) to amend the National Trails System Act to designate the New England National Scenic Trail, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration in the House of H.R. 1528 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore. The gentleman from California (Mr. CARDOZA) is recognized for 1 hour.

Mr. CARDOZA. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from California (Mr. DREIER). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. CARDOZA. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on House Resolution 940.

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

There was no objection.

Mr. CARDOZA. Madam Speaker, I yield myself as much time as I may consume.

Madam Speaker, House Resolution 940 provides for consideration of H.R. 1528, the New England National Scenic Trail Designation Act, under a structured rule. The rule provides 1 hour of general debate, equally divided and controlled by the chairman and ranking member of the Committee on Natural Resources. The rule makes in order two Republican amendments submitted to the Rules Committee by the ranking member of the Subcommittee on National Parks, Forests and Public Lands, Mr. BISHOP of Utah. The rule waives all points of order against consideration of the bill except for clauses 9 and 10 of rule XXI. Finally, the rule provides one motion to recommit, with or without instructions.

Madam Speaker, the bill before us today, H.R. 1528, amends the National Trails System Act to designate most of the MMM Trail System as the New England National Scenic Trail.

The MMM Trail System extends from the Massachusetts border with New Hampshire through western Massachusetts and Connecticut toward the Long Island Sound. The highly popular trail system has existed for over 50 years and is predominantly managed and maintained by volunteers.

The trail system travels through important historical landmarks and harbors a range of diverse ecosystems and natural resources, including mountain summits, waterfalls, and critical habitats for endangered species.

In a recent feasibility study, the National Park Service recommended that the trail system be designated as a national scenic trail, with some adjustments and rerouting for a total of 220 miles. However, this study has been out since the spring of 2006; and while no changes are expected, it has been trapped in a giant morass of bureaucratic red tape that has not been finalized.

H.R. 1528 is simply about cutting through this red tape and getting Federal recognition and administrative support for a trail that is already extremely popular and well managed.

H.R. 1528 includes specific language protecting private property rights, and landowner cooperation in the national scenic trail designation is entirely voluntary. All landowners affected by the trail have the opportunity to have the trail rerouted around their property.

Furthermore, since no Federal land is involved, Federal designation of the land has no impact on State or local laws currently in place, including those governing hunting, fishing, or trapping or local zoning or other land use issues.

Madam Speaker, this designation is widely supported. It is supported by

the administration and the local communities across New England, and it has bipartisan congressional support, including the Representatives of all affected districts in Connecticut and Massachusetts.

In closing, I'd like to thank Chairman RAHALL, Chairman GRIJALVA, and Mr. OLVER for their hard work in bringing this legislation to the floor today so we can ensure that America's most treasured resources are protected for future generations.

Madam Speaker, I reserve the balance of my time.

Mr. DREIER. Madam Speaker, I yield myself as much time as I may consume.

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

Mr. DREIER. Madam Speaker, I'd like to express my great appreciation to my very good friend and Rules Committee colleague, the gentleman from Atwater, California, who so ably represents his constituents here, is beginning his second session as a member of the Rules Committee, and I will say that it is great to welcome a fellow Californian to the Rules Committee.

But, Madam Speaker, at first blush one looks at this bill and it is, as I think was really reflected in the gentleman's remarks, sort of innocuous and noncontroversial. I mean, it's a pretty simple measure. New England National Scenic Trail Designation Act, who can be opposed to that? I mean, who could be concerned about that?

It certainly wouldn't be the first time in the 110th Congress that we have had a measure brought up with a rule that could have very easily been considered under suspension of the rules. After all, today so far we have under suspension of the rules passed a bill that provided a $150 billion economic stimulus to our Nation's economy, an issue which I'm very proud to say, as we all are, that saw the two parties come together, working with the White House in a bipartisan way to make sure that we could have this economic stimulus package. And I hope and pray that it mitigates the economic challenges that our constituents are facing in the future.

And then, Madam Speaker, we move from there to consider the Foreign Intelligence Surveillance Act, an extension of that, as we worked on the issue of reform. And so here we've dealt with the economic stimulus and the Foreign Intelligence Surveillance Act, both measures considered under suspension of the rules, and now we have a rule for consideration of the New England National Scenic Trail Designation Act.

I think my point is that this is a measure that very easily could have been considered under suspension of the rules, and we understand that there is an attempt to fill the schedule and there were people who quipped about that last night up in the Rules Committee. It is unfortunate. I know a number of other Members have already left. We didn't work today until noon; and we are in a position now, having begun working so late, that we're going into the night on this measure, which is a bill that initially, as I said, could have been completely noncontroversial and considered under suspension of the rules.

But I will say, having looked now at the measure, there are concerns that have been raised. They are concerns about private property rights and the threat of eminent domain. In fact, Madam Speaker, the State of New Hampshire opted out of the national designation because of these concerns. The people of New Hampshire believe that the trail running through their State is well managed and is in no need whatsoever of Federal intervention.

□ 1615

But the other States involved would like to move forward on the Federal designation, so we are here late this afternoon to consider this.

Now, as we proceed, we've simply asked that the concerns that have been raised see the light of day on the House floor; as I said, these concerns as they relate, first and foremost, with the issue of private property rights and eminent domain.

Unfortunately, while seven amendments were submitted to us in the Rules Committee, only two were made in order, two out of seven amendments submitted. And unfortunately, contrary to the promise that was made at the beginning of the 110th Congress by Speaker PELOSI that we would have a substitute made in order for legislation that's considered, a substitute that was proposed by Mr. BISHOP was, in fact, denied by the Rules Committee. And why? I mean, I ask about the time constraints again. As I said, we didn't begin work today until noon. The House convened at noon. Our most critical business of the day, as I said, the stimulus bill and the FISA law, were considered under suspension of the rules. So, why the rush for us to proceed with this New England Scenic Trails bill?

There is really no practical reason why, Madam Speaker, now that we've decided to not take this up under suspension of the rules and have a debate, that we can't engage in a little extra debate to allow for the concerns to be vetted. And if we can't have an open debate on the issue of scenic trails, then one's got to ask, what issue will we have an open debate on? I mean, what hope is there for an open process for the most significant and the most controversial issues if we can't have it on the New England National Scenic Trail Designation Act?

Now, six amendments were submitted by our friend, former Rules Committee colleague, Mr. BISHOP, addressing the private property rights issue. Four were rejected by the Rules Committee. A seventh amendment was offered by Mr. FLAKE that would explicitly prevent the use of earmarks in this bill. Now, Mr. FLAKE's amendment would have provided an opportunity to examine this bill's provision to direct unspecified Federal dollars to two private entities. Now, did any Members have a personal stake in these private groups, in these private entities? Did any Member make a specific request on behalf of these private entities? Mr. FLAKE's amendment would have helped to shed a little sunlight on this provision before we direct Federal taxpayer dollars towards two private groups. But this amendment was also rejected, Madam Speaker, unfortunately, by the Rules Committee.

Shutting out this amendment is, to me, probably the most troubling of all. Obviously, the issue of private property rights and eminent domain that Mr. BISHOP has wanted to address and his four amendments that were denied is very, very troubling. But this issue of completely preventing Members from the opportunity for sunshine and disclosure on what could have been a request by a Member for support for two private organizations is very troubling.

Now, Madam Speaker, I've got to say that this issue itself gets right to the heart of one of the biggest challenges that we faced under the Democratic leadership in this place, and it is the inability or unwillingness to rein in wasteful earmarks.

Now, last week, we Republicans were meeting in West Virginia, and we spent a great deal of time talking about the issue of earmarks when our Republican conference came together. And I'm happy to say that, with a united front, Republicans came together on this issue and we decided that we would call for a moratorium on earmarks, a moratorium until a bipartisan committee can formulate a proposal that eradicates waste, fraud, and abuse in the earmark process. It's the so-called Kingston-Wolf-Wamp legislation that has been put forward.

Now, we offered to have a complete ban on earmarks, and we challenged our Democratic colleagues to join in with a bipartisan agreement to have a moratorium on earmarks until such time as this bipartisan committee can come forward. Now, Madam Speaker, as I see you in the chair, as I see my friend from Atwater, I suspect that either or both of you, and certainly a lot of your Members, are going to be going on to your retreat. The Democratic Caucus is, I know, going for a meeting that will be taking place over the next few days. And it's fun, but challenging, and great to have an opportunity for the two parties to work within their caucuses, your caucus, our conference, to deal with these issues.

Well, I would just like to say that, just as we did at our meeting last week, while far be it for me to be so presumptuous as to say I should set the agenda for the Democratic Caucus retreat, I would like to say that in light of the offer that we made coming forward as Republicans on this issue of earmarks, I would recommend that in

light of the discussion that came here on the floor today on this issue, the speech that was delivered last night from the President of the United States in which he called for cutting in half the number of earmarks saying that he would veto legislation if he didn't see it cut in half, the request that we have made on behalf of our constituents to say we should have this moratorium done in a bipartisan way, and we as Republicans are challenging our Democratic colleagues to do that, I would like to say that I hope very much that Members at your retreat would, rather than spending a lot of time on a number of other issues, I would hope that you would put partisanship aside and try to work, just as we did on this economic stimulus issue, in a bipartisan way to recognize the very, very pressing need for earmark reform and our proposal, which should, in fact, provide strong bipartisan support.

I will say, Madam Speaker, that the integrity and the effectiveness of this body depends on our agreement to proceed with very, very important bipartisan reform on this issue. It's my hope that my Democratic colleagues will use their upcoming retreat over the next few days as an opportunity to urge their leadership to accept our proposal to make a bipartisan effort to tackle this very, very critical issue.

Today's bill was perhaps a small but yet a significant opportunity to signal a newfound commitment to open process and meaningful earmark reform. Unfortunately, today's bill is a missed opportunity. I suspect that this measure will proceed. I don't think that we'll have the votes to defeat the previous question, which I should say I'm going to attempt to do, to defeat the previous question so that we can make in order what I would describe as the Marshall proposal, the proposal that has been put forward by one of our Democratic colleagues, Mr. MARSHALL, which is basically identical to the Boehner proposal that we have on earmark reform, which will provide a greater degree of transparency, accountability, disclosure, and enforcement on this issue, which unfortunately is not there.

So, when it comes to our attempt to defeat the previous question on this, what I will be offering is tantamount to a bipartisan proposal for our colleagues as we seek to address this issue.

So, again, I would say, Madam Speaker, if my colleagues had proceeded with this bill under a suspension of the rules, you would not have had to listen to the speech I just delivered because we would have done the exact same things as we did on the $150 billion economic stimulus bill, and we would have done the exact same thing as we did on the very important Foreign Intelligence Surveillance Act reform measure, and albeit simply an extension, the steps towards bringing about reform.

But in light of the fact that we are here, denying the opportunity for us to address the issue of private property rights and eminent domain, and the opportunity for the kind of transparency and disclosure that everyone around here talks about on the issue of earmarks that would have come forward in the amendment offered by our colleague, Mr. FLAKE, I'm going to encourage my colleagues to vote ''no'' on the previous question so that we can make that earmark reform proposal in order. And if that is defeated, I will urge a ''no'' vote on the rule as we proceed with this.

With that, Madam Speaker, I reserve the balance of my time.

Mr. CARDOZA. Madam Speaker, I thank the gentleman from California for his kind words that he opened his statement with.

He mentioned throughout the statement that we might not be here if we were under suspension. I feel that under suspension of the rules, we would not be able to hear any of the debate that Mr. BISHOP is going to offer on his two amendments. So, we are actually, in fact, allowing Mr. BISHOP to make his amendments before the House of Representatives.

Mr. DREIER. Will the gentleman yield?

Mr. CARDOZA. I will yield to the gentleman.

Mr. DREIER. I thank the gentleman for yielding, Madam Speaker.

I would simply say that I very much appreciate his willingness to have greater openness on this debate. And unfortunately, when the Rules Committee met late yesterday afternoon, I offered an amendment to have this considered under an open amendment process, and that was defeated. And I then made an attempt to offer this under a modified open amendment process.

Mr. CARDOZA. Reclaiming my time, Madam Speaker, the gentleman did make that offer in Rules. However, it should be noted that Mr. BISHOP is the ranking member of his subcommittee. He had an opportunity to amend this bill in committee. He did not choose to offer but one amendment in committee, is my understanding, and then he came to the Rules Committee at the last minute with seven amendments.

The Rules Committee is allowing two amendments to be offered on the floor today. I think that's a fair hearing for the gentleman.

Mr. DREIER. Would the gentleman further yield?

Mr. CARDOZA. The gentleman has his own time.

Mr. DREIER. Well, I look forward to yielding to you if you would ever like to ask.

Mr. CARDOZA. I would like to just get through a few of my points, if I may.

The gentleman also brought up the issue of whether or not this bill has any effect on eminent domain. And I can tell you that there is absolutely no authority in H.R. 1528 for the National Park Service to take land by eminent domain, nor does the Service have any authority in local zoning issues that might affect national scenic trails.

Further, H.R. 1528 explicitly states that ''the United States does not acquire for trail any land or interest in land without the consent of the owner.'' In fact, this bill is an opt-in bill; you have to agree to have your land put into this act and used in this way.

The second part of the gentleman's statement with regard to earmarks, I'd like to just refer the gentleman to the committee report, page 7, the earmark statement. And in the committee report it states that ''H.R. 1528 does not contain any congressional earmarks.'' This is an authorization bill, not an appropriation bill. Further, the report states that it does not contain any limited tax benefits or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.'' It states that very clearly in the committee report.

Finally, the bill does allow two private groups that manage the trail currently, and this is the entire point of the bill, to receive Federal technical assistance. And that is in the way of educational experience or technical assistance to manage the trail, not resources to manage the trail.

So, I would say that there is no earmark whatsoever in this legislation.

Madam Speaker, I reserve the balance of my time.

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

I would like to respond to my very dear friend from Atwater by saying a few things.

First, on this notion of Mr. BISHOP's very able leadership position on the committee, my friend, who served with great distinction in the California State Legislature, knows very well that the legislative process is an ongoing process, and people work on amendments, people work on legislation in committee. And the fact that Mr. BISHOP may have been working on some of the amendments that he is dealing with right now and did not offer them in the committee should in no way deny him the right to represent his constituents and the American people with one of his brilliant, new, and creative ideas that quite possibly developed from the markup to the Rules Committee and now to the floor.

So, I would argue that it is very important for us to do everything that we can to ensure the most open amendment process, which is what we were promised at the beginning of this Congress.

Second, Madam Speaker, I would say to my friend on this notion of the designation of earmarks, I will say that I am particularly proud of the fact that in the 109th Congress we dealt with stronger enforcement, we dealt with the issue of earmark authorization, tax bills, and appropriations bills. Now, I will recognize that the definition that

exists for earmarks in the 110th Congress is not nearly as strong as the definition that was put into place in the 109th Congress. Why? Because the gentleman is trying to argue right now that there are no earmarks in this bill. Well, I would argue that in the 109th Congress, based on the definition that we passed in this House and was implemented, that this would have been considered an earmark.

□ 1630

Now, I know that there is a lot of vagueness on this, but we do know the following: this is an authorization bill, and there are two private entities that are the beneficiaries of this. The gentleman may be absolutely right. It may be critically important to the New England National Scenic Trail Designation Act to have these items in there. It may be. Far be it from me to say that they shouldn't be there because I don't know at this point. All we're arguing is that we should, in fact, have the opportunity for our colleague, Mr. FLAKE, who spent a great deal of time dealing with the earmark issue, to come forward with his amendment so that we could debate it. That's what we are hoping for.

So I will say, Madam Speaker, that I believe that if we, as an institution, are serious about the issue of earmark reform, reining in wasteful Federal spending, we should, in fact, in a bipartisan way, in a bipartisan way, proceed with this moratorium until such time as the bipartisan committee can come back with a group of recommendations as to how we can again, in a bipartisan way, deal with this issue of earmark reform.

With that, Madam Speaker, I would like to yield such time as he may consume to my very good friend from Utah, my former Rules Committee colleague (Mr. BISHOP).

Mr. BISHOP of Utah. Madam Speaker, I appreciate the opportunity in being here and talking on this particular bill. This is a day when we have dealt with some emergency measures in a very bipartisan way. I don't know if this is classified as an emergency measure, but it can be a bipartisan approach, too, depending on how we go from here on out.

I am grateful to the Rules Committee for taking my six amendments and approving two for the floor. This is a .333 batting average. It's enough to get me in the Hall of Fame. I'm at least above the Mendoza line, and I appreciate your doing that for me.

However, there are some amendments that really are bad amendments aimed at trying to scuttle a bill, aimed at putting shackles on the runner to prohibit him or her from getting to the finish line. The amendments that were proposed by Representative FLAKE and myself are not aimed to do that. They are aimed to take a bill and to improve a bill so they can be approved in a bipartisan way and take a bill and make it even better.

Let me assume that I can just talk for a moment on a couple of amendments that were not made in order. This trail covers the States of Massachusetts and Connecticut, but in reality the trail goes to New Hampshire, Massachusetts, Connecticut. Only two of those States are proposed in this particular bill and then a process allowed for New Hampshire to join later on. One of the amendments simply said, why don't you make the same process for all three States? It's not an effort to slow anything down. It's an effort to try to be rational in the approach to take place. I thought it was a significant and simple and straightforward amendment.

One of the things we always talk about is how important it is to have informed citizens and an informed citizenry. We had, for this particular bill, one specific property owner who did not wish her property to be included in the bill. At great expense to her, with a great deal of study and effort coming to Washington to lobby us, she was allowed by the committee to be exempt from this trail boundary line. I appreciate the committee's doing it. It was appropriate to do so. It's very positive on the part of the Natural Resources Committee to do so.

But the question that should be brought to mind is, was she an isolated situation, or was she indicative of a greater problem? Indeed, if you look at the record of the testimony, there are at least 40 other people that have the same question, the same concerns, the same approach. And so what we wanted to do is to make sure in one of our amendments that citizens were allowed to be notified that they would be now included in what before had been a voluntary trail system now into a federally mandated and regulated trail system.

And this is not an onerous task. We were told in committee that both the organizations that are currently managing this, as well as States, had a database of all the property owners in both Massachusetts and Connecticut, and they are already being mailed yearly. What would be the problem in including another paragraph in the yearly mailing saying, this is about to happen to you and if you don't like it, this is the process you can use to exempt yourself, or, even better, if you do want to be part of it, this is the process you could use to include yourself and your property?

Once again, that's not to stop the bill. It's simply a matter of making sure that everyone is clearly informed of what is about to take place, because in the history of trails, in the history of land issues in these United States, that has not always been the case, that every individual is informed of what is happening to him before it takes place.

I don't think, once again, that was an onerous request. It was unfortunate. I think it simply indicates that we should value the individual in our legislation, that we should say if even one person is going to be adversely affected and does not wish to be adversely affected, his home, his farm, his property should be held inviolate, and we should respect that. And that was the purpose of one amendment that was ruled out of order by the Rules Committee. Once again, I don't think it would have negatively harmed the bill. In fact, I think it would have moved the bill forward in a bipartisan manner.

We will talk a great deal about the concept of takings. No one who has talked about this bill wants takings to take place, wants property taken from an individual. We have heard that before. And yet in the attempt on the committee staff's part to protect individuals, there is a loophole. There is a huge loophole that will result in contradictions coming into the future. Those are some of the things we tried to put in order. And simply if you had taken that loophole out of the system and done what everyone says they want to do, we would have had a bill that all of us on this side of the aisle could have stood up and said, yes, this is a bill that we all had our input on and we are all prepared to move forward on the bill.

It could have moved forward in the same bipartisan manner, hopefully even a bigger bipartisan manner, than the other two emergency pieces of legislation we handled today, as well as the LSU resolution, which we also did in a bipartisan way, except for the people from Ohio.

Let me, at last, very briefly, re-echo what Mr. DREIER said about the Flake amendment, the so-called earmark amendment. By definition this bill does not have earmarks. That's because the committee said it didn't. By definition this bill doesn't have a PAYGO question, because the committee said it didn't. But, indeed, right after we had the State of the Union and the President talked about earmarks and the Speaker talked about earmarks, the minority talked about earmarks, we have the first authorization bill coming before us with two organizations, the Appalachian Mountain Club, the Connecticut Forest and Park Association, specifically mentioned as being eligible for grants given to them by the Federal Government, and then the language goes on and says ''or other groups,'' I think ''groups'' or ''associations.'' Had you simply taken out the specific names of the two organizations and simply allowed it to be the other groups, any group could apply for these grants and the leadership in this particular one, it would have solved all of the problem. And that's what Mr. FLAKE was trying to say. It wouldn't have prohibited them from being in the management position on this trail, but it would have simply made it a clear and open process without giving an earmark to these two organizations. That's all that needs to be taken.

Once again, these amendments that we presented were not in an effort to kill the bill, to slow it down, to make

sure it does not pass. They were in an effort to try to make sure that we took some of the areas which we think are a little rough, smoothed them over, and gave us some protections for the future that we could feel comfortable, as the Republican side, in joining with our Democratic colleagues to move this bill forward and understand that many of the things we are concerned about, protecting the individual, protecting the process that we go through, to ensure that those things are included in the bill before it leaves this body. It would have been a chance to show real bipartisan support for this concept going forward.

Hopefully, we will still have some debate on the amendments that were made in order, maybe some other issues that we can once again show the ability of this body to come together and make sure that a bill that everyone can support goes forward as opposed to one that seems to be skewed in one direction or the other.

With that, I appreciate the time being yielded to me.

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

I agree totally with one statement that Mr. DREIER, my colleague and friend from California, said, and that is that Mr. BISHOP often comes up with brilliant ideas. Today we are allowing two of those brilliant ideas to be debated on the floor.

With regard to some of the other issues that were raised, I already read into the RECORD the fact that the committee has certified that there are no earmarks in this bill. Mr. BISHOP says, well, there's a potential to have grants later on down the road. My understanding of grants is that they come from the administration, not from Congress. And if we start talking about every grant that is given by the Federal Government or the U.S. Government to the myriad of people who receive them throughout this country, that is a process that Congress has set up for a number of years. That has never before been the definition of an earmark, to my knowledge. So if that's the new definition of earmarks, that's news to me.

But I don't believe, based on the committee's certification, what I have heard, the testimony I have heard, there are any earmarks in this bill. That is what has been reported in the report, and I believe that to be the case.

Secondly, as I have previously stated as well, this bill is a voluntary measure where landowners have the absolute right to opt in or out. And so I can't see where there is coercion. There is agreement among the delegations in the affected regions, our House colleagues.

I believe that this is a good measure and it should go forward, and I would encourage my colleagues to support the rule.

Madam Speaker, I reserve the balance of my time.

Mr. DREIER. Madam Speaker, I yield myself such time as I may consume as we proceed with this debate on this authorization and earmark process.

I will acknowledge that based on this new and, I believe, rather unfortunate definition that is provided for earmarks, you have, in fact, seized a little loophole in trying to determine that these are not earmarks.

And I will tell you, Madam Speaker, what that loophole consists of. Not a specific dollar amount. Now, Madam Speaker, potentially this is even more egregious. Why? Because without a specific dollar amount, we don't know exactly how much is going to be expended. And Mr. BISHOP has just given me a copy of the proposed blueprint budget; and, Madam Speaker, what that consists of is specific designation to these private entities. And in many ways, this is, as I said, more egregious than had a specific amount been put into place, which would have required this to have been considered as an earmark.

Madam Speaker, our quest is simply for more transparency, accountability, and disclosure of our constituents' hard-earned taxpayer dollars; and we believe very strongly that that should, in fact, be the case. Now, everyone says what I just said. Everyone says we want more transparency, accountability, and disclosure. Everyone says that we want to be great stewards of the taxpayer dollars, those dollars of our hardworking constituents. The fact is what we have got here is something that is potentially even worse than under the definition that you all have as an earmark.

So I will say that looking at this proposed blueprint budget makes it even more imperative that we do everything within our power to proceed with making sure that we defeat the previous question and make in order the earmark amendment that we are going to be offering, and I hope very much that my colleagues will join in doing that.

Madam Speaker, I will be asking Members to oppose the previous question, as I have said, so that I can amend the rule to allow for consideration of H. Res. 479, the Boehner earmark enforcement rule changes. And don't fear, the amendment would not prevent the House from considering the New England National Scenic Trail Designation Act. It would merely allow the House to also consider the Boehner earmark reform proposal.

Over the first year of Democratic control, we have learned that the earmark rule does not apply when considering amendments between the Houses as well as a myriad of other legislative scenarios which were not contemplated when the new Democratic majority put through the so-called earmark reform rules. These loopholes, as I was saying earlier, have prevented numerous earmarks from being challenged in the energy bill, the State Children's Health Insurance Program expansion legislation, and the omnibus bill, which, as we all know, contained nearly 9,000 earmarks, including at least 150 earmarks that were air-dropped in the bill at the last minute.

Now, Madam Speaker, it's not just Republicans as I was saying in my opening remarks who have taken note of these earmark loopholes. Our colleague from Georgia (Mr. MARSHALL) recently introduced a virtually identical rules change geared at closing the air-drop loophole as well as the amendments between the Houses loophole.

□ 1645

Obviously, I believe it's about time for the Democratic majority to start listening not only to concerns that are emerging from those of us who serve in the minority, but from members of their own caucus on this issue as well.

Madam Speaker, I ask unanimous consent that the text of the amendment and extraneous material be inserted into the RECORD just prior to the vote on the previous question.

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

There was no objection.

Mr. DREIER. Madam Speaker, I urge my colleagues to vote ''no'' on the previous question so that I can amend the rule in order to restore accountability and enforceability to House earmark rules.

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

Mr. CARDOZA. Madam Speaker, I thank the gentleman for his debate today. I disagree vehemently that his rendition of the earmark process is an accurate one. I don't believe that last Congress's rules on earmarks were stricter and more transparent than this Congress's. In fact, I believe that the country knows that the earmark process has gotten more transparent under the Democrats and that we have far fewer earmarks in the current process than we had previously. I think voters spoke about that in the last election.

I would just go on to say, Madam Speaker, that 40 years ago, the National Trails System Act was established to provide a system of trails for outdoor recreation and the enjoyment of scenic, historic, and naturally significant areas. H.R. 1528 adheres to these very long-established values. It ensures that the sweeping, natural landscapes across New England remain protected and untouched so they may be enjoyed by our children and grandchildren for years to come. It deserves strong support by all Members on the floor today, and I urge a ''yes'' vote on the rule and a ''yes'' vote on the previous question.

The material previously referred to by Mr. DREIER of California is as follows:

AMENDMENT TO H. RES. 940

OFFERED BY MR. DREIER OF CALIFORNIA

At the end of the resolution, add the following:

SEC. 3. That immediately upon the adoption of this resolution the House shall, without intervention of any point of order, consider the resolution (H. Res. 479) to amend the Rules of the House of Representatives to provide for enforcement of clause 9 of rule XXI of the Rules of the House of Representatives. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution and any amendment thereto to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Rules; (2) the amendment printed in section 4, if offered by Representative Boehner of Ohio or his designee, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read and shall be separately debatable for forty minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

SEC. 4. The amendment referred to in section 3 is as follows:

Strike all after ''That'' and insert the following:

(1) Clause 9(a) of rule XXI is amended by striking ''or'' at the end of subparagraph (3), striking the period at the end of subparagraph (4) and inserting ''; or'', and adding the following at the end:

''(5) a Senate bill held at the desk, an amendment between the Houses, or an amendment considered as adopted pursuant to an order of the House, unless the Majority Leader or his designee has caused a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the bill and amendments (and the name of any Member, Delegate, or Resident Commissioner who submitted the request for each respective item in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits to be printed in the Congressional Record prior to its consideration.''.

(2) Clause 9(c) of rule XXI is amended to read as follows:

''(c) As disposition of a point of order under paragraph (a), the Chair shall put the question of consideration with respect to the proposition. The question of consideration shall be debatable for 10 minutes by the Member initiation the point of order and for 10 minutes by an opponent, but shall otherwise be decided without intervening motion except one that the House adjourn.''.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Democratic majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's ''American Congressional Dictionary'': ''If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GRIJALVA. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 1528.

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

There was no objection.

NEW ENGLAND NATIONAL SCENIC TRAIL DESIGNATION ACT

The SPEAKER pro tempore. Pursuant to House Resolution 940 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1528.

□ 1649

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1528) to amend the National Trails System Act to designate the New England National Scenic Trail, and for other purposes, with Mr. LYNCH in the chair.

The Clerk read the title of the bill.

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

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

The Chair recognizes the gentleman from Arizona.

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

H.R. 1528 amends the National Trails System Act to designate most of an existing trail system in Massachusetts and Connecticut as the New England National Scenic Trail. In 2002, Congress directed the National Park Service to study this trail for potential addition to the National Trails System. The draft study, completed in 2006, supports designation of the trail, with some changes to the route to address landowner concerns. The administration has testified that no major changes in the study are expected, and expressed support for the measure in testimony before the Natural Resources Committee.

The trail runs 220 miles through the heart of Connecticut and Massachusetts, past some of the most spectacular vistas and landscapes in New England. The trail offers some of the world's best opportunities to view volcanic and glacial geology, including fossil and dinosaur footprints. The proposed trail also fulfills another requirement of the National Trails System Act by being close to population centers. This trail has over 2 million people that live within 10 miles of the route, and this accessibility makes the trail a wonderful recreational opportunity.

The route of the trail crosses land owned by State and local governments and by private landowners. No Federal land is involved. Local trails associations have obtained permission from landowners allowing existing trails to cross their lands. If a landowner requests that the association close the trail on his or her property, the association honors that request. The NPS study identified no need for direct Federal trail ownership or direct Federal trail management.

If H.R. 1528 is enacted, the role of the National Park Service in implementing the designation would be to provide technical and financial assistance to

the existing trail partners, including State, tribal, regional and local agencies, the Appalachian Mountain Club, and the Connecticut Forest and Park Association. H.R. 1528 is cosponsored by Members representing all the affected districts in Connecticut and Massachusetts, and enjoys energetic support from the affected local communities.

Mr. Chairman, this is a good bill, and I want to commend my colleague from Massachusetts (Mr. OLVER) for his commitment and leadership on this matter. We support the passage of H.R. 1528, and urge its adoption by the House today.

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

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

I appreciate the opportunity to be here. I appreciate Mr. GRIJALVA as well for joining me here on this particular bill.

There are three types of trail bills that the National Park Service has: historic, recreational, and scenic. This happens to be the last of those; a scenic trail. We have not done one of those since 1983. It would seem that after 25 years, one of the things we ought to be able to do is at least do it the right way.

In the 107th Congress, a study was mandated on this particular trail and was not to go forward until the study was completed, the environmental review was completed. The study has not yet been completed. It is close to it, but not, which is, once again, one of the reasons we will be talking in a few minutes about an amendment to say this should go into place once regular order has taken place, the study has been completed, and then, appropriate to our rules to move forward at that particular time.

This particular trail has been, since 1931, done on a volunteer, local operation. People there have automatically authorized the use of their land, private property, for trails. It has been that way for over 70 years, has functioned well, and it should be one of those things of which we are extremely proud in this country, that people can actually come together and work together on a local area to do something that is good, without the heavy hand of the Federal Government helping them along the way. We have had 70 years of experience with that.

Now, one of the things I'd like to talk about, because I am an old history teacher, is simply one of the things we need to do as a Congress and as a people is to learn the lessons of history. We obviously know the hackneyed cliche that if we don't learn those lessons, we will repeat them. Or, as P.J. O'Rourke did a much better corollary, he who did not learn the lessons of history probably didn't do well in English or remedial math as well.

This Congress ought to do well in all of those, and one of those is the potential of those lessons of history. It is from those of us in the West who have had a sad experience dealing with Federal issues on Federal land issues. So our good friends in the East have not had that experience yet.

The State of Massachusetts has a grand total of 1.8 percent of its State owned by the Federal Government. The State of Connecticut has a whopping .4 percent of its State owned by the Federal Government. Very little interface with the Federal Government, which may be one of the reasons why Mr. YOUNG of Alaska or Mr. HELLER of Nevada, who stand up with concerns, should be taken into consideration, because 90 percent of their State is owned by the Federal Government, or Mr. FLAKE of Arizona, with half of his State, over half controlled by the Federal Government, or 70 percent of my State is controlled by the Federal Government. And we have had, by sad experience, seen where well-meaning and well-intentioned efforts on behalf of the Federal Government have led to some negative and unfortunate situations.

I want to tell you one story in an issue that is different than a trail setting. I want to talk about Gene, an old farmer, third-generation farmer, growing sugar beets, which, by definition, is a root crop and cannot grow in wetlands. Gene decided he would rent part of his sugar beet land for alfalfa, and to make sure that the water, which was going from an irrigation pipe from the creek to his land, would get to the high point, he allowed it to pool in the lower point.

One day, one of the Federal regulators, given authority under a very vague Federal law, came there and said that land is obviously a wetland. Actually, what he simply said is that the Great Salt Lake is part of our interstate commerce system, Logan Creek is part of it going into the Great Salt Lake. Therefore, the irrigation pipe is part of the navigable waterways of the United States, and the water is a wetland.

It didn't matter that Gene was able to get the Soil and Conservation Corps in there to prove the land was not conducive to wetlands; didn't matter that once he stopped the irrigation pipe, the water went away. In fact, that same regulator from the Federal Government threatened to throw him in jail if he actually stopped that water from going into the navigable rivers, i.e., irrigation pipes of the United States.

The end result is that this old gentleman, who in his entire experience in working with the Federal Government I never heard him utter one swear word, although I did on many occasions, had his entire heritage regulated and controlled by, not taken, because that means the Federal Government would have had to pay him for it, instead, they regulated and controlled it. They told him what he could or could not do. They took away not only his heritage, but took away his pension. They also took away his pension and legacy for his children, and, yes, I am mad about that.

When this Congress passed the Clean Water Act, which has to be a wonderful act; no one would be opposed to the Clean Water Act, we did not intend to take Gene and ruin his life. But because the language was vague, we allowed government entities to interpret it their own way, and, in fact, we harmed that old gentleman. It's not what we intended to do. No one wanted to do it, but, nonetheless, that citizen was harmed.

We have already talked in the rule debate over one citizen who wanted out of this trail system, and by the fact she had enough money and time and determination, she was allowed to be exempt from that. Whether that is isolated or indicative of a greater situation is what we must be very careful of; otherwise, our good intentions will actually harm and hurt individuals, which is not what we should be doing.

We did have testimony coming in of other people who were in this same situation in this same area. The government should not be in the business of harming people. We should be in the business of protecting the little guy so that his home, his farm, his legacy is neither harmed by anything that we will do. Too many irregularities with government land have happened in the past to say that we can do anything less than making sure that our language in these types of bills is specific and direct as to what we intend to be the net product. If we say we want to save somebody's property, we don't want to take it, it must be specific and direct and say that; otherwise, like we had with the Clean Water Act, people can interpret it in a different way, and American citizens get harmed.

Mr. Chairman, under the pronouncement, the point that was made by Mr. GRIJALVA at the very beginning of his motion, I would like to submit letters into the RECORD indicative of individuals who have those same problems dealing with the Federal Government. It wasn't intended for them to be harmed, but they have been harmed and they have been harassed in like situations.

□ 1700

We have proposed several amendments which in all sincerity if adopted would make us happy with this bill, and we could support it in every sense of the word.

One of the issues deals with the concept of hunting and gun rights. Long in the 75-year-plus history of this trail, there has been a cooperative effort to make sure that those rights were not infringed and that local ordinance and local concerns would be the dominant factor. We want to make sure that that is very clear in this bill. It is the intent of the sponsor, but we insist that the verbiage has to be specific to make sure that that is never put into any

question or doubt by some future Congress, some future regulator, some future judge.

We will have an amendment also to be presented to do exactly that, to make sure that it is very clear that is our intent, that local law will take precedence.

We have said before that we are concerned about a potential eminent domain loophole within this bill. We are concerned about that, and at some time we will want to address that as we go through with this particular debate.

APRIL 14, 2007.

Re H.R. 1528.

Chairman NICK RAHALL,
Ranking Member DON YOUNG,
House Committee on Natural Resources.

CHAIRMEN RAHALL AND RANKING MEMBER YOUNG: My name is Katherine (Kitty) Breen and I am writing to testify in opposition to H.R. 1528, the New England Trail Bill.

My family owned Saddleback Mountain and Ski Area in Rangeley Maine. The Appalachian Trail traversed over Saddleback Mountain and bisected the mountain's ski terrain. The negotiation between my family and the NPS over what could have been a simple land donation exceeded 20 years and had a serious, long-term detrimental affect on my family, the ski area and the surrounding community. Eventually, after millions of dollars lost, countless hours of time from our highest ranking state and federal public officials, strained professional careers of an entire ''at risk'' community, and negative health and financial repercussions for my family members, the Saddleback Issue was resolved. For now.

I speak to you as someone who has been NPS classified as a ''willing'' seller. In reality, we were bullied, pressured, intimidated, threatened, ignored, played with and forced. In the end, we escaped, we are still alive, financially solvent, and able to be grateful to those who helped us. Most land owners who deal with the NPS administrators are not as fortunate. For this reason, I feel a moral responsibility to speak out.

I have previously submitted testimony on July 26, 2005 describing many of the legal details and strategies devised by the NPS to take more land than was legally allowed or intended by Congress. Let me just say here, that during the entire 23-year conflict, which began in 1978 and ended in 2001, my family was acting honorably and in good faith, trying to donate the required land to secure a permanent passageway for the Appalachian Trail. Many offers were put in writing, countless face to face negotiations were held (many which were observed or even facilitated by Senators Snowe and Collins and their staff), thousands of citizens wrote letters and a unanimous resolution passed by the state Senate urged acceptance of our donation offers. And yet, inexplicably, the NPS not only refused to accept or seriously consider our offers but in an increasingly intimidating manner, proceeded to bully and emotionally threaten us for more.

I am opposed to this Bill because in our experience, the authority you think you are granting the NPS, will not be what they will implement. They will find ways to interpret that authority in ways unforseen by Congress, to achieve goals Congress may even be explicitly forbidding. In our specific case, even when we were able to point out inconsistent and incorrect intrepretations of power, even when a sitting U.S. Senator commanded them to behave, it became clear that no one had the oversight or authority to stop them. Based on our experience and those of others with whom we have spoken along the Trail, they can and will interpret this bill and its authority inappropriately to bully landowners.

I am writing this letter because we are not typical landowners. On reflection, we were fortunate to have a constellation of resources, political capital, expertise, moral determination and luck that others would not be likely to have. My family had another business which financed us. Our long-standing relationship with a community which supported us and wanted us to succeed enabled us to undertake a grass roots campaign involving thousands of supporters. We were lucky that all of the Maine Congressional Delegation were honest, hardworking, reputable public servants who would listen to us, provide neutral environments conducive to resolution, observe injustices, and ultimately take action that achieved resolution. Ultimately, our problem was resolved by Secretary Babbitt himself, who worked with ex-Senator Mitchell and Senators Snowe and Collins and Congressmen Baldacci and Allen. Our case was resolved on the day Clinton left office.

In sum, we had not only luck, but tremendous resources and political pressure on our side. We cannot imagine any other single land owner having the financial resources, determination, intellectual capacity, political capital or emotional/physical health to fight the NPS administrators who use unjust tactics to achieve unintended program goals.

Following are a few examples of what we consider unjust tactics: we experienced repeated attacks on our integrity, often by radio in our home town. My family has a deep and broad commitment to public service, so these attacks hurt. While our long-standing reputation protected us from these attacks, it was nonetheless hurtful and continues to be so. Nothing has been unaffected: my career, my husband's career, my family's reputation.

They also conducted biased ''scientific'' studies and publicly vilified us regarding financial viability in order to justify our existence. With limited resources, we were placed in a position where we had to defend ourselves and refute their studies instead of being able to spend what time and resources we did have growing the business. We were shut out from public opportunities to set the record straight despite requests from a sitting U.S. Senator to allow us to do so.

The negative campaign conducted trashing Saddleback's business viability continued to have repercussions long after the settlement. When my father retired, it was very hard for us to convince future owners of the mountain's viability. There were stacks of inaccurate NPS studies showing otherwise and we had to disprove everything. Additionally, despite verbal agreements that the NPS would not come back for more land once we had left, the NPS refused to put such a statement in writing.

In our experience, the NPS uses the Appalachian Trail Conference (ATC) to do the work they are legally prevented from doing. The two work in inappropriate partnership in this regard. In all negotiation sessions, the ATC presented scenarios on behalf of the NPS, and were presented to us as representing the NPS. But agreements forged with the ATC were then retracted by the NPS. In this way they were able to squeeze more concessions out of us.

Showing up to negotiation sessions with no decision making authority was another common tactic and any level playing field requirements we requested were turned against us. For example, they refused to negotiate at all if we required transcripts of the negotiations and agreed upon outcomes. And after refusing multiple invitations for negotiation during the nine months of my pregnancy, they sent a letter to my office a week after my son was born threatening eminent domain if I didn't meet to negotiate immediately. Only a few weeks later a Maine newspaper headline screamed that negotiations were off due to my baby's ''colic''. You can imagine how a first time mother who had left her chosen career and worked tirelessly in good faith throughout her pregnancy would feel.

Today, six years after resolution, we are still recovering from the personal toll the conflict took on us. I am just now starting to feel like the anger I developed as a result of the Saddleback/NPS experience is starting to leave me, and that I can begin to talk about it without negative repercussions. Even so, I try not to talk about it or think about it and I work to shield my 76 year old father from it. My husband and I are grateful the sense of betrayal and anger has finally left our house.

The general public does not want to believe that NPS administrators are the bullies they have shown themselves to be. But they are and as our elected officials you need to know that. Based on conversations with other land owners, I believe that a majority of land owners who have had to negotiate with the NPS have similarly devastating experiences to share.

It is hard to come forward. We still have land at Saddleback, and fear that they will retaliate. Other people will feel the same way. It is not in my family's best interest to write this letter, I did not want to write this letter, but I feel a moral responsibility to my country to do so.

My family and the Western Region of Maine had the benefit of an amazing constellation of resources and good luck. I can not imagine such luck striking twice or that most land owners would be able to withstand the indecent tactics employed by the current NPS administration. Nor can I envision a way that you can regulate against them once you have empowered them. While I can support the creation of a multistate trail system, I cannot in any way support NPS or ATC involvement in such a cause. Please create the Trails under the State regulators and under the guidance of state citizens with access to State Government. Please join me in opposing NE trail Bill H.R. 1528.

Thank you,

KITTY BREEN,
Former Executive Vice President and Chief Negotiator for Saddleback Mountain.

CHRIST THE REDEEMER
CATHOLIC CHURCH,
Sterling, VA, May 18, 2007.

Hon. DON YOUNG,
Hon. RON BISHOP,
Subcommittee on National Parks, Forests, and Public Lands, House of Representatives, Washington, DC.

DEAR SIRS: Thank you for the opportunity to express my concerns regarding H.R. 1528, which permits the Secretary of the Interior to administer the New England National Scenic Trail consistent with the plan developed by the National Park Service.

My concerns grow from my experience with the National Park Service's administration of the Appalachian Trail while I was Minister General of the Franciscan Friars of the Atonement when the National Park Service attempted to seize 118 acres of the Friar's property through eminent domain.

BACKGROUND

Graymoor, Garrison, New York has been the headquarters of the Franciscan Friars of the Atonement since 1899. The 420 acres provides housing for friars, a homeless shelter—

St. Christopher's Inn (operating since 1909), worship, a retreat ministry and a variety of other ministries and programs including providing hospitality to Appalachian Trail hikers. In the course of a year several thousand persons come to Graymoor for shelter, spiritual renewal, to enjoy the natural beauty, to worship or for pastoral counseling. On a typical weekend there may be 300 to 400 visitors or several thousand. From the beginning the Friars have always welcomed visitors and those seeking assistance.

FIRST THREAT OF EMINENT DOMAIN

The Friars permitted the Trail to cross the eastern portion of the property at Graymoor in 1923 on a handshake agreement. Beginning in 1980 the National Park Service requested the trail be moved to the western portion of Graymoor, which directly borders the area in which most of the previously mentioned ministries and activities take place. For that reason, the friars resisted and preferred the Trail remain in its original location, The National Park Service threatened eminent domain. In 1984 the Friars reluctantly agreed to grant an easement for 58 acres and the trail was moved from the open and natural eastern side of Graymoor to the more built-up and busy western side.

SECOND THREAT OF EMINENT DOMAIN

During 1980's the Friars began to undertake needed and necessary upgrading and repairs of infrastructure. This was needed to continue St. Christopher's Inn, to accommodate pilgrims and retreatants, and for St. Paul's Friary in which the friars lived. The first project was the installation of a sewage treatment plant and sewer system, Due to the fact that Graymoor is located on a mountain, it was necessary to install a sewage treatment pump. To house that pump, a shed was built, about the size of a shed you would purchase for your lawnmower and garden tools. One corner of that shed (maybe 15 square feet at most) infringed upon the easement.

It was in this time period that the National Park Service informed the friars that it wanted to expand the easement from 58 acres to 118 acres in order to protect the environment on both sides of the Appalachian Trail. The reasoning was its mission had expanded from maintaining the Trail to protecting its immediate environment and to protect any further infringement by the friars as happened with the pump shed.

As Minister General of the Friars I was opposed to this expanded easement because our land on the western portion of Graymoor is the area in which friars live, employees' work, and ministries and programs take place. We considered the land to be holy and to be used for the service of God, the Roman Catholic Church, and the thousands who came for whatever reason. It was my responsibility to make every effort to ensure that we would have the needed resources for future growth and use. To expand the easement could all too easily hamper our ministries or future development. One example is that the proposed new easement would have bordered our sewage treatment plant, thus making any future upgrades almost impossible. As an aside, since that time the new St. Christopher's Inn and the new infirmary for the Franciscan Sisters of the Atonement have been hooked up to the sewage treatment plant—my concerns weren't just theoretical. Part of the area, if confiscated by the National Park Service, was also used for parking. We offered the National Park Service the opportunity to switch back the Trail to the original setting, still undeveloped, so that not only the Trail could be maintained but that there would a natural environment for it. The National Park Service refused this option and threatened to proceed with eminent domain.

It was only with the active intervention of Sen. Charles Schumer and the assistance of Representative Sue Kelly was this issue resolved to the satisfaction of the Friars and the National Park Service.

One of the surprising things I learned during our negotiations with the National Park Service was the fact the agreement for an easement could not contain any provision in which the U.S, government would agree not to further use eminent domain. This certainly leaves open the possibility of more disagreement in the future if the National Park Service expands its mission regarding the Trail or switches its location once again.

Even though H.R. 1528 states, ''The United States shall not acquire for the trail any land or interest in land without the consent of the owner'', the plan mandated by this bill does permit that. Also, efforts are being made to the states to claim the land by eminent domain before it would come under management of the Secretary of the Interior.

I urge the Subcommittee on National Parks, Forests, and Public Land not to endorse this bill.

Thank you.

Sincerely,

Rev. ARTHUR M. JOHNSON, S.A.

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

Mr. GRIJALVA. Mr. Chairman, I appreciate the comments that the gentleman from Utah, the ranking member of the subcommittee, made. There is a point of consistency, too. As we talked about the effects, I thought we were talking about a trail bill, not a farm bill, but the effects of the Federal Government on private land.

I would suggest that part of the consistency would be to quit incentivizing extraction of mining claims and mining rights on private property, that that would be consistent. It would be consistent also to not have eminent domain and condemnation with regard to road construction of Federal roads and energy corridors. I think that kind of points out the fact that we are talking two different things here. We are talking about a trail that has already been through the process and the study and that merits our support today.

Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut (Mr. MURPHY).

Mr. MURPHY of Connecticut. Mr. Chairman, I thank Chairman GRIJALVA, and thank you also to Chairman RAHALL and my good friend Mr. OLVER from Massachusetts for their hard work and diligence in bringing this bill to the House floor. The process by which it comes to us started long before I arrived here.

Mr. Chairman, in this digital age, our computers, our cell phones, our BlackBerrys, our PDAs, they have all collapsed vast distances that for so long have defined our lives. Continents can now be bridged in seconds with just the touch of a button, and the miles of fiber optic cable running beneath our feet and the satellites orbiting miles above our heads have helped make our modern world seem much smaller and much more compact. The idea of sending a physical letter through the mail now seems charmingly outdated in an age where communication is measured at the speed of light.

But in our wholesale embrace of this breathtaking new age of technology, we sometimes have lost sight of the enduring power of the natural world. Back in the outdoors, one is once again reminded of the sheer immensity and the beauty of the world around us. Getting away from our cars, getting away from our desks and laptops, thousands of New England residents every day take to the parks, to the trails, and to our reserves to reconnect with the natural world that thrives quietly all around us.

I rise today in strong support of H.R. 1528, the New England Scenic Trail Designation Act, because it will give thousands of more Americans, many of whom reside in the Fifth District of Connecticut, access to one of the most beautiful natural resources throughout the Northeast.

The Metacomet-Monadnock-Mattabesett Trail, or the MMM Trail, runs some 220 miles from the southern border of New Hampshire all the way down to the Long Island Sound, from Royalston, Massachusetts, to Guilford, Connecticut, cutting across the Farmington Valley towns and the towns of New Britain and Meriden in the Fifth Congressional District of Connecticut.

Now, this isn't some secluded, inaccessible trail. This gem runs right through the heart of some of this district's most populous areas. More than 2 million people live within 10 miles of the MMM Trail, making it uniquely accessible as a recreational opportunity for hikers, for joggers, for picnickers, and for everyone who loves the outdoors.

With this bill's passage, the MMM Trail will become only the ninth scenic trail designated in the 40-year history of the national trail system, joining the likes of the Appalachian Trail and the Continental Divide Trail throughout the country as these national scenic recognized trails.

Until now, the MMM Trail has been maintained through the generosity of private donors, through natural preservation groups and landowners who have allowed people to pass through the trail of their own accord. With Federal recognition, the trail will have access to grants and to resources that will help with its maintenance, with its preservation, and with public awareness.

The hundreds of thousands of Connecticut and Massachusetts residents who have enjoyed the MMM Trail over the past half century will be joined by scores of new visitors coming to enjoy its breathtaking vistas, its distinctive flora and fauna, and its rich history. And those who have enjoyed the MMM Trail in the past will now be assured that the trail will be protected for future generations, while ensuring that the trail is actively maintained and cared for for all.

Perhaps the most important backers of this trail are the thousands of nature lovers who have hiked and enjoyed the MMM Trail for decades. Just today,

Adam Moore, the director of the Connecticut Forest and Park Association, wrote me. He said: ''It's thrilling to me to think that this beautiful trail that I once hiked with my father could now become a scenic trail. I recall dangling my legs off the rocks of Mt. Pisgah in Durham while my father pointed out the gold building in Hartford some miles away gleaming in the distance. It is so inspiring to think that this trail in my home community could merit national status and recognition and that people will be able to enjoy it for years to come.''

Mr. Chairman, I would like to submit at the conclusion of my remarks several such testimonials for the RECORD.

Mr. Chairman, as chairman of the Congressional Land Conservation Caucus and a representative of the thousands of Connecticut residents who lie along the MMM Trail, who have enjoyed it for years and will enjoy it for years to come, I hope that the House will join me in recognizing and protecting this beloved trail for future generations. I urge my colleagues to vote in favor of H.R. 1528 and join me in the near future for a hike through the beautiful hills of New England.

SIMSBURY LAND TRUST,
Simsbury, CT, January 21, 2008.

Representative CHRISTOPHER MURPHY,
Cannon House Office Building,
Washington, DC

DEAR REPRESENTATIVE MURPHY: We want to thank you for your time and comments January 12 at the Avon Community Center. It is easy to start thinking of our local challenges in a vacuum and it is useful to have an opportunity like your visit provided to sit down with others and to look at the bigger picture. We also appreciate your offer to help should we think your office could be of assistance in working with federal programs. I actually plan to send some ideas and a request this winter.

In the meantime, we wanted to get this thanks to you and also to respond to your comments regarding the New England Scenic Trail Designation Act and recognition of the MMM Trail. We could not agree more with you that this is vitally important. As you know, the MMM Trail runs through Simsbury as well as other Farmington Valley towns. It is the most heavily used trail in this town as well as in neighboring towns. It is easily accessible to the Greater Hartford area, it has spectacular views of both the Farmington River Valley to the west and the Connecticut Valley to the east and it is rugged enough to be both physically and intellectually challenging.

Over many years the State of Connecticut, towns and land trusts along the trail have acquired large sections of the ridge over which the trail runs. However, there are still important sections that all of us continue to work on. We know well from experience along this trail as well as others that trails are under continual pressure as development along the hillsides crowds out this historical use. This trail is a regional and national treasure that gets heavy public use by local residents and visitors alike. National scenic designation will be a valuable tool and will be a great help in assisting regional efforts to maintain this resource for years to come.

Thanks again for your recent visit.

Sincerely,

RICHARD A. DAVIS,
President.

January 28, 2008.

Congressman CHRISTOPHER S. MURPHY,
Cannon House Office Building,
Washington, DC.

DEAR CONGRESSMAN MURPHY: On behalf of the Connecticut Forest & Park Association, I am writing to express our strong support for H.R. 1528, the New England National Scenic Trail Designation Act. This bill would designate the Metacomet and Mattabesett Trails in Connecticut, and the Metacomet-Monadnock Trail in Massachusetts, as the New England National Scenic Trail. We strongly support this legislation as it would greatly enhance the opportunities for the stewardship of these trails while leaving the fundamental, voluntary nature of this trail system intact.

The Connecticut Forest & Park Association established the Metacomet and Mattabesett Trails in Connecticut in 1931, and our volunteers have maintained them as open-to-the-public hiking trails ever since. The Association would still maintain these trails in Connecticut if designation occurs. With funding and assistance that could come from National Scenic Trail designation, we would be better able to work closely with landowners and towns, post signs, construct trailhead kiosks and parking areas and improve the condition of the trail for owners and for the walking public. Furthermore, we believe that National Scenic Trail designation would enhance the prospects for willing seller land conservation along the trails.

I further note that the primary goal of the National Trails System Act states that ''trails be established primarily . . . near the urban areas of the nation.'' With two million people living within ten miles of this trail, the proposed New England National Scenic Trail certainly meets this goal, perhaps better than any other National Scenic Trail.

Thank you very much for your support of the New England National Scenic Trail Designation Act.

Sincerely,

ADAM R. MOORE,
Executive Director.

STATE OF CONNECTICUT,
EXECUTIVE CHAMBERS,
Hartford, CT, January 29, 2008.

Congressman CHRISTOPHER MURPHY,
Cannon House Office Building,
Washington, DC.

DEAR CONGRESSMAN MURPHY: I am writing to express my support for the New England National Scenic Trail Designation Act. Amending the National Trail System Act to designate the Monadnock, Metacomet and Mattabesett (MMM) Trail System as the New England National Scenic Trail, will generate the necessary increased levels of attention and resources to ensure the long-term viability of the MMM Trail System. I believe that this designation is an important step in preserving the unique character and quality of life that we enjoy in our states.

The 825 mile MMM trail system forms a backbone supporting our state's ecological, historic, scenic and economic resources. More than two million people live within ten miles of the trail system. As development continues to change our landscape, unprotected portions of the MMM Trail System continually experience increasing pressures. The Connecticut Forest & Park Association established the Metacomet and Mattabesett Trails in Connecticut in 1931, and through the hard work of volunteers and the good will of private landowners, these trails have remained open to the public but are greatly at risk. The legislation will help to protect this regional treasure for generations to come.

I am confident that the MMM Feasibility Study's goals we identified in collaboration with the Massachusetts Department of Conservation and Recreation can be brought to fruition. Thank you for your continued leadership on this issue.

Sincerely,

M. JODI RELL,
Governor.

DEAR SIRS: The Avon Land Trust strongly supports H.R. 1528, the New England Scenic Trail Designation Act, because open space preservation is an increasingly important issue in Connecticut and scenic trail designation conserves open space and promotes the use of that space. Hiking is a low cost, low key recreation that gets the public, especially families, outside to see nature firsthand.

As more land is developed in Connecticut, habitat is reduced but trail systems protect wildlife corridors crucial to many species. This particular trail system is located on ridge line, which helps preserve the appearance of these highly visible geological features in the Farmington Valley.

Regards,

ROBERT BRECKINRIDGE,
President, Avon Land Trust.

Mr. BISHOP of Utah. Mr. Chairman, I yield such time as he may consume to the ranking member of the Natural Resources Committee, the gentleman from Alaska (Mr. YOUNG).

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Chairman, first let me thank the ranking member of the subcommittee for his excellent presentation on this legislation, and, yes, the chairman, too. There is just a matter of a difference of opinion.

Again, the majority on that side is more interested in creating recreation and amusement opportunities than creating jobs and affordable energy. It is ironic to me that one of the States, in fact both of the States, named in this bill, none of their Representatives or their Senators have ever voted for any energy development, not one time. And consequently, they are paying, their constituents, a tremendous price for energy they are consuming.

Just last week, the Boston Globe published a story that said: ''Massachusetts manufacturers pay the highest electricity prices in the Continental United States,'' thus discouraging industry coming into the State. In fact, it is leaving.

A 200-year-old paper mill in Lee, Massachusetts, was shut down because of high energy costs, a loss of 160 jobs. Now, some of these workers may get an opportunity to be retrained to cut brush on the trail we are trying to set aside today. Of course, that pays the minimum wage.

It is ironic to me that this was all caused by a lack of action in this Congress. New England needs energy; and if I can remind this body, and good morning, Mr. and Mrs. America, that is our number one problem in this country today, is energy. That side of the aisle, not only the side of the aisle in the House but also in that other body, now because of you, we are importing—

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The gentleman will please direct his remarks to the Chair.

Mr. YOUNG of Alaska. In what line? What did I say wrong?

The CHAIRMAN. While speaking in the second person. The gentleman pointed to the other side.

Mr. YOUNG of Alaska. I will point to you next time.

We are importing 12 million barrels a day from our enemies, thanks to you; 12 million barrels a day, at $100 a barrel. Mr. and Mrs. America, remember, $1.2 billion a day we are sending overseas because of the majority not supporting energy development. That is $438 billion a year that we are sending overseas, to not our friends, but to our enemies, the Chavezes, and to the Iraqis, the Kuwaitis, Saudi Arabia, and, yes, a little bit to Russia, because we don't have the courage to develop our oil and our fossil fuels in this country, thanks to the majority.

And we just voted on a stimulus bill today. Big deal. If you are taking that up, $438 billion a year, we are imposing a $1,460 tax on every man, woman, and child in America every year because the majority will not support energy legislation. Oh, you are going to support a trail today, taking taxpayer dollars again for recreation, but you will not support energy in this country. And this Congress, especially the majority side, has never, ever supported energy production in this country of any type, nuclear, even wind power, and certainly not fossil fuels.

That is what is wrong with this Nation today. We are bleeding the economy from our bodies to support overseas countries for fossil fuels which we have on our shores, on our shores and off our shores. We are disallowed from developing the Rocky Mountains. We are disallowed from drilling off the coast of California. We are disallowed from even drilling off the coast of Alaska. And, of course, the majority will never support opening ANWR, which has 39 billion barrels available for America.

And for those out there, my colleagues, every time you fill your gas tanks, it doesn't hurt you too bad. But Mr. and Mrs. America as they go to work are being taxed by you. The stimulus package, everybody might get $1,000. But remember, everybody is going to be taxed this year $1,460, every man, woman, and child in America, because this Congress on the majority side doesn't have the courage, the courage nor the wisdom, to develop necessary energy in this country which we have.

I ask you, when are you going to wake up? When is this body, and even the Presidential election that is going forth today, I don't hear anybody talking about developing energy sources. I hear about conservation and light bulbs made in China and filled with mercury. Wait until you try to dispose of those, Mr. and Mrs. America, and see what happens. I say shame on us.

This bill today is a trail that people say they need and they want. But I suggest, respectfully, if you don't address the energy bill, you will never be able to have anybody walk on it. You might as well make your highways into trails, because you won't be able to run your trains, your planes, your automobiles, or your ships.

And that is the economy of this country. That is the economy of this country. If you can't move product to and from, if you don't have the energy within your factories to produce those products and hire the people, you don't have an economy. You don't have an economy. You don't have an America. You don't have freedom. You don't have the Nation of the United States of America.

We were made great because we had a source of energy. We were made great because we had hydro and we had fossil fuels, the coal that drove our steel mills and produced the greatest war machine to stop World War II in history. We used our coal because we needed it. We had it and we did it. Not today. You can't do it.

So, as I say, Mr. Chairman, this Congress has a tremendous responsibility and you are not living up to it. You passed an energy bill that produced nothing but hot air. Nothing. Conservation, yes, we are all for that. But it had no production in that bill of any source of energy. And yet we say we passed an energy bill.

It will come back. It will haunt you. And some day down the line your grandchildren and all those around you and their grandchildren will say, what was Congress thinking about? The greatest Nation in the world, the greatest Nation in the world became a third-class country. The greatest Nation in the world, because we didn't produce our energy. We didn't provide for the future generations.

And for those that don't agree with me, thank God these words are going down. And some day along those lines they will say, you know, the gentleman from Alaska had a point that they should have listened to, but they did not. It is too bad they didn't, because we are where we are today, not the democracy that they were then and not the greatest Nation in the world, in fact a third-class country.

Mr. GRIJALVA. Mr. Chairman, I yield 3 minutes to the gentleman from Connecticut (Mr. COURTNEY), a cosponsor of this legislation.

□ 1715

Mr. COURTNEY. Mr. Chairman, I want to start by first of all thanking Chairman GRIJALVA who during this 110th Congress has shown that he is a true friend of the State of Connecticut with his advocacy on the 8-Mile River bill and now for the MMM Scenic Trail bill.

I also want to recognize Congressman OLVER for his hard work on this issue, and Congressman MURPHY and the other cosponsors of this legislation.

People are extremely excited who live in the area that will be affected by this trail. Again, I think it will be a wonderful step forward for New England. And as CHRIS said, reconnecting with its terrific natural beauty and natural heritage.

Four of the towns which this trail goes through touch Connecticut's Second District. Suffield, Durham, Haddam and Madison, at various points on the map that Congressman MURPHY presented, are part of the national scenic trail.

This is a system, to sort of get back to the bill before us today and maybe away from some of the global issues which were just discussed, it was a system created in 1968. Twenty-three trails have been given designation by Congress during the last 40 years in a very nonintrusive way with no damage done to people's property rights, but in a way that is a partnership relationship between the Federal Government and local landowners and communities.

It is my understanding that the Governor of the State of Connecticut, Governor Rell, a Republican, is supporting a letter in support of the legislation. I think that is indicative of the feeling of the communities that are touched by it, certainly in the State of Connecticut, and particularly by the private, nonprofit Connecticut Forest and Park Association, which Mr. BISHOP gave great praise to, and they deserve it for the work that they have done over the many years.

But I think it is important that when we talk about the work that they did, they are vigorous advocates and supporters of this legislation because they see it as consistent with the mission that they have carried out for 75 years, to keep the trail accessible to families, to individuals from all over the world. They deserve, I think, the biggest credit for their support for this legislation over the last few years.

Finally, I want to say in response to the prior speaker, the Members of the U.S. Senate from the State of Connecticut did support production of new sources of energy in the energy bill which was sent to the Senate. Production tax credits for geothermal wind and solar were paid for by taking away tax breaks for oil companies. Unfortunately, the opposition party in the Senate stripped those critical, important, necessary changes that our country is yearning for. We in the Northeast are as committed as any part of the country in terms of the need to transform our energy system so we will have a thriving economy that will be there for our children and our grandchildren.

Mr. BISHOP of Utah. Mr. Chairman, I would like to talk about one other potential problem with this particular bill. It is not really a problem, but it is a concern that needs to be addressed in some particular way.

We have talked a great deal over the past year about the concept of PAYGO.

This bill does not have a PAYGO concern; the committee said it did not because it does not specifically appropriate money. However, it does authorize the use of money, and in the bottom line from what people would be saying at the kitchen table, it costs money.

This bill will actually cost $2 million. Not a huge sum, kind of a rounding error in our government, but it is still $2 million. The money is not having to be offset under PAYGO earmarking accounting rules. However, it is still money that has to be spent, and it has to come from somewhere else.

Where it will come from is the Parks Department budget which will then take it from other projects. It is one of the spinoff effects every time we add a new measure that the Parks Department has to administer, has to pay for and has to run. That is one of the concepts that we have.

I mention that simply because we have crying needs in the Parks Department today. I would like to mention specifically this building. It is not in my district; it is Mr. MATHESON's district in my State. But it is a brilliant building at Dinosaur National Monument. I went there with my kids. I have been there before several times with other kids. It is a wonderful opportunity for people to see bones exposed in the mountainside itself. It is a great learning experience with one problem: it is condemned. And we don't have the money in the parks system to fund it, to fix it.

This is one of those issues here. It is only $2 million for this trail. It is only a little more administrative responsibility and a little bit more land. But the problem we have is it comes from somewhere. It comes from these types of problems, these types of issues and determinations that need to be made.

Even though it doesn't have to be offset by PAYGO rules, it has to be funded somewhere and that is going to come out from other needs that are in the Park Service that will continue to be minimized as we expand the assets that this government has and we expand the programs that the Parks Department actually has to run.

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

Mr. GRIJALVA. Mr. Chairman, I yield 3 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, I am delighted to rise in support of H.R. 1528, the New England Scenic Trail Designation Act, which would designate portions of the Metacomet-Monadnock-Mattabesett, or the MMM Trail System, as a national scenic trail.

I commend Representative OLVER for his leadership on this issue, and I thank him for bringing the entire region together to make this happen.

This is a simple commitment to act as responsible stewards of our natural resources. We have an obligation to our communities and to generations that follow to preserve our Nation's scenic beauty, wildlife, and outdoor recreation.

Now we have the opportunity to make good on that great promise, every step of the way along the 190-mile MMM trail system as it winds through 39 communities in central Connecticut and Massachusetts.

The trail route, which has been in existence for over half a century, hosts numerous scenic features and historic sites. But more than that, this unique trail passes through some of the most densely populated parts of the country, 2 million people live within 10 miles of the trail, and offers users exceptional recreational opportunity near urban areas.

That is why this legislation is so critical. By protecting against increasing pressures from residential subdivision growth, national scenic trail designation will provide an opportunity for long-term viability.

It will offer residents safe, healthy recreation options free of smog, congestion, and stress. In an age when we are constantly trying to combat sprawl in our communities, we need to recognize that these kinds of projects are a real investment in our communities and in community spirit alike. I urge a ''yes'' vote.

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

Mr. GRIJALVA. Mr. Chairman, at this time I would like to yield to the sponsor of this legislation, the gentleman from Massachusetts (Mr. OLVER) such time as he may consume.

Mr. OLVER. Mr. Chairman, I am not quite sure how long my voice will hold out, so I will probably be fairly short.

I just want to commend the chairman of the full committee, Chairman RAHALL, and the chairman of the subcommittee, Chairman GRIJALVA, and thank them for all of their great work in bringing this bill to the floor.

The New England Scenic Trail Designation Act is a product of almost a decade of cooperation between the Massachusetts delegation and the Connecticut delegation, and both delegations have changed over that period of time, the National Park Service, the Appalachian Mountain Club, the Connecticut Forest and Park Association and a lot of local communities and individuals.

The bill designates major portions of an older, voluntary Metacomet-Monadnock-Mattabesett trail system as a national scenic trail. Now, I have hiked every mile of the old voluntary system through Massachusetts; and while some segments are very well protected, other sections have suffered serious encroachment. National scenic trail designation will provide an opportunity for long-term preservation for future generations.

Currently, the MMM trail system is administered by local nonprofit organizations: the Connecticut Forest and Park Association in Connecticut and the Appalachian Mountain Club through its Berkshire Chapter in Massachusetts. The Connecticut Forest and Park Association in fact is a private nonprofit organization which contracts with the State of Connecticut to run the trail systems in all of their public parks, so it is a very reputable organization which has been there for a long time and has a huge number of volunteers who work on it, and it works closely with the State of Connecticut. I want to recognize and thank the many volunteers and staff of these organizations who have worked diligently to help develop this initiative. Because of their effort, every Member through whose district this trail system passes supports this legislation.

In the case of Massachusetts, the Appalachian Mountain Club has over time been sort of a sponsor for the trail within Massachusetts, the old voluntary trail, not only this trail but other trails within Massachusetts. In Massachusetts, the land passes through at least four substantial State parks or State forests so that much of the land is already publicly owned by the State of Massachusetts, but there are connections between those publicly owned pieces of land and there are visitor centers and park facilities and so on at a rather convenient distance for hiking purposes, for day hikes or overnight camp-type hikes along the way.

Now, I understand that some Members have expressed concerns that this bill will infringe upon landowner rights and allow the National Park Service to seize lands through eminent domain. Well, the Federal Government does not own any land anywhere in the area that the trail is intended to go, following the old voluntary trail, and then some additional territory that has to be worked out by the Connecticut Forest and Parks Association in order to reach the Long Island Sound. There is no expectation of there being any Federal land there. It was never intended there would be federally owned land. Whatever protection of the land would be held by the Park Association or on behalf of the State of Connecticut. And in Massachusetts, the same thing is basically true.

No one wants to establish Federal ownership of a corridor. In recognition of that, in the legislation we added the language: ''The United States shall not acquire for the trail any land or interest in land without the consent of the owner.''

Yet the argument keeps coming back that that doesn't protect people. Well, maybe the language of the motion to recommit will satisfy that. I think it is completely redundant with what is already there and certainly in total keeping with the intent not to have any Federal ownership of land in that area.

The blueprint for the management of the trail specifically states that all existing landowner uses and rights, including hunting, fishing, timber management and other recreational activities, will continue to be at the discretion of the landowners.

Throughout the process, protection of private property has been of the utmost concern, and I believe we can accommodate the concerns of all landowners and continue to provide a scenic, protected path for public use as the New England National Scenic Trail. There is wide support for this designation. I would submit for the RECORD a March 25, 2007, Boston Globe editorial and a letter of support from the Massachusetts Secretary of the Executive Office of Energy and Environmental Affairs, Ian Bowles.

[From the Boston Globe, March 25, 2007]

FROM MONADNOCK TO THE SOUND

Home to some of the most spectacular sections of the Appalachian Trail, New England could gain a new interstate hiking trail that is closer to the region's population centers. U.S. Representative John Olver of Amherst filed a bill this month to create a New England National Scenic Trail that could one day stretch from Mount Monadnock in New Hampshire to the Long Island Sound at Guilford, CT.

For 190 miles of the 220-mile distance, the trail would roughly follow the route through the Connecticut River Valley of the existing Monadnock, Metacomet, and Mattabesett trail system in Massachusetts and Connecticut. The principal addition would be a 14-mile spur from the southern end of the Mattabesett in Connecticut to the shoreline in Guilford.

The state of New Hampshire chose not to join Connecticut, Massachusetts, and the U.S. Department of the Interior in the feasibility study for the new trail, but Olver's bill would encourage Interior to work with New Hampshire and private and public organizations in that state to include the stretch from Royalton, Mass., to Monadnock's 3,165-foot summit in the national scenic trail. Nationwide, there are already eight such trails, including the Appalachian and the Pacific Crest.

Within 10 miles of the new trail live 2 million people. Many already use—and do maintenance work on—the existing stretches. At a time when young people, in particular, need more recreational opportunities to ward off the health problems of obesity, the national scenic trail designation should increase the path's popularity. It should also help protect it from development pressures. Much of the trail is on state forest or park lands near the river valley's farms, forests, tobacco barns, and towns.

Monadnock itself has 40 miles of maintained foot trails and is considered to be the second-most-frequently hiked summit in the world, after Japan's Mount Fuji. Three of the Massachusetts peaks on the new trail include Mount Grace, Mount Holyoke, and Mount Tom. The new trail includes a wide range of natural habitats and is close to more than 50 registered village historic districts. Hikers could pass over volcanic, sedimentary, and glacial rock and observe fossils and dinosaur footprints.

The goal of planners is that the scenic trail will have a single trail blazing system, but with few through hikers, since overnight camping would be permitted in only a limited number of locations. Of course, decades ago planners of the Appalachian Trail did not envision through hikers for its 2,175-mile length, either. Congress should designate the path as a new national scenic trail and let the walking public decide how best to use it.

THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS,

Boston, MA, January 28, 2008.

Hon. RAUL GRIJALVA,
Chairman, Subcommittee on Natural Parks, Forests, and Public Lands, Committee on Natural Resources, Washington, DC.

Hon. ROB BISHOP
Ranking Member, Subcommittee on Natural Parks, Forests, and Public Lands, Committee on Natural Resources, Washington, DC.

DEAR CHAIRMAN GRIJALVA AND RANKING MEMBER BISHOP: On behalf of the Commonwealth of Massachusetts, I write to ask for your support of H.R. 1528, the New England Scenic Trail Designation Act, which would designate the Metacomet Monadnock Mattabesett (MMM) Trail System as a National Scenic Trail.

Under H.R. 1528, the newly established New England National Scenic Trail would extend approximately 220 miles, from northern Massachusetts through Connecticut, incorporating most of the MMM Trail System and hosting an array of classic New England scenic landscapes and historic sites. In Massachusetts, the MMM Trail is one of our most significant and threatened long-distance trails and greenways, linking and connecting vital state parks and other public lands and landscapes.''

By designating the MMM Trail System a National Scenic Trail, the National Park Service would provide important leadership and support to the public and private landowners who host the trail and the dedicated volunteers who sustain it. Importantly, the bill represents the culmination of years of outreach and discussion with local landowners and other interested parties, with all owners afforded the opportunity to have the trail rerouted at their request.

In designating the MMM Trail a National Scenic Trail, Congress would be providing a significant boost to local efforts to further the trail's long-term viability, and a great service to the hundreds taking advantage of this wonderful resource. I urge your support for this important effort.

Sincerely,

IAN BOWLES.

□ 1730

It's my hope that H.R. 1528 will establish permanent protection for this unique and majestic land and ensure that future generations will be able to enjoy a great national treasure.

Mr. BISHOP of Utah. Mr. Chairman, I yield 2½ minutes to the gentleman from Connecticut (Mr. SHAYS), one of the cosponsors of the bill. Hopefully by the end of this day we can accept some amendments that would make all of us happy with this particular bill.

Mr. SHAYS. Mr. Chairman, I rise candidly as the only Republican in all of New England to support H.R. 1528, the New England Scenic Trail Designation Act, and thank Congressman OLVER for bringing this legislation to the floor.

H.R. 1528 would designate portions of the existing Metacomet-Monadnock-Mattabesett Trail System for a national and scenic trail. For over 50 years the States of Massachusetts and my home State of Connecticut have partnered with the Appalachian Mountain Club and the Connecticut Forest and Park Association to manage these beautiful trails and footpaths. Volunteers and private landowners have enjoyed these lands and maintained them. This legislation would not change that relationship.

This bill also protects private landowners by prohibiting the National Park Service from taking any land by eminent domain. The park service has no authority on local zoning issues that might affect national scenic trails.

H.R. 1528 provides the resources and knowledge of the National Park Service and the National Scenic Trail System for the long-term upkeep of this important trail and extends Federal recognition to trails that have existed for over half a century.

My colleagues in the West often criticize those of us from the East for wanting to increase public lands at the expense of private ownership. This does not do that.

In Connecticut, more than 2 million people live within 10 miles of the trail system. Among the pressures of industrialization that we see in the East, H.R. 1528 is an opportunity to protect this precious resource for future generations and protect it for all of those in this country, not just those nearby.

I ask my colleagues to support protection of this regional treasure, and I urge a ''yes'' vote on H.R. 1528.

Mr. GRIJALVA. Mr. Chairman, at this time I yield 2 minutes to the distinguished gentleman from Connecticut (Mr. LARSON).

(Mr. LARSON of Connecticut asked and was given permission to revise and extend his remarks.)

Mr. LARSON of Connecticut. Mr. Chairman, I thank the gentleman from Arizona for his leadership, and I rise in strong support of this legislation.

But I especially want to commend Congressman OLVER for his dedication and hard work. I think most people in this Chamber recognize JOHN OLVER as somewhat of an academician and someone who certainly knows the workings of the Appropriations Committee, but few probably know that he's an avid hiker. And next to Henry David Thoreau, from Massachusetts, probably is as close and akin to nature as anyone in the United States Congress. And so this is something that he has worked on a long period of time, at least since I've been in the United States Congress, and I want to commend him for his hard work, and especially commend CHRIS MURPHY from Connecticut as well for his work in this district.

I'm proud to say that this trail runs all the way through from Massachusetts to the Sound, and the Governor of the State of Connecticut has fully endorsed this matter, and it impacts the communities in my district of East Granby, Bloomfield, West Hartford, Southington, Berlin, Middleton. More than 2 million people, as you've heard other members come to the floor and enumerate, are going to be fortunate enough to share the values that we derive from going out and hiking and

being able to be part of this unbelievable MMM Trail that will be provided for our constituents and citizens. So I stand in strong support of this bill and thank Mr. OLVER again, and again, kudos to CHRIS MURPHY for his hard work making sure that this came to the floor.

Mr. BISHOP of Utah. Mr. Chairman, I wish to address one last element of this particular bill. As I've said, it is my hope that with some of the amendments that can be passed or added, some modification, this can be a very, very good bipartisan bill.

There is one concern I have that I want to specifically address, and it's been talked around the edges by everyone, but it is the concept of eminent domain. I have said before, in the original remarks, that oftentimes as a government we do things not intending to actually harm people, but that's the net result. And unless we are crystal clear on the language that what we intend to do is what will happen, that sometimes, down the road, tends to be the net result, and I want to try to avoid this in this particular trail situation.

The National Park Service is unique in that it does have condemnation power. This is an amendment to the National Trails System Act. The condemnation power within that act is not modified in any way. The language is there. It stays. It's not terminated. It's not finished in some particular way.

It is the intent, I assume, and I believe of the sponsor of this legislation, that condemnation would not be used on any of the private lands within this trails system. I think he's very sincere and legitimate in that. That is our effort as well. But the text of the bill, the amendment to the total act, is not crystal clear as to that point.

What they have tried to do in the text of this bill is say that land, if it's going to be taken over by the park service, would have to come from willing sellers. That is an effort to try and stop the Federal Government from using the condemnation power to take over land.

The problem is, though, is the definition of ''willing seller'' sometimes gets murky as time goes on, and what is specifically not allowed in the bill, or not solved, not clearly stated in the bill is what I call the loophole. It's that even though the Federal Government would have to buy from only willing sellers, State and local governments would not. State and local governments could condemn the property, and then they could become the willing seller. And as the act encourages the National Park Service to accept or acquire property, that is a way around the concept of what we're talking about. And I don't think that's what the sponsor intended. I'm not trying to put words in his mouth. Clearly, by the testimony in front of the committee, I don't think that's what he intended. I don't think that's what the committee intended to see happen. I know that is what we fear, and I know we do not want that to be the concept taking place. What we need is very succinct and crystal clear language that said that no land will be accepted by the Federal Government if any of it was taken by the concept of eminent domain. So whether the Federal Government tries to use eminent domain or whether the State and local government uses eminent domain and then the State becomes the willing seller to give it to the Federal Government, that will not be a way our citizens will be treated in this trails system. That language is important to me. I think it's important to our side. That is what I talked about in the protection of the little guy who may not even know this is going to be imposed upon him. In this post-Kelo decision world, those kinds of concepts become important. If this issue was to be solved, it would be one of the things that I think would solve any other kind of acrimonious debate that would go forward. A couple of issues. This is one of the key ones. It's one of the important ones. And I bring that up because I know the language was put in there to prohibit the Federal Government from using eminent domain, but there is still a loophole, so the Federal Government could end up with land that had been condemned by the second party, which would be the State and the local governments. We should be very crystal clear that we do not wish to do that.

One of the amendments proposed to the Rules Committee said specifically that no land would be taken that had been acquired through eminent domain. That's one of our concepts. That's one of the principles. That's one, I think, of the elements that I think is significant.

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

Mr. GRIJALVA. Mr. Chairman, it's a good piece of legislation, well crafted, well worked. Many of the doomsday scenarios we've heard about condemnation have no relationship to this legislation. I would urge its adoption.

Mr. RAHALL. Mr. Chairman, I rise today in strong support of H.R. 1528, introduced by our friend and colleague, Representative JOHN OLVER.

This is a straightforward bill which would enhance the protection and interpretation of a network of trails that have been in existence for more than 50 years. This trail system is extremely popular and is managed and maintained by an enthusiastic army of volunteers.

The route that would be added to the National Trails System carries hikers through the heart of Massachusetts and Connecticut, past scenic vistas, unique geological formations, dinosaur footprints, and rare plants and animals. The trail provides recreation and relaxation for visitors from near and far, and valued open space for the many communities along the way.

H.R. 1528 has strong, bipartisan support and is important not only to the people of Massachusetts and Connecticut but also to visitors from around the world wishing to experience the beauty of New England on foot.

Given the popularity of the existing trail and the support for a federal designation, it is surprising that anyone would oppose H.R. 1528. In our view, such opposition is based on a misunderstanding of this legislation.

In the first place, the bill is based on a National Park Service study that found no need—let me repeat—no need, for direct Federal trail ownership or direct Federal trail management. The trail will be managed by state and local groups under cooperative agreements with the National Park Service.

Further, the bill itself expressly states, and I quote: ''The United States shall not acquire for the trail any land or interest in land without the consent of the owner.''

It is perfectly clear that this bill does not threaten property rights. In fact, the trails groups who have managed this trail network for half a century or more have gone out of their way to avoid those conflicts. There is no Federal land involved, and no Federal acquisition anticipated.

I strongly support this bill, and I want to take this opportunity to thank the bill's sponsor, Representative OLVER, for his hard work on the legislation, as well as his nine cosponsors from Connecticut and Massachusetts.

In the end, this is about providing Federal recognition and support to local, non-profit, volunteer organizations who want nothing more than to help people take an enjoyable walk through the woods. I urge my colleagues to support H.R. 1528.

Mr. MARKEY. Mr. Chairman, I rise today in strong support of H.R. 1528, the New England National Scenic Trail Designation Act. This important legislation would amend the National Trails System Act of 1968 to designate a 220-mile long National Scenic Trail through Massachusetts and Connecticut. Designation as a National Scenic Trail will allow this important regional trail system to be supported, maintained, and protected at the highest possible level.

The bulk of this new trail would be comprised of the existing Metacomet-Monadnock-Mattabesett trail system—a 190-mile trail route through 39 communities in Massachusetts and Connecticut. This important regional recreation system has been in existence for more than fifty years and winds its way from the border of Massachusetts and New Hampshire through western Massachusetts and into Connecticut.

Designating this trail system as a National Scenic Trail will ensure that future generations of New Englanders will be able to fully enjoy the tremendous beauty of these trails and take advantage of their many recreational opportunities. Right now, more than 2 million people live within 10 miles of the Metacomet-Monadnock-Mattabesett trail system. As a result, this designation will not only allow millions of people to have access to the trail system but also ensure that it will be properly preserved from the threats and pressures of development and encroachment.

H.R. 1528 requires that the Secretary of the Interior administer the trail consistent with the recommendations of the National Scenic Trail Feasibility Study and Environmental Assessment that was conducted by the Department of the Interior. The legislation also ensures that no land can be incorporated into the trail system without the consent of the landowner, and I am pleased that the Administration has testified in support of this important legislation.

This National Scenic Trail designation would provide for increased cooperation between communities, citizens and the Department of Interior to conserve these special routes and expand the recreational opportunities of this New England treasure. I urge passage of the bill.

Mr. LARSON of Connecticut. Mr. Chairman, as a cosponsor of the New England Scenic Trail Designation Act, I rise in strong support of this very important bill.

Connecticut is proud to be home to part of the Metacomet-Monadnock-Mattabesett Trail System, a beautiful nature trail that runs 190 miles from Massachusetts through Connecticut to the Long Island Sound. First established in 1931, the 700-mile long Blue-Blazed trail network in Connecticut join the Metacomet-Monadnock trail system in Massachusetts, a trail laid in the late 1950s. The trail is a vital part of the natural beauty and recreational activity of the First Congressional District of Connecticut, as well as the other parts of the state and neighboring Massachusetts. This distinctive trail passes through one of the most densely populated parts of the country—2 million people live within 10 miles of the trail.

In 2001, the Connecticut Department of Environmental Protection designated the Metacomet Ridge System—part of the trail system—as an official state greenway. The ridge system contains a "spine" of traprock ridges, providing a habitat for various types of plants and animals. These living things that call the ridge home and add to its beauty are not protected from residential development pressures, and while seventeen towns in Connecticut have signed a compact to work towards protecting the ridge system the trail merits Federal protection.

In December of 2002, the President signed the Metacomet-Monadnock-Mattabesett Trail Study Act into law, which directed the National Park Service to study the trail to determine if the Metacomet-Monadnock-Mattabesett Trail should be included in the National Trail System. In April of 2006, the study recommended its inclusion. This legislation before us today urges the implementation of the study's recommendations, while protecting land owners. The bill protects the trail system against encroachment by residential growth, but prohibits the government from seizing private land through eminent domain.

Mr. Chairman, designation of the New England Scenic Trail would be an important step towards preserving the 190-mile long trail and its natural and recreational value for years to come. I urge my colleagues to join me in ensuring the environmental preservation of the Metacomet-Monadnock-Mattabesett Trail by supporting the underlying bill.

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

The CHAIRMAN. All time for general debate has expired.

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

The text of the committee amendment is as follows:

H.R. 1528

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 ''New England National Scenic Trail Designation Act''.

SEC. 2. AUTHORIZATION AND ADMINISTRATION.

Section 5(a) of the National Trails System Act (16 U.S.C. 1244(a)) is amended by adding at the end the following:

''(____) NEW ENGLAND NATIONAL SCENIC TRAIL.—The New England National Scenic Trail, a continuous trail extending approximately 220 miles from the border of New Hampshire in the town of Royalston, Massachusetts to Long Island Sound in the town of Guilford, Connecticut, as generally depicted on the map titled 'New England National Scenic Trail Proposed Route', numbered T06–80,000, and dated October 2007. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service. The Secretary of the Interior, in cooperation with Federal, State, tribal, regional, and local agencies, the Appalachian Mountain Club, the Connecticut Forest and Park Association, and other organizations, shall administer the trail consistent with the recommendations of the draft report titled the 'Metacomet Monadnock Mattabesset Trail System National Scenic Trail Feasibility Study and Environmental Assessment', prepared by the National Park Service, and dated Spring 2006. The United States shall not acquire for the trail any land or interest in land without the consent of the owner.''.

SEC. 3. MANAGEMENT.

The Secretary of the Interior (hereafter in this Act referred to as the ''Secretary'') shall use the Trail Management Blueprint described in the draft report titled the ''Metacomet Monadnock Mattabesett Trail System National Scenic Trail Feasibility Study and Environmental Assessment'', prepared by the National Park Service, and dated Spring 2006, as the framework for management and administration of the New England National Scenic Trail. Additional or more detailed plans for administration, management, protection, access, maintenance, or development of the trail may be developed consistent with the Trail Management Blueprint, and as approved by the Secretary.

SEC. 4. COOPERATIVE AGREEMENTS.

The Secretary is authorized to enter into cooperative agreements with the Commonwealth of Massachusetts (and its political subdivisions), the State of Connecticut (and its political subdivisions), the Appalachian Mountain Club, the Connecticut Forest and Park Association, and other regional, local, and private organizations deemed necessary and desirable to accomplish cooperative trail administrative, management, and protection objectives consistent with the Trail Management Blueprint. An agreement under this section may include provisions for limited financial assistance to encourage participation in the planning, acquisition, protection, operation, development, or maintenance of the trail.

SEC. 5. ADDITIONAL TRAIL SEGMENTS.

Pursuant to section 6 of the National Trails System Act, the Secretary is encouraged to work with the State of New Hampshire and appropriate local and private organizations to include that portion of the Metacomet-Monadnock Trail in New Hampshire (which lies between Royalston, Massachusetts and Jaffrey, New Hampshire) as a component of the New England National Scenic Trail. Inclusion of this segment, as well as other potential side or connecting trails, is contingent upon written application to the Secretary by appropriate State and local jurisdictions and a finding by the Secretary that trail management and administration is consistent with the Trail Management Blueprint.

The CHAIRMAN. No amendment to the committee amendment is in order except those printed in House Report 110–519. Each amendment may be offered only in the order printed in the report; by a Member designated in the report; shall be considered read; shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment; shall not be subject to an amendment; and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. BISHOP OF UTAH

The CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 110–519.

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

At the end of the bill, add the following new section:

SEC. 6. EFFECTIVE DATE.

This Act shall be effective on the date that the Secretary issues a final National Scenic Trail Feasibility Study and Environmental Assessment for the New England National Scenic Trail.

The CHAIRMAN. Pursuant to House Resolution 940, the gentleman from Utah (Mr. BISHOP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Chairman, I have every intention of saving the committee some time on this particular amendment. It is, I think, very straightforward.

In the 107th Congress a bill was passed that said there would be a study, a feasibility study based on this project. The gentleman from Massachusetts was the author of that piece of legislation.

Bottom line is the feasibility study has yet to be completed, period. This is simply a concept of regular order. What this says is that this trail will not be slowed down, but it will be enacted once we have gone through the process outlined before, regular order, and the feasibility study is finalized and presented. Then the trail would actually be enacted. It's an effort to try and maintain the standards and the process that we have established before.

With that, actually, Mr. Chairman, I will yield back the balance of my time.

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

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

Mr. GRIJALVA. Mr. Chairman, this draft report that I'm holding is entitled The National Scenic Trail Feasibility Study and Environmental Assessment.

Like many products of the Federal Government, it's lengthy and complicated. But let's be perfectly clear. We're not waiting for a separate environmental assessment. It's all done and it's all in here.

Even though it's labeled a draft report, the National Park Service doesn't do drafts like a high school assignment does drafts. This is a 75-page bound document, eight full color fold-out maps. It draws on more than 90 sources, from books on dinosaur footprints to books on the pioneers who first set foot on those trails, from scholarly histories of the ancient Earth to histories of the small communities along the trail. This study is done.

In reality, the process of changing the study from a draft into a final report is a bureaucratic one; it is not a substantive one, which makes this amendment dilatory, at best, and not a substantive one.

The draft study was completed in August of 2006. It has been under review at the Department of the Interior for 17 months. The National Park Service tells us that it needs approximately one dozen signatures from various Interior officials in order to be considered final. That's all we're waiting for.

In effect, therefore, the amendment could have us abdicate our authority and responsibility to designate trails and pass that authority over to the Secretary, so that whenever he and the various Deputy Assistant Secretaries at Interior get around to signing off on the study, then the trail would be designated. Such an abdication would not lead to a better study; it would just lead to delay.

It might be different, Mr. Chairman, if my good friend from Utah could point out something that is lacking in this study, if he wanted to wait because he felt the analysis of the affected environment on pages 61 and 62 were not entirely complete, or if he was contending that the book The Indian Tribes of North America by John R. Swanton and the Smithsonian Institution Press should not have been relied on in this study.

That is not the case, Mr. Chairman. The work of the study is done. The administration came before the National Parks, Forest and Public Lands Subcommittee in May and testified they do not anticipate any substantive changes to this document and that they support the designation.

Congress has, in this study, more than sufficient documentation to establish this trail. There is no reason to delay this designation. Only if you simply oppose the trail, then that would be the reason for delay.

Mr. Chairman, it's not the role of the Secretary of the Interior to designate trail. It's the role of this Congress, and we should get on with it. I urge a ''no'' vote on this amendment.

□ 1745

Mr. Chairman, I yield back my time.

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

The amendment was rejected.

AMENDMENT NO. 2 OFFERED BY MR. BISHOP OF UTAH

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 110–519.

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. BISHOP of Utah:

Page 3, line 6, insert ''(a) IN GENERAL.—'' before ''The Secretary''.

Page 3, after line 17, insert the following:

(b) APPLICATION OF CERTAIN STATE AND LOCAL LAWS.—Notwithstanding subsection (a), all designated and future designated lands within the New England National Scenic Trail, including all Federal lands, shall be exclusively governed by relevant State and local laws regarding hunting, fishing, and the possession or use of a weapon (including concealed weapons), trap, or net.

The CHAIRMAN. Pursuant to House Resolution 940, the gentleman from Utah (Mr. BISHOP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Chairman, this particular amendment is one of the key concerns that we do have with this bill, that if it were solved would go a long way to satisfying our concerns with this particular bill.

It is one of the unique concepts that a power has been given to the National Park Service that is not given to the Bureau of Land Management or to the National Forest Service to regulate gun laws and hunting laws within their jurisdiction, even if it violates something that the local government in that jurisdiction would like to imply, something that happens to be different.

This trail, as we said, has been around for over 70 years, very efficiently and very effectively on private and state lands. And the argument that we made is that there is no reason that you should deny Park Service authority to curtail these activities because they're not going to get these activities or they're not going to get control of the land.

The problem is that there is a unique history on this trail of voluntary cooperation. That is not necessarily the same thing that takes place once the Federal Government takes ownership or the Federal Government takes administrative control of this particular trail.

The Park Service does have the authority to change the rules of local government. This is the language that's given in the bill. It is not modified by this particular act. Even though the intent may not be as we have heard to have the Federal Government take over property in this land, it is the intent of the management plan that is there.

If you look at the management plan, it talks about a blueprint for recommendations to utilize restrictive zoning, height restrictions, land acquisition easements, et cetera, et cetera, going through all sorts of other concepts.

This simply means this: this legislation authorizes and encourages the Federal Government, the Park Service, to gain land in the future in this trail system. Once the Park Service has gained control of that land, then Park Service rules and regulations which limit and restrict hunting rights and gun rights would take precedence over it.

There is also a unique concern that none of us really know the answer to. If the National Park Service is the administrator of these lands, do they actually have the ability of imposing the rules and regulations on these lands, whether they own it or not, which is something that today we may know the answer, but you cannot predict what will happen in the future with some legislator, some judge, some administrator somewhere along the line; and as I said very early in a concept of this particular bill, often times the Federal Government does things, and we don't intend to hurt people but we end up hurting people.

What this amendment clearly says is that along this trail we will protect what has historically been done for the last 70 years. But whether the Federal Government, the Park Service, in particular, has administrative control or whether they access and acquire land in the future, that local ordinances will take precedence, that local ordinance on hunting rights, on gun rights, on fishing rights, will be what will take precedence in this particular situation.

This to us is important. We want it to be crystal clear. But what I think everyone intends in this trail is in reality what happens both now and in the future.

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

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

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

Mr. GRIJALVA. Mr. Chairman, let me just say that this amendment is completely unnecessary. The trail crosses State land that is State-owned, local, and the property of willing private landowners. That's all. State and local hunting and fishing laws clearly govern all of these lands.

What's more, this amendment refers to ''all designated and future designated land within the New England National Scenic Trail, including all Federal lands.''

Mr. Chairman, once again, there are no Federal lands involved here.

So in addition to being unnecessary, the amendment is drafted and applies to land that does not exist.

Secondly, we are perplexed as to why we would single out State and local laws on hunting and fishing and the possession or use of a weapon, trap, or net. Why would we state that these laws, which, as I have already said, obviously apply to the lands along the trail, why would we state that these laws apply but not mention other equally applicable State and local laws.

The amendment could legitimately cause someone to wonder, because we mention only these activities, are other State and local laws somehow rendered inactive by this bill?

A Federal trail designation does not preempt State and local laws. But this amendment might make some believe that it does.

This amendment is not intended to solve what I believe is a real problem. It's, rather, an attempt to inject a made-up issue into a simple, straightforward trail designation. In the end, this amendment really only confuses the issue.

Having said that, however, if the language makes Mr. BISHOP comfortable enough to support this legislation, we are willing to consider it. We do not believe that it is needed or really even helpful. It will burden the bill, despite its redundancy, only slightly; and in the spirit of bipartisanship, we accept Mr. BISHOP's language.

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

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

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

The amendment was agreed to.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. LORETTA SANCHEZ) having assumed the chair, Mr. LYNCH, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1528) to amend the National Trails System Act to designate the New England National Scenic Trail, and for other purposes, pursuant to House Resolution 940, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. BISHOP OF UTAH

Mr. BISHOP of Utah. Madam Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BISHOP of Utah. Unfortunately, without this, yes.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Bishop of Utah moves to recommit the bill H.R. 1528 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendment:

Page 3, line 4, strike ''owner.'' and insert ''owner. The Secretary may not use eminent domain to acquire land for the trail and may not accept any land that was acquired through the use of eminent domain for inclusion in the trail.''.

The SPEAKER pro tempore. The gentleman from Utah is recognized for 5 minutes.

Mr. BISHOP of Utah. Madam Speaker, as we said at the very beginning of the discussion of this entire bill, there are some amendments that are made in an effort to slow down a bill or stop it from coming to passage. This is not one of those. That is why you will notice very carefully the verbiage here is ''forthwith.'' We want to try and fix the bill so it can go on with its process, not send it back to committee.

What I have in front of me here is the poster of the language that you find in the Trail Act itself. What we are debating is not the Trail Act. It's simply an amendment to the Trail Act, and in the act itself it says the appropriate Secretary may utilize condemnation to acquire private property without the consent of the owner.

That is the language about which we object. It would be nice if at some time we could actually go in and attack this language and perhaps solve the problem once and for all forever. But as the time is right now, this condemnation power is still in the act. It's still in the bill. It's still in the act. It is still out there as a potential and a possibility. We do not believe that the sponsor ever intended this to be the way of things.

But the bottom line is the National Park Service still has the ability of condemning. The Federal Government still has the ability of condemning. As we said before, the committee, the sponsor, tried to solve that problem by saying land will only be taken from a willing seller. That may deal, hopefully, with the Federal Government aspect, but the Federal Government has to take the land from a willing dealer, but it also leaves a loophole for some other entity to do condemnation powers. The State or local government could still condemn property, and then they would become the willing seller who could offer this land to the Federal Government.

Please remember, the Federal Government is empowered in this act and bill to acquire property. They are encouraged to acquire property coming from a willing seller. I don't have a problem with that, if the willing seller is truly a willing seller.

And so the motion to recommit tries to cover every potential in the future, with once again the concept being that you want to make sure that individuals will always be protected in every circumstance in the future, many of which we cannot predict. It would be nice if everyone was simply wonderful and courteous, but that's not the way the real world is. We have to make predictions and plans for the future to protect individuals.

This bill says the Federal Government may not acquire land from anything other than a willing seller, but it also says they cannot accept land that has been condemned, regardless of whether it comes from a willing seller. It prohibits State and local governments from doing an end-run from the purpose of this act and protects private property.

We told you before that one person was able to come here and say I don't want my property part of this bill because she had the financial resources and the time to come down here to Washington to lobby. She's exempt. That's right, it's fair. It's the right thing to do. The committee should be commended for that.

The question is, are there others in like circumstances? And in the committee testimony there are. What we just put in by unanimous consent, there are, and that is the concern. Our concern has to be for the little guy whose home, whose property, whose heritage, whose farm may be put in danger by an overzealous local government that uses condemnation power to try and expand the scope of this particular trail.

□ 1800

It is possible. And the language should be crystal clear that that may not be what we do. That may not be our concept.

If only one individual is harmed by this act because we do not close every potential loophole, that is one individual too many. Our goal should be, and must be, to ensure that wherever a possibility of a loophole exists, we will close that loophole, and that we will make sure that every potential to save somebody's property will be there, and that no opportunity to do a laundering of land and make an end run around the purposes and goals of this bill will be there.

The language in the motion to commit is crystal clear, that no land may be taken by any level of government for any reason to be used in this trail. In our post-Kelo world, it is important that we make sure that every word in this bill make sense; it is clear, it is precise, it is our goal, it is our purpose. That's what this does. It solves this problem. And it solves it in a way that makes this a very, very good bill. Without it, it's a huge loophole that could be used to harm people in the future. We can never do that.

Madam Speaker, whatever time I don't have, I yield back.

Mr. GRIJALVA. Madam Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. Madam Speaker, we accepted a motion on hunting and fishing that was consistent with State laws because that seemed to be the most pressing issue in the discussion and debate over this legislation. Now we have a motion to recommit that tries to solve a problem already dealt with which is easily and simply dealt with with the underlying legislation.

The bill specifically prohibits condemnation, so there is no legitimate concern regarding private property rights. There is no legitimate reason to say the same thing over and over again. But now we're in a whole other realm. We're in a conspiracy theory, Federal bogeyman kind of discussion where proponents of the bill say, Well, sure, you have stopped Federal condemnation, but what about our doomsday scenario where the Feds and a State or a locality team up in some secret plan to have the State condemn the land and then give it to the Feds. We better stop that scenario as well.

The point of the matter is that this motion is about usurping local control and, indeed, giving it to the Federal Government. I want to say enough is enough. At what point have we gone far enough to deal with any legitimate problem?

Supporters of this amendment and the motion see condemnation under every rock and around every corner, and there could never be enough language in this bill or any other bill to satisfy them.

Even worse, proponents of this language know full well that neither this motion nor anything else we do here in Congress can stop States from exercising their condemnation authority. Here we have a motion that is both completely unnecessary and completely ineffective. There is no condemnation under this bill. Proponents of this motion need to move on.

I urge defeat of the motion to recommit.

Madam Speaker, I yield to the gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. I thank the gentleman for yielding.

I guess I thought that the problem was that the devil was the Federal Government here and that we wanted to make certain that there was no way for them to issue eminent domain, and the language of this bill, in relation to this trail, is quite clear on that point. In fact, it would appear that now we're trying to solve a problem which isn't there, which just is an order of magnitude somewhere farther away in concept, that somehow the local communities or the State is going to issue eminent domain and then pass the land to the Federal Government in some sort of manner. That really surprises me as there is nothing in the intent of this anywhere along the way to do such a thing.

I think we have solved the problem as much as it needs to be solved with the language which is in the bill, that there can be no Federal acquisition of land here. Nobody wants Federal acquisition of land. There might well be community acquisition of a corridor somewhere along the way over time, but there is to be no Federal ownership of any of that land.

I hope the matter will be opposed and we will not adopt this amendment. This is finding a solution where there is no problem.

Mr. GRIJALVA. Madam Speaker, I urge a ''no'' vote on the motion to recommit.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

Mr. BISHOP of Utah. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—yeas 183, nays 205, not voting 42, as follows:

[Roll No. 27]

YEAS—183

Aderholt
Akin
Alexander
Altmire
Arcuri
Bachmann
Bachus
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Berkley
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carney
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Dent
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Ferguson
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green, Gene
Hall (NY)
Hall (TX)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
Latta
Lewis (CA)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marshall
McCarthy (CA)
McCaul (TX)
McCotter
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Whitfield (KY)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NAYS—205

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

NOT VOTING—42

Andrews
Baker
Berry
Boucher
Calvert
Carter
Davis, Tom
Deal (GA)
DeFazio
Diaz-Balart, L.
Diaz-Balart, M.
Doyle
Everett
Fallin
Feeney
Filner
Fortenberry
Gilchrest
Hastings (FL)
Hastings (WA)
Jones (OH)

Keller
Lantos
LaTourette
Lewis (KY)
Lipinski
Marchant
McCollum (MN)
McCrery
Miller, Gary
Pryce (OH)
Putnam
Radanovich
Saxton
Simpson
Slaughter
Tiberi
Udall (CO)
Wasserman Schultz
Westmoreland
Wilson (NM)
Wynn

□ 1829

Ms. HOOLEY, Ms. MOORE of Wisconsin, and Messrs. JACKSON of Illinois, MICHAUD, MAHONEY of Florida, BRALEY of Iowa, KENNEDY, MEEK of Florida, CARDOZA and OBERSTAR changed their vote from ''yea'' to ''nay.''

Messrs. MILLER of Florida, MORAN of Kansas, ALTMIRE and WALSH of New York changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Madam Speaker, on rollcall No. 27, I was away due to a family emergency. Had I been present, I would have voted "nay."

Ms. SLAUGHTER. Madam Speaker, on rollcall No. 27, had I been present, I would have voted "nay."

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. GRIJALVA. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 261, noes 122, not voting 47, as follows:

[Roll No. 28]

AYES—261

Abercrombie
Ackerman
Allen
Altmire
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boozman
Boren
Boswell
Boucher
Boyd (FL)
Brady (PA)
Brady (TX)
Braley (IA)
Brown, Corrine
Buchanan
Butterfield
Capps
Capuano
Carnahan
Carney
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Ferguson
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gonzalez
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Knollenberg
Kucinich
LaHood
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
Lee
Levin
Lewis (GA)
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Regula
Reichert
Reyes
Richardson
Rogers (MI)
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tiahrt
Tierney
Towns
Tsongas
Turner
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield (KY)
Wilson (OH)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth

NOES—122

Aderholt
Akin
Alexander
Bachmann
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bonner
Bono Mack
Boustany
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Doolittle
Drake
Dreier
Duncan
Emerson
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Graves
Hall (TX)
Hayes
Heller
Hensarling
Herger
Hoekstra
Hulshof
Hunter
Issa
Johnson, Sam
Jones (NC)
Jordan
King (IA)
Kingston
Kline (MN)
Kuhl (NY)
Lamborn
Latta
Lewis (CA)
Linder
Lungren, Daniel E.
Mack
Manzullo
McCarthy (CA)
McCaul (TX)
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Petri
Poe
Porter
Price (GA)
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Sensenbrenner
Shadegg
Shimkus
Shuster
Smith (NE)
Souder
Stearns
Sullivan
Tancredo
Thornberry
Walberg
Walden (OR)
Wamp
Wilson (SC)
Young (AK)
Young (FL)

NOT VOTING—47

Andrews
Baker
Berry
Boyda (KS)
Calvert
Cardoza
Carter
Davis, Tom
Deal (GA)
DeFazio
Diaz-Balart, L.
Diaz-Balart, M.
Doyle
Everett
Fallin
Feeney
Filner
Fortenberry
Gilchrest
Gillibrand
Hastings (FL)
Hastings (WA)
Jones (OH)
Keller
Lantos
LaTourette
Lewis (KY)
Lipinski
Marchant
McCollum (MN)
McCrery
Miller, Gary
Pryce (OH)
Putnam
Radanovich
Rodriguez
Ros-Lehtinen
Saxton
Sestak
Simpson
Tiberi
Udall (CO)
Wasserman Schultz
Weldon (FL)
Westmoreland
Wilson (NM)
Wynn

□ 1837

Mr. RAMSTAD changed his vote from ''no'' to ''aye.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Madam Speaker, on rollcall No. 28, I was away due to a family emergency. Had I been present, I would have voted "aye."

Mr. RODRIGUEZ. Madam Speaker, because I was unavoidably detained, I was unable to cast a vote on rollcall 28. Had I been present, I would have voted "aye" on Final Passage of H.R. 1528.

PERSONAL EXPLANATION

Mrs. JONES of Ohio. Madam Speaker, due to events scheduled in my district, I will miss votes on January 29, 2008. Please let the RECORD reflect that had I been present, my vote would have reflected the following:

H.R. 5140 Recovery Rebates and Economic Stimulus for the American People Act of 2008—"yea."

H.R. 1528 New England National Scenic Trail Designation Act—"aye."

H.R. 933 Commending the Louisiana State University Tigers Football Team—"yea."

LEGISLATIVE PROGRAM

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

Mr. BLUNT. Mr. Speaker, I would yield to my friend from Maryland, the majority leader, for information about the schedule.

Mr. HOYER. I thank the gentleman for yielding.

The schedule for the week of February 4 is attenuated, to some degree obviously, by the 22 States that have a primary on February 5. Both Democrats and Republicans obviously will be involved in those to one degree or another. Monday and Tuesday the House is not, therefore, in session.

On Wednesday, the House will meet at 2 p.m. for legislative business. Votes will be postponed until 6:30 p.m. On Thursday and Friday, the House will meet at 10 a.m. We will consider several bills under suspension of the rules. A list of those bills will be announced by the close of business this week. In addition, we will consider H.R. 4137, the College Opportunity and Affordability Act.

That is the schedule. Of course, I will tell my friend that we obviously have a couple of bills that we passed today

that we want to see move as quickly as possible, and if we could move those next week, we would certainly try to do so.

Thank you for yielding.

Mr. BLUNT. I thank the gentleman for that information. I am wondering, if those bills don't materialize, is it still an option for Friday, if those bills don't materialize, since we don't have any scheduled work for Thursday and Friday, are we committed for Friday to be a definite day here? Is that still going to be an option as the week develops?

I will yield.

Mr. HOYER. We only have, as you know, essentially 2 days and the evening of Wednesday, because we come in Wednesday at 6:30. So I am reluctant to give away Friday, given on this side we have worked so hard to get done in a relatively quick fashion, I think quick fashion, not relatively, on our stimulus package. So I do not want to speculate on giving that day away at this point in time, nor do I want to speculate that we will give the day away. If we do not have work to do, obviously we will not require Members to be here.

Mr. BLUNT. I appreciate that, and I also appreciate the work we all did this week on the stimulus package, to see that it is sent over on the timeframe that we have all discussed. As you mentioned in your remarks on the floor today, a timely, a targeted, and a temporary bill has to meet all of those things. Timely and temporary both have to mean that we get this done in a quick way. I am hoping that we can work with our friends on the other side of the building and get that done.

The other thing that we worked together on this week was to get an extension until the middle of February on the Foreign Intelligence Surveillance Act as it is currently in place, and has been since the first of August. I am hopeful that we don't run up to the deadline again in this 15-day opportunity that we have. I am wondering if the gentleman has any thoughts as to what we might be able to do even next week on that bill.

I would yield.

Mr. HOYER. I thank the gentleman for yielding.

He and I share that concern, of course. As I indicated, and he well knows, we passed a bill on November 16 of last year, which means that was 2½ months ago that we passed a bill. We have been waiting for the Senate to pass a bill. They have two bills, as you know: one out of their Intelligence Committee, one out of the Judiciary Committee. They have been unable to reach compromise. Two days ago, they had votes on cloture and did not receive that, either for the extension or for essentially the Intelligence bill.

As a result, we are very frankly in, as you well know as well as anybody, we are waiting on the Senate to pass a bill so that either our bill, we can send that to the President; their bill, send it to conference, or whatever option. But we need them to take some action. We are hopeful they will take some action soon.

I met, along with other members of the leadership on our side of the aisle, just a short time ago, informed them that we had passed by vote an extension of 15 days, urged them to move as quickly as they could. The leader indicated to me that he was hopeful that they would be able to address that this week. I think he is going to be talking to the Republican leader to see what possibly could get 60 votes to move something to the floor and through consideration. But I am unable to tell you what we are going to do until such time as the Senate acts. As you and I have discussed, you have been there.

Mr. BLUNT. I appreciate that. I do hope we can find a permanent solution here. I think that the 2 weeks is important. I also think it's important that that law not be allowed to expire, which made this 2 weeks a significant development. At the same time, the question of immunity hasn't been addressed, and I don't think we can continue to put that question off.

□ 1845

I did notice last week when we discussed this, an article that I hadn't seen yet, and my good friend the majority leader read from that article to me a section that indicated that the work was in progress could keep on in progress for a long time. That was in the New York Times on January 23.

There was another paragraph that I surmised at the time might be there, but was there, that said ''There is risk,'' according to this assistant Attorney General Mr. Weinstein, Weinstein said, ''the officials would not be able to use their broadened authority to identify and focus on new suspects and would have to revert to the more restrictive pre-August standards if they wanted to eavesdrop on someone.''

Those pre-August standards were, in my view, troublesome. I hope we don't revert to them, but we can't put the immunity issue off forever, and I am going to do everything I can, as I believe the majority leader is inclined to do as well, to encourage the Senate to move this process along so we can bring it to some conclusion.

I yield.

Mr. HOYER. I thank my friend for yielding, and I do want to comment, because our perspectives are somewhat different on the risks that would be created by failure to act or not have an extension, so we would be operating, as you pointed out, under the old FISA statute.

Very frankly, the good news is that the backlog that confronted the court now no longer exists.

Secondly, as you know, under the old law, the 72-hour period in which the Government could take action and then get sanction of the court after the fact is in the law.

So I believe that second paragraph, while I don't disagree with his speculation, I disagree with his conclusion in the sense that I think that the Government, the NSA or another agency, could in fact act within that 72 hours and get approval from the FISA Court for its actions. And, as the gentleman knows, the FISA Court rarely, if ever, and I don't know of an incident off the top of my head where they have disapproved an action that was taken and stopped it at that point in time.

So, I think the risk is minimal, because I think the old law, while, yes, they have to go to the court, and very frankly, this is why it was created, to be a check and balance on what might be, and I don't allege that this is happening, but certainly it was a check on arbitrary and capricious action by those in the Government. I happen to think that check and balance is an appropriate one; although, under the statute we passed, we gave broader authority, blanket authority, as you know.

But we are hopeful, as you are, that the Senate will act, that we be able to go to conference. We need to deal with the immunity issue, which is the difference between the two Houses, although they haven't passed a bill, but the bill that passed out of the Intelligence Committee did give retroactive immunity. That is controversial.

And we have just got, as I told you, the documentation last Friday that we have been asking for an opportunity to review to determine, A, the justification for the action of the telecom companies and the actions for which immunity is being sought. We think that is appropriate for us to know before we act.

But in any event, I did inform, as I told you, the leader that we had acted, and indicated to him I hope that they would act as soon as possible so that we could resolve this in conference.

Mr. BLUNT. I thank the gentleman for those views. I know that the majority is going to have their planning retreat for the rest of this week. Hopefully our staff is already and will continue to go through these documents that we were concerned we hadn't had, or the majority was concerned we hadn't had earlier, and look at those.

I would suggest that the penetrating analysis in one paragraph probably doesn't totally go away from the individual who was given so much credit in the next paragraph.

The only thing I would say about the FISA Court, I would really say two things. I missed some of this debate today, as you might be able to tell, because of another commitment I had to be off the floor as we were debating this.

The FISA Court, I believe, in 1978 was created for domestic cases. That is maybe an underlying difference here in the way we view this. And the backlog I would submit would develop again pretty quickly. It might not be a problem for 2 days; it might not even be a

problem for a week. But that backlog of every case from all over the world that suddenly wound up going to the FISA Court because of changes in technology quickly gets the FISA Court to where a 72-hour problem is a big problem because they just can't deal with it.

I would yield.

Mr. HOYER. I would agree with that. I think we solved the technological problem in the bill we passed. Very frankly, the only problem that I think the administration would have with our bill which we passed through the House would be the immunity issue.

The technological issue I think is addressed by the blanket approval by the court. Although the court has to approve certain objects and processes, it does not, as you know, need to approve specific instances of intercepts or specific targets of intercept.

So, from that standpoint, I think our bill solved that problem. But our bill has not been enacted so the technological issue of where the communication now goes through a U.S. switch, that is the technological difference now, and then goes back out, that needs to be addressed. It was addressed in our legislation, but the legislation needs to pass.

Mr. BLUNT. Well, I agree, and I intend to work to see that it passes so this works in the best possible way. I hope we take maximum advantage of this 15 or 16 days that we have now given ourselves to look at the information to try to do what we can to see that we come up with a permanent solution that deals with both the technological questions and the question of immunity for people who may have helped the government in a way that they now somehow could be held in legal limbo for until we have addressed this. I hope we do, and I pledge myself to work with you and others to see that we get that done.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. HOYER. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore (Mr. JOHNSON of Georgia). Is there objection to the request of the gentleman from Maryland?

There was no objection.

ANNOUNCING THE PASSING OF MARGARET TRUMAN DANIEL

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

Mr. SKELTON. Mr. Speaker, it is with great sadness that I announce to the House that Margaret Truman Daniel, the daughter of our 33rd President, Harry S. Truman, passed away today.

As the daughter of a Jackson County judge, a United States Senator from Missouri, a Vice President and President, Margaret Truman grew up in politics. She was a good friend, and I know others in this House who knew her considered her a friend as well.

Margaret was an accomplished woman in her own right, but she also revered her father's memory. In this very Chamber in 1984 a Joint Session of Congress was convened to honor the 100th anniversary of President Truman's birth. As chairman of that event, I worked with Margaret closely and was grateful for her participation as a speaker.

I also had the honor of being with Margaret on the first day that the Truman Home in Independence, Missouri, was opened to the public as a museum in the National Park Service system. I will never forget watching her sign the guest book in her own home that day.

Margaret Truman Daniel was a great American and, as an independent-minded woman, was truly her father's daughter.

I know my colleagues join me in expressing this body's deepest condolences to the family of Margaret Truman Daniel, including her three surviving sons, Clifton, Harrison, and Thomas.

PROVIDING RELIEF FOR AMERICANS THROUGH THE ECONOMIC STIMULUS PACKAGE

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, today on the floor of the House the Members had to address a number of crises that this Nation is facing. It is interesting that we face delay and, if you will, obstruction on many of the issues that the American people want us to be engaged in.

I am hoping that the economic stimulus package will move as quickly as possible, and when it comes back in its final form from the Senate and conference, that we will be assured that the individuals who are disabled and on Social Security also get a rebate, and that we have the sense of the Congress language that a moratorium should be in place for all of those individuals subject to subprime loans or on the brink of foreclosure and losing their homes. We must forge a pathway for the financial industry to begin to allow people to reconstruct their loans.

Lastly, we voted today to extend FISA. The bill that we passed out of the Judiciary Committee under JOHN CONYERS' leadership is a good bill. I voted reluctantly for the extension, but we must pass a bill that protects civil rights and protects the national security of America.

TRIBUTE TO THE LATE MARGARET TRUMAN DANIEL

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

Mr. BLUNT. Mr. Speaker, I want to rise to follow up on the announcement that my good friend Mr. SKELTON from Missouri just made.

Of course, all Missourians are proud of President Truman and his family. He was a man of great humility. In fact, one day recently in Washington I happened to be driving by, on Connecticut Avenue, the small apartment that he and Margaret and Mrs. Truman lived in when he was Vice President and for I think the first 3 days of his Presidency. Not the grandeur that anybody would expect, but something that the Trumans, a family who actually never lived in a house that they owned for most of Margaret Truman's life, appreciated.

I was just sharing with Mr. SKELTON the memory of Margaret Truman when we recommissioned the Battleship *Missouri* when it went back into active duty in 1985 or 1986, and I had the honor at the recommissioning dinner in San Francisco to introduce Margaret Truman, who had been the principal sponsor of the ship the first time when her father was in the Senate.

By that point in the evening, about every speaker had pronounced the name of our State differently. Some said ''Missouri,'' some said ''Missoura,'' and I made a couple of comments about that. And Margaret Truman got up and she said, ''It is 'Missoura.' My father always said 'Missoura.' My family always said 'Missoura.' I was there when this ship was commissioned. We commissioned it the 'Battleship Missoura,' and that should settle it.''

But she was a lady that led an interesting life, the truly adored daughter of her father, and she saw politics the way that very few people do. I appreciate her life and her family.

HONORING SENATOR GWENDOLYN BRITT

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

Mr. VAN HOLLEN. Mr. Speaker, the civil rights movement was full of heroes whose names we know and many whose names we will never know despite the depth of their sacrifice.

Just recently, this Nation remembered Dr. Martin Luther King, Jr., whose good works are known to our Nation and to the world.

Today I am honored to remember and celebrate the life of another extraordinary civil rights leader who helped stand up against injustice in our Nation.

State Senator Gwendolyn Britt passed away recently, but she left behind an extraordinary legacy. She first stood up against racial segregation not in Montgomery, Alabama, but in Montgomery County, Maryland, at Glen Echo Park, just a 20-minute drive from this Capitol.

It was a hot summer evening in June 1960. Glen Echo Park was segregated at

the time, and Gwendolyn Britt, an African American, purchased a ticket to ride on the carousel. She was arrested that day, and her case went to the Supreme Court of this country. It was the first of many brave acts in standing up against injustice by Gwendolyn Britt, a person who changed our community and changed our country.

The civil rights movement was full of heroes, some whose names we all know, and many whose names we never learned despite the depth of their sacrifice.

Just recently we remembered Dr. Martin Luther King, whose name and accomplishments have become well known as part of our country's history. And we know the story of Mrs. Rosa Parks, who showed courage when others were silent.

Today, I am honored to remember and celebrate the life of another extraordinary civil rights leader, a woman who, like Dr. King and Mrs. Parks, never sought credit for her actions, but only sought to do what was right.

She was only 18 years old when the world first met Gwendolyn Greene. It was a hot summer evening in June 1960 when Gwendolyn Greene, a student at Howard University entered Glen Echo Park. At that time, blacks were not allowed to enter that amusement park. This park, incidentally, is within 20 minutes of the floor on which I am speaking, just outside the District of Columbia in Montgomery County, Maryland.

Ms. Greene joined a small group of young people at the gates of this popular local park, determined to introduce freedom and equality through desegregation to Montgomery County, Maryland.

Gwen Greene chose to stand up. Despite the fear these young people felt, despite all of the turmoil they knew would arise from their illegal action, they entered Glen Echo Park. Gwen bought a ticket for the merry-go-round, and bravely and boldly sat upon a spotted horse, refusing to move until arrested.

At that very moment, this young woman chose to effect change. She didn't take the easy way out; she didn't stick with what was comfortable and safe. Not even after a trip to jail and the United States Supreme Court—not even after again being arrested, this time in Jackson, Mississippi, and spending 40 days in jail for refusing to leave a "whites-only" waiting room at a train station—would she be dissuaded from taking her fight for equal rights around the Nation as a Freedom Rider.

Gwen Greene later married, became Gwen Britt, and the mother of two sons. She worked for the telephone company for many years. But the effect of her action at Glen Echo and as a Freedom Rider was not lost on her. As she said many years later, "I became determined to do what I could to make a person's life better."

And, throughout her life, that's what she tried to do, eventually culminating in her election to the Maryland State Senate in 2002. There, she quickly became a leader on issues that matter, such as education, health care, and civil rights. As one of the State senators in my congressional district, I was pleased to work in partnership with her on issues and projects that benefited our constituents and our State. At every meeting, I was inspired by the courtesy with which she treated everyone and the collaborative spirit she brought to every issue.

Gwen Britt never shied away from standing up for those who could not stand up for themselves. She went about her life's work with quiet dignity and humility, accomplishing so much for so many. Many who have benefited from Senator Britt's work never knew of her courageous stands on behalf of justice and equality. Many never knew that this brave woman, this woman who rarely sought the limelight, made such a profound difference in so many lives.

Senator Gwen Britt was dedicated to doing what was right. She serves as an inspiration to us all to fight for what is right regardless of the consequences.

Webster's defines "courage" as mental or moral strength to venture, persevere, and withstand danger, fear, or difficulty. In Gwen Britt, this word is personified.

My heartfelt condolences go to Travis Britt, Gwen Britt's devoted husband and partner, and to their two sons, Travis, Jr. and John. Our country thanks you for sharing your wife and mother with us so that she could make a difference in our lives.

□ 1900

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

ECONOMIC STIMULUS PACKAGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. MCGOVERN) is recognized for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, our economy is at a crossroads. Low- and middle-income families are struggling to make ends meet. Rising food, energy, and housing prices combined with slow job creation and lower wages are straining our economy. The Federal Reserve continues to act, but it is clear that Congress must enact a temporary, targeted, and timely economic stimulus package. The American economy needs a quick stimulus, and low- and middle-income Americans need swift action as our economy works through these difficult times.

I rise to commend the bipartisan leadership of Speaker PELOSI and Leader BOEHNER who, along with President Bush, crafted an economic stimulus package that will not only provide the assistance our economy needs, but also will provide a helping hand to the American families currently struggling with the slowing economy.

It is refreshing to see Republicans and Democrats come together and put partisanship aside and develop this critical legislation together. The American people should be proud of this effort, and I am pleased to have supported this important first step earlier today.

Mr. Speaker, while important, the stimulus package this House voted on today is simply a first step in the road toward stimulating our economy. Speaker PELOSI deserves incredible credit for negotiating the inclusion of a refundable tax rebate that will be delivered to anyone earning $3,000 or more and the inclusion of a $300 per-child rebate. Again, this is a good start.

Yet there are millions of Americans who will not benefit from this current stimulus package because they do not file income taxes. Any American who has exhausted or will exhaust their unemployment will not receive the help they need. States struggling with higher health care costs will be forced to balance their budgets on the backs of low-income individuals because there is no Medicaid assistance included in this package. And most importantly, a temporary extension of the food stamp program is sorely missing from this economic stimulus package.

Experts across the political and ideological spectrum agree that we must develop a plan that helps the most vulnerable people and households and that allows currency to flow. Former Reagan economic adviser, Martin Feldstein; former Clinton Treasury Secretary, Lawrence Summers; the Congressional Budget Office; economists at Goldman Sachs; and the chief economist at Moodys.com all agree that food stamps give the biggest bang for the buck and should be part of an economic stimulus.

According to the Congressional Budget Office: "The vast majority of food stamp benefits are spent extremely rapidly. And because food stamp recipients have low income and few assets, most of any additional benefits would probably be spent quickly."

Administrative costs of such an increase are negligible, meaning that the majority of this stimulus will go directly into the economy. A 10 percent temporary increase in food stamps would result in an increase of almost 50 cents per day per person or $14 per month in the food stamp benefit. That may not seem like much, but an extra 50 cents a day can make the world of difference for someone struggling to feed themselves.

More importantly, a temporary increase in food stamp benefits would generate $1.73 in economic activity for every dollar in cost, and we know that a temporary increase in food stamps can be delivered quickly and will be spent right away.

Mr. Speaker, this bipartisan economic stimulus package is not perfect. But as I said earlier, it is a good first step. The Senate has a chance to make some improvements in this bill, most notably targeted and temporary increases in food stamps and unemployment insurance. I, for one, hope the United States Senate acts responsibly by including these important programs in their version of the stimulus package.

It is critical that this stimulus package move quickly, but it is just as critical that it include stimulus that jump-

starts the economy and gives assistance to those who truly need it.

And if the Senate includes funding for these critical programs, I strongly urge all my colleagues to support it, and I urge President Bush to then sign it into law. It is the right thing to do for our economy, and it is the right thing to do for the millions of low-income Americans who will not benefit from this stimulus package as it is currently written.

SUNSET MEMORIAL

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. Mr. Speaker, because the end of the hour grows close, I would now come before this body with a sunset memorial. We intend to repeat this from time to time to chronicle the loss of life by abortion on demand in this country.

Mr. Speaker, it is January 29, 2008, in the land of the free and the home of the brave, and before the sun sets today in America, almost 4,000 more defenseless unborn children were killed by abortion on demand just today.

Exactly 35 years today, the tragic judicial fiat called Roe v. Wade was handed down. Since then, the very foundation of this Nation has been stained by the blood of almost 50 million children. Mr. Speaker, that is more than 16,000 times the number of innocent lives lost on September 11.

Each of the 4,000 children that we lost today had at least four things in common. They were each just little babies who had done nothing wrong to anyone. And each one of them died a nameless and lonely death. And each of their mothers, whether she realizes it immediately or not, will never be the same. And all the gifts that these children might have brought to humanity are now lost forever.

Mr. Speaker, those noble heroes lying in frozen silence out in Arlington National Cemetery did not die so America could shred her own Constitution, as well as her own children, by the millions. It seems that we are never quite so eloquent as when we decry the genocidal crimes of past generations, those who allowed their courts to strip the black man and the Jew of their constitutional personhood, and then proceeded to murderously desecrate millions of these, God's own children.

Yet even in the full glare of such tragedy, this generation clings to blindness and invincible ignorance while history repeats itself and our own genocide mercilessly annihilates the most helpless of all victims to date, those yet unborn.

Perhaps it is important for those of us in this Chamber to remind ourselves again of why we are really all here.

Thomas Jefferson said, "The care of human life and its happiness and not its destruction is the chief and only object of good government."

Mr. Speaker, protecting the lives of our innocent citizens and their constitutional rights is why we are all here. It is our sworn oath. The phrase in the 14th amendment capsulizes our entire Constitution. It says: "No state shall deprive any person of life, liberty, or property without due process of law."

The bedrock foundation of this Republic is the Declaration, not the casual notion, but the Declaration of the self-evident truth that all human beings are created equal and endowed by their creator with the unalienable rights of life, liberty, and the pursuit of happiness. Every conflict and battle our Nation has ever faced can be traced to our commitment to this core self-evident truth. It has made us the beacon of hope for the entire world. It is who we are.

And yet today, Mr. Speaker, in this body we fail to honor that commitment. We fail our sworn oath and our God-given responsibility as we broke faith with nearly 4,000 innocent American babies who died without the protection we should have been given them.

And so for them in this moment, Mr. Speaker, without yielding my time, I would invite anyone inclined to join me for a moment of silence on their behalf.

Mr. Speaker, I believe that this discussion tonight presents this Congress and the American people with two destiny questions.

The first that all of us must ask ourselves is very simple: Does abortion really kill a baby? If the answer to that question is "yes," there is a second destiny question that inevitably follows. And it is this, Mr. Speaker: Will we allow ourselves to be dragged by those who have lost their way into a darkness where the light of human compassion has gone out and the predatory survival of the fittest prevails over humanity? Or will America embrace her destiny to lead the world to cherish and honor the God-given miracle of each human life?

Mr. Speaker, it has been said that every baby comes with a message, that God has not yet despaired of mankind. And I mourn that those 4,000 messages sent to us today will never be heard. Mr. Speaker, I also have not yet despaired. Because tonight maybe someone new, maybe even someone in this Congress, who heard this sunset memorial will finally realize that abortion really does kill a baby, that it hurts mothers more than anyone else, and that nearly 50 million dead children in America is enough. And that America is great enough to find a better way than abortion on demand.

So tonight, Mr. Speaker, may we each remind ourselves that our own days in this sunshine of life are numbered and that all too soon each of us will walk from these Chambers for the very last time.

And if it should be that this Congress is allowed to convene on another day yet to come, may that be the day that we hear the cries of the unborn at last. May that be the day we find the humanity, the courage, and the will to embrace together our human and our constitutional duty to protect the least of these, our tiny American brothers and sisters, from this murderous scourge upon our Nation called abortion on demand.

This is a sunset memorial, Mr. Speaker. It is January 29, 2008, in the land of free and the home of the brave.

ALL IS NOT QUIET ON THE SOUTHERN FRONT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, Iran, Somalia, Syria, Colombia, Afghanistan, and Iraq have something in common. These are six nations, among several others, where the State Department recommends that Americans don't travel.

But today there was another advisory issued, but this one was not by the State Department but by the State of Texas through the Texas Department of Public Safety.

Mr. Speaker, I would like to read just a portion of this into the RECORD. Here is what it says. Texas Department of Public Safety dated today: ''Due to the increased rising level of violence in Mexico—which is attributed to drug cartels, violent criminal organizations, and increased presence of military personnel in some Mexican border communities—it is recommended that persons be discouraged from traveling to Mexican border towns, particularly those that have recently been scenes of gang-related violent activity. These communities include Nuevo Laredo, Matamoros, Reynosa, Rio Bravo, Miguel Aleman, and Ciudad Juarez.''

Mr. Speaker, you see, the Texas Department of Public Safety has issued an advisory for Americans: don't go to these border towns because of the violence. And the reason the violence has increased specifically has to do with what happened in Rio Bravo which is across the Rio Grande River from Texas. The Rio Bravo mayor last month was gunned down while leaving a restaurant, along with two other politicians. The Mexican Government sent in troops to help quell the violence. But 5 days ago, local police in several Mexican border towns, specifically Nuevo Laredo, Matamoros, and Reynosa, were relieved of their duties by the federal Government because of their alleged links to drug cartels, specifically the gulf drug cartel.

What that means, Mr. Speaker, now on the Mexican border, bordering Texas, there are 6,000 Mexican troops stationed there. They are stationed from Matamoros to Miguel Aleman. Now, Matamoros is the border town across from Brownsville, Texas. Brownsville is on the furthest eastern tip of Texas. Brownsville is a big community, and across the river is Matamoros. And Miguel Aleman is 100 miles upriver across the river from Roma, Texas. There is violence in these border towns.

Many people don't understand what a border town is. A border town is a town on the American border and has another town very similar to it on the Mexican border. And both of these towns, being border towns, border each other separated only by the border between Mexico and the United States.

The State Department has already issued a travel alert for Mexico because of the violence that occurs there. But now the State of Texas finds a need to warn all citizens, especially law enforcement officials, of the problems.

Mr. Speaker, the open-border crowd denies this violence occurs on our southern front. I have been down to the Texas-Mexico border now 13 times, and I have talked to the local people who

live there, and I have also talked to the chamber of commerce types who say, Oh, there is no problem here in our border towns. There is no violence or drugs. We don't have a problem with infiltration from drug cartels and criminals coming into our cities. Of course they say those things, in my opinion, because they want that open border for that travel back and forth between Mexico and the United States because of money, because of commerce, because of that greed that so many people have; and they deny the fact that the border needs to be secure.

We live in denial sometimes that there is a border war that is existing. It is a violent border war. It is a border war between drug cartels and criminals, and many of those people don't just stay on the Mexican side.

When Sheriff Rick Flores was here in Congress and testified before Congress, he is the sheriff in Webb County, Texas, he said we are naive to believe that the border problem only will be on the Mexican side. He is the sheriff in Laredo. Across the river is Nuevo Laredo. That is basically a ghost town now controlled by the drug cartels; and those criminals, they will come to the American side as well.

Sigi Gonzales, the sheriff in Zapata County, he told me that the drug cartels and the criminals, they have better equipment, they have more equipment, they have better money, and they have more people involved in doing what they want to do than we have in protecting the dignity of the United States.

And to illustrate how violent it is on the border, Mr. Speaker, I want to read you one more portion of this report: There currently exists a U.S. Department of State travel alert for Mexico. Fort Bliss officials announced Saturday that travel to Juarez has been declared off limits for U.S. military.

In other words, Fort Bliss, the United States Army, they can go to Iraq, they can go to Afghanistan, but they can't go to Juarez right across the river because it is too dangerous.

Mr. Speaker, there is a border war taking place on the southern border. All is not quiet on the southern border, and we need to understand that this is a tremendous problem and our government needs to get into action and protect Americans from this invasion.

And that's just the way it is.

BORDER TRAVEL ADVISORY

SUMMARY

Due to the rising level of violence in Mexico—which is attributed to drug cartels, violent criminal organizations, and increased presence of military personnel in some Mexican border communities—it is recommended that persons be discouraged from traveling to Mexican border towns, particularly those that have recently been scenes of gang-related violent activity. These communities include Nuevo Laredo, Matamoros, Reynosa, Rio Bravo, Miguel Aleman, and Ciudad Juárez. The increased levels of violence in recent weeks and potential for additional violence suggest that an advisory against traveling to these communities is warranted.

DETAILS

On November 30, 2007, gunmen opened fire on the former mayor of Rio Bravo—who was a two-term representative and one-time senator—and his entourage as they left a restaurant in Rio Bravo. The former mayor was killed along with two other politicians and two federal agents. The Los Zetas, an organized cell of the Gulf Cartel, had previously threatened the former mayor's life and attempted a prior assassination, prompting the government to assign bodyguards. In response to the assassination, the Mexican government immediately mobilized approximately 500 soldiers, federal police, and support personnel in order to conduct counterdrug operations in the state of Tamaulipas. The focus of the operation was on the cities of Matamoros, Rio Bravo, and Miguel Aleman, just south of Roma, Texas, and Reynosa, Mexico.

On Monday, January 7, 2008, members of the Mexico Federal Preventive Police (PFP) were patrolling Colonia Cuauhtémoc in Rio Bravo when they observed a 2005 Chevrolet Suburban occupied by heavily armed men. The officers attempted a traffic stop that resulted in shots being fired at the officers from the Suburban. A gun battle ensued, and additional officers and a contingent of the Mexican army responded. Three gunmen were killed and ten others were arrested, including three U.S. citizens, one of whom was from Texas.

On January 23, 2008, local police in the border cities of Nuevo Laredo, Matamoros, and Reynosa, Mexico, were relieved of their duties as army troops disarmed the officers and searched for evidence that might show links to drug traffickers. Eleven men were arrested by federal police in Nuevo Laredo, including four police officers, who were said to be operatives for the Gulf Cartel.

President Calderon has sent approximately 6,000 military troops and federal police to areas that extend from Matamoros—which is across the border from Brownsville, Texas—westward to Miguel Aleman, which is across the border from Roma, Texas. Mexican military and federal police personnel have also been sent to the city of Juárez. A similar operation was conducted last year in Tijuana when violence erupted there, with more than 3,500 soldiers and federal officers sent to the city.

Over the past weekend, a total of five people were either shot or beaten to death in separate incidents in Juárez. This comes on the heels of approximately 30 persons in Juárez being murdered since the beginning of the year, including 17 law enforcement personnel, as well as the recent attempted assassination of a Chihuahua State Police Commander Fernando Lozano Sandoval. Commander Sandoval is currently hospitalized in El Paso's Thomason Hospital under tight security. An alleged ''hit list'' of Mexican law enforcement was also discovered near Chihuahua state offices over the weekend.

There currently exists a U.S. Department of State travel alert for Mexico with a date to expire of April 15, 2008. Fort Bliss officials also announced Saturday that travel to Juárez has been declared off-limits for U.S. military personnel.

In addition to the travel advisory, law enforcement officials should be aware of the possibility that violent criminals and cartel members may seek to enter Texas in an attempt to escape Mexican military and law enforcement operations. As some persons seek refuge in Texas, their enemies may plan to conduct raids or hits on them here. The most significant violent criminals in the region are members of the Gulf Cartel or their violent enforcers, Los Zetas.

ANALYST'S COMMENTS

With the increased military and police presence in Mexican border towns, and the recent violence associated with shootouts between Mexican military and drug cartels, it is advised that Texas residents avoid traveling to Mexican border communities, particularly those that have recently been scenes of violent gang-related activity. In addition, there exists a possibility that Los Zetas and Cartel members may cross the border into Texas. Tactical operations, such as increased police patrols, should be initiated in high-profile and high-visibility areas—such as points of entry and between points of entry—to discourage cross-border incursions. If any contact is made with suspected Los Zetas or cartel members, an INT–7 form should be completed and forwarded to the Texas Intelligence Center.

Law enforcement officials are encouraged to remain vigilant and report any suspicious incidents to the Texas Intelligence Center.

WHERE'S W?

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, last night this House was host to the President for his final State of the Union address. Like all past Presidential speeches in this Chamber, it was historic. But this time it may have been historic because of what it did not achieve and what it left unfinished.

Forget all of the unfulfilled commitments on education, health care, environmental conservation, employment, energy efficiency, worker protections and immigration. Let's just look at the record on foreign policy. The state of that union? Dismal.

Upon taking office in 2001, this administration promised a new kind of international engagement, one based on partnerships and regional alliances.

We didn't exactly get what we bargained for, unfortunately. And the recent administration tour through the Middle East just about summed it up.

Remember those children's books, ''Where's Waldo?'' We had a case of ''Where's W?'' Let's start our tour in Israel and the Palestinian-controlled lands.

After nearly two terms of ignoring the real crisis in the region, the administration tried to make a last-ditch effort at a peace agreement: first by hosting a summit, one that wasn't expected to achieve anything, and then by a visit to the region. No ideals were outlined, no real road map was sketched out. To be generous, it was a half-hearted effort. It greatly saddens me, Mr. Speaker, that such an important opportunity was squandered. The Israeli and Palestinian people deserve more. They deserve a chance to at least hope for peace.

Next stop on the Where's W? trip, Kuwait and Bahrain. In Bahrain, the political opposition faces arrest, torturers are granted immunity, and a woman must go before family, not civil courts, family to fight back against violence and abuse.

In Kuwait, the world saw how Kuwaiti justice is carried out when al-Azmi was hanged inside the Interior Ministry complex in Kuwait City on December 21.

Next stop, the United Arab Emirates. This is the land where noncitizens are a subclass of people. They have very few rights. They face huge obstacles and discrimination.

Oh, and another thing, women can't pass on citizenship to their children unless their husband is a citizen. What does that mean? It often means insurmountable barriers to education and employment.

Now we are on the home stretch. Where in the world is W?

□ 1915

Saudi Arabia. The country with the choke hold on international energy markets, the homeland of the majority of the 9/11 terrorists, the land where women cannot legally drive a car yet. Sure, there is a proposal on the table to give women this right, but I wouldn't hold my breath.

How did the United States President clearly demand the rights of all Saudi people? By walking hand in hand with members of the Saudi royal family. That sounds like a strange negotiating tactic to me.

And the final stop on this regional tour, Egypt. Let's just look at what Amnesty International has to say about Egypt. We have longstanding concerns on systematic torture, deaths of prisoners in custody, unfair trials, arrests of prisoners of conscience for their political and religious beliefs or for their sexual orientation, wide use of administrative detention and long-term detention without trial, and use of the death penalty.

This, Mr. Speaker, was a tour of wasted opportunity and flagrant disregard for the most basic human rights.

So what will the President's legacy be in the Middle East? What is the state of that union? Not good. Not good at all.

We have a seemingly endless occupation of Iraq destabilizing the region. Osama bin Laden is still missing. We have the rise of the Taliban in Afghanistan.

Opportunity after opportunity for regional stability has been squandered and our standing in the region is embarrassingly low. But know this: This Congress will continue to demand an end to the occupation of Iraq and a return to sensible and sustainable policies in the Middle East. We will not stand by while the clock runs out on this administration.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. ROHRABACHER) is recognized for 5 minutes.

(Mr. ROHRABACHER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CONGRATULATING THE RICHLAND SPRINGS COYOTES SIX-MAN FOOTBALL TEAM ON THEIR STATE AND NATIONAL CHAMPIONSHIPS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. CONAWAY) is recognized for 5 minutes.

Mr. CONAWAY. Mr. Speaker, I rise today to congratulate the students and families of the Richland Springs Coyote football team for winning the 2007 Texas Division I Six-Man Football Championship and the Six-Man Illustrated National Championship poll.

Six-man football has been a part of Texas history for almost 70 years, and today there are over 160 public and private schools fielding teams. For many small towns in Texas' 11th Congressional District, six-man football is simply a way of life. It is no different in Richland Springs, where the Coyotes carry on the best traditions of Texas football every fall weekend.

Before a crowd of 5,000 cheering fans in San Angelo's Bobcat Stadium, the Coyotes played the Rule Bobcats in a rematch of last year's championship. It was an exciting game that was close through the first three quarters, but in the end the Coyotes simply outran the Bobcats and won the game 98–54. Throughout their 2007 campaign, the Coyotes went a perfect 14–0 and outscored their opponents 1,015–225.

This victory secured the Coyotes their third State championship in 4 years and cemented their reputation as the Nation's best six-man football team. With this national championship, they become only one of two teams to have earned three national championships. During this run, the Coyotes have gone an unbelievable 56–1.

As I look ahead to next summer, the Coyotes will lose five seniors. I wish the 29 returning students the best of luck in continuing the outstanding success that the Richland Springs six-man football team has achieved.

I'd like to commend Coach Burkhart, Coach Ethridge, Coach Dodson and Coach Rogers for their hard work in preparing, training, and coaching their teams to the championship.

Finally, I'd like to extend my personal congratulations to Mark Williams, Haustin Burkhart, Stephen Fowler, Neil McMillan, Shelby Smith, Joe Tomlinson, Nigel Bates, Mitchell Jacobson, Andrew Fowler, Tyler Etheridge, Riche Daniels, Brennen McGinty, Elbert Thomas, Khalid Khatib, Patrick Couch, Randy Couch, Daniel Barrett, Tommy Hollon, Abraham Ahumada, Branch Vancourt, Stephen Thornhill, Franky Soto, C.J. Finke, Dean King, David Greenwood, and Ryan Soto for winning both of their 2007 championships. These young men have proven themselves to be good sportsmen, able competitors and fine athletes.

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.)

SOVEREIGN WEALTH FUNDS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, the recent shocks to the global economy and U.S. financial institutions have revealed a major new source of investment in the U.S. economy called Sovereign Wealth Funds. These funds are the surplus savings of our trading competitors from foreign countries and have been key in bailing out major U.S. corporations like CitiGroup, Merrill Lynch, Blackstone, and so many others that have made terrible decisions and played with the people's money to abandon. Three billion dollars was invested by the Chinese, for example, just in the Blackstone Group.

Put into perspective, the Chinese Government, and I underline ''government,'' is projected to have more than $3 trillion by 2010 that can be used to buy our stocks, bonds, real estate, and entire corporations. They're just getting started. Put into context, the Government of China will soon have enough investment monies to buy 51 percent; that is absolute control of more than 40 percent of all the U.S.-based corporations whose stock is listed on the New York Stock Exchange. Think about that. The Government of China literally could buy half of all the stock listed on the New York Stock Exchange. And that's only China.

Many people in this Nation and in this Congress would strongly oppose having the United States Government buy control of two out of every five companies listed there. It would be called socialism. But how will we react if the Chinese Government buys those same companies, which is, my friends, underway?

Already we see China, Kuwait, Norway, and other nations buying major stakes in our banks and in investment houses, institutions that exert enormous political and economic influence in our Nation and world. Can we trust that those investments are purely for economic returns?

Secretary of the Treasury Paulson has repeatedly stated that this administration has no interest in knowing the details of such investments by sovereign wealth funds. The present panic in our banks and financial institutions to secure capital to offset their mortgage and credit card debacles may induce the heads of those corporations to take bailouts on virtually any terms. But we must be wiser. A head-in-the-sand ostrich policy by the United States Government is simply not acceptable. Indeed, it is reckless, and it threatens national security.

At a minimum, Congress and the American people need to know the details of those transactions. Thus, foreign governments investing in U.S. companies through these funds should be required to make public their activities here, just as we require of public companies in the United States. Sunshine, as always, is good public policy. And if disclosure turns away investment, then the obvious question is what was the real goal of those funds.

Simultaneously, Congress needs to seriously consider whether limits should be placed on foreign investments in critical U.S. industries. Germany, Japan, Korea, and China all do. They understand that foreign economic control brings with it foreign political involvement in internal affairs.

In sum, sovereign wealth funds are a large and growing influence in the global economy and inside the United States. They have the potential to buy absolute control of a significant portion of the United States' economy, and that is under way. For the present, we need full disclosure about their U.S. holdings and intentions.

Simultaneously, we need to quickly and seriously think about what limits and controls the American people, through their government, should place on such investments.

Strangely, last week, President Bush signed an executive order transferring his power to the Treasury Department to authorize or reject such foreign takeovers of American companies. But officials from the Department of Defense, Department of Justice, and Department of Homeland Security objected to the order over the past few months saying it served business interests over national security interests. It allows Wall Street to gain an edge at the expense of national security. This Congress should not allow that. Economic and national security should go hand in hand. We cannot allow lax regulation of foreign involvement in our economy, and we cannot allow our indebtedness to foreign interests to continue to mount.

I would like to place two articles in the RECORD tonight, one from the Washington Times on January 24, entitled, ''Treasury Gets New CFIUS Authority.''

This is the entity at Treasury that reviews these deals. And it talks about how CFIUS is reviewing a proposed merger between the telecommunications equipment manufacturer 3Com and China's Huawei Technology Corporation, a company linked in the past to illegal international activities including violations of U.N. sanctions on Iraq and industrial espionage against the United States and Japanese firms. The Boston-based Bain Capital Partners would undermine U.S. national security, and this is one of the groups that's handling this.

Interestingly, Treasury Secretary Henry Paulson recused himself from this particular review because his former company, Goldman Sachs, is a paid advisor to 3Com.

And also I wish to place in the RECORD and will end, Mr. Speaker, with a January 25 Wall Street Journal article, ''Lobbyists Smoothed the Way for a Spate of Foreign Deals,'' which goes into heavy analysis of the $37 billion of stakes in Wall Street financial institutions, the bedrock of our financial system, by selling these growing sovereign wealth funds.

[From the Washington Times, Jan. 24, 2008]

TREASURY GETS NEW CFIUS AUTHORITY

(By Bill Gertz)

President Bush yesterday signed a new executive order on foreign investment that gives the Treasury secretary, instead of the president, key power to authorize or reject purchases of U.S. companies by foreign buyers.

The president said the order bolsters recently passed legislation by ensuring the Treasury-led Committee on Foreign Investment in the United States (CFIUS) ''will review carefully the national security concerns, if any, raised by certain foreign investments into the United States.''

At the same time, Mr. Bush said, the order recognizes ''that our openness is vital to our prosperity and security.''

Homeland Security Secretary Michael Chertoff said his agency is ''happy with the final order.''

''I think it creates a process that will achieve the dual objectives of promoting investment but making sure we don't compromise our national security,'' Mr. Chertoff said from Switzerland.

The legislation and order are a result of a bid in 2006 by United Arabs Emirates-based Dubai Ports World to take over operation of six U.S. ports.

CFIUS approved the purchase but it later was canceled under pressure from Congress over concerns that terrorists might infiltrate U.S. ports through the company. Critics questioned the deal because two of the September 11, 2001, hijackers were UAE nationals, and the Persian Gulf state was used as a financial base for al Qaeda.

Rep. Carolyn B. Maloney, New York Democrat and a key sponsor of the CFIUS-reform law, called the new order a positive step.

''I remain confident that the Treasury Department intends to follow the law as I wrote it, and have received assurances that the department is already adhering to the new reforms,'' she said.

The order outlines more clearly the role of the director of national intelligence (DNI) in providing CFIUS with threat assessments posed by a foreign purchase and adds a requirement for the DNI to assess ''potential consequences'' of a foreign deal involving a U.S. company.

However, a comparison of the new order with a draft order from October—which was opposed by U.S. national security officials—shows that CFIUS will continue to be dominated by pro-business elements of the government.

As late as last month, national security officials from the Homeland Security, Justice and Defense departments expressed concern the order was being co-opted by pro-business officials at Treasury, Commerce and other trade agencies.

A memorandum from the three national security agencies obtained by The Washington Times called for tightening the draft order's national security provisions to ''accurately reflect pro-security interests.''

The final order released by the White House yesterday removed a provision that would have required the committee to ''monitor the effects of foreign investment in the United States.''

One new authority in the order is a provision strengthening so-called ''mitigation agreements'' between companies. The agreements are designed to reduce the national security risks as a condition for committee or presidential approval.

The order states that companies involved in a U.S.-foreign transaction ''in extraordinary circumstances'' can be required to state they will comply with a mitigation agreement.

CFIUS currently is reviewing a proposed merger between the telecommunications equipment manufacturer 3Com and China's Huawei Technology, a company linked in the past to illegal international activities, including violations of U.N. sanctions on Iraq and industrial espionage against U.S. and Japanese firms.

U.S. officials said a review by the DNI's office determined the Huawei purchase, through the Boston-based Bain Capital Partners, would undermine U.S. national security.

3Com manufacturers computer intrusion-detection equipment used by the Pentagon, whose networks are a frequent target of Chinese military computer attacks.

Treasury Secretary Henry M. Paulson Jr. recused himself from CFIUS' 3Com-Huawei review because his former company, Goldman Sachs, is a paid adviser to 3Com.

[From the Wall Street Journal, Jan. 25, 2008]

LOBBYISTS SMOOTHED THE WAY FOR A SPATE OF FOREIGN DEALS

(By Bob Davis and Dennis K. Berman)

WASHINGTON.—Two years ago, the U.S. Congress pressured the Arab emirate of Dubai to back out of a deal to manage U.S. ports. Today, governments in the Persian Gulf, China and Singapore have snapped up $37 billion of stakes in Wall Street, the bedrock of the U.S. financial system. Lawmakers and the White House are welcoming the cash, and there is hardly a peep from the public.

This is no accident. The warm reception reflects millions of dollars in shrewd lobbying by both overseas governments and their Wall Street targets—aided by Washington veterans from both parties, including big-time Republican fund-raiser and lobbyist Wayne Berman. Also easing the way: The investments have been carefully designed to avoid triggering close U.S. government oversight.

Clearly, U.S. financial firms that have been deeply weakened by the credit crisis, including Citigroup Inc. and Merrill Lynch & Co., need the cash. Meanwhile, investment pools funded by foreign governments, called sovereign-wealth funds, have trillions to invest. Some American politicians, though suspicious of foreign governments, deem it suicidal to oppose aid to battered financial companies.

''What would the average American say if Citigroup is faced with the choice of 10,000 layoffs or more foreign investments?'' asks New York Democratic Sen. Charles Schumer, who played a central role in killing the Dubai port deal but has applauded recent foreign investment.

But by making investment by foreign governments seem routine, Washington may be ushering in a fundamental change to the U.S. economy without assessing the longer-term implications. Some economists warn that the stakes could provide autocratic governments an important say in how U.S. companies do business, or give them access to sensitive information or technology. Those familiar with the deals' governmental review processes say military officials worry that a foreign government, especially China, may be able to coax an executive into turning over secrets.

Former U.S. Treasury Secretary Lawrence Summers counsels caution. ''There should be a very strong presumption in favor of allowing willing buyers to take noncontrolling stakes in companies,'' Mr. Summers says. ''However, it's imaginable that government-related entities [investing in the U.S.] will be motivated to strengthen their national economies, make political points, reward or punish competitors or suppliers, or extract know-how.''

Sovereign-wealth funds, meanwhile, continue to seek opportunities. Thursday at the World Economic Forum in Davos, Switzerland, Qatar's prime minister said the oil-rich sheikdom's investment arm wants to invest $15 billion in European and U.S. banks. ''We're looking at buying stakes in 10 or 12 blue-chip banks,'' Sheikh Hamad bin Jassem Al Thani told Zawya Dow Jones. ''But we will start small.''

In nearly every case, American financial companies are escaping detailed U.S. government review by limiting the size of stakes they sell to government investment funds. The multiagency Committee on Foreign Investment in the U.S., led by the U.S. Treasury, can recommend that the president block foreign acquisitions on national-security grounds. Congress also can block deals by pressuring companies or by passing legislation.

Under CFIUS rules, a passive stake—one in which investors don't seek to influence a company's behavior—is presumed not to pose national-security problems. Neither is a small voting stake, usually of less than 10%. During the recent string of deals, financial companies whose investments have met those requirements have notified CFIUS and haven't had to go through 30-day initial reviews.

A backlash could still develop if the funds throw their weight around in U.S. companies. The government reserves the right to examine an investment even after the deal closes.

When the U.S. economy was riding high in 2004, sovereign money was sometimes shunned. Dubai's Istithmar investment fund was viewed warily in New York when it went hunting for real estate. In part, that is because sellers worried that Istithmar's government ownership would lend the company sovereign immunity, insulating it from lawsuits if it reneged on a contract. (As a commercial arm of the government, it wouldn't have been immune.)

Now Wall Street is thirsting for new capital, preferably in huge amounts and deliverable at a moment's notice. Sovereign-wealth funds look like an oasis. These government-funded pools have about $2.8 trillion in assets, which Morgan Stanley estimates could grow to $12 trillion by 2015 as Middle Eastern funds bulk up on oil receipts and Asian ones expand from trade surpluses.

''You can't have a $9 trillion debt and huge trade deficit and not expect at some point you'll have to square accounts,'' says David Rubenstein, CEO of Washington-based private-equity firm Carlyle Group. Foreign savings have to go somewhere, he says: ''Better that it come to the U.S. than anywhere else.'' (An Abu Dhabi fund, Mubadala Development Corp., has a 7.5% stake in Carlyle.)

As the U.S. financial crisis deepened over the summer, sovereign-wealth funds became a favorite of capital-short Wall Street firms. That is because state funds presumably have an incentive to be passive investors, to avoid raising objections to their stakes. Domestic investors, on the other hand, might demand a bigger say or board seats for a similar-size stake. As it sought its most recent cash infusion of $6.6 billion, Merrill Lynch turned away possible investments from U.S. hedge funds in favor of investments from government funds from South Korea and Kuwait, say people involved with negotiations.

A senior official at China Investment Corp., which has about $200 billion in assets including a $3 billion stake in private-equity firm Blackstone Group LP, says it doesn't want to play an active role in corporate governance. ''We don't even want to take the kind of stand of someone like Calpers,'' which is the California state pension fund, the official said. ''We don't have enough people, and we can't send directors out to watch companies.

Behind Washington's acceptance of large-scale foreign investments lies a well-funded lobbying campaign, spurred when Congress objected to government-owned Dubai Ports World's investment in a U.S. port operator. The United Arab Emirates—a federation of seven ministates including Dubai and Abu Dhabi—was seared by the accusation that an Arab government-owned company couldn't be trusted to protect U.S. ports against terrorists. Last year, the U.A.E. launched a three-year, $15 million Washington lobbying campaign, the U.S.-Emirates Alliance, to burnish its reputation.

The alliance, headed by former Hillary Clinton campaign aide Richard Mintz, recruited about two dozen businesses to form a support group. It contributed $140,000 to a prominent Washington think tank, the Center for Strategic and International Studies, to start a ''Gulf Roundtable'' discussion series. It also forged alliances with prominent Jewish groups by persuading the U.A.E. to clear the way for U.S. travelers whose passports had Israeli visas; such travelers sometimes had been turned away by U.A.E. customs agents, Jewish groups said.

Such openness has it limits, though. In June 2007, the Abu Dhabi Investment Authority, the world's largest sovereign-wealth fund, with an estimated $875 billion in assets, hired public-relations firm Burson-Marsteller for $800,000 for an initial eight-month contract to improve communications. But it still has no press department or press kits. It forbids its Washington representative, James Lake, to talk to the media.

Even as the Dubai port controversy spurred sovereign investors to engage in a charm offensive, it led lawmakers to re-examine laws governing the Committee on Foreign Investment in the U.S. Some proposed to vastly expand the definition of investments that could pose a threat to national security. Both foreign firms and U.S. banks lobbied fiercely in response, pressing to keep the reviews narrow enough to encourage foreign investment.

Their lobbying largely succeeded. The Financial Services Forum, which represents the 20 largest U.S. financial firms, focused on Sen. Schumer, a frequent Wall Street ally. In one April 2006 session, a dozen CEOs, including then-Goldman Sachs CEO Henry Paulson, who is now U.S. Treasury Secretary, told the senator about the importance of open investment. A participant says Sen. Schumer described the Dubai port controversy as an ''anomaly.'' Since then, executives from top financial firms have consulted with Sen. Schumer when foreign firms seek to buy stakes and regularly win his endorsement.

Sen. Schumer says the executives assure him that foreign investors will have ''not just virtually no control, but virtually no influence.''

Compared with the ports industry, the financial sector speaks with an outsize megaphone in Congress. In the 2006 election cycle, commercial banks and securities firms, and their employees, contributed $96.3 million to congressional campaigns—32 times as much as the sea-transport industry, which includes ports, according to the nonpartisan Center for Responsive Politics. Banks and securities firms are also the largest industry contributors to members of the Senate Banking Committee and House Financial Services Committee, which can review investments in Wall Street firms. Sen. Schumer is a member of the Senate Banking Committee.

Wall Street and the U.A.E. thought they had turned the corner by spring 2007 when another Dubai-owned company, Dubai Aerospace Enterprise Ltd., bought two firms that owned small U.S. airports and maintenance facilities that serviced some navy transport-plane engines. The Dubai firm pledged to submit to government security reviews and submit its employees for security screening. It also thoroughly briefed lawmakers on the deal. It ran into no obstacles on Capital Hill.

''I call the strategy, 'wearing your underwear on the outside,' '' says one of Dubai Aerospace's Washington lobbyists, Joel Johnson, a former Clinton White House communications adviser. ''We have to show everybody everything—no secrets, no surprises.''

The deal that provided a blueprint for the current wave of foreign investments was China's $3 billion stake in Blackstone Group's initial public offering, announced last May. In helping to gain congressional approval for the deal, lobbyist Mr. Berman emerged as a key strategist.

Mr. Berman, a Commerce Department official in the administration of George H.W. Bush, has been one of the Republican Party's most adept fund-raisers, bringing in more than $100,000 for President George W. Bush in 2000 and more than $300,000 in 2004. Mr. Berman cultivates a range of contacts with salon-style dinners at his home with his wife, Lea, who was Laura Bush's social secretary. He is now a fund-raiser for Sen. John McCain's presidential bid.

Blackstone asked Mr. Berman, a longtime lobbyist for companies in the financial industry, to help smooth the way in Congress for China to buy a piece of the private-equity firm. A minority stake made sense to both sides: Blackstone wanted to boost its presence in China. China, which was in the process of setting up China Investment Corp., wanted to show it could become a trusted investor in top U.S. firms.

Mr. Berman pointed out that offering a board seat, or a stake of more than 10%, would invite government review. Ultimately, the two sides agreed on a stake of as much as 9.9% and passive investment. ''Our intention was not to arouse too much sensation in any way,'' says the senior China Investment Corp. executive.

Mr. Berman says the goal wasn't to get around the rules but to work within them. ''Policy considerations didn't drive the specifics of the deal,'' says Mr. Berman. ''Policy considerations informed the deal.''

Blackstone executives briefed several dozen lawmakers, with the firm's chief executive, Stephen Schwarzman, sitting in on some sessions. Stiff opposition came from Sen. James Webb, a first-term Virginia Democrat. Sen. Webb wrote a novel published in 1991, ''Something to Die For,'' in which Japan uses its financial muscle to gain influence in Washington. The senator worries Beijing could do the same.

Mr. Webb wanted the China investment deal delayed so regulators could examine whether Blackstone's stake in a semiconductor company posed national-security problems. One of Mr. Berman's partners pointed out that the firm produced off-the-shelf chips. Sen. Webb withdrew his objections to the deal, though he remains skeptical of sovereign investors.

Mr. Berman's firm, Ogilvy Government Relations, a unit of WPP Group PLC, billed Blackstone $3.9 million in 2007 for the work on the investment, tax and other issues.

Other deals followed, similarly structured to avoid raising congressional uproar. Two other Berman clients, Carlyle Group and Citigroup, negotiated investments with sovereign-wealth funds—both marked by passive stakes and no board seats—and faced no resistance. Mr. Berman says he didn't lead strategizing in either deal.

Citigroup and Merrill Lynch, in their most recent round of capital-raising, included U.S. investors, including New Jersey's Division of Investment, giving politicians even more reason to support the deals. ''The principality of New Jersey'' is now buying stakes in Citigroup and Merrill Lynch, jokes Democratic Rep. Barney Frank of Massachusetts, who heads the House Financial Services Committee.

Other sovereign-wealth funds have turned to Washington experts for advice. Former New York Fed Chairman William McDonough, a vice chairman of Merrill Lynch, is also a member of the international board of advisers of Temasek Holdings Pte. Ltd. of Singapore. Temasek has stakes in Merrill Lynch as well as British banks Barclays PLC and Standard Chartered PLC. Former Senate Banking Committee Chairman Phil Gramm, now an adviser to Sen. McCain, is vice chairman of investment banking at UBS AG of Switzerland, which sold a stake to another Singapore government investment fund. He says he talks regularly with sovereign-wealth funds who seek his advice on dealing with Washington.

U.S. financial firms say the welcoming attitude of the U.S. Treasury has also helped. Essentially, the Treasury and other industrialized nations have subcontracted some of the most difficult questions concerning sovereign-wealth funds to the International Monetary Fund. In particular, the IMF is trying to persuade the funds to adopt voluntary codes to act for commercial, rather than political, reasons.

Presidential candidates have widely ignored sovereign-wealth funds' investments. Democrat Hillary Clinton, alone among top contenders for the White House, has addressed their downsides. ''Globalization was supposed to mean declining state ownership,'' she said in an interview. ''But these sovereign-wealth funds point in the opposite direction.'' She wants to go beyond the IMF efforts and look into a ''regulatory framework'' for the investments.

Banking Committee Chairman Christopher Dodd said on Wednesday that his committee would be ''examining'' sovereign-wealth-fund investments. So far, the only congressional hearing on the funds was held by Indiana Democratic Sen. Evan Bayh. ''No one wants to rock the boat,'' Sen. Bayh says, because flagship financial institutions need the cash.

Still, he is skeptical of the sovereign money. ''If you had unfettered U.S. government investments in markets, you'd have people throwing around words like socialism,'' says Sen. Bayh. ''With foreign government investments, the silence is deafening on all sides.''

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□ 1930

HONORING HELEN GANNON GINGREY ON HER 90TH BIRTHDAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. GINGREY) is recognized for 5 minutes.

Mr. GINGREY. Mr. Speaker, I would like to take time this evening to address the House of Representatives regarding a very important person, someone who has meant so much to me throughout my life. My mother, Ms. Helen Gingrey, turns 90 years old February 8, 2008.

Mr. Speaker, I know that you and Members of the House of Representatives will want to join me tonight in saying ''Happy 90th birthday, Mom.''

It's important in this day and age for children to grow up in a strong family environment like the one that my parents provided for me. And I would hope that throughout my tenure here representing the 11th Congressional District of Georgia that I'll always be aware of how my actions will affect the American families who are, after all, the backbone of this Nation.

My mother has had a great life, and she's been a blessing to both her community and to her family. She is the daughter of Irish and Scotch immigrants, John Gannon and Ellen Heron. She was born in New York City in 1918, where she grew up with her three sisters, Peggy, Mary and Catherine, and brother, Dan. Raised in Manhattan, she met and, after a 10-month courtship, she married my dad when she was 20 years old.

James Franklin Gingrey was a native of Aiken County, South Carolina. He and his two brothers and a sister, struggled in childhood after their mother died in childbirth at age 25. Dad came to New York at age 16 and near poverty with little means of support. God did not bless him with material things, but allowed him, by pure chance, to meet the love of his life, Helen Cecelia Gannon, my mom. Jimmy and Helen became husband and wife in 1938, and they remained together for 44 years until his death.

After Dad finished high school in the New York City Night program, my parents, with a 1-year-old son, William, Bill, my brother, moved back to South Carolina and settled in Edgefield. Soon the family unit grew to five, as my brother James and I were born in nearby Augusta, Georgia.

My dad left this world 28 years ago having worked side by side with my mom in a number of labor-intensive small businesses. These included, Mr. Speaker, a used car lot, a curb service drive-in restaurant, a package shop, and finally a ''Mom and Pop'' motel. They never had a chance to attend college, but by the sweat of their brow, they gave that opportunity to their three sons. To my knowledge, there were no welfare checks, food stamps or Medicaid program to lighten their load.

Mr. Speaker, as I honor my mother today, I want to thank her for a loving parenthood and for instilling in my brothers and me the principles of hard work, good education, personal responsibility, respect for the diversity of others, love of family, love of country but, most important, love of God. These are not only excellent principles for rearing children, Mr. Speaker, but also a good recipe for the initiatives we continue to work on here in the 110th Congress.

Therefore, Mr. Speaker, I urge the House to use the examples of Helen Cecelia Gannon Gingrey and all wonderful mothers like her to set an agenda that emphasizes and supports our Nation's greatest treasure, the American family.

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.)

STATUS REPORT ON CURRENT LEVELS OF ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEARS 2007 AND 2008 AND THE 5-YEAR PERIOD FY 2008 THROUGH FY 2012

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. SPRATT) is recognized for 5 minutes.

Mr. SPRATT. Mr. Speaker, I am transmitting a status report on the current levels of on-budget spending and revenues for fiscal years 2007 and 2008 and for the 5-year period of fiscal years 2008 through 2012. This report is necessary to facilitate the application of sections 302 and 311 of the Congressional Budget Act and sections 204, 206, and 207 of S. Con. Res. 21, the Concurrent Resolution on the Budget for Fiscal Year 2008.

The term ''current level'' refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature.

The first table in the report compares the current levels of total budget authority, outlays, and revenues with the aggregate levels set by S. Con. Res. 21. This comparison is needed to enforce section 311(a) of the Budget Act, which creates a point of order against measures that would breach the budget resolution's aggregate levels.

The second table compares the current levels of discretionary appropriations for fiscal year 2008 with the ''section 302(b)'' suballocations of discretionary budget authority and outlays among Appropriations subcommittees. The comparison is needed to enforce section 302(f) of the Budget Act because the point of order under that section applies to measures that would breach the applicable section 302(b) suballocation.

The third table compares the current levels of budget authority and outlays for each authorizing committee with the ''section 302(a)'' allocations made under S. Con. Res. 21 for fiscal years 2007 and 2008 and fiscal years 2008 through 2012. This comparison is needed to enforce section 302(f) of the Budget Act, which creates a point of order against measures that would breach the section 302(a) allocation of new budget authority for the committee that reported the measure.

The fourth table gives the current level for fiscal years 2009 and 2010 for accounts identified for advance appropriations under section 206 of S. Con. Res. 21. This list is needed to enforce section 206 of the budget resolution, which creates a point of order against appropriation bills that contain advance appropriations that: (i) are not identified in the statement of managers; or (ii) would cause the aggregate amount of such appropriations to exceed the level specified in the resolution.

REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET—STATUS OF THE FISCAL YEAR 2008 CONGRESSIONAL BUDGET ADOPTED IN SENATE CONCURRENT RESOLUTION 21

[Reflecting action completed as of January 23, 2008—On-budget amounts, in millions of dollars]

	Fiscal year—		
	2007	2008 [2]	2008–2012
Appropriate Level:			
Budget authority	2,250,680	2,354,721	[1]
Outlays	2,263,759	2,358,831	[1]

REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET—STATUS OF THE FISCAL YEAR 2008 CONGRESSIONAL BUDGET ADOPTED IN SENATE CONCURRENT RESOLUTION 21—Continued

[Reflecting action completed as of January 23, 2008—On-budget amounts, in millions of dollars]

	Fiscal year—		
	2007	2008 [2]	2008–2012
Revenues	1,900,340	2,016,859	11,141,734
Curent Level:			
Budget authority	2,250,680	2,333,106	[1]
Outlays	2,263,759	2,346,261	[1]
Revenues	1,904,516	2,000,661	11,267,618
Current Level over (+)/under (-) Appropriate Level:			
Budget authority	0	-21,615	[1]
Outlays	0	-12,570	[1]
Revenues	4,176	-16,198	125,884

[1] Not applicable because annual appropriations Acts for fiscal years 2009 through 2012 will not be considered until, future sessions of Congress.

[2] Current aggregates do no include spending covered by section 207(d)(1)(E) (overseas deployments and related activities). The section has not been triggered to date in Appropriations action.

BUDGET AUTHORITY

Enactment of measures providing new budget authority for FY 2008 in excess of $21,615 million (if not already included in the current level estimate) would cause FY 2008 budget authority to exceed the appropriate level set by S. Con. Res. 21.

OUTLAYS

Enactment of measures providing new outlays for FY 2008 in excess of $12,570 million (if not already included in the current level estimate) would cause FY 2008 outlays to exceed the appropriate level set by S. Con. Res. 21.

REVENUES

Enactment of measures resulting in any revenue reduction for FY 2008 (if not already included in the current level estimate) would cause FY 2008 revenue to fall further below the appropriate level set by S. Con. Res. 21.

Enactment of measures resulting in revenue reduction for the period of fiscal years 2008 through 2012 in excess of $125,884 million (if not already included in the current level estimate) would cause revenues to fall below the appropriate levels set by S. Con. Res. 21.

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2008 COMPARISON OF CURRENT LEVEL WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUBALLOCATIONS

[In millions of dollars]

Appropriations Subcommittee	302(b) suballocations as of Jan. 23, 2008 (H. Rpt. 110–236)		Current level reflecting action completed as of Jan. 23, 2008		Current level minus suballocations	
	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	18,817	20,027	18,093	19,528	−724	−499
Commerce, Justice, Science	53,551	55,318	51,803	53,441	−1,748	−1,877
Defense	459,332	475,980	459,332	475,164	0	−816
Energy and Water Development	31,603	32,774	30,888	32,340	−715	−434
Financial Services and General Government	21,434	21,665	20,599	20,903	−835	−762
Homeland Security	36,262	38,247	34,852	38,028	−1,410	−219
Interior, Environment	27,598	28,513	26,555	28,052	−1,043	−461
Labor, Health and Human Services, Education	151,748	148,174	144,841	146,292	−6,907	−1,882
Legislative Branch	4,024	4,042	3,970	4,008	−54	−34
Military Construction, Veterans Affairs	64,745	54,832	60,213	52,232	−4,532	−2,600
State, Foreign Operations	34,243	33,351	32,800	32,841	−1,443	−510
Transportation, HUD	50,738	114,528	48,821	114,270	−1,917	−258
Unassigned (full committee allowance)	0	1,646	0	0	0	−1,646
Subtotal (Appropriations allocations)	954,095	1,029,097	932,767	1,017,099	−21,328	−11,998
Reduction for non-inclusion of program integrity initiatives (sec 207(d) of S. Con. Res. 21)	−1,042	−699	0	0	1,042	699
Total (Section 302(a) Allocation)	953,053	1,028,398	932,767	1,017,099	−20,286	−11,299

DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR RESOLUTION CHANGES REFLECTING ACTION COMPLETED AS OF JANUARY 23, 2008

[Fiscal years, in millions of dollars]

House Committee	2007		2008		2008–2012 total	
	BA	Outlays	BA	Outlays	BA	Outlays
Agriculture:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Armed Services:[1]						
Allocation	0	0	−56	−81	−139	−427
Current Level	0	0	−6	−31	271	−17
Difference	0	0	50	50	410	410
Education and Labor:						
Allocation	−4,877	−4,886	−288	−977	5,042	4,175
Current Level	−4,877	−4,886	−288	−977	5,042	4,175
Difference	0	0	0	0	0	0
Energy and Commerce:						
Allocation	−1	−1	1,571	1,567	2,285	2,272
Current Level	−1	−1	1,568	1,562	2,205	2,187
Difference	0	0	−3	−5	−80	−85
Financial Services:						
Allocation	0	0	200	200	3,100	3,100
Current Level	0	0	200	200	3,100	3,100
Difference	0	0	0	0	0	0
Foreign Affairs:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Homeland Security:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	−425	0	−500
Difference	0	0	0	−425	0	−500
House Administration:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Judiciary:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Natural Resources:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Oversight and Government Reform:						
Allocation	0	0	0	0	0	0

DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR RESOLUTION CHANGES REFLECTING ACTION COMPLETED AS OF JANUARY 23, 2008—Continued

[Fiscal years, in millions of dollars]

House Committee	2007		2008		2008–2012 total	
	BA	Outlays	BA	Outlays	BA	Outlays
Current Level	0	0	−2	−2	−14	−14
Difference	0	0	−2	−2	−14	−14
Science and Technology:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Small Business:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Transportation and Infrastructure:						
Allocation	0	0	128	0	1,567	0
Current Level	0	0	2	−10	36	−63
Difference	0	0	−126	−10	−1,531	−63
Veterans' Affairs:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	−10	−10
Difference	0	0	0	0	−10	−10
Ways and Means:						
Allocation	0	0	2,830	4,029	−1,814	−1,814
Current Level	0	0	2,843	4,042	−1,778	−1,778
Difference	0	0	13	13	36	36

[1] Both current level and allocation reflect pending National Defense Authorization Bill.

FY2009 AND 2010 ADVANCE APPROPRIATIONS UNDER SECTION 206 OF S. CON. RES. 21

[Budget authority in millions of dollars]

	2009	2010
Appropriate Level	25,558	25,558
Enacted advances:		
Accounts Identified for Advances:		
Corporation for Public Broadcasting	400	420
Employment and Training Administration	2463	0
Education for the Disadvantaged	7935	0
School Improvement	1435	0
Children and Family Services (Head Start)	1389	0
Special Education	6856	0
Vocational and Adult Education	791	0
Payment to Postal Service	89	0
Section 8 Renewals	4158	0
Other Advances:		
Title 17 Innovative Technology Loan Guarantee	42	0

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, January 29, 2008.

Hon. JOHN M. SPRATT, Jr.,
Chairman, Committee on the Budget, House of Representatives Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2008 budget and is current through January 23, 2008. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con Res. 21, the Concurrent Resolution on the Budget for Fiscal Year 2008, as approved by the Senate and the House of Representatives.

Pursuant to section 204(b) of S. Con. Res. 21, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the enclosed current level report excludes these amounts (see footnote 1 of the report).

Since my last letter to you, dated October 24, 2007, the Congress has cleared and the President has signed the following acts that affect budget authority, outlays, or revenues for fiscal year 2008: Water Resources Development Act of 2007 (Public Law 110–114); Department of Defense Appropriations Act, 2008 (Public Law 110–116); Fair Treatment for Experienced Pilots Act (Public Law 110–135); United States-Peru Trade Promotion Agreement Implementation Act (Public Law 110–138); Energy Independence and Security Act of 2007 (Public Law 110–140); Mortgage Forgiveness Debt Relief Act of 2007 (Public Law 110–142); 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 (Public Law 110–150); Terrorism Risk Insurance Program Reauthorization Act of 2007 (Public Law 110–160); Consolidated Appropriations Act, 2008 (Public Law 110–161); Tax Increase Prevention Act of 2007 (Public Law 110–166); Medicare, Medicaid, and SCHIP Extension Act of 2007 (Public Law 110–173); and OPEN Government Act of 2007 (Public Law 110–175).

In addition, the Congress has cleared the National Defense Authorization Act—for Fiscal Year 2008 (H.R. 4986) for the President's signature,

Sincerely,

ROBERT A. SUNSHINE
(For Peter R. Orszag, Director).

Enclosure.

FISCAL YEAR 2008 HOUSE CURRENT LEVEL REPORT AS OF JANUARY 23, 2008

	Budget authority	Outlays	Revenues
Enacted in previous sessions:			
Revenues	n.a.	n.a.	2,050,796
Permanents and other spending legislation	1,450,532	1,390,611	n.a.
Appropriation legislation	0	419,269	n.a.
Offsetting receipts	−575,635	−575,635	n.a.
Total, enacted in previous sessions	874,897	1,234,245	2,050,796
Enacted this Congress:			
Authorizing Legislation:			
An act to extend the authorities of the Andean Trade Preference Act until February 29, 2008 (P.L. 110–42)	0	0	−41
A bill to provide for the extension of Transitional Medical Assistance (TMA) and the Abstinence Education Program through the end of fiscal year 2007, and for other purposes (P.L. 110–48)	96	99	0
A joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes (P.L. 110–52)	0	0	−2
Implementing Recommendations of the 9/11 Commission Act of 2007 (P.L. 110–53)	0	−425	0
College Cost Reduction and Access Act (P.L. 110–84)	−326	−992	0
Food and Drug Administration Amendments Act of 2007 (P.L. 110–85)	−3	−3	0
An act to extend the trade adjustment assistance program under the Trade Act of 1974 for 3 months (P.L. 110–89)	9	9	0
TMA, Abstinence Education, and QI Programs Extension Act of 2007 (P.L. 110–90)	815	804	0
Water Resources Development Act of 2007 (P.L. 110–114)	−1	−1	0
Fair Treatment for Experienced Pilots Act (P.L. 110–135)	0	−9	0
United States-Peru Trade Promotion Agreement Implementation Act (P.L. 110–138)	4	4	−20
Energy Independence and Security Act of 2007 (P.L. 110–140)	66	64	1,016
Mortgage Forgiveness Debt Relief Act of 2007 (P.L. 110–142)	0	0	−162
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 (P.L. 110–150)	0	−2	0
Terrorism Risk Insurance Program Reauthorization Act of 2007 (P.L. 110–160)	200	200	0
Tax Increase Prevention Act of 2007 (P.L. 110–166)	0	0	−50,593
Medicare, Medicaid, and SCHIP Extension Act of 2007 (P.L. 110–173)	3,465	4,644	0
OPEN Government Act of 2007 (P.L. 110–175)	−2	−2	0
Total, authorization legislation enacted in this Congress	4,323	4,390	−49,802
Appropriation Acts:			
U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (P.L. 110–28) [1]	1	42	−335
Department of Defense Appropriations Act, 2008 (P.L. 110–116) [1]	459,550	311,596	0
Consolidated Appropriations Act, 2008 (P.L. 110–161) [1]	1,041,512	831,744	0
Total, appropriation acts enacted in this Congress:	1,501,063	1,143,382	−335

FISCAL YEAR 2008 HOUSE CURRENT LEVEL REPORT AS OF JANUARY 23, 2008—Continued

	Budget authority	Outlays	Revenues
Pased, pending signature:			
National Defense Authorization Act for Fiscal Year 2008 (H.R. 4986)	−6	−31	2
Entitlements and mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	−47,171	−35,725	0
Total Current Level [1,2]	2,333,106	2,346,261	2,000,661
Total Budget Resolution [3]	2,500,489	2,474,575	2,016,859
Adjustment to the budget resolution for emergency requirements [4]	−606	−49,900	n.a.
Adjustment to the budget resolution pursuant to section 207(d)(1)(E) [5]	−145,162	−65,754	n.a.
Adjusted Budget Resolution	2,354,721	2,358,831	2,016,859
Current Level Over Adjusted Budget Resolution	n.a.	n.a.	n.a.
Current Level Under Adjusted Budget Resolution	21,615	12,570	16,198
Memorandum:			
Revenues, 2008–2012:			
House Current Level	n.a.	n.a.	11,267,618
House Budget Resolution	n.a.	n.a.	11,141,734
Adjusted Budget Resolution	n.a.	n.a.	11,141,734
Current Level Over Adjusted Budget Resolution	n.a.	n.a.	125,884
Current Level Under Adjusted Budget Resolution	n.a.	n.a.	n.a.

Note: n.a. = not applicable; P.L. = Public Law.
SOURCE: Congressional Budget Office.

[1] Pursuant to section 204(b) of S. Con. Res. 21, the Concurrent Resolution on the Budget for Fiscal Year 2008, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. The amounts so designated for fiscal year 2008, which are not included in the current level totals, are as follows:

	Budget authority	Outlays	Revenues
U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (P.L. 110–28)	605	48,639	n.a.
An act making continuing appropriations for the fiscal year 2008, and for other purposes (P.L. 110–92)	5,200	1,024	n.a.
Department of Defense Appropriations Act, 2008 (P.L. 110–116)	11,630	1,047	
Further Continuing Appropriations Act, 2008 (P.L. 110–116B)	6,400	1,369	n.a.
Consolidated Appropriations Act, 2008 (P.L. 110–161)	81,125	40,568	n.a.
Total, enacted emergency requirements	104,960	92,647	n.a.

[2] For purposes of enforcing section 311 of the Congressional Budget Act in the House, the budget resolution does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level excludes these items.

[3] Periodically, the House Committee on the Budget revises the totals in S. Con. Res. 21, pursuant to various provisions of the resolution:

	Budget authority	Outlays	Revenues
Original Budget Resolution	2,496,028	2,469,636	2,015,858
Revisions:			
To reflect the difference between the assumed and actual nonemergency supplemental appropriations for fiscal year 2007 (section 207(f))	1	1	−17
For extension of the Transitional Medical Assistance (TMA) program (section 320(c))	96	99	0
For the College Cost Reduction and Access Act (section 306(b))	−176	−842	0
Extension of the Transitional Medical Assistance (TMA) program (section 320(c)) (updated to reflect final scoring)	815	804	0
For the National Defense Authorization Act for Fiscal Year 2008 (section 302)	−6	−31	2
For the Energy Independence & Security Act of 2007 (section 308(b)(1))	66	64	1,016
For the Terrorism Risk Insurance Revision & Extension Act of 2007 (section 310)	200	200	0
For changes in the Medicare, Medicaid and SCHIP Extension Act of 2007 (sections 301, 304(a), 320(a)(c))	3,465	4,644	0
Revised Budget Resolution	2,500,489	2,474,575	2,016,859

[4] S. Con. Res. 21 assumed $606 million in budget authority and $49,990 million in outlays from emergency supplemental appropriations. Such emergency amounts are exempt from the enforcement of the budget resolution. Since current level totals exclude the emergency requirements enacted in P.L. 110–28 (see footnote 1 above), budget authority and outlay totals specified in the budget resolution also have been reduced (by the amounts assumed for emergency supplemental appropriations) for purposes of comparison.

[5] Section 207(d)(1)(E) of S. Con. Res. 21 assumed $145,162 million in budget authority and $65,754 million in outlays for overseas deployment and related activities. Because action to date has not triggered this provision, the House Committee on the Budget has directed that these amounts be excluded from the budget resolution aggregates in the current level report.

HONORING THE AUGUSTA METRO CHAMBER OF COMMERCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. BROUN) is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Speaker, today I rise to honor and pay tribute to a non-profit community organization in my 10th Congressional District of Georgia.

The Augusta Metro Chamber of Commerce is celebrating more than 100 years of dedicated service to Augusta, Georgia's economic development. Founded in 1905, the chamber has grown to include more than 1,100 members. The chamber and its members provide citizens with a strong business environment that increases employment, retail trade and commerce, and industrial growth in Augusta.

The Augusta Metro Chamber of Commerce has worked to promote a prosperous future for all Augustans through legislative efforts and through networking programs, such as Women in Business, Leadership Augusta, and the Chamber Business Academy. The chamber promotes healthy and productive workforces through its nationally-recognized Drugs Don't Work program.

The Augusta Metro Chamber of Commerce is also committed to being a good neighbor, with committees designated to serve as liaisons between businesses and local educators and military communities. Furthermore, the chamber promotes business while working carefully to protect Augusta's natural environment. The chamber works with State and Federal agencies to minimize the impact economic development has on the environment.

Such a diligent organization is to be commended for its efforts. The Augusta Metro Chamber of Commerce is an investment in the present and future well-being of the Augusta community. As it celebrates a centennial milestone, may this chamber of commerce continue steadfast in its work to ensure Augusta's continued competitiveness in our domestic and global economies.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

IRAQ ASSESSMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentlewoman from Tennessee (Mrs. BLACKBURN) is recognized for 60 minutes as the designee of the minority leader.

Mrs. BLACKBURN. Mr. Speaker, as we begin to talk about our national security and our troops and the surge and the success of that and why our troops choose to defend this great Nation, I want to stop and just join Mr. GINGREY in congratulating his mother on her 90th birthday. Certainly, Helen Cecelia Gingrey sounds like the type of woman that truly takes a leadership role, first of all, in her family and role models that leadership and how to carry that out in how to encourage children to dream big dreams and have great adventures in their life and to desire that.

That is something you learn at a mother's knee. That is something you see role modeled by parents, and Mr. Speaker, that is something that we need to keep in mind as we are here on the floor of the House in this body, as we make decisions about how our Nation moves forward in this 21st century.

We need to remember that there are future generations that are relying on us to be certain that this Nation stays secure. There are future generations that are looking to us that go every single day and say, what will my tomorrow be like? Is my community going to be secure? What is America going to look like when I am 20, when I'm 30, when I get ready to retire?

We would do well to be mindful of that every single day as we make decisions that affect America's families and realize, yes, indeed, those families are our greatest treasure. Those precious minds of those precious children are indeed what we are to be protecting and be certain that they have the ability to dream those big dreams.

So to Dr. GINGREY's mom, Helen Gingrey, happy birthday. We all congratulate you, and we are so pleased that we live in a free Nation and we can stand on the floor of this House and celebrate those birthdays and join your son in wishing you happy birthday and many, many more.

Mr. Speaker, I recently did return from a trip to Afghanistan and Iraq to visit with our troops. And tonight I want to spend some time talking about what has been going on in Iraq and the success that we have seen there, the success that our troops have brought to bear on Iraq and on the environment that is there.

Just about 3 weeks ago, we had the 1-year anniversary of the surge, and everyone had a lot to say about that surge and a lot to say about how successful they thought it would or would not be. I think, Mr. Speaker, it's very easy for us to be Monday morning quarterbacks or armchair quarterbacks and to always have our opinion of how we think these things are going to work out.

The 101st is in my district in Tennessee. We also have the National Guardsmen from our State that have been deployed, Reservists who have been deployed, and we would always say we need to be listening to the troops that are in the field and the commanders that are there on the ground.

We saw a change about a year ago. The change was in the form of the surge. The implementation of that surge was carried out by General David Petraeus. He was joined by Ambassador Crocker as they moved forward with the preparations and the implementation of that surge, and we have seen results.

Over the December and January period of time, we had the opportunity to visit, and I am pleased to be joined tonight by my colleague from Texas (Mr. BURGESS) who has been on the ground in Iraq several times, I think six times he has been to visit our troops in Iraq. And he wanted to join me tonight for a few minutes and talk about what he saw and give a firsthand account of what he saw.

I'm so pleased that he has chosen to join us because one of the things our troops mentioned to us on our trip was, We are fighting every day. We are in a war. And we are winning significant battles every single day. And we want the American people to know we are fighting. We are giving it our all, and yes, indeed, we are winning every day.

Now, Mr. Speaker, I think it's important for us to realize that a lot of times, success comes in odd ways. Progress comes in unexpected ways. And it is not just on a trajectory where every day is better and better and better. We take a few steps forward, we take a few steps back. We take a few more steps forward, we take a little step back. But when you add it up, you are trending the right direction.

That is certainly what we have seen in the success of the surge. We have seen every major news outlet declare it a success. The American people know that it is a success. And our troops are to be commended for that success. Certainly, the President was right in making that commendation last night.

As I said a moment ago, Dr. BURGESS from Texas who's been to Iraq six times wants to join us and share his impressions of what he saw on the ground in Iraq, and I yield to the gentleman from Texas.

Mr. BURGESS. Mr. Speaker, I thank the gentlelady from Tennessee for yielding to me.

It is kind of ironic. We were here on the floor of this House last night. The House was full, Members on both sides. We heard the President deliver his final State of the Union address, and of course, as is typical for a State of the Union address, he touched on subjects near and far, went through the domestic agenda, went through the foreign agenda.

When he got to talking about the conditions on the ground in Iraq, I don't know about the gentlelady from Tennessee, but I was just absolutely struck by the scene in this House when he commended the troops for the activities and the success that they had achieved on the ground. One-half of the House stood up and applauded; the other half sat on their hands.

And Mr. Speaker, I don't know if there's been another time in American history when America goes to war, sends their sons and daughters to war, America is winning the war, and it's become something we don't want to talk about. There's other things that command our attention now, and we'll go on to other things.

The gentlelady was right, it was a year ago that we stood on the floor of this House and debated for hour after hour after hour on the efficacy of sending additional troops to Iraq. We were told by the majority leader over in the Senate, the Democratic majority leader, that the war was lost; there was no need to send additional men because we had already made the decision in the Senate, or the other body in the Capitol of the United States, that the war was over and the war was indeed lost.

The gentlelady's right, you can pick data points to prove whatever you want to prove in Iraq. They're all over the map, but if you look at trend lines over time, you begin to see a story taking shape, and that is the story that began to take shape in April of last year, perhaps a little reinforced in June of last year, July of last year.

My most recent trip to Iraq, my sixth trip, I wasn't sure what I was going to find because when you picked up the papers, the data points were scattered all over the place, but little by little, the story came out. And about a week after I was there in July, the New York Times finally broke the story, hey, there's a war we just might win going on in the country of Iraq, written by two individuals who, quite frankly, aren't always on the side of the President of the United States, so it seems, in their writings in the New York Times. The New York Times itself is not always on the same page as the President in a lot of foreign policy issues, but there it was in black and white for all to see.

Now, I went to Iraq in July of 2007. I very much wanted to go because I knew that the surge had started. I knew that General Petraeus had committed to come back and present data to Congress in September of 2007 to talk about the success, or lack thereof, of the additional reinforcements that were sent into the country of Iraq. And I knew that this House, I knew myself as a Member of this House, was going to have to come to some decisions or some conclusions, if it's working it or it's not working; if it's not working, we will have to rethink the strategy.

So it was an important trip for me to take because I knew on every other trip that I had taken to Iraq what I saw on the ground bore no resemblance to what I was seeing on my television screens on CNN and CBS and the evening news and the morning shows. You have to go and look at it for yourselves to be able to understand what is happening.

You know it's not an easy job. It was a brief war, but it's been a long hard slog to get to where we are today, and history will have to decide whether the investment in time, the investment in lives, the investment in families who are deprived of their loved ones during these long deployments, history will decide the accuracy of the words that we speak tonight.

But I will tell you from the strength of that last trip in July and what I have seen reported since that time, I have to believe that this country going forward is going to be in far better shape in 10 years', 20 years', 30 years' time because we have an Iraq that has an opportunity now to be a stable partner in a quest for peace in the Middle East, as opposed to a haven and an outpost for continued terrorism in that part of the world.

In July of 2006, I took a trip to Iraq. Peter Chiarelli on that trip said, you know, it's funny, I don't know want to make of it, but in a part of the country of Iraq that is very, very dangerous, al

Anbar province, a city called Ramadi, we don't know what to make of it but some insurgents that were in the hospital yesterday turned over all of their arms to our soldiers, and we'll just have to wait and see what develops. In fact, he asked me not to talk about it when I got back in July of 2006 because, again, he was not sure what that meant.

July of 2007, fast forward to that time. We got off the C–130 in Baghdad International Airport, get on the helicopters and are immediately taken to Ramadi. Ramadi, that was too dangerous a place to travel to a year before, was our first stop. We met General Gaston of the 2nd Marine Expeditionary Force there on the ground in Ramadi. Ramadi is a city about the size of Ft. Worth. Ft. Worth, Texas, is the largest city in my district back home. It was the provincial capital of the resurgent caliphate as established by al Qaeda in western Iraq.

The reality, though, was that things had changed enormously over that past year and in ways that, quite honestly, had not been reported in the press back here at home. Again, I didn't know what I was going to find when I went there, but I have to tell you the job that was done by the Marines in the 2nd Marine Expeditionary Force, the job that was done by the troops on the ground on these long deployments that they were undertaking, the job was truly phenomenal.

A year before I would not have been able to travel to the city of Ramadi. Now, not only could I travel to the city of Ramadi, after the briefing, after the endless Power Point that the military always gives you when you go over there, we got in vehicles and drove to downtown Ramadi.

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I've got to tell you, I was a little concerned; General Gaston, are you sure that it's okay for us to go to downtown Ramadi? Last year, General Chiarelli said it's kind of dangerous out there. He said, ''Let's go.''

We drove downtown. It was a Saturday morning, early on a Saturday morning. We drove to the market. It looked like a market any other place in the Middle East. There was a lot of activity. In fact, there were the typical sights and sounds of a city that has, perhaps, seen better days. They were working on some sewer pipes. There was, in fact, a little bit of construction going on.

But this photograph was taken last July 17th in the city of Ramadi. This shows the shops. I don't know where all this stuff came from. If this was an American market, I would assume all this stuff came from China. I'm not sure where it was made. But all of these wares were for sale, and there was shop after shop after shop lined up and down either side of the street.

You can see the faces of the young men there; a little bit of curiosity, all of these Americans showing up and walking through their streets. I'm sure for them it was a sight that they had not seen too often. But again, you see on the faces of these young men, these are not faces that are suspicious, these are not faces that are fearful, these are faces that are smiling. They were, in fact, glad to see us. And I found out a few minutes later why they were glad to see us; they were hoping that we had a pen or a quarter. They had apparently been well coached by our marines. Their school was going to start in a few weeks, and because they would be attending their classes, they were anxious to know if we had a writing instrument that we might part with that they could have.

Mrs. BLACKBURN. If the gentleman will yield.

Mr. BURGESS. I'll be happy to yield.

Mrs. BLACKBURN. I would like to put that photo back up, if you do not mind.

Now, I think it is significant that you're talking about Ramadi, which is in al Anbar Province. And you're talking about a photo that was made during the summer, July 14, 2007, which is the photo stamp date that is there on the photo. And if I am picking all of this up, it looks like tools and implements that are hanging in the ceiling of the shop, and plastic buckets, rubber buckets, and probably some plastic hampers that are there. And when I was in Iraq, I noticed that there was lots of produce that was also being sold in some of the shops.

But one of the things that is of interest to me is the photo that you're showing indicates to us that we do have import and export that is taking place, and we do have commerce that is taking place. And so, as you were on that street in Ramadi, how many shops did you see; do you remember a number? How many were lining the street? And how far did you drive from the base into town to begin to see this type of commerce and the happy kids that are obviously learning how to do a little bit of retail merchant work there?

I yield back to the gentleman.

Mr. BURGESS. Well, I'll be honest, I don't remember the number of shops. There were many. Perhaps on the side street that we were on, at least a dozen on one side, and then a similar number on the other side.

Mrs. BLACKBURN. If the gentleman will yield, a dozen shops in any of our towns in our districts is a pretty good number of shops. So, we've got a lot of commerce that is beginning to take place there. And I yield back.

Mr. BURGESS. And of course I do need to make the point that this was an area that just a few months before had seen some of the most intense fighting. And many of the buildings at the front of the street, well, let's just put it this way, a JDAM doesn't do anything for your drive-up appeal. And there were several buildings that obviously had suffered the scars of war. But as you went a little further down the street, you began to come upon scenes such as this.

And I would simply point out that at the very edge of the photograph here, and I had forgotten this, we see a brightly colored garment set that looks like it would be appropriate for a woman to wear. I saw more women on this trip to Iraq than I can recall seeing at any other trip where I had been through the country. And it was, to me, reassuring that the female members of Iraqi society felt comfortable enough to travel out to the shops on a Saturday morning and be with their husbands and their children, as you so eloquently point out, as commerce was breaking out all over on the streets of Ramadi.

Again, I just want to show another picture of some children. These guys were pretty curious as to what was going on with all of these strange folks that had shown up and were walking through town. Again, you can see in the background some additional brightly colored wares for sale. This fellow turned out to be fairly inquisitive. And he had a keen interest, again, in writing instruments that I want to assume that's because his school was starting up in a few weeks' time.

What has been described as ''The Anbar Awakening,'' we heard the President reference it last night, began in the city of Ramadi where the Sunnis began to recognize, you know, these guys from al Qaeda; they're actually not our friends. They refer to the Americans as occupiers, but maybe it's the al Qaeda guys that are actually the occupiers. And we do believe that at some point the Americans want to go home, but we can't say the same for our friends in al Qaeda. And the Sunni sheiks, the tribal leaders in the towns, rapidly turned it. And to hear it be described by our marines and our soldiers there, it literally turned on a few weeks' time, some rather intense fighting as the surge began to mount its full reinforcement, and then suddenly things changed dramatically for the better.

And for me, on this trip, the one thing that I saw that was different from any other trip that I had taken over there on the ground, now, we can criticize the Baghdad government, and both sides of the aisle I know will do that with regularity, I may do so before this night is over, but the local political shift that's taking place on the ground in Iraq, the county commissioners, the city councilmen, the mayors that are doing the kinds of work that you want your local government to do, you know, quite honestly, I go home every weekend and the people are happy to see me. But if there's a problem at home, most of the time they're not going to call their Congressman; they'll call their mayor, they'll call their county commissioner, or they'll call their county administrator or their county judge because those are the folks that are closest to the people, and it's up to them to deliver for their constituents, the same conditions we have here in our districts back home.

The local political shift really is what, to me, is the fundamental building block of the return of civil society, a civil society that had been so badly damaged under the years of Saddam, a civil society that has been so badly damaged by the war and then the insurgency that followed is now beginning to take hold. And it is very effective.

Now, the question remains, will the central government in Baghdad respond to the needs of those local officials with enough dispatch that they are, in fact, bolstered and supported by the central government in Baghdad? It is sometimes startling to me to think that a government so young can already have such an entrenched bureaucracy that is slow to act. But nevertheless, we hear some stories coming out that there is more and more of this type of activity occurring. But again, the stability at the local level was something that I don't think I can tell you that I had witnessed on any of the five previous trips through that country. All of those trips more dealt with the security that our forces were establishing. Now we see the security that is actually being established by the Iraqis themselves.

They had a job fair, I understand, in this part of town about a week before and hired everything that showed up. And there were a lot of people that came. The jobs were fairly labor intensive. Again, there had been a lot of bombing in the city. There was a lot of concrete littering the street that had to be picked up. The reinforcing steel that was embedded in the concrete had to be broken out or dissected out. There were several groups of men that were straightening out this rebar to use as reconstruction projects. But again, the work was going on. And the mood, this was July in western Iraq, it's 10 o'clock in the morning and probably already 125 degrees, but the mood of the people was truly something that I will always remember because they were doing for themselves the types of things that free people want to do for themselves. And it was a wonderful feeling. And you know the soldiers could feel it, too, when they walk through these towns.

The ability to give to these young men a life ahead of them that they wouldn't have had, they would have been conscripted into Saddam's army and fought a war at someplace or other; they now have a life ahead of them that really, quite honestly, their parents dared not hope for them and now it is brought to them courtesy of the United States Marines, United States Army.

I yield back to the gentlelady from Tennessee, and I want to thank her for allowing me to participate in the discussion this evening.

Mrs. BLACKBURN. I thank the gentleman for yielding back the time. And I am so pleased to see these pictures. And I appreciate so much his participation in this, and the conversation about the establishment of commerce and how he witnessed this firsthand with shops that were open. As he said, one little side street where they went there were about 12 shops that were on that. And indeed, these are more like stalls that we would have at one of our swap meets or flea markets. But as you can see, they're full of kids that are happy, that are playing, that are enjoying being around the normalcy of a life. They are full of commerce and goods, items that are coming in for sale. We even saw soft drinks, Coca-Cola. In Afghanistan, we saw cell phones that were being sold. So, in this region of the world, the commerce that is there on the ground.

And in talking about Iraq, the gentleman mentioned the local stability. And indeed, that was something we had the opportunity to witness, also, and we're pleased to see that. We had a visit to Urbil in Kurdistan, had the opportunity to go to the home of the Prime Minister of Kurdistan. We drove to that home. Mr. Speaker, I want to be certain that everyone realizes what I just said. We drove to the home of the Prime Minister of Kurdistan for lunch and joined him where he thanked us profusely for all that the U.S. Armed Forces have done for that region, not only in the past few years, but for the decade prior.

While we were in Iraq, we had the opportunity to go to the home of Deputy Prime Minister Barzani, to his home in the Green Zone to meet with him. And I will tell you, we visited with him about how hopeful we had experienced the mood of the people. There is a sense of hope that things are getting better, that there is a return to normalcy in their everyday life, and how encouraging to us it was to witness this hopefulness.

His comment to us was, we know that sometimes people get frustrated with us, but do not give up this mission. Do not give up on this mission because things are trending the right direction. Indeed, Mr. Speaker, it's all important components in winning, in having Iraq be a nation that can function with some predictability, stability and self-governance.

It is also important because, as we look at defeating terrorists who want to defeat us, it is important that we win the war of ideas. And the photos that Dr. BURGESS shared with us, the young men in those photos, we have to win the war of ideas with them to reach them, to make certain that over the next decade, as they begin an adult life, that they make a choice to live in freedom rather than choosing a life under a dictator.

Indeed, our job is also to make certain that our troops have what they need to do their job. And that is a responsibility of this House, as the President said last night. And certainly, as we are in the midst of a swing, a dramatic swing, if you will, in the momentum in Iraq, especially on the security situation, it is imperative that we pay close attention to meeting the needs of those troops.

Now, quite frankly, Mr. Speaker, I will tell you, I do not think it is helpful to this situation that we debated over 30 different resolutions about Iraq and timelines and withdrawals and trying to micromanage what is taking place on the ground because there has been a swing and a shift. We have transitioned from 2.5 years of increases in violence with more than 24 weeks of a steady decline.

Now, Dr. BURGESS mentioned, when we go to Iraq, and I want to clarify one thing here before I move on, this week I had the opportunity to visit with the Tennessee Marine Family Association, and what a wonderful, wonderful group of moms and dads and brothers and sisters and marines who have retired from active duty. And I enjoyed my time with them tremendously. And one of them said, you know, tell me, when you go to Iraq, why do you go? And are you taking the troops' time away from work in the field? And I said no, we go because we are asked to go, especially those of us that have posts. As I've said, Fort Campbell, the 101st is in my district, and they invite us and ask us to come and see how they are carrying out their mission and experience that firsthand with them.

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But as Dr. BURGESS said, when we make those trips, we have the power points and we have the briefings from the commanders on the ground and we have the opportunity while we are there to hold a town hall meeting, if you will, with our troops that are deployed and are carrying out this mission. So I have put some of that endless power point onto some charts that I would like to share with those who are watching us this evening.

The first chart that I'm going to show you is one that comes from our commanders there in Iraq, and it shows their assessment of al Qaeda Iraq. And many times people will see AQI, that is, the abbreviation for al Qaeda Iraq, and where they were when the surge began last year. And you can see the dark red areas. It shows where they were operating, and the pink areas show what were their transit routes. And you can see how in the city of Baghdad where they were operating, and then as you look at the country you can see where they were transiting in and out of the country and then where they were holding their primary areas of operation. Again, the pink shading is their transit areas, and the red is where they were operational and where they were working. And the inset is Baghdad and what we saw in Baghdad and how that looked before the surge began.

Now I want to move to the second chart and show you what this looks like today. This is what Iraq looks like today. And, again, this is not my chart. This is a chart from our commanders on the ground in Iraq. This is their assessment.

So, Mr. Speaker, to the American people that are watching this tonight, I will simply say this is the chart that is your commanders' assessment of where al Qaeda is as of December 2007. And, of course, al Qaeda is still a threat. Of course, they are still there. But as you can see, by looking at the pink areas and the red areas, this has been diminished. They have been pushed out of the urban centers, look at the inset, with Baghdad. You can see where they have been squeezed down and where they have been moved to and how much smaller their area of operation is and how much smaller their transit area is. They know that the Iraqi people, the Iraqi forces, and the U.S. Armed Forces and our coalition forces mean business on this.

Look at the map of the entire country. When you can see their egress, ingress with the surrounding countries, and then see the pockets where al Qaeda Iraq is still operational. So they have been pushed out of many of the urban areas, and they have been moved over into some of the isolated rural areas.

I want to touch base too on our troops' contribution to this because it has been significant. Our U.S. Armed Forces and the 30,000 that went in for the surge made a marked difference. And I think there is, of course, the physical strength that our troops brought to this, the firepower, if you will, and the training and the strength and the determination. There are no better forces on the face of the Earth than the U.S. military. And we also have to recognize the Iraqis and the force that they brought to bear on this.

When we talk about the surge, sometimes many of us think only in terms of the 30,000 of our troops that have led the way in this fight. What we have to realize also is that we have 110,000 Iraqi troops that have lent their power to this effort, 110,000. They were joined in this effort by 70,000 local citizens.

Dr. BURGESS mentioned earlier the local stability, and there is a reason for that. You had 70,000 Iraqi citizens that basically banded together in what we would call a ''neighborhood watch,'' and they decided to take things into their own hands and to take responsibility. And in many of these areas in the surge the Iraqi troops would lead. They were coached. They were trained. They were supported in so many ways by our U.S. military and by our coalition forces. And the local Iraqi citizen groups would work with those military forces, those combined forces. So together you had 180,000 Iraqis working with our 30,000 U.S. troops that have made this surge successful and have changed that map so that it looks today like it does, with al Qaeda being moved into some isolated areas and with more of the country being able to function with a sense of normalcy.

Now, we've already talked a little bit about al Anbar province and the success that was there because that is where al Qaeda Iraq had planted its flag. It was the capital of the caliphate, and that is where they were going to put down roots, if you will. What we saw happen in al Anbar province during the surge, I think, is just nothing short of remarkable, and the photos that you've just seen from the streets of Ramadi and the commerce that was taking place and the difference that the surge has made there. Basically, the citizens of Ramadi and al Anbar province said we are sick and tired of this. We do not want al Qaeda Iraq to be running the show in our town. So they joined with the Iraqi troops and the U.S. troops, and they literally threw al Qaeda out.

So many of the experts tell us that this is the first place that the Arab people have stood up to their own and have rejected, openly rejected, al Qaeda and have defeated al Qaeda. And I think that that is significant. And, Mr. Speaker, I believe and I certainly am hopeful in believing that we are going to see other areas follow the lead that al Anbar has set.

Now, we have seen some other effects of that team effort over the past year, and I want to move on to a couple of other charts. Now, this is the overall attack trends, Iraq attack trends; and it shows you what has happened, if you look from December 2006, and where your attacks were in December 2006, with over 5,000, and then you go up into April and May where they reach their height, and then you can see where they have dropped down, less than half, and the reduction that is there. It is actually down about 60 percent by the time you get to December 2007. That is the difference that the surge has made. From December 2006, where you're up above 5,000 attacks and then coming down where you have seen that number drop by about 60 percent. That's the difference that the surge has made in the overall attacks.

Well, let's look at the IED explosions. This is something that our constituents always ask us about because they hear so much about the explosive devices and the way these IEDs and these IED systems are developed and set up and the way those explosions are carried out.

You can see, if you go in here and you look at December 2006, where they are. They move up in June to a high of about 1,700, and then take a look over here, about 700 in December. And there you go from beginning to the end of surge, the year of the surge, and what you have seen. It is almost as if you have al Qaeda jumping in here and saying we're not going to let them get the best of us. They give it a shot, and then in June look how every single month you're dropping. And that's the difference that a year of the surge has made.

Let's move on to another figure on this chart, the killed-in-action figure. And as we look at this chart and we see the dramatic drop that is here, Mr. Speaker, we feel so deeply for the families that have experienced a loss, and at Fort Campbell we have seen some losses recently, and we just continue to hold those families close. And we are grateful, so grateful, to them for their service, for their sacrifice, and we grieve with them in those losses. And we know that over the course of the year we have seen a dramatic decrease in those losses.

Now, chart number six, the Iraqi civilian deaths attributed to violence, these have dropped significantly. And you can see in December 2006, where we were at about 3,000 and then where we are way down, well under 1,000 by the time we get to December 2007. So this shows us how security is improving. Ethnosectarian violence has dropped by about 85 percent. All of these are the right type trend. And it shows how things are moving a little bit at a time, moving in the right direction.

We know there are no guarantees. This is tough. Our military men and women know that they are fighting and winning every day. But, Mr. Speaker, I will tell you they do know that they are seeing some successes, that security is improving, and that they are seeing some success with economic issues. And I want to give you just a couple of examples of these.

I had made a comment as we were leaving Baghdad the other night, and it was in the evening; so you could see the lights in Baghdad. I had been going in and out to visit our troops since 2003, and for the first time it really looked like a city. You could see the lights on all over the city and cars driving on the streets. You could see outdoor restaurants. You could see colorful awnings. You could see fruit stands and market areas. And it really was beginning to look like a city. And I did a little checking to see what kind of success stories we could find with the work that USAID and some of our organizations are providing to the area to see that commerce stand up and that sense of normalcy return. So let me tell you a quick little story, Mr. Speaker, and I think this is great.

We love success stories. We love it when we have someone who by their bootstraps pulls themselves up and realizes a wonderful dream of having a business or building a company. We as Americans love that entrepreneurial spirit. And I loved this story of Amhed who is in the Mansour neighborhood in Baghdad, and he was able to get a $2,500 microgrant. Now, I know many of our constituents may have been reading in the paper about some of the microgrants and the microbusinesses that are going into Iraq and other countries also to help entrepreneurs start these businesses.

Well, Amhed used his grant to buy chest freezer shelves and an awning to open a store. And the store is now self-sufficient. It is supporting him and his family. He now is a merchant with his store, his produce store, on a corner there in the Mansour neighborhood in Baghdad. And it came about because there was a grant that helped him to get that store in place.

Now, this is important, Mr. Speaker, because you wouldn't go take out a loan and you wouldn't be approved for that loan if there was not the ability to put things in place and begin to see some success in that neighborhood.

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Well, we also have another one, a juice merchant, that used a USAID microfinance grant and opened a juice factory in Baghdad. There's lots of pomegranate juice and orange juice and the different juices they are beginning to manufacture and bottle and sell. This juice factory in Baghdad, with a microfinance grant from our USAID, has created 24 full-time jobs in Baghdad. That one little grant. And that gentleman is now making that juice. Of course, I said, well, I hope that Ahmed is one of the customers of the juice factory and selling that juice in his store on the corner, his produce store on the corner.

Now, I know that there are some who want to say that the security improvements aren't meaningful because we are not seeing enough political progress in Iraq. I will tell you that, and I think we all agree, that that political progress has not moved forward as quickly as we would like to. But we were reminded last week as we visited with Ambassador Crocker and General Petraeus that the Washington clock and the Baghdad clock move at different speeds. You know, I guess that as impatient as many times as we are, we do have to realize this is a country that was under a dictator, a very brutal dictator for over three decades.

We are beginning to see some very encouraging signs of political progress, and I think this year is going to be a year when we see some more of that. Just over a week ago, the Iraqi Parliament did pass what was for them a very difficult law. They have taken a long time to look at de-Ba'athification reform, and that was passed. It has been difficult for them to address that central question of how the Iraqi people are going to deal with their past and with the legacy of Saddam Hussein.

The law has gone through their parliament, and it has passed. It was passed with Shiite sponsorship, which is significant. We have also seen some key Sunni political blocks return to parliament, to return to their work to be a part of the process.

Those are very encouraging steps. They are steps in the right direction. Certainly, the success of the surge has allowed the ability for this to take place. We have also seen the Iraqi Government has developed and is working on an ambitious budget. We are certainly hoping that they are going to do the same thing as they work through this current year. We have seen some encouraging signs of critical power sharing arrangements within the Iraqi Government. Their Prime Minister, Nouri Maliki, is apparently more willing to share power with the three-person presidency council, which represents each of the major sects in Iraq. So that is another sign that is very encouraging to us.

Anybody who is a serious and objective observer can say that the surge has worked. They admit that. We know that we are going to face more debate in the coming year over the length and nature and the size of our mission in Iraq. I would encourage all of my colleagues to take the success of the surge to heart and to be certain that they are not trying to snatch a defeat from the jaws of victory, but that they are being fair to our troops, that they are recognizing the success that these troops have given us in the surge, and that they are taking time to commend and thank the troops and the commanders that are on the ground.

I think it's fair to say, Mr. Speaker, that we all, I know I certainly appreciate those troops and their families, and I appreciate having the opportunity to support them and to let them know how much I appreciate having that opportunity to support them and also to honor them and to honor their families. My hope is that as we go through 2008 and as we look at our legislative agenda, Mr. Speaker, I hope that the work of this body will honor those men and women who honor us every single day, who honor the legacy of freedom every single day by the way that they choose to carry out their job and by the way they choose to represent this great Nation.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. WYNN (at the request of Mr. HOYER) for today after 6 p.m.

Mr. BARTON of Texas (at the request of Mr. BOEHNER) for today after 7 p.m. on account of attending a funeral.

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:)

Mr. MCGOVERN, for 5 minutes, today.
Mr. CUMMINGS, for 5 minutes, today.
Ms. WOOLSEY, for 5 minutes, today.
Mr. DEFAZIO, for 5 minutes, today.
Ms. KAPTUR, for 5 minutes, today.
Mr. SPRATT, for 5 minutes, today.
Mr. PALLONE, for 5 minutes, today.

(The following Members (at the request of Mr. GINGREY) to revise and extend their remarks and include extraneous material:)

Mr. ROHRABACHER, for 5 minutes, today.
Mr. CONAWAY, for 5 minutes, today.
Mr. BURTON of Indiana, for 5 minutes, today.
Mr. GINGREY, for 5 minutes, today.
Mr. BROUN of Georgia, for 5 minutes, today.

ADJOURNMENT

Mrs. BLACKBURN. Mr. Speaker, pursuant to House Concurrent Resolution 279, 110th Congress, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 20 minutes p.m.), the House adjourned until Wednesday, February 6, 2008, at 2 p.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Speaker-Authorized Official Travel during the fourth quarters of 2007 and the first quarter of 2008, pursuant to Public Law 95–384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, HON. FRANK R. WOLF, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND JAN. 9, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Frank R. Wolf		1/1	United States				[3] 9,544.00				9,544.00
	1/2	1/2	Kuwait								
	1/2	1/3	Iraq								
	1/3	1/4	Kuwait		[4] 164.00						164.00
	1/5	1/6	Jordan		291.00						291.00
	1/6	1/9	Israel		2,095.00						2,095.00
	1/9		United States								
Committee total					[5] 2,550.00		9,544.00				12,094.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Total cost of all commercial flights.
[4] Hotel bill paid directly from fund site.
[5] Returned $500.00 to U.S. Treasury via cashiers check.

FRANK R. WOLF, Chairman, Jan. 22, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DANIEL F. SCANDLING, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND JAN. 9, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Daniel Scandling		1/1	United States				[3] 9,544.00				9,544.00
	1/2	1/2	Kuwait								
	1/2	1/3	Iraq								
	1/3	1/4	Kuwait		[4] 164.00						164.00
	1/5	1/6	Jordan		291.00						291.00
	1/6	1/9	Israel		2,095.00						2,095.00
	1/9		United States								
Committee total					[5] 2,550.00		9,544.00				12,094.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Total cost of all commercial flights.
[4] Hotel bill paid directly from fund site.
[5] Returned $500.00 to U.S. Treasury via cashiers check.

DANIEL SCANDLING, Jan. 22, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RULES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2007

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Betty Sutton	10/05	10/07	Qatar		220.00				238.00		458.00
	10/07	10/08	Jordan		137.00				142.00		279.00
	10/08	10/09	Germany		174.00				49.00		223.00
Hon. David Dreier	11/26	11/27	Czech Republic		153.00						153.00
	11/27	11/28	India		536.00						536.00
	11/28	11/28	Afghanistan		75.00						75.00
	11/29	11/30	Pakistan		339.00						339.00
	11/30	12/03	India		1,608.00						1,608.00
	12/03	12/04	Hungary		131.00						131.00
Brad Smith	11/26	11/27	Czech Republic		153.00						153.00
	11/27	11/28	India		536.00						536.00
	11/28	11/28	Afghanistan		75.00						75.00
	11/29	11/30	Pakistan		339.00						339.00
	11/30	12/03	India		1,608.00						1,608.00
	12/03	12/04	Hungary		131.00						131.00
Rachel Lehman	11/26	11/27	Czech Republic		153.00						153.00
	11/27	11/28	India		536.00						536.00
	11/28	11/28	Afghanistan		75.00						75.00
	11/29	11/30	Pakistan		339.00						339.00
	11/30	12/03	India		1,608.00						1,608.00
	12/03	12/04	Hungary		131.00						131.00
David Goldenberg	12/14	12/21	Israel		1,602.00		7,594.28		[3] 660.00		9,856.28
Committee total					10,659.00		7,594.28		1,089.00		19,342.28

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Lodging.

LOUISE McINTOSH SLAUGHTER, Chairman, Jan. 23, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2007

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Ken Kellner	11/01	11/05	Bahrain		10,343.00						10,991.00
Committee total					10,343.00						10,991.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

STEPHANIE TUBBS JONES, Chairman, Jan. 16, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2007

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

BOB FILNER, Chairman, Jan. 15, 2008.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JOINT COMMITTEE ON TAXATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC, 31, 2007

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

MAX BAUCUS, Chairman, Jan. 14, 2008.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

5164. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Difenoconazole; Pesticide Tolerance [EPA-HQ-OPP-2007-0541; FRL-8343-5] received January 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5165. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Fluroxypyr; Pesticide Tolerance [EPA-HQ-OPP-2007-0114; FRL-8343-2] received December 21, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5166. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Dimethenamid; Pesticide Tolerance [EPA-HQ-OPP-2007-0116; FRL-8342-7] received December 21, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5167. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Lead System Integrators [DFARS Case 2006-D051] (RIN: 0750-AF80) received December 21, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5168. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Project-Based Voucher Rents for Units Receiving Low-Income Housing Tax Credits [Docket No. FR-5034-F-02] (RIN: 2577-AC62) received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5169. A letter from the Director, Office of Legislative Affairs, Department of the Treasury, transmitting the Department's final rule — Identity Theft Red Flags and Address Discrepancies Under the Fair and Accurate Credit Transactions Act of 2003 [Docket ID OCC-2007-0017] (RIN: 1557-AC87) received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5170. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Purchase, Sale, and Pledge of Eligible Obligations (RIN: 3133-AD37) received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5171. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Section 110(a)(1) 8-Hour Ozone Maintenance Plan and Amendments to the 1-Hour Ozone Maintenance Plan [EPA-R03-OAR-2007-0215; FRL-8513-8] received January 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5172. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Michigan: Final Authorization of State Hazardous Waste Management Program Revision [Docket No. EPA-R05-RCRA-2007-0722; FRL-8514-1] received January 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5173. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to Consolidated Federal Air Rule; Correction [EPA-HQ-OAR-2007-0429; FRL-8511-7] (RIN: 2060-A045) received December 21, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5174. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Regulation of Oil-Bearing Hazardous Secondary Materials From the Petroleum Refining Industry Processed in a Gasification System to Produce Synthesis Gas [RCRA-2002: FRL-8511-5] (RIN: 2050-AE78) received December 21, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5175. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for New York [Docket No. 061020273-7001-03] (RIN: 0648-XD45) received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5176. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Quota Transfer [Docket No. 061109296-7009-02] (RIN: 0648-XD65) received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5177. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fraser River Sockeye and Pink Salmon Fisheries; Inseason Orders (RIN: 0648-XD05) received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5178. A letter from the Secretary, Federal Maritime Commission, Federal Maritime Commission, transmitting the Commission's final rule — Amendment to Regulations Governing the Filing of Proof of Financial Responsibility [Docket No. 07-06] (RIN: 3072-AC33) received January 4, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5179. A letter from the Director of Regulations Management, Office of Regulation Policy & Management, VA, Department of Veterans Affairs, transmitting the Department's final rule — Dependents' Educational Assistance (RIN: 2900-AM72) received January 4, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

5180. A letter from the Director of Regulations Management (00REG), Department of Veterans Affairs, transmitting the Department's final rule — Education: Approval of Accredited Courses for VA Education Benefits (RIN: 2900-AM80) received January 4, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

5181. A letter from the Director of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule — VA Acquisition Regulation: Plain Language Rewrite (RIN: 2900-AK78) received January 4, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

5182. A letter from the Acting SSA Regulations Officer, Social Security Administration, transmitting the Administration's final rule — Privacy and Disclosure of Official Records and Information [Docket No. SSA-2007-0067] (RIN: 0960-AG14) received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

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. FRANK of Massachusetts: Committee on Financial Services. H.R. 3521. A bill to improve the Operating Fund for public housing of the Department of Housing and Urban Development; with an amendment (Rept. 110–521). Referred to the Committee of the Whole House on the State of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on Energy and Commerce discharged from further consideration. H.R. 2830 referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. RAHALL (for himself, Mrs. CAPITO, and Mr. MOLLOHAN):

H.R. 5151. A bill to designate as wilderness additional National Forest System lands in the Monongahela National Forest in the State of West Virginia, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIRK (for himself, Mr. KLEIN of Florida, Mr. CROWLEY, and Ms. BERKLEY):

H.R. 5152. A bill to authorize assistance for ethnic and religious minorities in Russia, Ukraine, and Belarus; to the Committee on Foreign Affairs.

By Mr. KANJORSKI:

H.R. 5153. A bill to increase temporarily the conforming loan limits of the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation in certain areas, enhance mortgage market liquidity, and for other purposes; to the Committee on Financial Services.

By Mr. FALEOMAVAEGA:

H.R. 5154. A bill to condition further increases in the minimum wage applicable to American Samoa and the Commonwealth of the Northern Mariana Islands on a determination by the Secretary of Labor that such increases will not have an adverse impact on the economies of American Samoa and the Commonwealth of the Northern Mariana Islands; to the Committee on Education and Labor.

By Ms. SHEA-PORTER:

H.R. 5155. A bill to amend title 38, United States Code, to prohibit the Secretary of Veterans Affairs from collecting certain debts to the United States in the case of veterans who die as a result of a service-connected disability incurred or aggravated on active duty in a combat zone, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CLAY (for himself and Mr. WAMP):

H.R. 5156. A bill to require a study of the feasibility of establishing the John Lewis Civil Rights Trail System, and for other purposes; to the Committee on Natural Resources.

By Mr. FRANK of Massachusetts (for himself, Mr. MARKEY, Mr. FILNER, Ms. CLARKE, Mr. CONYERS, Mr. BOUCHER, Mr. JEFFERSON, Mr. GUTIERREZ, Mr. TIERNEY, Ms. NORTON, Mr. DEFAZIO, Ms. BALDWIN, Mr. CUMMINGS, Mr. FARR, Mr. ABERCROMBIE, Ms. MOORE of Wisconsin, Mr. THOMPSON of Mississippi, Ms. WASSERMAN SCHULTZ, Mr. BUTTERFIELD, Ms. ROYBAL-ALLARD, Ms. JACKSON-LEE of Texas, Mr. HINCHEY, Mr. MCGOVERN, Mr. KUCINICH, Ms. LEE, Mr. ALLEN, Mr. RANGEL, Mr. COHEN, Mr. RYAN of Ohio, Mr. OLVER, Mr. ACKERMAN, Mr. HARE, Mr. ELLISON, Mr. GEORGE MILLER of California, Mr. TOWNS, Mr. CLYBURN, Mr. VAN HOLLEN, Mr. MCDERMOTT, Mr. HONDA, Mr. CAPUANO, Mr. WAXMAN, Mr. WYNN, Mr. GONZALEZ, Mr. LANTOS, Ms. ZOE LOFGREN of California, Mr. BERMAN, Mr. STARK, Mr. AL GREEN of Texas, Mr. PAUL, Ms. WOOLSEY, Mr. WATT, Mr. CLAY, Ms. LINDA T. SÁNCHEZ of California, Mr. PAYNE, Mr. DAVIS of Illinois, Mr. JOHNSON of Georgia, Ms. HIRONO, Ms. SLAUGHTER, Ms. SCHAKOWSKY, Mr. MATHESON, Mr. SNYDER, Mr. SCOTT of Virginia, Mr. NADLER, Mr. BRADY of Pennsylvania, Mrs. CHRISTENSEN, Mrs. CAPPS, Mr. JACKSON of Illinois, Mr. RUSH, and Mr. LEWIS of Georgia):

H.R. 5157. A bill to amend the Higher Education Act of 1965 to repeal the provisions prohibiting persons convicted of drug offenses from receiving student financial assistance; to the Committee on Education and Labor.

By Mr. BOSWELL:

H.R. 5158. A bill to direct the United States Postal Service to designate a single, unique ZIP Code for Windsor Heights, Iowa; to the Committee on Oversight and Government Reform.

By Mr. BRADY of Pennsylvania (for himself and Mr. EHLERS):

H.R. 5159. A bill to establish the Office of the Capitol Visitor Center within the Office of the Architect of the Capitol, headed by the Chief Executive Officer for Visitor Services, to provide for the effective management and administration of the Capitol Visitor Center, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Rules, 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. KIND (for himself and Mr. HULSHOF):

H.R. 5160. A bill to amend the Internal Revenue Code of 1986 to encourage retirement savings by modifying requirements with respect to employer-established IRAs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WU:

H.R. 5161. A bill to provide for the establishment of Green Transportation Infrastructure Research and Technology Transfer Centers, and for other purpose; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Science and Technology, 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. BRADY of Texas:

H.R. 5162. A bill to suspend temporarily the duty on a certain chemical used in the production of textiles; to the Committee on Ways and Means.

By Mr. BRADY of Texas:

H.R. 5163. A bill to suspend temporarily the duty on a certain chemical that is used for dyeing apparel home textiles; to the Committee on Ways and Means.

By Mr. BRADY of Texas:

H.R. 5164. A bill to suspend temporarily the duty on a certain chemical that is used for dyeing apparel home textiles; to the Committee on Ways and Means.

By Mr. BRADY of Texas:

H.R. 5165. A bill to extend the temporary suspension of duty on 4-Anilino-3-nitro-N-phenylbenzenesulphonamide; to the Committee on Ways and Means.

By Mr. BRADY of Texas:

H.R. 5166. A bill to suspend temporarily the duty on Naphthalenedisulfonic acid; to the Committee on Ways and Means.

By Mr. BRALEY of Iowa (for himself, Mr. CONYERS, Mr. FRANK of Massachusetts, Mr. SESTAK, Mr. HARE, Ms. SUTTON, Mr. SARBANES, Mr. KAGEN, Ms. HIRONO, Ms. KILPATRICK, Mr. HALL of New York, Mr. WELCH of Vermont, Ms. SHEA-PORTER, Mr. WALZ of Minnesota, Mr. PERLMUTTER, Mr. GONZALEZ, Mr. CARNAHAN, Mr. COURTNEY, Mr. GEORGE MILLER of California, Mr. CUMMINGS, Mr. MURPHY of Connecticut, Ms. LEE, Ms. CASTOR, Ms. JACKSON-LEE of Texas, Mr. ELLISON, Mr. KENNEDY, Mr. JOHNSON of Georgia, Mr. MORAN of Virginia, and Ms. HOOLEY):

H.R. 5167. A bill to amend the National Defense Authorization Act for Fiscal Year 2008 to remove the authority of the President to waive certain provisions; to the Committee on the Judiciary.

By Ms. GINNY BROWN-WAITE of Florida (for herself, Mr. YOUNG of Florida, Mr. HASTINGS of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. BOYD of Florida, Mr. CRENSHAW, Mr. KELLER, Mr. PUTNAM, Mr. WELDON of Florida, Mr. MAHONEY of Florida, Mr. MILLER of Florida, Mr. MEEK of Florida, Mr. BILIRAKIS, Mr. FEENEY, Ms. ROS-LEHTINEN, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MACK, Mr. BUCHANAN, Ms. CORRINE BROWN of Florida, Mr. STEARNS, Mr. MICA, Ms. WASSERMAN SCHULTZ, Ms. CASTOR, Mr. KLEIN of Florida, and Mr. WEXLER):

H.R. 5168. A bill to designate the facility of the United States Postal Service located at 19101 Cortez Boulevard in Brooksville, Florida, as the ''Cody Grater Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. CANTOR:

H.R. 5169. A bill to amend the Internal Revenue Code of 1986 to reduce marginal income tax rates on corporations; to the Committee on Ways and Means.

By Mr. CARNEY (for himself and Mr. THOMPSON of Mississippi):

H.R. 5170. A bill to amend the Homeland Security Act of 2002 to provide for a privacy official within each component of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security.

By Mr. COSTA (for himself and Mr. RAHALL):

H.R. 5171. A bill to reauthorize and amend the National Geologic Mapping Act of 1992; to the Committee on Natural Resources.

By Mr. DONNELLY (for himself, Mr. SMITH of New Jersey, Mr. ELLSWORTH, and Mr. BUCHANAN):

H.R. 5172. A bill to amend the Internal Revenue Code of 1986 to provide recovery rebates to certain individuals receiving social security benefits; to the Committee on Ways and Means.

By Mr. ELLISON (for himself, Mr. COOPER, Mr. DUNCAN, Ms. MCCOLLUM of Minnesota, Mr. RAMSTAD, Mr. WALZ of Minnesota, Mr. PETERSON of Minnesota, Mr. CUMMINGS, and Mr. OBERSTAR):

H.R. 5173. A bill to temporarily delay application of proposed changes to Medicaid payment rules for case management and targeted case management services; to the Committee on Energy and Commerce.

By Mr. ENGLISH of Pennsylvania (for himself, Mr. POMEROY, Mr. SMITH of New Jersey, and Ms. ROS-LEHTINEN):

H.R. 5174. A bill to amend title XVIII of the Social Security Act to continue the ability of hospitals to supply a needed workforce of nurses and allied health professionals by preserving funding for hospital operated nursing and allied health education programs; to the Committee on Ways and Means.

By Ms. FOXX (for herself, Mr. LINDER, Mr. WILSON of South Carolina, Mr. BURTON of Indiana, Mr. TANCREDO, Mr. WELDON of Florida, Mr. KINGSTON, Mrs. BLACKBURN, Mr. DOOLITTLE, Mr. GARRETT of New Jersey, Mr. PENCE, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. PAUL, Mr. FLAKE, Mrs. MYRICK, Mr. BARTLETT of Maryland, and Mrs. CUBIN):

H.R. 5175. A bill to amend the Internal Revenue Code of 1986 to repeal the withholding of income and social security taxes; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas (for himself and Mr. TIM MURPHY of Pennsylvania):

H.R. 5176. A bill to amend the Public Health Service Act with respect to mental health services; to the Committee on Energy and Commerce.

By Mr. GRIJALVA:

H.R. 5177. A bill to provide for a land exchange involving certain Bureau of Land Management lands in Pima County, Arizona,

for the purpose of consolidating Federal land ownership within the Las Cienegas National Conservation Area, and for other purposes; to the Committee on Natural Resources.

By Mr. GRIJALVA (for himself, Ms. JACKSON-LEE of Texas, Mr. DAVIS of Illinois, Mr. PAYNE, Mr. SCOTT of Virginia, and Ms. CLARKE):

H.R. 5178. 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, and in addition to the Committees on Education and Labor, and 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. HOLT (for himself, Mr. HINOJOSA, Mr. EHLERS, and Mr. MARKEY):

H.R. 5179. A bill to establish in the Department of Education an Assistant Secretary for International and Foreign Language Education and an Office of International and Foreign Language Education; to the Committee on Education and Labor.

By Mr. LOEBSACK (for himself, Mr. BOSWELL, and Mr. BRALEY of Iowa):

H.R. 5180. A bill making supplemental appropriations for fiscal year 2008 for the Department of Justice's Edward Byrne Memorial Justice Assistance Grant program; to the Committee on Appropriations, and in addition to the Committee on the Budget, 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. MALONEY of New York (for herself, Ms. SUTTON, Mr. MCNULTY, Ms. JACKSON-LEE of Texas, Ms. WOOLSEY, and Mr. ABERCROMBIE):

H.R. 5181. A bill to amend the Public Health Service Act to establish a program of research regarding the risks posed by the presence of dioxin, synthetic fibers, and other additives in feminine hygiene products, and to establish a program for the collection and analysis of data on toxic shock syndrome; to the Committee on Energy and Commerce.

By Mrs. MALONEY of New York:

H.R. 5182. A bill to suspend temporarily the duty on cyclopentadecanolide; to the Committee on Ways and Means.

By Mrs. MALONEY of New York:

H.R. 5183. A bill to extend the temporary suspension of duty on cis-3-Hexen-1-ol; to the Committee on Ways and Means.

By Mrs. MALONEY of New York:

H.R. 5184. A bill to suspend temporarily the duty on 2-methyl-3-(3,4 methylenedioxyphenyl) propanal; to the Committee on Ways and Means.

By Mrs. MALONEY of New York:

H.R. 5185. A bill to extend the temporary suspension of duty on polytetramethylene ether glycol; to the Committee on Ways and Means.

By Mrs. MALONEY of New York:

H.R. 5186. A bill to extend the temporary suspension of duty on magnesium zinc aluminum hydroxide carbonate hydrate; to the Committee on Ways and Means.

By Mrs. MALONEY of New York:

H.R. 5187. A bill to extend the temporary suspension of duty on Magnesium aluminum hydroxide carbonate hydrate; to the Committee on Ways and Means.

By Mrs. MALONEY of New York:

H.R. 5188. A bill to extend the temporary suspension of duty on C12-18 alkenes; to the Committee on Ways and Means.

By Mr. MEEK of Florida:

H.R. 5189. A bill to establish the Orange Juice Promotion and Production Improvements Trust Fund; to the Committee on Agriculture.

By Mr. MILLER of Florida:

H.R. 5190. A bill to suspend temporarily the duty on certain acrylic fiber tow; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 5191. A bill to prohibit the use of Federal funds to carry out the highway project known as the ''Trans-Texas Corridor''; to the Committee on Transportation and Infrastructure.

By Ms. PRYCE of Ohio (for herself and Mr. MURTHA):

H.R. 5192. A bill to improve the palliative and end-of-life care provided to children with life-threatening conditions, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUSH (for himself, Mrs. MALONEY of New York, Mr. BLUMENAUER, Mr. GUTIERREZ, and Ms. JACKSON-LEE of Texas):

H.R. 5193. A bill to award a congressional gold medal to Barry C. Scheck and to Peter Neufeld in recognition of their outstanding service to the Nation and to justice as cofounders and co-directors of the Innocence Project; to the Committee on Financial Services.

By Mrs. TAUSCHER:

H.R. 5194. A bill to extend the temporary suspension of duty on Clethodim; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 5195. A bill to suspend temporarily the duty on Red 30-kilovolt high-frequency cable, 30 square millimeters; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 5196. A bill to suspend temporarily the duty on UNITRONIC LIYCY-type 350-volt Multi-conductor copper cable, PVC (Polyvinylcarbonate) insulation, 8.9 millimeter diamer; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 5197. A bill to suspend temporarily the duty on White plastic mounting flange, 286 millimeter diameter, 45 millimeter thickness; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 5198. A bill to suspend temporarily the duty on Cathode high voltage connector; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 5199. A bill to suspend temporarily the duty on Stainless steel Vaccuum Feed-Through for optical sensor, 41 millimeter diameter, MANSKE part number 43935/2; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 5200. A bill to suspend temporarily the duty on fiber optic amplifier type ILVS 19/4 with metal housing; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 5201. A bill to suspend temporarily the duty on single light optical sensor, stainless steel casing, 0.5 meter-long, 2.2 millimeter diameter cable; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 5202. A bill to suspend temporarily the duty on optical fiber sensor, consisting of a 10 millimeter diameter lens built in an M14 screw feedthrough with 10-meter long fiber optic cable of 2.2 millimeter diameter; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 5203. A bill to suspend temporarily the duty on 2.5-Kilowatt drive motor, Flange diameter 160 millimeter, shaft diameter 30 millimeter; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 5204. A bill to suspend temporarily the duty on fork-style optical sensor with special vacuum application, 2.5 meter-long cable, stainless steel casing and sheath material; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 5205. A bill to suspend temporarily the duty on cathode drive unit includes 89-Kilowatt Gearmotor, synchronous belt, stainless steel bearing housing, bearings, stainless steel drive shaft, cooling water lead-through, stainless steel driveflange connection, rubber seals, PEEK high performance plastic, insulators, water fittings and metric stainless steel hardware; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 5206. A bill to suspend temporarily the duty on Steel Ball Bearing, 62 millimeters outside diameter x 30 millimeters inside diameter x 16 millimeters width; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 5207. A bill to suspend temporarily the duty on Gas Flow Control Valve, 500 milliliters minimum; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 5208. A bill to suspend temporarily the duty on 1.25 inch Stainless Steel Tee Pipe Fitting; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 5209. A bill to suspend temporarily the duty on Pressure Hose with red jacket, 42 millimeters outside diameter x 32 millimeters inside diameter; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 5210. A bill to suspend temporarily the duty on Black NBR rubber O-ring, 3150 millimeters diameter, 9896 millimeters circumference; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 5211. A bill to suspend temporarily the duty on stainless steel Hose Barb, 88.5 millimeters length x 34 millimeters diameter; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 5212. A bill to suspend temporarily the duty on Gas Flow Control Valve 100 milliliters minimum; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 5213. A bill to suspend temporarily the duty on Mounting Fixture, 230 millimeters length x 150 millimeters width x 12 millimeters thick; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 5214. A bill to suspend temporarily the duty on feedthrough with housing 125 millimeters long, Housing mounting flange 180 millimeters outside diameter x 20 millimeters thick; to the Committee on Ways and Means.

By Mrs. TAUSCHER:

H.R. 5215. A bill to suspend temporarily the duty on coupling assembly with 2 steel hubs with 32 millimeter outside diameter, 18 millimeter inside diameter, and a white plastic sleeve with 46 millimeter outside diameter and 28 millimeter width; to the Committee on Ways and Means.

By Mr. UDALL of Colorado:

H.R. 5216. A bill to promote as a renewable energy source the use of biomass removed from forest lands in connection with hazardous fuel reduction projects on certain Federal land, and for other purposes; to the Committee on Energy and Commerce.

By Mr. UDALL of Colorado:

H.R. 5217. A bill to direct the Administrator of the Small Business Administration

to conduct a demonstration program to raise awareness about telework among small business employers, and to encourage such employers to offer telework options to employees, and for other purposes; to the Committee on Small Business.

By Mr. UDALL of Colorado (for himself and Mr. FILNER):

H.R. 5218. A bill to promote fire-safe communities, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Agriculture, Natural Resources, and Science and Technology, 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. WEINER:

H.R. 5219. A bill to authorize appropriations for the seafood inspection regime of the Food and Drug Administration; to the Committee on Agriculture.

By Mr. WU (for himself, Mr. BLUMENAUER, Mr. DEFAZIO, Ms. HOOLEY, and Mr. WALDEN of Oregon):

H.R. 5220. A bill to designate the facility of the United States Postal Service located at 3800 SW. 185th Avenue in Beaverton, Oregon, as the ''Major Arthur Chin Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. AKIN (for himself and Mr. CLEAVER):

H. Con. Res. 284. Concurrent resolution encouraging the President to proclaim 2008 as ''The National Year of the Bible''; to the Committee on Oversight and Government Reform.

By Mr. KANJORSKI (for himself, Mrs. CAPITO, Mr. WILSON of Ohio, Mr. ALTMIRE, Mr. MURTHA, Mr. CARNEY, Mr. TIM MURPHY of Pennsylvania, Mr. CHANDLER, Mr. PETERSON of Pennsylvania, Mr. GEORGE MILLER of California, Mr. HOLDEN, Mr. GERLACH, Mr. SHIMKUS, Mr. SHUSTER, Mr. WOLF, and Mr. SPACE):

H. Con. Res. 285. Concurrent resolution expressing the sense of the Congress that a postage stamp should be issued honoring the Nation's coal miners; to the Committee on Oversight and Government Reform.

By Mr. MORAN of Virginia (for himself, Mr. SCOTT of Virginia, Mr. TOM DAVIS of Virginia, Mr. PAYNE, Mr. MEEKS of New York, Mr. WOLF, Mr. CONYERS, Mr. CLAY, Mr. TOWNS, Ms. KILPATRICK, Ms. MOORE of Wisconsin, Mr. RUSH, Mr. HASTINGS of Florida, Mr. DAVIS of Illinois, Mr. JEFFERSON, Mr. CLEAVER, Mr. OBERSTAR, Mr. MARKEY, Mr. HALL of Texas, Mr. SHAYS, Mr. BUTTERFIELD, Mr. AL GREEN of Texas, Mr. HINOJOSA, Mr. DELAHUNT, Mr. WATT, Mr. ELLISON, Mr. PALLONE, Mr. JOHNSON of Georgia, Mr. BRALEY of Iowa, Mr. SCOTT of Georgia, Ms. WATSON, Ms. SLAUGHTER, Mr. LARSON of Connecticut, Mr. KUCINICH, Mr. ROSS, Mr. VAN HOLLEN, Mr. CARDOZA, Mr. SERRANO, and Mr. MCGOVERN):

H. Con. Res. 286. Concurrent resolution expressing the sense of Congress that Earl Lloyd should be recognized and honored for breaking the color barrier and becoming the first African American to play in the National Basketball Association League 58 years ago; to the Committee on Oversight and Government Reform.

By Mr. UDALL of Colorado (for himself, Mr. GORDON, Mr. HALL of Texas, Mr. FEENEY, and Mr. LAMPSON):

H. Con. Res. 287. Concurrent resolution celebrating the 50th anniversary of the United States Explorer I satellite, the world's first scientific spacecraft, and the birth of the United States space exploration program; to the Committee on Science and Technology.

By Mr. KUHL of New York (for himself and Mr. ARCURI):

H. Res. 946. A resolution recognizing the Canandaigua Veterans Affairs Medical Center on its 75th anniversary; to the Committee on Veterans' Affairs.

By Mr. ROYCE (for himself, Mr. LANTOS, Ms. ROS-LEHTINEN, Mr. FALEOMAVAEGA, Ms. WATSON, Mr. WILSON of South Carolina, Mr. BURTON of Indiana, Mr. CAPUANO, Mr. PAYNE, Mr. FOSSELLA, Mr. ACKERMAN, Ms. JACKSON-LEE of Texas, Mr. GARRETT of New Jersey, Mr. MEEKS of New York, Mr. ENGEL, Mr. HONDA, Mr. MCCOTTER, and Mr. MORAN of Virginia):

H. Res. 947. A resolution congratulating Lee Myung-Bak on his election to the Presidency of the Republic of Korea and wishing him well during his time of transition and his inauguration on February 25, 2008; to the Committee on Foreign Affairs.

By Mrs. BOYDA of Kansas (for herself, Mr. MOORE of Kansas, Mr. TIAHRT, and Mr. MORAN of Kansas):

H. Res. 948. A resolution congratulating the University of Kansas (''KU'') football team for winning the 2008 FedEx Orange Bowl and having the most successful year in program history; to the Committee on Education and Labor.

By Mr. BROUN of Georgia (for himself, Mr. BARRETT of South Carolina, and Mr. BARROW):

H. Res. 949. A resolution recognizing and commending the 100th Anniversary of the Augusta Metro Chamber of Commerce; to the Committee on Energy and Commerce.

By Ms. CORRINE BROWN of Florida:

H. Res. 950. A resolution recognizing the 19th annual ''Zora Neale Hurston Festival of the Arts and Humanities'' which will be held from January 26, 2008, to February 3, 2008; to the Committee on Oversight and Government Reform.

By Mr. GARRETT of New Jersey (for himself, Mr. ENGEL, Mr. HENSARLING, and Ms. BERKLEY):

H. Res. 951. A resolution condemning the ongoing Palestinian rocket attacks on Israeli civilians, and for other purposes; to the Committee on Foreign Affairs.

By Mr. KLEIN of Florida (for himself, Mr. ROSKAM, Mr. MARKEY, Mr. TOWNS, Mr. HOLDEN, Mrs. GILLIBRAND, Mr. ROSS, Mr. MCINTYRE, Mr. LEWIS of Georgia, Mr. KELLER, Mr. SHULER, Mr. COHEN, Mr. MCGOVERN, Ms. SUTTON, Mr. ALTMIRE, Mr. EHLERS, Mr. THOMPSON of California, Mr. BACA, Ms. LINDA T. SÁNCHEZ of California, Mr. HINCHEY, Mr. SESTAK, Mr. BRALEY of Iowa, Mr. LAMPSON, Ms. BORDALLO, Mrs. TAUSCHER, Mr. INSLEE, Mr. MEEK of Florida, Mrs. BOYDA of Kansas, Mr. SKELTON, Mr. DAVIS of Illinois, Ms. LORETTA SANCHEZ of California, Mr. FILNER, Mr. ROTHMAN, Mr. BISHOP of Georgia, Mr. BRADY of Pennsylvania, Mr. SARBANES, Mr. WALZ of Minnesota, Mr. ETHERIDGE, Mr. MAHONEY of Florida, Mr. CLEAVER, Ms. WASSERMAN SCHULTZ, Mr. LYNCH, Ms. MATSUI, Mr. ALLEN, Mr. ELLISON, Mr. WYNN, Ms. MCCOLLUM of Minnesota, Mr. HONDA, Mr. GRIJALVA, Mr. HILL, Mr. AL GREEN of Texas, Mr. FARR, Mr. VAN HOLLEN, Mr. MATHESON, Mr. MOORE of Kansas, Mr. GENE GREEN of Texas, Mr. SMITH of Washington, Mr. MITCHELL, Mr. KAGEN, Mr. WU, Mr. MCNERNEY, Mr. CARNEY, Mr. GORDON, Mr. WELCH of Vermont, Mrs. CAPPS, Mr. BERRY, Ms. TSONGAS, Mr. HIGGINS, Mr. ORTIZ, Mr. YOUNG of Alaska, Mr. REYNOLDS, Mr. LINCOLN DIAZ-BALART of Florida, Mr. DONNELLY, Mr. ARCURI, Mr. KUHL of New York, Mr. SOUDER, Ms. HIRONO, Mr. LANTOS, Mr. LOEBSACK, Mr. RAMSTAD, Mr. SIRES, Mrs. BLACKBURN, Mr. SHIMKUS, Mr. WALDEN of Oregon, Mr. GARRETT of New Jersey, Mr. DAVIS of Kentucky, Mr. KIRK, Ms. MOORE of Wisconsin, Mr. BOSWELL, Mr. RODRIGUEZ, Mr. REYES, Mr. COURTNEY, Mr. GUTIERREZ, Mr. KENNEDY, Mr. SERRANO, Mr. RUSH, Mr. HOLT, Ms. CASTOR, Ms. SCHAKOWSKY, Mr. ISRAEL, Mr. SCOTT of Georgia, Mr. LINCOLN DAVIS of Tennessee, Ms. WOOLSEY, Mr. LANGEVIN, Ms. NORTON, Mr. GONZALEZ, Mr. SHAYS, Mr. REICHERT, Mr. REHBERG, Mr. DANIEL E. LUNGREN of California, Mr. ENGLISH of Pennsylvania, Mr. HARE, Mr. CHANDLER, Mr. WILSON of Ohio, Ms. WATSON, Mr. KIND, Mr. MEEKS of New York, Mr. WEXLER, Mr. HALL of New York, Mr. THOMPSON of Mississippi, Mr. FATTAH, Ms. KILPATRICK, Mr. BISHOP of New York, Ms. BERKLEY, Mr. HASTINGS of Florida, Mr. ACKERMAN, Mr. KILDEE, Mrs. DAVIS of California, Mr. ENGEL, Mr. CAPUANO, Mr. FOSSELLA, Mr. SMITH of New Jersey, Mr. PUTNAM, and Ms. GRANGER):

H. Res. 952. A resolution expressing the sense of the House of Representatives that there should be established a National Teacher Day to honor and celebrate teachers in the United States; to the Committee on Oversight and Government Reform.

By Mr. KNOLLENBERG:

H. Res. 953. A resolution expressing the sense of the House of Representatives that all Americans should participate in a moment of silence to reflect upon the service and sacrifice of members of the United States Armed Forces both at home and abroad; to the Committee on Armed Services.

By Ms. ZOE LOFGREN of California (for herself, Mr. CONYERS, Mr. GRIJALVA, Mr. SMITH of Texas, Mr. KING of Iowa, Mr. THOMPSON of Mississippi, Ms. LORETTA SANCHEZ of California, Mr. KING of New York, Mr. REYES, Ms. GIFFORDS, Mr. CARNEY, Ms. JACKSON-LEE of Texas, Mr. AL GREEN of Texas, Mr. DAVIS of Alabama, Mr. DANIEL E. LUNGREN of California, Mr. RODRIGUEZ, Mr. GALLEGLY, Mr. CUELLAR, Mr. PENCE, Mr. BERMAN, Mr. HILL, Mr. SHULER, Mr. WALZ of Minnesota, Mr. SPACE, Mr. ELLSWORTH, Mr. JOHNSON of Georgia, Mr. HALL of New York, Mr. MAHONEY of Florida, Mr. BRALEY of Iowa, Mr. DONNELLY, and Mrs. BOYDA of Kansas):

H. Res. 954. A resolution honoring the life of senior Border Patrol agent Luis A. Aguilar, who lost his life in the line of duty near Yuma, Arizona, on January 19, 2008; to the Committee on Homeland Security.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

225. The SPEAKER presented a memorial of the Legislature of the State of Alaska, relative to House Joint Resolution No. 11 urging the Congress of the United States to take action to honor the sovereignty of the individual states to regulate and command the National Guard of the states; to the Committee on Armed Services.

226. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No.

447 expressing support for the Children's Health Insurance Program Reauthorization Act of 2007 and urging the Congress of the United States to override the veto; to the Committee on Energy and Commerce.

227. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 131 requesting the Congressional Joint Committee on the Library to approve the replacement of Michigan's statue of Zachariah Chandler with an image of President Gerald R. Ford as part of the National Statuary Hall collection; to the Committee on House Administration.

228. Also, a memorial of the Legislature of the State of Alaska, relative to Senate Joint Resolution No. 6 urging the Congress of the United States to defeat H.R. 39, titled ''To preserve the Arctic coastal plain of the Arctic National Wildlife Refuge, Alaska, as wilderness in recognition of its extraordinary natural ecosystems and for the permanent good of present and future generations of Americans''; to the Committee on Natural Resources.

229. Also, a memorial of the Legislature of the State of Alaska, relative to House Joint Resolution No. 21 urging the Congress of the United States to enact legislation to require congressional approval before an area in the United States may be considered for an international designation; to the Committee on Natural Resources.

230. Also, a memorial of the Legislature of the State of Alaska, relative to House Joint Resolution No. 17 encouraging Coeur Alaska, Inc., to pursue all legal options to resolve the issues presented in Southeast Alaska Conservation Council v. United States Army Corps of Engineers on behalf of itself and consistent with the state's efforts to enforce its rights as a state over its resources; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. REYES introduced a bill (H.R. 5221) for the relief of Kumi Iizuka-Barcena; 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. 181: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 197: Mr. ELLSWORTH.
H.R. 241: Mr. GOODLATTE, Mr. GOHMERT, Mr. FRANKS of Arizona, Mr. FEENEY, Mr. PENCE, Mr. MANZULLO, Mr. HERGER, Mr. THORNBERRY, Mr. BRADY of Texas, Mr. DAVID DAVIS of Tennessee, Mr. BARTLETT of Maryland, Mr. WILSON of South Carolina, Mr. PITTS, and Mr. BURGESS.
H.R. 281: Mr. THOMPSON of California.
H.R. 550: Mr. PORTER.
H.R. 551: Mr. WALDEN of Oregon.
H.R. 583: Mr. SESTAK.
H.R. 585: Mrs. LOWEY.
H.R. 621: Mr. LOBIONDO.
H.R. 648: Mrs. CUBIN and Mr. HOLDEN.
H.R. 685: Mr. ROSS, Mr. BURGESS, and Mr. MARCHANT.
H.R. 706: Mr. CONYERS.
H.R. 821: Mr. GONZALEZ.
H.R. 871: Mr. GEORGE MILLER of California.
H.R. 891: Ms. CLARKE, Ms. LORETTA SANCHEZ of California, and Mr. CALVERT.
H.R. 913: Mr. BACHUS.
H.R. 946: Mr. COHEN.
H.R. 1000: Mr. DICKS.
H.R. 1017: Ms. WATERS and Ms. LINDA T. SÁNCHEZ of California.
H.R. 1102: Mr. SMITH of Washington.
H.R. 1223: Mrs. BOYDA of Kansas.
H.R. 1232: Mr. REHBERG.
H.R. 1390: Mr. WU.
H.R. 1419: Mr. WEXLER.
H.R. 1428: Mrs. CAPITO.
H.R. 1444: Mrs. LOWEY.
H.R. 1456: Mr. SIRES.
H.R. 1497: Mr. FRANK of Massachusetts.
H.R. 1540: Mrs. BLACKBURN.
H.R. 1553: Mr. JACKSON of Illinois.
H.R. 1584: Ms. MATSUI and Mr. RADANOVICH.
H.R. 1589: Mrs. CAPITO.
H.R. 1609: Mr. GEORGE MILLER of California, Mr. REYES, and Mr. WHITFIELD of Kentucky.
H.R. 1610: Mr. HASTINGS of Washington, Mr. REYNOLDS, and Mr. ALTMIRE.
H.R. 1621: Mr. JACKSON of Illinois.
H.R. 1653: Ms. RICHARDSON, Mr. SESTAK, and Mr. MICHAUD.
H.R. 1691; Mr. WEXLER.
H.R. 1738: Mr. FRANK of Massachusetts.
H.R. 1742: Mr. BLUMENAUER, Mr. ROSKAM, and Mr. MORAN of Virginia.
H.R. 1748: Mr. MANZULLO.
H.R. 1772: Mr. ELLSWORTH.
H.R. 1789: Mr. GOODLATTE.
H.R. 1801: Mr. DOGGETT.
H.R. 1818: Mrs. CAPITO.
H.R. 1829: Ms. GINNY BROWN-WAITE of Florida.
H.R. 1843: Mr. LOBIONDO.
H.R. 1881: Mr. KING of New York.
H.R. 1953: Mr. ELLISON and Mr. JACKSON of Illinois.
H.R. 1956: Ms. RICHARDSON.
H.R. 1964: Mr. RUPPERSBERGER.
H.R. 1965: Mr. BRALEY of Iowa.
H.R. 1975: Ms. MATSUI.
H.R. 2032: Mr. ELLISON.
H.R. 2045: Mr. WEXLER and Ms. LINDA T. SÁNCHEZ of California.
H.R. 2049: Mr. ISRAEL.
H.R. 2054: Mr. SIMPSON.
H.R. 2091: Mr. MOORE of Kansas.
H.R. 2188: Mrs. BOYDA of Kansas.
H.R. 2267: Mr. SESTAK and Mr. HOLDEN.
H.R. 2353: Ms. CLARKE.
H.R. 2464: Mr. WAMP.
H.R. 2495: Mr. MICHAUD and Mr. PATRICK MURPHY of Pennsylvania.
H.R. 2510: Mr. HALL of Texas.
H.R. 2580: Mr. LEWIS of Kentucky.
H.R. 2596: Mr. AL GREEN of Texas.
H.R. 2604: Ms. BALDWIN.
H.R. 2611: Mr. BRALEY of Iowa.
H.R. 2676: Mr. KING of New York.
H.R. 2685: Mr. MAHONEY of Florida.
H.R. 2686: Mr. MAHONEY of Florida.
H.R. 2702: Mr. COURTNEY.
H.R. 2708: Mr. ACKERMAN.
H.R. 2711: Mr. PORTER.
H.R. 2712: Mr. ENGLISH of Pennsylvania.
H.R. 2734: Mrs. BONO Mack and Mr. MCKEON.
H.R. 2802: Mr. DELAHUNT.
H.R. 2840: Mr. AL GREEN of Texas.
H.R. 3014: Mr. NADLER.
H.R. 3016: Mr. UDALL of Colorado.
H.R. 3051: Mrs. MUSGRAVE.
H.R. 3057: Mr. HINOJOSA.
H.R. 3182: Mr. MORAN of Virginia.
H.R. 3185: Mr. MICHAUD.
H.R. 3232: Mr. BILBRAY, Mr. MORAN of Virginia, and Mrs. CAPITO.
H.R. 3298: Mr. FORTUÑO and Mr. KUCINICH.
H.R. 3314: Mr. RANGEL.
H.R. 3363: Mr. SMITH of Nebraska and Mr. KIND.
H.R. 3378: Mr. HONDA, Mr. MORAN of Virginia, and Mrs. BOYDA of Kansas.
H.R. 3439: Mr. SESTAK and Mr. DAVIS of Illinois.
H.R. 3547: Ms. CORRINE BROWN of Florida.
H.R. 3609: Mr. SARBANES and Mr. DAVIS of Illinois.
H.R. 3616: Mr. GENE GREEN of Texas.
H.R. 3622: Mr. THOMPSON of Mississippi, Mr. MORAN of Virginia, Mr. CLEAVER, and Mr. WEXLER.
H.R. 3689: Mr. GONZALEZ and Ms. BALDWIN.
H.R. 3697: Mr. WEXLER.
H.R. 3717: Mr. KAGEN.
H.R. 3735: Mr. RAMSTAD.
H.R. 3750: Mr. MARSHALL.
H.R. 3797: Mr. SESTAK, Ms. ZOE LOFGREN of California, Ms. GIFFORDS, and Mr. ALTMIRE.
H.R. 3815: Ms. RICHARDSON.
H.R. 3819: Mr. DONNELLY, Mr. ENGLISH of Pennsylvania, and Ms. MATSUI.
H.R. 3825: Mr. BURGESS, Mr. FOSSELLA, Ms. PRYCE of Ohio, Mrs. CAPITO, and Mr. MCHUGH.
H.R. 3846: Mr. WEXLER, Mr. GONZALEZ, and Mr. MEEKS of New York.
H.R. 3852: Mr. LATTA.
H.R. 3899: Mr. GOODE.
H.R. 3934: Mr. ALTMIRE and Mrs. NAPOLITANO.
H.R. 3980: Mr. MCGOVERN.
H.R. 4044: Mr. WOLF.
H.R. 4061: Mr. EHLERS.
H.R. 4063: Mr. VAN HOLLEN.
H.R. 4088: Mr. KINGSTON.
H.R. 4105: Mr. JACKSON of Illinois.
H.R. 4125: Mr. POE.
H.R. 4126: Mr. DAVIS of Alabama, Mr. BRADY of Pennsylvania, Mr. ALLEN, and Mr. HERGER.
H.R. 4236: Mr. CROWLEY, Mr. ELLISON, Mr. SCOTT of Georgia, Ms. HIRONO, Mr. UDALL of New Mexico, and Mr. HILL.
H.R. 4244: Mr. NUNES.
H.R. 4318: Mr. BOYD of Florida.
H.R. 4355: Mr. ALEXANDER, Ms. WATERS, and Mr. SHIMKUS.
H.R. 4461: Mr. PERLMUTTER.
H.R. 4464: Mr. ADERHOLT, Mrs. CAPITO, Mr. GARRETT of New Jersey, Ms. FALLIN, Mr. SMITH of Nebraska, Mr. BACHUS, Mrs. EMERSON, Mr. SESSIONS, and Mr. FORBES.
H.R. 4544: Mr. HINOJOSA.
H.R. 4651: Mr. GRIJALVA.
H.R. 4833: Mr. SERRANO and Mr. PASTOR.
H.R. 4838: Mr. GARY G. MILLER of California, Mr. SMITH of Nebraska, and Ms. ESHOO.
H.R. 4841: Mr. CALVERT.
H.R. 4915: Mr. BARRETT of South Carolina and Mr. ENGLISH of Pennsylvania.
H.R. 4930: Mr. YOUNG of Florida, Mr. BARRETT of South Carolina, Mr. LOBIONDO, and Mr. SHUSTER.
H.R. 5032: Mr. MCCOTTER, Mr. FORTENBERRY, Mr. JONES of North Carolina, Mr. LINDER, Mr. GARRETT of New Jersey, Mr. SOUDER, Mr. BOOZMAN, Mr. PITTS, Mr. LAMBORN, Mr. CHABOT, Mr. BROUN of Georgia, Mr. FORBES, Mr. GOODE, and Mr. RENZI.
H.R. 5035: Mr. JACKSON of Illinois.
H.R. 5036: Mr. GORDON, Mr. LEVIN, Mr. ALTMIRE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MORAN of Virginia, Ms. WASSERMAN SCHULTZ, Mr. WYNN, Ms. WOOLSEY, Ms. JACKSON-LEE of Texas, Mr. PALLONE, Mr. GENE GREEN of Texas, Ms. KILPATRICK, Mr. COOPER, and Mr. JACKSON of Illinois.
H.R. 5056: Mr. WELCH of Vermont.
H.R. 5057: Mr. KILDEE, Mr. SMITH of Washington, and Mr. BERMAN.
H.R. 5058: Mr. HARE, Mrs. CAPPS, Mr. MCNERNEY, Mrs. DAVIS of California, Ms. LEE, Ms. DELAURO, Mr. SESTAK, Ms. WOOLSEY, and Mr. FARR.
H.R. 5060: Mr. MILLER of North Carolina and Mr. CHANDLER.
H.R. 5087: Mr. SHULER, Mr. WALBERG, Mr. KAGEN, and Mr. DEFAZIO.
H.R. 5105: Mr. HELLER.
H.R. 5109: Mr. BARTON of Texas, Mr. BISHOP of Utah, Mr. GOODE, Mr. JONES of North Carolina, Mr. MILLER of Florida, Mr. NEUGEBAUER, Mr. RADANOVICH, Mr. SENSENBRENNER, Mr. SULLIVAN, Mr. TANCREDO, Mr.

MCCOTTER, Mr. STEARNS, Mr. DEAL of Georgia, and Mr. FOSSELLA.

H.R. 5124: Mr. SAXTON, Mr. GRAVES, Mr. BILBRAY, Mr. GINGREY, Mr. COBLE, Mrs. MYRICK, and Mr. MARCHANT.

H.R. 5132: Mr. HASTINGS of Florida.

H.R. 5143: Mr. GEORGE MILLER of California, Mr. ORTIZ, Mr. SIRES, Mr. PASTOR, Ms. VELÁZQUEZ, Mr. REYES, and Mr. BACA.

H.J. Res. 6: Mr. DENT.

H.J. Res. 67: Mr. MARSHALL.

H. Con. Res. 32: Mr. YOUNG of Florida, Mrs. MCMORRIS RODGERS, and Mr. MITCHELL.

H. Con. Res. 40: Mr. STUPAK.

H. Con. Res. 70: Mrs. DAVIS of California and Ms. BALDWIN.

H. Con. Res. 244: Mr. REYES, Mr. GARY G. MILLER of California, and Mr. HOLDEN.

H. Con. Res. 263: Mr. NUNES, Mr. SMITH of Nebraska, Mr. SULLIVAN, Mr. LUCAS, Mr. TIBERI, Mr. LATTA, Mr. BARTLETT of Maryland, Mr. HASTINGS of Washington, Mr. FOSSELLA, Mr. REICHERT, Mr. ROYCE, and Mr. PETRI.

H. Con. Res. 267: Mr. BISHOP of Utah, Mr. COLE of Oklahoma, and Mr. LATOURETTE.

H. Con. Res. 278: Mr. CALVERT, Mr. FOSSELLA, Ms. ZOE LOFGREN of California, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WU, Ms. WASSERMAN SCHULTZ, Mr. BOSWELL, and Ms. WATSON.

H. Con. Res. 280: Mr. SCOTT of Virginia, Mr. GUTIERREZ, Mr. MORAN of Virginia, Mr. FATTAH, Mr. RANGEL, Ms. WATSON, Ms. SUTTON, Ms. CLARKE, Mr. MEEK of Florida, Mr. DAVIS of Alabama, and Ms. ZOE LOFGREN of California.

H. Res. 102: Mr. RYAN of Wisconsin.

H. Res. 373: Mr. CROWLEY and Mr. ROYCE.

H. Res. 530: Mr. MARKEY.

H. Res. 556: Mr. LEWIS of Kentucky and Mr. COLE of Oklahoma.

H. Res. 758: Mr. LAMBORN.

H. Res. 783: Mr. ADERHOLT.

H. Res. 792: Mrs. LOWEY.

H. Res. 796: Mr. KUHL of New York.

H. Res. 821: Mr. GARRETT of New Jersey.

H. Res. 834: Ms. GIFFORDS.

H. Res. 848: Mr. PRICE of North Carolina and Mr. COLE of Oklahoma.

H. Res. 868: Mr. WEXLER.

H. Res. 881: Mr. HOEKSTRA.

H. Res. 892: Mr. FRANK of Massachusetts, Mr. GORDON, and Mr. RAHALL.

H. Res. 896: Mr. FARR.

H. Res. 917: Ms. HOOLEY, Ms. ESHOO, Mrs. MYRICK, Mr. HINOJOSA, Mr. WEXLER, Mr. BILBRAY, Mr. BROUN of Georgia, Mr. GINGREY, Mr. MARIO DIAZ-BALART of Florida, Mr. ROSS, and Mr. MATHESON.

H. Res. 929: Mrs. MYRICK.

H. Res. 930: Mr. HOLDEN, Mr. LARSEN of Washington, Mr. MCNERNEY, Mr. SPACE, Mrs. DRAKE, Mr. REICHERT, and Mr. PETERSON of Minnesota.

H. Res. 931: Mr. RAMSTAD, Mr. REICHERT, Mr. GOODLATTE, Mr. GOODE, Mr. KUHL of New York, Mr. TIAHRT, Mr. SAM JOHNSON of Texas, Mrs. DRAKE, Mr. ISSA, Mr. STUPAK, and Mr. HALL of Texas.

H. Res. 939: Mr. KIRK, Mrs. MYRICK, and Mr. ROHRABACHER.

H. Res. 943: Mr. CHANDLER, Ms. WOOLSEY, and Mr. HONDA.

H. Res. 944: Mr. JOHNSON of Georgia.

H. Res. 945: Ms. HERSETH SANDLIN and Mr. ROSS.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

203. The SPEAKER presented a petition of the City Council of New Orleans, Louisiana, relative to Resolution No. R-07-530 urging the Congress of the United States to appropriate funds for 3,000 Permenent Supportive Housing subsidies for the hurricane — devastated areas of Louisiana; to the Committee on Financial Services.

204. Also, a petition of the San Francisco Board of Supervisors, California, relative to Resolution No. 641-07 urging the Federal Government to impose stricter relations on International Ship Traffic and supporting the Marine Vessel Emissions Reducation Act of 2007; to the Committee on Energy and Commerce.

205. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 574 requesting the Congress of the United States support ratification of the United Nations Convention on the Rights of the Child; to the Committee on Foreign Affairs.

206. Also, a petition of the San Francisco Board of Supervisors, California, relative to Resolution No. 594-07 urging Speaker Nancy Pelosi to continue support and immediately schedule a vote on H.R. 106, which reaffirms the proper recognition of the Armenian Genocide; to the Committee on Foreign Affairs.

207. Also, a petition of the San Francisco Board of Supervisors, California, relative to Resolution No. 569-07 urging neighboring nations and major investors to defense peaceful pro-democracy demonstrators in Burma; to the Committee on Foreign Affairs.

208. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 584 requesting that the United States Postal Service issue a postal stamp honoring Helen Hayes, October 10, 1900 — March 17, 1993; to the Committee on Oversight and Government Reform.

209. Also, a petition of the City Council of Santa Rosa, California, relative to Resolution No. 26998 recommending impeachment of President George W. Bush and Vice President Richard Cheney; to the Committee on the Judiciary.

210. Also, a petition of the Legislature of Ulster County, New York, relative to Resolution No. 392 urging the Congress of the United States to create a Select Committee to investigate the Presidential Administration and to make recommendations regarding grounds for possible impeachment; to the Committee on the Judiciary.

211. Also, a petition of the Miami-Dade County Board of County Commissioners, Florida, relative to Resolution No. R-1246-07 urging the Congress of the United States to reinstate the federal assault weapons ban; to the Committee on the Judiciary.

212. Also, a petition of the Miami-Dade County Board of County Commissioners, Florida, relative to Resolution No. R-1264-07 urging the Florida Legislature to designate NW 7th Avenue from NW 35th Street to 79th Street as Dr. Barbara Carey-Shuler Avenue; to the Committee on Transportation and Infrastructure.

213. Also, a petition of the Miami-Dade County Board of County Commissioners, Florida, relative to Resolution No. R-1245-07 urging the Florida Legislature to increase the penalties and fines for dog and other animal fighting; jointly to the Committees on Agriculture and the Judiciary.

214. Also, a petition of the Senate of the Associated Students of the Univeristy of Nevada, relative to a resolution petitioning the Congress of the United States to pass the DREAM Act; jointly to the Committees on Education and Labor and the Judiciary.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, SECOND SESSION

Vol. 154 WASHINGTON, TUESDAY, JANUARY 29, 2008 No. 14

Senate

The Senate met at 10 a.m. and was called to order by the Honorable JON TESTER, a Senator from the State of Montana.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, the giver of every good and perfect gift, we are sinful people seeking salvation. We are lost people seeking direction. We are doubting people seeking faith. Teach us, O God, the way of salvation. Show us the path to meaningful life. Reveal to us the steps of faith.

Today, use the Members of this body to fulfill Your purposes. Quicken their hearts and purify their minds. Broaden their concerns and strengthen their commitments. Show them duties left undone, remind them of vows unkept, and reveal to them tasks unattended. Lead them, Father, through this season of challenge to a deeper experience with You. Then send them from Your presence to be Your instruments of good in our world.

We pray in the Name of Him who is our hope for years to come. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JON TESTER 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, January 29, 2008.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JON TESTER, a Senator from the State of Montana, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. TESTER thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, we will have morning business for 1 hour after the two leaders make any statements they might make. As to what we do after that will take a conversation with the Republican leader, and we will do that when we finish our statements. We have a number of things that are pending: the FISA legislation, Indian health, and we have another matter I want to complete, an energy bill. We have an agreement as to how to finish that, and we will move to one of those, more than likely, today.

STIMULUS PACKAGE

Mr. REID. Mr. President, the Finance Committee on a bipartisan basis has worked up what they feel is something they are going to bring before the full committee tomorrow, and that will take place—we will get their take on the stimulus package tomorrow. We have all seen the press today. Everyone knows the Senate is going to put their mark on the stimulus package. We feel what will be done will be very stimulative to the economy. It includes, as I understand it, some 20 million seniors who were left out of what has taken place in the House. There will be unemployment benefits. A number of States are in very difficult shape in that regard. They have some other things dealing with the business package, and I am told that advocacy groups like very much what is in the Senate package. But we will work through this and try to get something done very quickly so that, if there are changes made, we can do a very quick conference and get it to the President. That is an important issue.

FISA

Mr. REID. Mr. President, I want everyone—especially my Republican colleagues and especially the people in the White House—to listen to what I am going to say. FISA, if we don't do something on it today, will expire. It will be out of business. The House is going out of session tonight, so unless we get to them the 30-day extension we have tried to move forward five or six times, unless we have an extension of 18 months, a year, 2 weeks, whatever the Republicans think is appropriate—if they think nothing is appropriate—then the full brunt of this law expiring is on their shoulders because it is virtually legislatively impossible to get anything done today. Remember, the House has already done what they are going to do. If we took what the Intelligence Committee passed, which is likely not going to happen, we would have to have a conference with the House. They are going out of session tonight. They are out of town on Wednesday and Thursday and Friday. So unless we do something today, the bill is not going to be enacted and the legislation we passed last August will expire.

Now, the orders that have been sought and accomplished during the time since last August will still be in effect, and, of course, there will be an opportunity under the old FISA law to

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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work on an emergency basis for new things they want to do.

We want to maintain the ability to go after the bad people. We believe there is a necessity for intercepting telephone conversations between people who are trying to do bad things. We think it should be within the constitutional framework, and we believe that is what the Intelligence Committee and the Judiciary Committee have done. But I again say, without getting into any details, unless we do something today, unless someone can explain to me how we can pass something here in a matter of a few hours, how we can have a conference with the House in a matter of a few hours and then bring those two conference reports to the House and the Senate in a few hours—I say that is legislatively impossible.

So I am saying again to my Republican colleagues: Agree to some extension of time or the burden of this legislation not passing is on your shoulders because we have had no attempt to legislate. We have not had the opportunity to offer amendments, let alone vote on them.

Our goal is to provide the intelligence community with all of the legal tools it needs, while protecting the privacy of law-abiding Americans. So I would hope that in the next hour or so, we can work something out before the House leaves town or nothing will have been accomplished.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

FISA

Mr. MCCONNELL. Mr. President, we have known we needed to get the FISA law extended for 6 months—6 months. I have also heard it suggested that somehow, little or no harm would be done if the law were allowed to expire. Well, that is simply incorrect. The ability to go after new targets would be eliminated with the expiration of this bill in 3 days. So here we are with 3 days to go, and I gather from listening to my good friend on the other side, the very real possibility is that there is at least some willingness on the part of some on the other side to just let the law expire.

Now, contrary to what some are saying, the expiration of this important antiterrorist tool has serious consequences; that is, if we don't get this job done, the notion that somehow it doesn't make any difference is certainly not true. Let me say again: Once it expires, intelligence officials will no longer be able to gather intelligence on new—new—foreign terrorist targets. The terrorists are not going to stop planning new attacks just because we stop monitoring their activities. Our enemies are watching. They know our intelligence capabilities will be degraded once the Protect America Act expires. That is why we need to reauthorize FISA in such a way that we retain its full—its full—terror-fighting force. The Senate Intelligence Committee's version does just that. That is the Rockefeller-Bond bipartisan proposal that came out of committee 13 to 2. Senate Republicans stand ready to finish that good work the committee did and the administration began.

We have proposed a list of several amendments to our colleagues on the other side that could receive votes. I know those discussions are ongoing, and hopefully we can begin to have some votes. But we do not have the time to rebuild amendment by amendment a Judiciary Committee version that a bipartisan majority of the Senate has already defeated. It wouldn't become law even if we passed it.

Now, Republicans are ready to provide a short-term extension of the Protect America Act to keep the Senate focused on the importance of this critical terror-fighting tool. But after 10 months of waiting, we do not need—and the country cannot afford—another month of delay.

We await the response of our Democratic colleagues to our amendment proposal, and those discussions, as I indicated, are going forward, and we look forward to finishing the job in a way that allows our intelligence professionals to keep us safe from harm.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Mr. President, we understand the implication of the legislation that is now in effect and will expire Thursday. We understand that. We understand there are new targets our intelligence officials may want to go after. We understand that. But I repeat: Using the words of my friend, the Republican leader, once it expires, if it expires, it is on the shoulders of the White House and the Republicans in the Senate. We have attempted to work through this, and we have been willing to extend this law for an extended period of time. We have been willing to extend the law for a limited period of time.

I think what this all boils down to is that we should extend the law for a long period of time because the only issue—there are other issues, of course, but the main issue is whether there will be retroactive immunity for the phone companies. That is what it all boils down to—whether there is going to be retroactive immunity to the phone companies. Some of us don't think that is appropriate; others think it is appropriate.

So why don't we extend this law for an extended period of time? That way, the new targets could be sought if, in fact, they are out there—and we all believe there are some, and that is necessary to be done—and then set up a time. We will agree to a time and have a debate on the immunity provisions and see if the Senate and the House are willing to give retroactive immunity. In the bill my distinguished colleague, the Republican leader, talked about that came from the Intelligence Committee, that is in that bill. That is in their bill that came from committee. What the House has done doesn't have it in there. So why don't we have a debate on that issue and just extend the law? We will extend it until there is a new President. We are fine—we are happy to do that—so that we get off this: We can't do the targets. Why don't we just extend it for a period of time, and then our side will agree to try to work out something legislatively so that we can have a real nice debate on retroactive immunity.

Mr. DURBIN. Mr. President, will the majority leader yield for a question?

Mr. REID. I am happy to yield.

Mr. DURBIN. Mr. President, I would like to ask the Senator if he could recap for me two votes that I think are significant. There was a vote taken as to whether the Judiciary Committee version would be accepted. A cloture vote was taken, if I am not mistaken, and it was defeated. If I am not mistaken, that was last week. And if I am not mistaken as well, yesterday, when Senator MCCONNELL offered a cloture motion to promote his point of view, there were only 48 votes in support of it out of the 60 that were necessary—4 from our side of the aisle, 44 from the Republican side.

It seems to me we need to put our heads together to work this out. Extending this law so that there is no damage or hazard to our country is a reasonable way to do this. We now have reached a point where amendments may be considered and voted on, and then we will be in a spot where we can pass a version in the Senate, send it to conference, and work out our differences. But I can't understand how the President and the Republican leader can come to the floor and blame us for the expiration of the law if we are offering an extension of the law and they keep refusing.

Mr. REID. Mr. President, I say to my friend, the distinguished Senator from Illinois, I personally have been to the floor and offered on many occasions to extend the time. We could all see the train wreck coming, and we believed that it was necessary to extend this law.

I don't know—I say very positively to my friend from Illinois and everyone who can hear me—I don't know if we can work anything out on these amendments. I don't know. On the title I aspect of it, one Senator has six amendments. I am sure—he has always been a reasonable person—he wouldn't have to offer that many. He has always been very good about time agreements. But there are 10 or 12 amendments to title I. Then there are three we have with title II dealing with some form of immunity.

But I repeat to my friend, Democrats believe the program should continue.

We are willing to say, OK, let it continue as it is now in effect. A lot of people don't like that. We are saying go ahead and let it continue. Certainly, there could be a significant majority of Senators—Democrats and Republicans—who will support that. And the issue is immunity.

I reverse the question and ask my friend from Illinois, should we not have a nice debate on immunity and find out how the Congress feels about what the President feels is important? That is how this country has worked for all these years. So extend this and do it until we have a new President—Democrat or Republican, man or woman, whoever it might be—and in the meantime have a decision made as to whether there should be retroactive immunity.

Mr. DORGAN. Will the Senator yield for a question?

Mr. REID. I will, but let my friend from Illinois answer that question first.

Mr. DURBIN. Mr. President, I say to the majority leader, it appears now that the Senate has to work its will. When the Judiciary Committee proposal was suggested, it didn't pass. When the Senator from Kentucky offered his cloture motion for his side, it didn't even have a majority vote. It had 48 votes in support, let alone the 60 that were required. I don't think we can expect to impose our will on this body. The Senate has to work its will. We could have considered a lot of amendments in the time we have lost so far in debate.

I say to the majority leader, how can we be held responsible for this law expiring if it is the Republicans who opposed extending the law? You have offered repeatedly to let them extend the law. They have said no.

Mr. REID. Mr. President, I say to my friend, let's extend it for any period of time, although I think that for each day it should be a longer period of time.

Mr. MCCONNELL. Will the majority leader yield for a question?

Mr. REID. I will after I have yielded to the Senator from North Dakota. If anyone thinks we are going to come to an immediate agreement on all these amendments, we have overused the term ''run the traps,'' but the Republicans are not going to agree to all of the amendments the Democrats want to offer. I will respond to my friend from North Dakota.

Mr. DORGAN. Mr. President, this is a complicated and certainly an important issue. It seems to me that it takes two sides to compromise. One of the things I am curious about, as I listened to this and to the Senator from Kentucky, the minority leader said we are ready to move forward. He said he is disappointed in the delays. Isn't it the case, however, that last week, when the cloture motion was filed by the Senator from Kentucky, they decided at that point to block everything else and stop everything from happening until this week? It seems to me this delay has occurred because the other side has blocked the ability to offer amendments. Had we offered amendments, we would have probably been done with that at this point.

I say that there is not anyone in the Senate I am aware of—no one—who doesn't believe we ought to extend this FISA law. Nobody is in that position. Isn't that the reason for the delay and the reason we have not moved forward—that we were blocked when the Senator from Kentucky filed his cloture motion?

Mr. REID. Mr. President, I say to my friend, you were at the meeting with me just from 9 to shortly before the hour of 10 o'clock. A person who is heavily involved in this legislation, the distinguished Senator from Wisconsin, RUSS FEINGOLD, said this legislation should be extended. He has, on many occasions, voiced his opinion on what is wrong with the way we passed this legislation in August, and he has been very strong in his comments about how this law could be improved. Every Democrat in our caucus believes this law should be extended. I don't like to speak for everybody, but Senator FEINGOLD believes the law should be extended because it is the right thing to do. I cannot imagine why we have had all the difficulty we have had in extending this law. On a number of occasions, we have said if the law expires, it is not our fault.

Now I am happy to yield to my friend from Kentucky.

Mr. MCCONNELL. I thank my good friend.

Mr. President, he indicated that the principal issue we are sparring over is the question of immunity from litigation for communications companies that cooperated in protecting our country. I am sure the majority leader knows that yesterday my side offered to his side a vote on the Dodd-Feingold amendment related to that issue, and a vote on the Specter-Whitehouse amendment related to that issue, and that package was rejected.

Mr. REID. Yes. I say to my friends, there are also other amendments. We talked about title I, and there are a number of amendments. I think we can reduce those on that side to maybe eight. They would all be short time limits. They would also make sure the record reflects that we believe they should be majority votes, not 60-vote margins.

Mr. MCCONNELL. Is the majority leader yielding the floor?

Mr. REID. Yes, I am happy to.

Mr. MCCONNELL. Mr. President, this is the kind of discussion, of course, that the Senate is witnessing that typically occurs between the majority leader and myself and managers of the amendments. To sum it up, this is the kind of legislative finger-pointing that turns the public off. But it is the way in which we go forward.

We had discussions yesterday about voting on the very issues the majority leader just indicated are the key issues relating to this bill. Hopefully, during the course of the day, we will be able to come together and have the votes on the key amendments and move forward.

The President, of course, is not going to sign a lengthy extension or a 30-day extension. Any hope that we will extend existing law without dealing with the retroactive liability issue is a waste of energy and time. That isn't going to happen. So we are going to focus on this bill and, hopefully, find a way to go forward and let the Senate work its will.

If the House chooses to leave tonight, I find that a highly irresponsible act—right before the expiration of this very important law. There isn't anything more important that we are doing right now, with the possible exception of trying to figure out a way of going forward to stimulate our economy and prevent an extensive slowdown, than getting the homeland protected.

A key ingredient in securing that protection, we know, is getting this FISA law right and getting it passed—not some kind of short-term extension. The terrorists are not going to take a vacation for a few weeks or for 6 months or next year; they are going to be around for a while. We need to get this right and do it now, and today is a good day to get started.

I yield the floor.

Mr. REID. Mr. President, if this law is so good and we are able to, in the words of the Republican leader, ''get new targets,'' why don't we extend the law? I don't understand why we are not doing that.

I tell everyone again that it is legislatively impossible to do anything as it relates to this legislation, as far as passing it today. It is impossible. We have a number of amendments that have to be handled. It is going to take a matter of quite a few hours. We can do it in 1 day, I think. Remember, we have to have everybody agree to that, all 100 Senators. Then the House has to agree to what we do or we have to agree to what they do or work out a compromise in conference. That cannot be done tonight. This is the last day we have to legislate. If we don't legislate today, we are going to move on to something else in a few minutes, because there is no agreement on FISA—to extend it. I think that is unfortunate. Having said it so many times already—and I am tired of hearing myself say it—if the law expires, Democrats have no blame whatsoever.

Mr. MCCONNELL. Mr. President, let me wrap it up for myself by saying that we will be staying on this bill. We will not leave this bill.

Secondly, this is a bipartisan compromise that came out of the Intelligence Committee by a vote of 13 to 2, the Rockefeller-Bond bipartisan bill, which is supported by the President of the United States. That is the Senate at its best—a bipartisan bill. The President is willing to sign it. Our effort

here is to get it to him for his signature. He awaits our action.

I yield the floor.

Mr. REID. Mr. President, this bill is not a bipartisan bill. The bill that came out of the Intelligence Committee is bipartisan, but understand it was concurrently referred to the Intelligence Committee and the Judiciary Committee. They both have jurisdiction over this legislation. We cannot pick and choose what the President likes. We have a situation here where the Judiciary Committee is entitled to be heard. That is what they are asking for—to be heard. They demand that and it is appropriate.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period of morning business for up to 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided, with the Republican leader controlling the first half and the majority leader controlling the final half.

The Senator from Florida is recognized.

FISA

Mr. MARTINEZ. Mr. President, I wish to talk about the very important issue relating to foreign intelligence surveillance. I want to talk about it not in the sense of who gets to be blamed if something happens. I believe that on something of this magnitude, the American people are pretty tired of the blame game: We would have done this, but if you didn't do that, we blame you; and if this happens, you get to blame us. I think the time of blame-casting has well passed. The fact is that the laws that grant the Government the authority to use the resources we have in order to stay informed of what our enemies are seeking to do to us are outdated and need to be modernized and put up to date with our current technology. We are fighting a modern war against a modern enemy. The tools we have to fight that war are out of date. One of the only ways we are able to expose and stop terrorist plots before they unfold is through the provisions accorded under FISA.

Some of my colleagues have expressed an understandable concern about the current FISA reauthorization, and whether it would improperly invade the civil liberties of our citizens. After 2 years of public debate on the broad issues of FISA, and after reviewing the current legislation, I believe those concerns are unwarranted.

This issue transcends the stance of either political party or any partisan interest. Those who oppose this are sincere in their concern; they just happen to be wrong. Needless hurdles will be created for our Government in the obtaining and utilizing of valuable intelligence to keep America safe. So I want to see us address this issue head on and come together and send the President a bill that he can and will sign.

The President spoke about this last night in his State of the Union Message. He wants to get this matter resolved, and he wants a bill on his desk. We owe it to the military and the intelligence community to equip them with the tools they need to protect our citizens and carry out their duties effectively.

Throughout our history, Americans have always been concerned about the proper balance between security and freedom. Those concerned about the power of Government and trampling on the rights of free citizens are right to insist on maintaining the individual liberties granted to us by the Constitution, especially during a time of crisis. The bill we are considering is precisely concerned with maintaining and keeping a proper balance of those protections.

This is a bipartisan bill. It was reported out of the Intelligence Committee by a vote of 13 to 2. It is a modern update that is designed to keep our technological edge and to effectively implement the goals of the original FISA law passed in 1978. This bill is the product of the careful consideration of Members of both sides of the aisle on the Intelligence Committee—those best informed about these matters, who have the most knowledge about the means and methods by which we gather intelligence. Those Members recognize a need to modernize the way our intelligence is collected and the need to share information that is vital to terrorist communications, whether these communications be on a cell phone, by e-mail, or in person. This bill is for the American intelligence services to be able to timely develop intelligence without having to wait for a court order. In other words, if a terrorist group such as al-Qaida calls a sleeper cell within our borders, this would ensure that our Government can protect our citizens, the specific procedure for surveillance, and it ensures that the independent FISA Court is fully informed of every step in the process.

The bill also has a provision to protect those who have assisted us and the intelligence community in gathering information that was absolutely vital to our national security. Fortunately, we have had full cooperation from a number of telecommunications companies in providing our intelligence officials with accessing and obtaining information from foreign terrorists.

As we look at this issue—and the majority leader says this issue is the big sticking point, so let me talk about that specifically, that this retroactive immunity for telecommunications companies allows bad actors to get off the hook—who is it we are giving immunity to and why should it be retroactive? This has already been noted a number of times, but I think it bears repeating.

Retroactive immunity is necessary not only to protect companies that cooperated in good faith at the request of our President during the time of the most serious domestic crisis our country has ever faced, but it was done to ensure our national secrets regarding intelligence methods remained classified and are not disclosed in public through the civil court process. In other words, it is not just about providing immunity to those who helped at the time it was needed, but it is also to ensure that as we go forward, we are not going to have an O.J. Simpson-type trial, with television cameras blaring with information being disclosed. We know things do not keep. We know our enemies are capable of getting the information because it will be in the New York Times. The fact is, we want to keep our methods and sources secret and confidential, and this is a very important part of this immunity idea.

If you want accountability for the executive branch, we have a constitutional system of checks and balances, and leaving aside the President's authority under article II, we are exercising congressional oversight in passing S. 2248, and we, along with the FISA Court, are certainly going to be able to pay close attention to how we select intelligence going forward.

As far as letting bad actors off the hook is concerned, S. 2248 provides retroactive immunity from civil litigation if a series of conditions are met. The assistance was provided in connection with intelligence activity authorized by the President between September 11, 2001, and January 17, 2007, and was designed to detect or prevent terrorist attacks against the United States.

What is wrong with that? The assistance was also to be provided in response to a written request, a directive from the Attorney General or other intelligence community head indicating the activity had been authorized by the President and determined to be legal.

To me, it is a good idea to give these folks the kind of immunity that will allow them to continue to cooperate, that will say to them: The next time there is a vital emergency where your cooperation is needed, we didn't stick you with the bill, we didn't allow the courts to go wild. We protected you because you protected America. To me, that seems only fair and only right.

I hope we can get through the partisan morass that always seems to entangle us. I hope we can find a way we can pull together something of this magnitude and importance, which is about the national security of our country—it is about the intelligence needs of our intelligence community—and that we can come together in a timely fashion, craft this bill, take the bill the Senate Intelligence Committee passed on a bipartisan 13-to-2 vote, put

it up for a vote, let's take the amendments that are available, move it forward, get a vote, and get a bill to the President that he can sign.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Will the Chair kindly let me know when I have used 8 minutes?

The ACTING PRESIDENT pro tempore. The Senator will be notified.

STATE OF THE UNION ADDRESS

Mr. ALEXANDER. Mr. President, last night the President spoke to the Nation in his State of the Union Address. It is one of the great traditions of American Government. One of the most interesting parts of this spectator sport is to watch and see who stands up on which issue when the President talks or who is sitting by whom. It is well watched across our country, and it is a sign of respect to the Presidency as an institution.

The President was in a good mood. It was his eighth such address. He was reflective, but he was decisive. He looked ahead. He talked about the issues facing our country. He did his job, and he challenged us to do ours.

The President devoted a good deal of time to the progress of the war in Iraq, and we devoted a good deal of time today to making sure we have a strong system of intelligence to protect ourselves from terrorists. So I wish to comment on what the President talked about at home, because a great deal of what President Bush said last night was that as important as our role is in the world, as important as the long-term fight against terrorism is, we have work to do at home, and we need to roll up our sleeves and get busy.

This is a Presidential year. Many of the pundits are saying, some politicians even: The Congress will get nothing done. We Republicans believe there is no excuse for taking a year off, given the number of serious issues facing our country. Let me mention a few the President discussed last night.

To begin with, the American economy. The President acknowledged that as strong as our economy is, 52 quarters of growing jobs, it has taken a downward turn, and we need to take appropriate action to help it continue to produce more jobs. That means steps that are temporary, targeted, and that grow the economy and not the Government.

The President has agreed with the Speaker of the House and the Republican leader of the House on a simple package that is aimed to do that: rebates for individuals, most of whom pay taxes, and incentives to small businesses to create new jobs. It is a simple idea.

Speaking as one Senator, I do not believe we can afford to let this economic growth package, which should pass the House today, become a Christmas tree in the Senate for everyone's favorite idea for spending taxpayers' dollars.

I have some ideas. I think every Member of the Senate has some ideas. But maybe we should recognize the American people would like to see us act and act promptly and act decisively.

Someone has said the Senate wishes to speak on the issue. I know very well none of us is guilty, usually, of having an unexpressed thought. We love to speak. But one way for us to speak is to say to the House of Representatives: Madam Speaker, and to the House itself, we agree with you. We think your package is simple, temporary, targeted, and a good idea. And to the President: Mr. President, each of us might have written the package a little differently, but we agree with you and we are ready to pass it before the end of next week.

I would like to write it differently, but I like the idea that it goes mostly to taxpayers, that it is family friendly, that it gives incentives to small business, and that it temporarily helps with housing.

I believe it is important for our Government, particularly at this moment, to send a strong message that we will take the action appropriate to keep the economy strong and that we are capable of functioning as a Government and working in bipartisan ways to deal with real issues.

The American people are tired of petty politics. They are tired of playpen politics on the Senate floor. They do not believe they elected us to stick our fingers in the eyes of the Democrats or the Democrats to stick their fingers in our eyes. We have a good example of our leadership working together with the President, and as one Senator, my recommendation is we support what the President and the House of Representatives is about to do.

The President said we should get to work this year to make sure every American can have access to health care insurance. At our Republican conference last week, that was the first item on our agenda, and I believe it is fair for me to say virtually every single Republican Senator believes every American should be insured and is ready to go to work this year to help make that possible.

The President talked about his plan, which he talked about last year, to redo our Tax Code so dollars would be available to American families to buy at least a basic health care policy that they wouldn't lose when they change jobs.

We have had a number of Senators on this side—Senator BURR, Senator CORKER, Senator COBURN, for example, Senator BENNETT who has authored a bill with Senator WYDEN, which has significant bipartisan support. We are all ready to go to work this year. We believe we should start this year to help make sure every American is insured.

Runaway Federal spending. The President talked about controlling entitlement spending. This is an issue that is beginning to get the country's attention, and it should have the country's attention. It certainly has mine.

What do we mean by entitlement spending? We mean 40 percent of the budget is Social Security, Medicare, and Medicaid, and it goes up automatically every year. Over the next 10 years, the annual growth of Social Security is predicted to be about 6 percent, according to the Congressional Budget Office, Medicare about 7.2 percent, Medicaid about 8 percent. Entitlement spending and interest on the debt is 60 percent of every dollar we spend. Another 20 percent is defense, the war and other necessary actions to defend ourselves, and 19 percent is everything else.

The ''everything else'' was flat last year. The Congressional Budget Office says the ''everything else''—that is, parks and roads and many of the items Americans believe Government ought to be doing—that is going to go up about 2 percent annually over the next 10 years, according to the Congressional Budget Office. Our defense goes up 3 percent annually, and entitlement spending goes up 7 or 8 percent.

Senator GREGG and Senator BOND have pointed out to us—they are the heads of our Budget Committee—that we pretty soon are going to be faced with an absolutely impossible situation that will require massive cuts in benefits, massive tax increases that the net worth even of this great country will not be able to pay, and that every year we wait, we risk another problem. The President said do something about it. He challenged us to do it, and Senator GREGG and Senator BOND have a proposal to do that. We should act on it this year.

That is not all there is to holding down spending. The President mentioned earmarks. There are too many earmarks. They are not as transparent as they ought to be. That is a smaller part of the budget. It is our constitutional responsibility to deal with earmarks, but we should do that ourselves. We should begin that this year.

We could pass a 2-year budget plan, such as Senator DOMENICI and Senator LIEBERMAN and Senator FEINGOLD at various times have proposed, and Senator SESSIONS, Senator ISAKSON. That would give us oversight to repeal rules and regulations every other year. So there are three ways to get a handle on Federal spending.

Senator HUTCHISON and Senator BINGAMAN have been leaders, as well as others here, on keeping good jobs from going overseas. We passed the America COMPETES Act last year, and the President challenged us to fund it this year. He is right about that.

Finally, President Bush mentioned something that is close to my heart. He called it the Pell grants for kids. I remember being in a visit with him a couple years ago, and he said to me: We have to do something about inner-city children who cannot afford to go to

good schools. Why don't we have Pell grants for kids? I said: Mr. President, I had a hearing on that idea last month. He looked at me and said: I thought it was my idea. I said: Mr. President, it is your idea. Any idea the President has is his idea, but he had it before anyone suggested it to him.

The idea is very simple. We take this brilliant idea that Congress has invented over the last 50 years of giving money directly to college students which they can spend at any institution of education of their choice—public, private, nonprofit, Catholic, Jewish, the University of Tennessee, Notre Dame, National Auto Diesel College. As long as it is accredited, they can go there, and it especially helps those with less money. Let's try that with the poorest children.

Sixteen years ago, when I was Education Secretary, the first President Bush proposed a GI bill for kids. Much the same idea. It was the largest provision in his budget, half a billion dollars that year, to give poor kids access to some of the same educational opportunities others had.

I proposed, in a Pell grants for kids version, that we give every child, the middle- and low-income children—that is 60 percent of them all $500 for after-school programs or other programs. The President has advanced the idea.

President Bush has painted a strong agenda for America this year. He has said let's give a boost to the economy, let's begin to give every American health insurance, let's control entitlement spending, let's fund programs to keep good jobs here, and let's give poor children an opportunity to go to more of the better schools. He has challenged us to go to work. We are ready to go to work. We are ready to get results, which means working across the aisle in a bipartisan way.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. CORNYN. Mr. President, may I inquire how much time remains on our side?

The ACTING PRESIDENT pro tempore. There is 11 minutes remaining.

Mr. CORNYN. I appreciate that, Mr. President.

BIPARTISANSHIP

Mr. CORNYN. Mr. President, when I came to Washington about 5 years ago, a colleague of mine said: Welcome to Washington, DC. It is about 8 square miles of logic-free environment, where perception is reality.

I always chuckled when he would say that, and I have repeated it myself a few times to audiences back home in Texas because I think it, unfortunately, has a grain of truth to it. One reason I think people chuckle at that, and maybe groan a little bit inside when Washington is described that way, is because we send out such contradictory messages at the same time.

The Speaker of the House of Representatives and the Republican leader, Mr. BOEHNER, and the President of the United States have come together and said: We have come up with a bipartisan package to stimulate our economy; to make sure, if it is possible, that we avoid a recession that puts many Americans out of work and hurts them in an economic and personal way.

That was a very welcome message that I heard and the public heard, and I think it was a hopeful one. I, for one, hoped it would signal some kind of new period of cooperation in light of the fact that, frankly, what we had been doing was not working very well, as evidenced by one of the historic lows in congressional approval ratings as a result of the dysfunction in the Senate, and Congress as a whole, last year.

By that I mean you will recall we didn't pass but 1 of the 12 appropriations bills on a timely basis by the end of the fiscal year last year, so we had to roll everything into a big Omnibus appropriations bill. Some say ''ominous'' appropriations bill, and I think that is an apt description. It was chock full of earmarks and things that people hadn't had adequate time to scrutinize, much less to debate and shine the sunlight of public scrutiny on. So I would hope we would learn from the dysfunction of last year and we would look to the example of bipartisan cooperation as evidenced by the House of Representatives and the White House on the economic stimulus.

Of course, it wasn't limited just to appropriations last year. We saw basically a standstill, after 36 votes on Iraq, on nonbinding resolutions calling for unilateral withdrawal. Finally, we passed, at the very end of last year, a $70 billion emergency appropriations so that our troops in Afghanistan and Iraq would get the support we owe them as a moral obligation, as a sign of our commitment to support the troops, to protect our national security interests. But it took us a long time and a lot of hot air to finally get there.

Then, of course, there was the alternative minimum tax, which, true to form, people said: Well, let's tax the rich. Originally, it was designed to tax 155 taxpayers. Last year, it affected 6 million people. And if we hadn't acted, which we finally did at the end of last year, it would have affected 23 million middle American taxpayers. Thank goodness we were finally able to get the work done, that was our responsibility, but not, frankly, in good form last year.

So it is with some hope that we find ourselves learning from that experience last year and the low approval ratings that they brought. My hope was this early sign of bipartisan cooperation on the economic stimulus package would sort of start a new trend. Unfortunately, on a matter that really is fundamental to our responsibility—I think our first responsibility: to keep America and Americans safe—we find ourselves falling back into the old bad habits of dysfunction once again.

What I mean by that is, the Foreign Intelligence Surveillance Act is vital to our national security. It is vital that we continue to be able to listen to foreign terrorists who are communicating with each other, plotting and planning future terrorist attacks on our homeland and on our troops in Iraq and Afghanistan and around the world. Rather than pass legislation that would address that, we passed a patch in October for 6 months, which expired in December. So we passed another 1-month extension. And now we find ourselves with our backs up against the wall with this Protect America Act extension expiring February 1. And I was discouraged to hear the majority leader say this morning that it was impossible to pass a reauthorization of the Foreign Intelligence Surveillance Act.

What he suggested is that we need another patch for 1 month, or a short period of time, without addressing the primary issues that need to be voted on. The Senator from Florida, Mr. MARTINEZ, talked about the civil liability immunity for the telecoms that may have cooperated with the United States Government at the highest levels based on a request from the President of the United States, the Commander in Chief, during a time of war, and the certification by the Attorney General that what they were being asked to do was legal and, in fact, necessary for us to protect ourselves against another attack, such as the one we suffered in Washington and in New York on September 11, 2001.

We know if this law expires without our addressing all aspects of the Foreign Intelligence Surveillance Act, our intelligence officials will be literally blind and deaf to the important intelligence that will allow us to detect and deter future attacks against American citizens. In fact, last summer the Director of National Intelligence told us we were missing about two-thirds of the communications between foreign terrorists that were necessary to protect our country. That is why we passed the Protect America Act. So why in the world we would get bogged down in the same sort of bickering and partisan divide rather than come together to solve this in a bipartisan fashion, frankly, escapes me.

As was pointed out earlier, this very same legislation passed in the Intelligence Committee by a vote of 13 to 2. That is a bipartisan supermajority, sponsored by the chairman, the Democrat, Senator ROCKEFELLER, and the vice chairman, Senator BOND, a Republican. So with that kind of bipartisan support for a product that the Director of National Intelligence and the leadership of our defense community tell us they need in order to continue to protect America against attacks, why is it impossible for us to pass this legislation? I don't know of any other explanation than just downright stubbornness. And, frankly, it is the kind that represents a sort of reminder of the bad habits of the past that I had hoped we would have learned from and change.

Frankly, if the definition of insanity is doing the same thing over and over again and expecting a different outcome, what is happening on FISA is insane because we are resorting to the same old bad habits and not reaching out and solving this problem, which is very real and very urgent.

Let me say a word about the economy. I mentioned the economic stimulus package that was negotiated between the Democrat Speaker of the House and the Republican leader and the representative of the President, Secretary Paulson. I find myself in agreement with the remarks made earlier by Mr. ALEXANDER, the Senator from Tennessee. While there are parts of that agreement that I, frankly, don't like all that much, given the nature of the legislative process, I think it represents a compromise. And looking at some of the proposals coming out of the Senate, to add additional costly programs to grow the size of Government, which invariably will either raise taxes or will send the IOU down to our children and grandchildren to pay by way of expanding the deficit, I am beginning to think the bipartisan package out of the House of Representatives represents a better alternative than I have seen so far discussed here in the Senate.

The last thing we should be doing is using this national challenge to our economy—a great risk of seeing people put out of work and seeing them suffer economically—and taking chances on growing the size of Government or raising taxes or passing the debt down to our children by growing the size of Government and expanding the size of this package in order to satisfy an individual or group of Senators' desire to add pet projects on to that stimulus package. So I hope we will act in a bipartisan fashion to support the House-negotiated legislation, a bipartisan package, just like the Intelligence Committee product is a bipartisan package, and just like we acted at the end of last year, after a lot of dilly-dallying and a lot of delay, to finally pass, in a bipartisan way, legislation that appropriated emergency funding for our troops, that protected middle-class taxpayers from a tax they were never intended to pay in the first place—the alternative minimum tax—and the other business that we finally did after so many months of delay at the end of last year.

My hope, Mr. President, is that we will not punish those who cooperate with the United States Government in a time of war to help us listen to the conversations of foreign terrorists by refusing to pass this important piece of legislation because it sends the wrong message that if you don't cooperate, you can basically make America blind and deaf to our enemies. That is a danger to all of us.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

BIPARTISAN COOPERATION

Mr. DORGAN. Mr. President, I have listened with great interest this morning. It has been fascinating for me to see a party block access to making progress in the Congress and then several days later come and complain that progress hasn't been made. That is a Byzantine approach to legislating.

I do agree, however, that we don't want bad habits to exist here. And even though I am honored to serve in this place, I have often called this the place of 100 bad habits, which would include myself, of course. It is hard to get things done in this place, but I am not suggesting one side or the other side is all wrong.

I am reminded of Ogden Nash's poem:

> He drinks because she scolds, he thinks. She scolds because he drinks, she thinks. Neither will admit what is really true: He is a drunk; she is a shrew.

I understand both sides bear responsibility for difficulty from time to time, but let me say this: On this issue of FISA, it strains credibility for a party that says: You may not move; we will block you. We insist that we get 60 votes on every amendment. Every amendment has to have 60 votes, otherwise we filibuster. If that is the case, we don't make progress. And I don't think you can say: Well, we are going to object to progress, and then we will complain that progress isn't made. That makes no sense to me.

I don't know of anybody in this Chamber who doesn't want the FISA amendments to be extended and resolved. Let's do that and get it done. Let's have a little cooperation. But cooperation takes two parties, and it is long past the time to do that. As I have said, we have had a lot of bad habits in this legislation.

Mr. BOND. Mr. President, would the Senator entertain a question?

Mr. DORGAN. Let me ask unanimous consent that my time be extended, however, for the minute or so the Senator wishes to inquire.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BOND. I would just ask my good friend if he doesn't agree the Intelligence Committee bills have to pass with 60 votes? I believe the Protect America Act passed with 60 votes. The leader said in December it made sense to have all votes at 60-vote margins, and would he not expect that the Senate Intelligence Committee bill, which I support, will have to get 60 votes? And if so, does it not make sense to have 60 votes to pass all amendments?

Mr. DORGAN. Mr. President, it certainly does not make sense. In fact, exactly the opposite. That is nonsense, to bring a bill to the floor and say: Look, regular order would be to bring up amendments. If a majority of the Senators agree with them, those amendments are approved. But we don't like regular order. Let's decide every amendment that shall be brought up shall have to have 60 votes. Why? Because if not, they will filibuster every amendment and then complain nothing is getting done. No, it does not make sense, I would say to my friend.

Now, I didn't come to talk about that, but let me talk a moment about this issue of the economy. This is a discussion about starting the engine, or getting the engine working on this ship of state so that we move the country forward. It is about jobs and expanding opportunities for the American people because when the economy contracts, people run into trouble.

They are the ones who get laid off, the folks who are working in plants and working at the bottom for minimum wage. They are the ones who lose ground during an economic contraction.

Well, it used to be on the old automobiles, when you started an engine, you had to crank it. And then we went from a crank to a starter, so you push a button or turn a key. Well, some people think our economy is simple as that. It is not, of course. A large component of our economy is people's confidence. If they are confident in the future, they do the things that represent that confidence—they make that purchase, they buy a washer and dryer if they need it, they buy a car, they take a trip. In doing so, because they are confident about the future, they expand the economy. If they lack confidence in the future, they do exactly the opposite—they defer the purchase of that piece of equipment for their home, they defer the purchase of the car, they defer the trip—and the economy contracts.

We have a problem with this economy for a lot of reasons. I have described some of them on the floor of the Senate recently. But the Federal Reserve Board recognized that problem and took a very bold action—three-quarters of a percent interest rate cut—and likely will do more in the next couple of days. The impression is that we also should do something called a stimulus package; that is, stimulus with respect to fiscal policy. I do not object to that. In fact, I think we probably have to do that because a whole lot of what is going on in the market these days is about psychology.

I have indicated this before. I have called the field of economics psychology pumped up by helium. I think that is a pretty adequate description of what it is. People think it is science. It is not. It is a circumstance in which we know very little about the way this economy works. We do have more stabilizers in the economy than we did decades ago, so we have been able to even out a bit some of the recessions and the downturns. All of that has been helpful. We may be in a recession now. No one knows. We probably will not know that until we see it in the rear-view mirror. But if we do a stimulus package on fiscal policy—and I think that is a reasonable thing to do—I do

not think it is going to have a significant impact on the economy. Suggesting 1 percent of our GDP as a stimulus—it is not going to have a dramatic impact. But psychologically, I think we must do a stimulus.

Let me say that I do think what the Finance Committee chairman is talking about makes a lot of sense. If you are going to do a stimulus package and you are going to provide some kind of rebate, make sure you include senior citizens, many of whom are living on lower incomes. They are the ones who are going to spend it. They are the ones who are going to contribute to additional purchasing power in the economy. So you should not leave out the millions of senior citizens if you are going to do a stimulus package. I support including senior citizens in that stimulus package.

You know, the President and a couple of my colleagues just said: Well, you cannot change it. The House did it. The President wants it. You cannot change it. They come here, and they always suggest that this is like a loose thread on a cheap sweater: you pull the head of the thread, and the arms fall off. That is not the case at all.

The House did its version of a stimulus package. We should do ours. We have some better ideas. But we ought to get it done quickly, and we ought to resolve it with the House and send it to the President. Extending unemployment benefits is something we always do in an economic downturn, and we should do it again, in my judgment.

But let me say that in a stimulus package that is brought to the floor of the Senate that does not have a cap on who is going to get the rebates makes no sense at all. And there is talk about that, that we will get a stimulus package and have no cap on the rebate. We are going to send Bill Gates a $500 check to see if we can stimulate the economy a little bit. That makes no sense. You have to have a cap. This ought to go to middle income and lower income families. They are ones who will spend it and the ones who will be able to give a jump-start to this economy, to the extent the stimulus package actually does that. But as I said, psychologically I think we have a responsibility to use fiscal policy to do something in this general direction.

Now, the Senator from Connecticut just came to the floor, and he has been working on something I am very interested in; that is, infrastructure investment. If we just do a short-term stimulus of 1 percent of the economy and that is all, we are not going to give this economy the kind of boost or give the investment to this country that it needs. We need a second step, and the second step ought to be the big step, and we ought to take a look at what is going on in the infrastructure of this country.

My colleague has a bill, the Dodd-Hagel bill, that I think makes a lot of sense. We had a meeting on that on Friday, a rather lengthy meeting with a lot of people. Here is the situation.

Infrastructure investment is job creating. When you invest in infrastructure, you create jobs and you create a better country. Fly into Bagram Air Base and then get in a vehicle, drive to Kabul, take a look at the road, and ask yourself about infrastructure in a country such as Afghanistan. Fly into Tegucigalpa and then drive in a car to Juticalpa in Honduras, take a look at the road, and ask yourself about infrastructure investment. Or go to Haiti and land at Port-au-Prince, travel across the island to Jacmel, and consider for a moment what infrastructure means to a country. The fact is, you fly over Nicaragua and look down, and you do not see many roads because they do not have much of an infrastructure.

Then fly from any of those countries back to our country, come into an airport, get in a vehicle and drive down the road, and then think about infrastructure and what we have built over a long period of time that makes us proud of this country and allows this country to expand and grow and create opportunity. Then take a look at what has happened recently. This country stopped investing in infrastructure in any significant way. Our infrastructure is crumbling, in desperate disrepair. Big bridges fall down, and highways are crumbling. The fact is, we have schools that are in shameful condition in this country, water programs that are desperately needed for water treatment that are waiting for money to do it.

Now, when the Federal Government buys this highlighter pen for me—at my office, we have a supply of highlighter pens—this is expensed. Now, anybody who takes accounting understands you expense something on day one. But the fact is, when we spend $200 million building a piece of highway or invest $500 million in an airport, we expense that as well. No other enterprise that I am aware of in this country—none—will do what the Federal Government does and say: When you spend on infrastructure something that will last 50 and 100 years for this country, you have to expense it on the first day. We need a capital budget. We need an infrastructure investment bank. We need a whole series of things that represents a second step so that we can in the longer term invest in and expand opportunities in this country through infrastructure investment.

It is about jobs; it is about having pride in your country; it is about investing in your country in the kinds of things that allow economic progress. I don't want people to come out here and say: Let's do this stimulus and, boy, that will fix things. This is putting a little patch on something here; it is not going to fix things. It is something we should do, but if we do not do something much bolder, do something with much greater consequence in the longer term, that invests in this country's future, we will have missed a very substantial opportunity.

In the New York Times this morning, there is an op-ed piece by Bob Herbert that talks about the catastrophe in New Orleans. He talks about the bridge collapse in Minneapolis, the underground steam pipe in midtown Manhattan that blows up, the manhole cover that is blown out of the streets here in Washington, DC. He talks about South Carolina, where there is a long stretch of grievously neglected rural schools that has been dubbed ''the corridor of shame.'' You know, I have been in those kinds of schools. I have been in schools where kids were going to school in parts of the building that were condemned that were 100 years old, where sewer gas was coming up back through some of the rooms and they could no longer use those rooms. We have all seen those things. This country has to do better. And we can do better if we put together the kinds of infrastructure investment banks and the capital budget, and advance this country's interests by building this country.

I want to make one final point. We were told this morning that the President is going to ask for another $70 billion for Iraq and Afghanistan. That is on top of the $196 billion he asked for last year in this fiscal year that we are in now. That is $16 billion a month, $4 billion a week. He wants another $70 billion. That will take us well over two-thirds of a trillion dollars. I ask the question: Is it not time we started investing some at home? It is not time we started taking care of things here at home? The sky is the limit for these kinds of investments.

This morning, my colleagues were talking about fiscal responsibility. Not one penny of the war costs has been paid for. The President has insisted that we send soldiers to war and we spend this money and charge it to future generations. They will fight the war and come back and inherit this debt. That is not fiscally responsible either. How about suggesting there is a priority here at home for investing in this country, expanding opportunity in this country, and taking care of things that have been too long neglected?

So I wanted to say that in the context of this discussion we will have about the stimulus program. It is important, but what is much more important is for ourselves to have a longer view of investing in this country and expanding opportunity in this country by making this the kind of place we are proud of.

The folks who came before us did that. They had some real vision. Dwight Eisenhower said: Let's build an interstate from coast to coast. That would not happen under some of the folks who exist in this Chamber these days. It just would not. But what a boon to this country, to connect America with interstate highways. So we can do a lot better, and must if we are interested in the long-term well-being of this country.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. DODD. Mr. President, first of all, let me thank my colleague, Senator DORGAN, for his statement this morning. I wish to follow with very similar remarks. He and I have been good friends for a long time and have worked together on a lot of issues over the years. I just want to underscore what he said this morning about the importance of the stimulus package and the importance of additional ideas that will allow us to get moving again.

I am grateful to hear about the article this morning that was very gracious in talking about the bill that Senator CHUCK HAGEL and I have worked on, along with others, including former Senators Warren Rudman and Bob Kerrey, the Center for Strategic and International Studies, John Hamry, Felix Rohatyn, Bernard Schwartz and other leaders. I am delighted that the Chamber of Commerce as well as major labor unions have endorsed this bill which we spent 2½ years putting together, including spending a lot of time with people in the investment community about ways in which we can attract private capital to public infrastructure. So I appreciate immensely Senator DORGAN hosting the meeting last Friday that brought a lot of these people together.

Our plan here, I say to him, is to talk with our leaders, the Democratic leader as well as, I hope, Senator MCCONNELL, the Republican leader. This ought to be a major issue. If we can bring the Chamber of Commerce and organized labor together around a bill, this is a vehicle which ought to deserve the attention of this body.

I know there is a growing interest in the House as well about it for all of the reasons Senator DORGAN has mentioned. The economic implications are huge, and the necessity grows by the hour. But it even goes beyond economic terms because there is symbolism in a nation building and working.

In talking to Bob Herbert yesterday, I mentioned that even during the Civil War, President Lincoln insisted that the work on the Capitol, the very building which we are in here this morning, would continue; that it was important, despite that there were obvious demands to provide the resources to prevail in the great conflict between North and South, that the country see that this project, to build a national capitol representing the entire country, would go forward. Obviously, there were jobs that were important in that construction. But more important than the jobs, even, was the symbolism of a nation at work.

So I am looking forward to the opportunity to take this idea of a major infrastructure proposal and hopefully attract some broad-based attention to it.

My colleague RON WYDEN from Oregon has a proposal as well. We are hoping to bring them together. He has a little different perspective but one that I think can be added to our proposal.

I wish to focus my talk this morning about the stimulus package and economic issues. I know the FISA bill is going to come up again. I have some strong feelings, as my colleagues know, about the retroactive immunity in that bill. But I was stunned last evening as I sat and listened to the State of the Union. I have been to a lot of them over the years. Last night, when the Presiding Officer and I walked he asked me how many. When I said the number, it stunned me in a way, how many I have been involved in. I was elected to the House in 1974 and went to my first one in January of 1975, with Gerald Ford giving his State of the Union. I have been to every one since. I have not missed one over the last three decades.

There have been some great ones and others less than great. Last evening, put aside whether you like the rhetoric or not, what surprised me is that here we are in a nation where, by everyone's estimation, we are either in a recession or about to enter one, we have economic data that indicate this country is in deeper trouble economically than we have been in in years, and there was hardly any reference to our economic problems whatsoever other than a paragraph or so about a stimulus package.

So the elephant in the room, if you do not mind using that animal analogy, the elephant in the room in the State of the Union was, of course, the state of the union is in tough shape economically. We are in desperate shape in many ways.

What is beyond ironic is that we would have a President of the United States talking about the condition of our union, and here is a major problem that is the subject of headlines every day across the Nation, and there are hardly any references to it at all. So we were gathered last evening to talk about where we are and what we need to do in the coming days, and there is hardly a passing reference to the economic condition our country is in.

The President called this a period of ''economic uncertainty.'' I think those were the words he used. While I agree we are certainly in an uncertain period, to put it mildly, what we know with some certainty is that the current economic situation is more than merely a slowdown or a downturn; it is even more than a mere recession or near recession. Instead, I think it is a crisis of confidence among consumers and investors. Consumers are fearful of borrowing and spending, investors are fearful of lending. Financial transactions which generate new businesses and new jobs are shrinking in number and size by the hour in this country.

The incoming economic data shows how serious this problem is. Yesterday the Commerce Department reported that the sale of new homes fell again in December, reaching a 12-year low. Retail sales were down and unemployment was up significantly in December. Credit card delinquencies are on the rise, as consumers find themselves increasingly unable to tap the equity in their homes to help pay down credit card and other bills. Lastly, inflation increased by 4.1 percent last year, the largest increase in 17 years. This is what the President called a period of ''economic uncertainty.''

You have record numbers and statistics pointing to the difficulty our Nation is in economically, and we hardly heard any mention of it at all last night. The inflation that we are experiencing, is driven mainly by the rising cost of energy—oil is at $100 a barrel—and there was hardly a reference to that last evening. It costs $100 for a barrel of oil, and I do not recall a word being spoken, except about energy independence and to try to get there.

Food and health care costs have gone up as well. Industrial production is falling. And we have been hemorrhaging jobs in the manufacturing sector. Our economy is clearly facing more than uncertainty; it is facing significant challenges to our Nation's future economic growth and prosperity.

The most important step we could take right now is, of course, to act to restore consumer and investor confidence. Unlike past recessions and slowdowns, the epicenter of this economic crisis is the housing crisis; and the epicenter of the housing crisis is the foreclosure crisis. Housing starts are at their lowest level in more than a quarter of a century. Home prices declined last year nationwide by 6 percent, and are expected to decline again this year. This would be the first time since the Great Depression that the country will have had two consecutive years where home prices have dropped and the President calls this a period of ''economic uncertainty.''

This crisis stems above all from the virtual collapse, as I said a moment ago, of the housing market. That collapse was triggered by what Secretary Paulson has rightly and properly called—and I commend him for it—''bad lending practices.'' Those are his words, not mine. These are lending practices that no sensible banker would ever engage in. Reckless, careless, and sometimes unscrupulous actors in the mortgage lending industry essentially allowed loans to be made that they knew hard-working, law-abiding borrowers would never, ever be able to repay when the fully indexed price kicked in. And they engaged in practices that the Federal Reserve and the Bush administration did absolutely nothing to effectively stop.

As a result, foreclosures are at record levels, the value of people's homes is declining, and the tax base for State and local governments is shrinking.

A year ago, I chaired the first Housing hearing in the Congress on the subject of predatory lending. I talked then about the possibility that more than 2 million Americans would lose their homes as a result of such lending practices. I know there were those who scoffed when I mentioned the number

of 2 million almost a year ago, but no one is scoffing now. Today, foreclosure rates are at record levels. Estimates are that foreclosures will continue to climb for most of this year, dip briefly, and then begin to rise again when interest rate resets kick in.

The catalyst of the current economic crisis is, as I said a moment ago, the housing crisis. And the face of the housing crisis is the foreclosure crisis. Therefore, in my view, any short-term stimulus package should include measures that will address the causes and symptoms of the foreclosure crisis head on, as well as trying to provide some immediate relief for those who are dealing directly with this problem.

I want to indicate at the outset I am very supportive of the work done by Speaker PELOSI in the House along with JOHN BOEHNER, the Republican leader, and other Members over there who have worked on this. I thank them for what they have done to formulate outlines of a stimulus package that the administration could support. Senator BAUCUS, my good friend from Montana and the chairman of the Finance Committee, Senator HARKIN, Senator KENNEDY and others have expressed some important views regarding unemployment insurance, food stamps, low-income energy assistance, and other important programs.

We may not accommodate all of those priority programs, but they bring up a good point; and that is, historically you want to make sure resources get into the hands of the people who are feeling the pinch. For people who still have choices, there may be less than the desired impact by providing a tax break for people in that category, as opposed to those who are at the low-income levels, who are tremendously strapped, that they are provided some relief. So I am confident when the Senate works its will, there will be some additions to the stimulus package, I think, in the unemployment area, certainly, and possibly in low-income energy assistance, and in some food stamp areas as well.

In addition to the problems in our housing market, we also have tremendous challenges and opportunities with respect to our Nation's aging infrastructure.

In the short term we need to include funding for States and localities to start projects that are already ready to go, including existing highway and transit maintenance projects and other infrastructure projects that can be done quickly. There are a long list of highway and transit projects that are important to creating jobs today and to strengthening our Nation's economic future. These projects will boost employment in the construction and manufacturing sectors, which are those that have been hardest hit in the recent economic downturn. I intend to work for and support an immediate investment in transit, highway and other infrastructure projects.

In the long term we need to renew and reinvent our infrastructure. This is no small task, but it is critically important to putting people to work and modernizing the economy for future generations. As I said, I have worked with my colleague, Senator HAGEL, in introducing legislation to authorize a National Infrastructure Bank to address some of these challenges, and I look forward to working with him and others in this Chamber to do that.

I do not want to overload the stimulus and I realize it is important we act quickly or the value of the package gets lost. Even if it does not include all the things I wish to see in it, it is important we move expeditiously or the value of the timing of it, I think, could be lost on us altogether. It is important we consider some of those suggestions that are being made on a temporary basis. I look forward to working with our colleagues to try to add some additions to the stimulus package. But, hopefully, we can do it in a timely fashion.

Specifically, with respect to housing, because this is an area where, again, if we are just dealing with people's problems and not the problem that caused the problems, then I think we are missing a critical point. I want to pick up on some of the things BYRON DORGAN talked about a moment ago. Let me add that I am pleased to note there were elements in the proposed House package that address the housing market issues; namely, a temporary increase in the conforming loan limits for the GSEs, and also for the FHA program.

I think we ought to be talking about jumbo loans in this area. One of the concerns in the current crisis is that of market liquidity. If you want to get liquidity into this market, then you have to have loan limits that can reach amounts that truly make a difference, even if for only 12 months.

So my hope is the administration—however this will work—will set those loan limits to create the desired impact that we are trying to reach, and that is, injecting liquidity into the housing market. Increasing these loan limits will help restore confidence and liquidity into the housing market, where interest rates have skyrocketed for nonconforming loans due to the current problems. These steps will also allow millions of middle-class Americans who live in areas of the country where the value of an average house is far above the existing conforming loan limits to participate and reap the benefits from having a conforming loan. So I would urge these additional loan limits to deal with the problems in the jumbo loan market, at least for a year, be considered.

I have supported both of these measures and have also worked very closely with my ranking member on the Banking Committee, Senator SHELBY, to draft and pass a more broad FHA modernization bill. That legislation passed this body 93 to 1. We spent a lot of time drafting that bill, and getting strong bipartisan support for it back at the end of last year. I want to acknowledge the assistance of the majority leader, Senator REID, and Senator SCHUMER of New York who were very helpful in getting that legislation adopted on the floor with the kind of overwhelming numbers I mentioned a moment ago.

I remain dedicated to making this happen. I have spoken with Chairman BARNEY FRANK of the House as late as last evening. We had breakfast together a week ago to talk about how this bill can get done as part of this stimulus package. These are good and needed steps, but we must, I think, go farther. I think this is where Senator DORGAN's remarks come in. If we limit it to a short-term stimulus package, and assume that is going to achieve the desired results, I think you are missing the point and that explains why we have had some negative reaction to the short-term program.

It has to be followed on—whether you call it a second or third tranche or effort here—but we need to follow the short-term effort with some longer term decisions and proposals that can go a long way to restoring that sense of confidence and optimism beyond the short-term injection of confidence that is needed if we are going to see our economy improve and opportunities improve in this century.

The work of the President and the Congress to right our Nation's economic ship will not end with the enactment of a stimulus package. On the contrary, it will have barely begun.

There are other important measures we can and should take to address the problems in the housing market, and I want to briefly address two of them, if I can.

In the short term, we need to increase funding for the community development block grant, CDBG, program. The CDBG program has been a very successful program all across the country for many years, and in my view, it can do an awful lot to assist in foreclosure mitigation. It is a tried and true program. We should use it to direct, I would suggest, some $10 billion to local governments to renovate and resell the foreclosed and abandoned homes that are decimating many communities.

The mayor of Bridgeport, CT, was in my office last week. He was a newly elected mayor last fall. He told me in the city of Bridgeport—which is a city of a little less than 100,000—he is looking at 6,000 foreclosed homes in his city. That is 6,000 homes in a city of less than 100,000 residents. Needless to say, even for those homes that are current with their mortgage and in no danger of foreclosure, the value of those homes, and every home, in that city will be adversely affected. Even if there were only 1,000 foreclosed homes it would be a huge number. Imagine if it is six times that in one city in my State, which is the most affluent State in many ways in the country, what it must be like in many other cities throughout my State and the country as a whole.

I do not know the numbers in Hartford and Waterbury and other cities, and smaller cities, but 6,000 foreclosures in Bridgeport is a huge number. These are not speculator homes. This is not Las Vegas or Florida or Arizona. These are single-family homes that people are living in, and the idea that 6,000 people and families in that city would be adversely affected ought to cause all of us great pause to ask what can we do creatively and imaginatively to help out.

The CDBG program has been very useful over the years in providing mayors and county supervisors and others across the country some help in this area. I think it would be a smart short-term effort.

Foreclosed and abandoned homes are devastating—again, I am preaching to the choir as we all know this—to communities around the country. They lead to a cycle of disinvestment and crime in neighborhoods. All of the commensurate problems that emerge with abandoned properties hardly need to be articulated again this morning. We all understand it. The property values and property tax bases all suffer, thereby leading to service cuts and further disinvestment. So CDBG money could provide, I think, some very valuable resources for these communities. Again, we are talking about $10 billion. It is not insignificant, but if we think about the potential good it could do, I think it would be a worthwhile investment.

Let me mention another idea. I want to thank the American Enterprise Institute and the Center for American Progress that wrote an op-ed piece on this idea. It is an idea that comes out of both conservative and liberal to moderate think tanks about what to do about foreclosed properties, where you have people living in their homes. This is about a need for a temporary apparatus to mitigate foreclosures.

I am working with a proposal to create what is called the Homeownership Preservation Corporation, which was tried actually in the 1930s and worked rather well under similar circumstances. Very basically, this proposal would allow for the purchase of very distressed mortgages either in default or about to go in default. These are single-family homes with people living in them. Again, it is not housing speculators that we are talking about here.

What you have already going on is, there are people actually going out buying some of these loans in the hopes they will restore it and sell it at some point down the road. The Homeownership Preservation Corporation idea would allow us, in effect, to form a corporation to do this: buy them at discounted rates, so the lender gets a haircut, but there is still someone paying the note. You get a fixed rate deal, so the homeowner stays in it under terms they can afford to stay in, so you do not have your neighborhoods deteriorating. If it works as well as it could work, I think you actually have a program that has little or no cost to it. What you have done is stabilized these neighborhoods and allowed people to stay in their homes. While everyone suffers to some degree, it also allows us to preserve people's ability to remain in these neighborhoods, remain in their homes.

As I said, this was done during the Great Depression very successfully back a number of years ago, at little or no cost to the Government. Under this concept, no one gets bailed out. Everyone shares in the pain of the housing bust. But at the same time, a market-based mechanism is established that can restore confidence to lenders and investors, and give innocent homeowners a chance to save their homes.

In the longer term and this is the last point I want to make, we need to end predatory lending practices. I introduced a bill in the fall that will crack down on these practices. Again, there will be ideas that our colleagues will bring to this debate. I do not claim we have captured all the wisdom in this area. But clearly we want to send a message that some of these practices cannot go on any longer. My hope is we will get some strong support again from across the political divides in the country. Fifteen of our colleagues have already cosponsored the bill, and others are welcome to do the same.

In addition to the problems in our housing market, we also have tremendous challenges and opportunities with respect to our Nation's aging infrastructure.

Again, I thank the Chamber of Commerce and I thank the labor unions who are supporting my bill. I thank BYRON DORGAN, people such as Felix Rohatyn, Bernard Schwartz, CSIS, and others for spending the last 2½ years with Warren Rudman, CHUCK HAGEL, myself, and Bob Kerrey in putting together this proposal of an infrastructure bank.

Again, the estimates are that we need $1.5 trillion just to bring our infrastructure up to current levels. Our infrastructure is declining and deteriorating literally as we speak. The definition of infrastructure has changed as well. It is not just the physical infrastructure but human infrastructure as well. The FAA system is in deep need of modernization, or we are going to face some tragedies if we don't understand how important that piece is. There are a wide variety of issues that need to be addressed with infrastructure. Throughout history I think we have all understood the value, economically, to our country that has come from investing in infrastructure. Bob Herbert's article this morning very generously talks about the bill CHUCK HAGEL and I have introduced. He talks historically about the great canal systems in the Midwest that opened up opportunities for New York, and obviously, the interstate highway system under the Eisenhower administration, and the incredible economic expansion that occurred as a result of those investments. The rural electrification programs that brought electrification to rural areas in the country made a huge difference to people and to our nation.

So we invite our colleagues to look at these ideas on how we can expand our efforts to meet our infrastructure needs. It really is an issue that demands the attention of this body. So I offer that idea as well.

In conclusion, I think the package the President and House leaders have laid out is a good one. I think it can be expanded on, and it addresses some of the critical areas. More needs to be done. If we don't follow up on the stimulus package with some of these other ideas, I think we will have missed a significant not only opportunity, but I think an important moment in our history to restore that confidence and optimism people are looking for.

I yield the floor.

EXTENSION OF MORNING BUSINESS

Mr. DODD. Mr. President, I ask unanimous consent that the period for morning business be extended for 30 minutes, with the time equally divided.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Georgia is recognized.

TRIP TO IRAQ

Mr. ISAKSON. Mr. President, I rise in morning business to discuss a recent trip I made about 2 weeks ago to Iraq. It was a trip I made, as I have every year since I have been in the Senate, to visit Iraq, to visit firsthand with Georgia troops on duty, Georgia troops who are there standing guard for America, as well as to interact with the Iraqi Government—the Kurds, the Sunnis, the Shias—and rank-and-file Iraqi people to measure the progress of our effort in Iraq but, more importantly, the progress of the Iraqis themselves.

I am delighted to be able to come and give a very unbiased and, hopefully, unvarnished and very plain recitation of the remarkable changes that have taken place in that country. We all know a year ago in this body we had serious debate over the fate of our effort in Iraq. There were calls for us to withdraw. There were declarations that we had lost. There were other challenges that were brought forward. But finally, though difficult, the decision by the President to commit to an increase of troops for the surge and follow the anti-insurgency plan of General Petraeus and put General Petraeus in charge finally became a reality.

About midyear on the ground in Iraq the deployment was complete and they began exercising the plan.

Let me try and give an idea of what Iraq today is like compared to Iraq 1 year ago. When I landed at the Baghdad Airport, for the first time I drove

by car—by armored vehicle—into downtown Baghdad. Every year before we had to fly in on Apache helicopters because of the ground fire and the danger. We arrived in Baghdad in the Green Zone and spent the night. On every trip before to Iraq, they took us out to Kuwait City to a Sheraton Hotel when darkness fell in Baghdad because it was so dark. Twice during the course of the visit we got outside of the Green Zone and into a Chevy Suburban in one case, and into an MRAP in another case, and went out on two excursions. I would like to talk about them for a second.

The first was in an MRAP. I have to pause here and pay great tribute to Senator BIDEN. About 18 months ago, Senator BIDEN led the charge in this body for us to fund the MRAPs to try and do away with the tragic loss of life that was taking place through IEDs on the ground and on the roads in Iraq and in Baghdad.

There is no question in this body that the most strident voice in favor of that funding and that commitment was the Senator from Delaware. Today, the soldiers of the United States of America and of Iraq and of our coalition partners ride in the new MRAP vehicles, which are remarkable. General Petraeus told me at the dinner I had with him that in the first five hits where an IED exploded under an MRAP, there was not a single scratch of an American serviceman. I know a week ago we lost our first serviceman in an MRAP, but that serviceman was the gunner above the turret at the time he was hit. It has a 100-percent record in terms of those inside of the MRAP when moving the troops. It is a marvelous transformation and a great testament to this body, Republican and Democrat alike, to rise to the occasion to see to it that when our men and women are threatened, if there is a technique, if there is a technology, if there is engineering sufficient to bring about a new product, we will do it, and we will fund it. We did it on the MRAP, and today our soldiers are safer and our efforts stronger.

I rode in one of those MRAPs to a neighborhood known as Gazaria. Gazaria was the neighborhood that was completely destroyed 2½ years ago. I went to a market that had about 20 shops, of which about half were open, and traveled with a squad headed by a lieutenant colonel who was making microgrants and microloans and measuring the progress of previous loans that had been made to Iraqis who were reopening their stores. Senator CORNYN, Senator COBURN, and myself stood in a bakery and ate an Iraqi-type of flatbread and drank tea in a market that had been totally destroyed and unoccupied for 2½ years. We went to an auto repair shop where two brothers had reopened the shop and were beginning to do repairs and had bought a generator to provide them with reliable, continuous electricity. These are microloans made by the United States of America to the Iraqi people to reinvest in themselves, reinvigorate their enterprises, reinvigorate their employment.

Was it dangerous? Sure. We had on bulletproof vests, we had on helmets, and we traveled in MRAPs. But heretofore you could never have gone into downtown Baghdad as we did on this trip. Twice we ran into local Iraqis: once two Sunnis who joined the awakening movement and the CLCs who were taking up arms to guard the secured market to see to it that no terrorist or insurgent could come in and do damage, and then twice to refugee families who over 2 years ago had left Baghdad and Gazaria with no intention of ever returning, but now, because of its relative security, they returned.

The second trip was made by Chevy Suburban—not by armored tank or not by MRAP—and we left the Green Zone and went through Baghdad to the government building where we met with Sunni, Shia, and Kurdish leaders. For the first time in my annual trips back there, the talk was substantive and the inference on the part of the leadership was that things were getting ready to get better. As all of us know, on debaathification and reconciliation, things have started to happen.

As the President acknowledged in his speech last night, they will be happening in terms of sharing the oil revenues and eventually a hydrocarbon law for the entire country.

My point in bringing this story to the Senate and telling it firsthand is the progress the President described last night is real. It is tangible. Things are changing in Iraq, and they are changing for the better for the Iraqis and for us. We have brought back two groups, and as the President said, we will bring back five more without replacing them this year. Our troop level will be going down. We are going from a combat confrontation to an oversight role in terms of helping and providing logistics to the Iraqis.

Have the Iraqis responded? Think about this: Remember about 6 months ago when the Prime Minister of Great Britain said they were pulling the British troops out of Basra, and the American press wrote about another failure: One of our partners was leaving, so what were we going to do. Nobody has written about Basra since then because here is what happened: All the Brits who left were replaced by Iraqis—not by Americans, not by coalition forces. Have you read about damage or problems in Basra? No, you haven't because the army has performed magnificently—the Iraqi Army.

Today we read of reports in Mosul, and we mourn the tragedy of the loss of U.S. soldiers, but in that big attack going on against one of the last strongholds left of the insurgents of al-Qaida, the spear of that attack, the point of that attack was all Iraqi soldiers. I had the privilege to meet with Iraqi generals who, for the first time, see themselves energized, see themselves fully capable of assuming the role that we have taken for so long: for us to move to oversight and for them to move to the point of the spear.

The practical matter is, whatever mistakes may have been made in the past, whatever differences we may have had, the young men and women of the United States of America have performed magnificently. General Petraeus has lived up to every single promise of hope we had for him.

In the name and in the memory of the tragic loss of life in Iraq, Georgia soldiers such as Diego Rincon, LTG Noah Harris, SGT Mike Stokely, and the other 119, the sacrifice they have made has not been in vain, and we are on the doorstep, hopefully, of building and of helping to have created a democracy that will last and endure in the Middle East. Hopefully, it will be the first step of many to accomplish the hope of peace, freedom, and liberty that we in this country so often take for granted but the rest of the world cherishes.

So the President was right last night in his State of the Union speech. We have made great progress. There is work left to be done, but there is light at the end of the tunnel, and it is not a locomotive. It is the light of hope, liberty, and peace and freedom because of the sacrifice and the endurance of the fine young men and women in the U.S. military serving in harm's way today in Iraq.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. CASEY). The Senator from Vermont is recognized.

Mr. SANDERS. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ECONOMY

Mr. SANDERS. Mr. President, last night I listened intently to President Bush's State of the Union speech, and, frankly, I had a hard time understanding what country the President was talking about and what reality he was talking about. Certainly, if the State of the Union refers to what is happening to the shrinking middle class of this country and how we as a people are doing, the President had almost nothing to say that rang true. In fact, last night's speech just reminds many of us how far removed from the reality of ordinary life this President is and how little he and his administration know about what is going on in the lives of millions and millions of people in cities and towns across this country.

In my view, the President's speech was lacking not just for what he said but, perhaps more importantly, for what he didn't say. Somehow, President Bush forgot to mention some of the results of his failed economic policies and how they have impacted the lives of ordinary people. So let me take

a moment, therefore, to review the record the President refused to talk about last night.

Since George W. Bush took office in 2001, nearly 5 million Americans have slipped out of the middle class and into poverty. These are mostly low-income working people whose wages have not kept up with inflation. These are people all across the country who are trying to make it on $6 or $7 an hour without any health insurance, desperately trying to keep their families above water. These are, by the way, parents and kids in Pennsylvania and in Vermont who are now flocking to emergency food banks because they simply don't have the income to buy the food they need in the United States of America in 2008. It might have been a sign of decency on the part of the President to at least recognize that reality which is impacting so many of our people, and the reality that hunger in America is actually going up.

Since George W. Bush has been in office, median household income for working-age Americans has declined by almost $2,500. That is a lot of money. Also, overall median household income has gone down by nearly $1,000. This is the shrinking middle class, and maybe as people are working longer hours for lower wages, maybe as people are working 50 or 60 hours a week trying to bring in enough money for their families to pay the bills, maybe the President might have said a few words to them that he understands the reality they are experiencing. Maybe he might have said to the young people of our country that he is concerned if we don't turn around our economy, for the first time in the modern history of this country their generation will have a lower standard of living than their parents; maybe just a few words to those young people so they know he knows what is going on in their lives.

But I didn't hear that. I didn't hear that at all.

Mr. President, since George W. Bush has been in office, 8.6 million Americans have lost their health insurance, and we are now up to 47 million Americans without any health insurance whatsoever. Meanwhile, health insurance premiums have increased during Bush's tenure by 78 percent—a huge increase in the cost of health care.

Last night, while the President gave us his usual rhetoric about all of the virtues of free market health care, he somehow forgot to tell us why we spend almost twice as much per capita on health care as any other nation, and why we are the only major country on Earth without a national health care program guaranteeing health care to all people. The President didn't even tell us why he vetoed legislation that would expand health insurance to millions more children; just the usual rhetoric about free market health care, which is failing us every single day.

During his remarks last night, somehow President Bush neglected to mention that 3 million workers, since he has been in office, have lost their pensions—the promises that were made to them for their retirement years—and about half of American workers in the private sector have no pension coverage whatsoever. I didn't hear much from the President about that.

What I did hear is the President's rhetoric about ''Social Security reform,'' which are code words for the privatization of Social Security. At a time when seniors are facing more and more insecurity than they have seen for a very long time, privatizing Social Security is the last thing this country needs.

Last night, President Bush once again pushed for more unfettered free trade agreements, despite the fact that since he has been in office the annual trade deficit has more than doubled, and over 3 million manufacturing jobs—good-paying jobs—in this country have been lost. It astounds me that, despite the horrendous record of these unfettered trade agreements—NAFTA, CAFTA, and permanent normal trade relations—we have a President who says: Look, we have failed year after year, we have lost millions of good-paying jobs, our trade deficit is soaring, and do you know what the answer is? We need more of this failed trade policy. In my own small State of Vermont, never one of the great manufacturing States in this country, we have lost, since the President has been President, 10,000 manufacturing jobs—25 percent of the total or one out of four manufacturing jobs. And President Bush says we need more outsourcing; we need corporations to throw more American workers out on the street so they can run to China and pay people 50 cents an hour there, and then bring the products back into this country.

Last night, President Bush did say a word about gas prices going up. But he did forget to tell us that since he has been President the price of gas at the pump, and home heating oil, has more than doubled. For whatever reason, he also forgot to tell us that, year after year, while Americans are paying outrageous prices for oil and gas, the oil companies are enjoying record-breaking profits. I didn't hear him mention anything about that, not one word.

A couple of years ago, for example, ExxonMobil—which has enjoyed huge profits while Americans are paying $3.15 for a gallon of gas at the pump—gave a $398 million retirement package for its former CEO, Mr. Lee Raymond. And our people are paying $3.15 for a gallon of gas. The President forgot to talk about that.

Also, I found it interesting that President Bush neglected to discuss that for the first time since the Great Depression the personal savings rate in this country is below zero. This means that because of the dire economic conditions facing so many of our people, we as a people are actually spending more money than we are earning. In fact, today, millions of Americans are buying their groceries with credit cards. They don't have the cash to buy the food they need. They are going into debt to buy groceries. And our friends in the credit card industry are then charging them 25 or 30 percent interest rates for the groceries they are buying on credit.

For some reason, last night in his State of the Union Address, the President also neglected to mention that home foreclosures are the highest on record, turning the American dream of homeownership into an American nightmare for millions of our fellow citizens.

The reason I am raising these issues is because if we as a Senate, as a government, do not talk about and discuss the reality of life in this country for the vast majority of the people, if we do not understand what is going on in the cities and towns across our Nation, then it will be virtually impossible for us to formulate the public policies we need to transform our economy so that it begins to work well for all of the people and not just the wealthiest people on top.

Also, we do not do this enough. It is important to take a look at what is going on in our country compared to what is going on in many other industrialized nations. Very often, I hear people on the Senate floor say we are the wealthiest and the greatest Nation in the world. We are all of these things.

Let's look at some of the facts as they apply to the lives of ordinary people. What country in the industrialized world has, by far, the highest rate of childhood poverty, where one out of five children are living in poverty? Is it France, Germany, or the U.K.? No. It is the United States of America. One out of five children in this country live in poverty. And shock of all shocks, we end up having the highest rate of incarceration—putting people behind bars—of any other country on Earth. If you think there is not a correlation between those two factors, I would strongly disagree with you.

Unfortunately, the U.S. today has the highest infant mortality rate of any major country on Earth, the highest overall poverty rate, the largest gap between the rich and the poor, and we are the only major country in the world not to provide health care to all of their its people as a right of citizenship.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SANDERS. Mr. President, I ask unanimous consent that the period for morning business be extended until 12:30 p.m., with the time equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SANDERS. With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

NUCLEAR WASTE POLICY AMENDMENTS ACT

Mr. CRAIG. Mr. President, I come to the floor to speak about a piece of legislation that has been introduced by our colleague, Senator JIM INHOFE, of Oklahoma, S. 2551. It is entitled the Nuclear Waste Policy Amendments Act of 2008.

The reason I do this is multiple in the issue of nuclear energy today and the management of the waste stream that flows from not only current nuclear reactors operating in our energy portfolio, but, of course, the growth of generating capability through nuclear reaction as it relates to all that is going on out there from the creation of the Energy Policy Act of 2005, the 30-plus reactors that are on the drawing boards today, and the opportunity to see new reactors built in our country to supplement and build our energy base, and the issue of how we handle the waste.

As most Senators know, Yucca Mountain, a permanent deep geologic repository in Nevada, has become increasingly controversial over the years largely because of the delegation from Nevada and the antinuclear folks, but also the reality of reprocessing and still finding a permanent repository for nuclear waste. I strongly support Yucca Mountain. I believe we need a deep geologic repository, whether it is for the current waste that is in storage at most of our reactors or whether it is for the refined waste that would come from a reprocessing stream. So for a few moments today I thought I would share with fellow Senators a legacy that most don't realize but I find extremely important in this overall debate of a nuclear renaissance and Congress getting real and honest about how we handle a waste stream, instead of the political football that some would like it to be and, therefore, create the uncertainty that results from that.

In my State of Idaho, I have a national laboratory. The State of Idaho hosts one of our Nation's premier energy laboratories, known as the INL, Idaho National Laboratory. It started in 1949. It started for the sole purpose of a national reactor testing site, where reactors would be built and tested before they went into commercial use or, at this time and place, mostly military use and for national security purposes. So a site that was started in 1949 actually saw by 1951 the lighting of the first light bulb ever lit in America by nuclear reaction. That site today is now a museum, so dedicated by President Lyndon Johnson. Many people have come to see the first reactor ever built to light the first light bulb ever lit by nuclear reaction in this country.

Since that time, 52 test reactors have been built onsite at the Idaho National Laboratory. Idaho is also, therefore, the home of something else—the legacy of nuclear reactors. Three hundred metric tons of spent nuclear material and 4,000 metric tons of high-level waste are stored at this national laboratory. Most of this waste was generated from defense and from our Navy's nuclear program. In fact, one of the most successful programs ever in the history of the world has been our naval vessels powered by nuclear reaction. All of the waste from those reactors over the years has been stored at Idaho.

Idaho was the premier training location for our men and women in the nuclear Navy to come and learn how to manage and operate nuclear reactors in our nuclear Navy. We also have waste from West Valley in New York, and other locations, because Idaho has been the recipient of that waste. But I must say that as a result of that, the Federal Government signed an agreement with Idaho some years ago that all of that waste would go to Yucca Mountain by 2035, or to a deep geologic repository other than the State of Idaho, where it is now stored in dry storage and in wet storage.

There is no other disposable option for our Navy's high-level waste. Because of the configuration of the waste, of those reactor fuel rods, they cannot be reprocessed. So they, unlike the commercial reactor spent fuel rods, have to go into a permanent home and permanent waste. Idaho, South Carolina, and the State of Washington are all relying on Yucca Mountain for permanent disposal of this waste.

So it is critical that this Senate, this Government, doesn't put aside the issue of Yucca Mountain, but that we deal with it in a forthright way, that we recognize there is truly a need for some geologic storage of our types of waste, especially our military waste that, in many instances, is stored in South Carolina, Washington, and my State of Idaho.

As I said in my opening comments, since we passed the Energy Policy Act of 2005, and we began to streamline the process to bring a new design construction concept on line and grant guarantees for the construction of nuclear reactors for commercial electrical production, there has been what many call a renaissance as it relates to the possibility of pouring concrete to actually build new reactors.

Certainly, the debate of climate change, the emission of greenhouse gases has caused us to recognize the need for what we call baseloading of our electrical system with large units of production that are nonemitting. And, of course, at this time, technology says the only one that is out there in that high-capacity way would be a nuclear reactor. That is also clearly what has fed the growth, the desire to develop, the licensing process that is underway, the design concepts, the attempt to locate new reactors at current sites and facilities.

Something happened in my State of Idaho this past week that tells me and should tell the world there is still a great deal of uncertainty out there as it relates to siting a nuclear reactor. Part of that uncertainty is the unwillingness of this Congress to get on with the issue of siting a deep geologic repository, getting the licensing process over, dealing with reprocessing, and truly bringing our arms around the issue of the waste stream.

Mid-America, a large utility in the Midwest that has recently acquired utilities in Idaho and adjoining States or at least utilities that feed part of Idaho's electricity, made the decision that they would attempt to build a nuclear reactor in my State of Idaho. They looked all over the country and decided Idaho was the preferable location based on their needs and their need to load their service area and because they thought the climate was appropriate in Idaho. They studied it. They spent millions of dollars looking at that possibility. They determined this past week they would not move forward. Why? Because even under the most favorable conditions and in possibly the most favorable State, they found the uncertainty and the expense was still too great.

Who is Mid-America? It is an asset of Berkshire Hathaway. It is an asset of Warren Buffett, probably one of the deepest pockets in the world. Yet they and their studies, with due diligence, determined they would not move forward after millions of dollars were spent.

It was all based on cost and uncertainty, and part of that uncertainty rests right here in the Senate and with a Congress that will not in a clear, clean, decisive way say: We are going to deal with the issue of the waste stream as the rest of the component pieces that we put together to build a true nuclear renaissance in this country. It is critical we move forward. This legislation, S. 2551, speaks to that point. It speaks to that long-term importance.

I cosponsored legislation this past year that Senator DOMENICI and I introduced that dealt with the kinds of issues that are dealt with in S. 2551. These two bills, the Domenici-Craig bill, now the Inhofe-Craig-and-others bill, would allow Yucca Mountain to open on a predictable timeline, replacing, as I have said, the uncertainty. And it protects the citizens of Idaho, South Carolina, and 30 other States that are currently storing nuclear materials.

Nuclear energy, nuclear power clearly remains our best and brightest option in the near term as it relates to a sustainable, nonemitting source of energy for our country. Clearly, this Congress should not, and to date has not, stood in the way of building that renaissance from the policies passed in 2005, to the guarantees we are offering, to the new licensing process the Nuclear Regulatory Commission is now in the final stages of developing. The only piece left undone is the issue of waste stream, and it is critically important we deal with it. If we do not, if we were to put a blight on the potential growth

of nuclear energy, here is what could happen. From 1995 to 2006, nuclear power helped us avoid emitting more than 8 million metric tons of carbon dioxide into the atmosphere. Many States have started to say no to coal and yes to nuclear power or other forms of clean energy. But other than nuclear power, they are limited, and clearly we should not be saying no.

Our economy, our growth, future jobs for this country, the vitality of our economic leadership in the world is tied to available energy, abundant energy, and reasonable cost energy. We know today the one source of energy that answers all those charges is nuclear.

Yucca Mountain remains a key piece of all of that picture. That is why Senator INHOFE has introduced the legislation, why I am a cosponsor of it. I certainly encourage all my colleagues to look through clear glasses at this issue because we have to deal with the waste stream in a responsible fashion. We need to do so in a way that is acceptable to the industry and acceptable to the American people.

The efforts that have been put forth from day one in the examination of the geology, the development of the core tunnel at Yucca Mountain—all those stages are there for the public to see. The licensing process is now underway, which is the next step. Let's don't arbitrarily and politically step into the middle of it and mess it up.

I must tell you the frustration I have had listening to Presidential candidates out on the road. If you want the endorsement of a single State, you are against Yucca Mountain and that single State was Nevada. This is a national issue; it is not a local issue. This is Federal land properly handled, properly researched, and it can be properly developed in a safe way for all Americans and for our future. That is what this legislation speaks to.

I am pleased to be a cosponsor with Senator INHOFE. He introduced it in a timely fashion. Clearly, in the course of this year, it is something that needs to be debated; it is something with which we need to deal. This administration has moved forward as quickly and responsibly as they could, and the licensing process is certainly something that needs to be completed in the overall effort of the renaissance of nuclear power in our country and that form of generation as an important option in our mix of energy sources for this Nation for now and into the future.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GREGG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ECONOMIC STIMULUS

Mr. GREGG. Mr. President, I wished to rise to talk a little bit about the proposed stimulus package which is working its way through the Congress and has been agreed to between the President and the Speaker of the House.

First, I congratulate the Speaker, the Republican leader of the House, and the President, especially Secretary Paulson, for sitting down and trying to reach a bipartisan understanding as to how we move forward in what is obviously a very tentative economic time. We know in this Nation we are confronting some very serious issues, most of them brought on by a bubble in the credit markets relative to lending for housing construction. As happens with a classic bubble—and this is a classic bubble—when it bursts, when, in other words, the underlying security and the people responsible for paying back the debt cannot do that because money has been lent to people who are not in a position to repay their loans and the security under that debt has not been able to be maintained to reinstate the value of that debt, when that happens, that not only affects the loans, the immediate loans that are impacted, but it leads to a further contraction in the marketplace.

I have been through this a number of times in my experience, and it always seems to happen the same way with loans which turned out to be not well made being called, and they are then followed by the people who lent the money and the capital markets having to contract in order to basically build back up their capital positions. So people who actually have good loans find that they cannot get credit extended further and it feeds on itself and you start to see a slowdown. That appears to be the type of issue which we may be confronting as a Nation, where we know we have a huge subprime problem. It is very big. We know that may lead to a further contraction. In fact, we are already seeing that.

We know also, ironically, in this market, what happened was a lot of those loans were syndicated out and then they were put in synthetic instruments and actually multiplied their impact and we ended up with an inverted pyramid. We have one little loan with inadequate capital which can't be paid back, and then you have a pyramid with the way that loan is chopped up and can't be sold. So it is exaggerated in size. So this is a big issue for us as a nation. The question is how to address it.

Well, first off, I congratulate the Fed because the Fed has stepped up. I wish they had stepped up earlier, but they have stepped up and reduced rates and, as a result, that should create more liquidity in the market. The second is fiscal policy, and that is where the President's proposal, working with the Speaker of the House and the Republican leader, has come forward. It is called a stimulus package, the purpose of which, in an economic slowdown, is to pursue classic economic policy, which is to stimulate demand during a time of economic slowdown in order to stimulate the economy, generally. That is a ''black letter'' rule of how you try to abate the economic slowdown. The question is: Will it work? Will what has been put on the table make sense and will it work?

Remember the last time we did this—with what is known as the tax rebate, which are not tax rebates because most of the people getting these don't pay taxes, it is an income transfer—we were coming off a period of surplus, the only time of surplus in the last 30 years we have had as a Federal government. We had 3 years of surplus, and we felt we had cash in the till to rebate or to pay out. Now we don't have the surplus. In fact, we have a deficit. It is not a huge deficit but still a deficit. It has been coming down over the last few years, which is the good news. But it does mean any stimulus package we pursue is going to have a debt effect.

In other words, we are going to have to borrow the money in order to pay it out to people through this tax rebate or basic payment process. So who ends up paying it? Well, our children are going to pay the cost of this stimulus package, and it is going to be because it is a debt-compounding event. In other words, if the package represented today is to be $150 billion in cost over its lifetime, which is supposedly confined to this year, that debt that you have to borrow to pay the $150 billion will have interest earned on it. So after 10 years, that becomes $200 billion in debt because it won't be paid back over 10 years and our children and our children's children will have to pay the burden of that.

So basically we are saying to our children, some of whom haven't even started earning money yet, we are going to give you a $200 billion bill for this stimulus package we are going to put in place over the next 6 months. So if we are going to do something such as that, which is fairly significant, we better make sure the stimulus package works; that it actually stimulates the economy; that it actually does retard the slowing of forces slowing down the economy and, hopefully, reenergize it.

The proposals which we have on the table and came from the House break into two basic approaches: First is a pure consumption approach, where you basically give people of middle and low incomes in this country—I think it is $80,000 of individual or $175,000 of joint income—a tax rebate of $600 to $1,200. That is a payment. It is structured in a way that some people who don't pay taxes will actually get the payment. The theory is they will take that money and they will go and spend the money and, as a result, the economy will see a boost.

There are two problems with this theory we need to address, however. First, under the present structure of our Internal Revenue Service, the CBO,

which is a fair arbiter—they do not have prejudice in this debate—the CBO has testified—the Congressional Budget Office—that the IRS—and they have consulted with the IRS on this—the Internal Revenue Service cannot get these checks out before midsummer, probably, or late June at the earliest.

CBO has further testified that the actual economic impact of people spending this money, these rebates, these payments, will probably not occur until the late third quarter, early fourth quarter of this year. Interestingly enough, Dr. Orsak, the head of CBO, has also testified—and again this is a fair arbiter—that the slow period, the period when you need stimulus, is the next two quarters or the next two-and-a-half quarters. And he has said, quite simply, that because of the limitations within the IRS, this rebate probably would not help those quarters.

So that should be a concern to us. The money may not end up coming into people's hands—taxpayers or nontaxpayers—to be able to be used in the timeframe when it is going to be most needed.

In fact, toward the third quarter of this year and into the fourth quarter of this year, it is again the testimony of the CBO Director that the cuts the Fed has put in place, the ¾-percent prime cut, is going to cause the economy to react to that cut in a positive way, hopefully, and that will occur in the third and fourth quarter mostly. So you could actually end up with two events on top of each other acting as a stimulus at the same time when we no longer need a stimulus. So we need to be concerned about that. That is of concern.

The second problem which this proposal has—of taking a large amount of cash and putting it on the table for people—is that, again, it may not stimulate our economy. In other words, if somebody goes out with their $600 rebate and they buy a television made in China or they buy an iPod made in Vietnam—I don't know if that is where iPods are made—or if they buy a washing machine made somewhere else—if the product isn't actually physically produced here—then, basically, you are not stimulating our economy, you are stimulating the economy where the product is produced. Since the assumption is most of these dollars will be spent on consumable items or will be used to pay down credit cards, which has no stimulus effect at all—theoretically, if it is spent on consumable items and, for example, is apparel or consumable goods which are manufactured overseas, then the stimulative effect for the United States is extremely limited, only at the margin. Again, this was testified to by the Director of CBO.

So these are two concerns with this idea of infusing money into the package. The second part of the package says: Well, we are going to do an inventory of basically a business incentive event. We are going to allow people to expense capital purchases, versus depreciate, over a number of years. We are going to allow people bonus depreciation. Both of those are probably good tax policies from the standpoint of strengthening our economy over the long run because they make the economy more efficient. It means some small businessperson will be able to go out and buy a machine which makes their business more efficient, and as a result of being more efficient, it makes the American economy stronger. So yes, that is good policy, but it will have very little stimulus effect on the underlying economy.

So the concern is the House package may not have the stimulus it claims to have and may end up being a debt event which our children will have to repay. What concerns me even more, though, is what is being talked about in the Senate. We are talking about taking the House package and significantly bidding it up. The House package bothers me to begin with, but to bid it up in the Senate is a mistake.

We are talking about expanding the rebate to everybody. Now, that will have absolutely no stimulus effect, in my opinion. To say that high-income individuals or people with joint incomes over $100,000 should get a stimulus, should get a $500 payment—first off, they probably don't need it; and, secondly, they do not need it if we are going to borrow from their children; and, thirdly, they are probably going to save it, which is great in the long run but has no immediate stimulus effect.

Secondly, there is a proposal to include an extension of unemployment compensation benefits—unemployment insurance. Well, that would make sense if we were in a recessionary event, but right now the national unemployment rate is about 5.1, 5.2 percent, which is deemed full employment. Anything between 5 and 5.5 percent is historically a full-employment situation.

There are pockets of communities around this country which have higher unemployment, no question about it. But to put out a nationwide extension of unemployment insurance for an additional year, which is what is being talked about, or for an additional 6 months, which is also being talked about, that creates an incentive, in a full-employment economy, to not cooperate, to not go out and find jobs. It has the opposite effect. It is intuitively obvious that has a perverse impact on what you want in the area of human reaction, which is to go and find a job, if the jobs are available. Jobs in a 5-percent economy are available.

So any unemployment extension should be tied to a trigger, and that trigger should be set at what has been the historical levels of what is deemed to be recessionary, or a significant slowdown, which is around 6 or 7 percent, so you don't extend unemployment insurance unless you hit that level of unemployment. You can also make it regional. If one region has 6 percent unemployment, then you give them the extended unemployment insurance. If one region doesn't have 6 percent unemployment, you don't give them the extended insurance.

We are also talking about, on our side of the aisle, adding food stamps, adding FMAP, adding LIHEAP, adding infrastructure, and adding State and local tax deductibility. All this has been thrown out by other Members on our side of the aisle. State and local aid. It is making it a grab bag of everybody's ideas of whom they want to take care of and whom they want to attract in terms of political support or what is important to say to supporters or a group of people they think are important as their constituencies.

And that makes no sense at all. First, it is going to slow this package dramatically if you do that. Second, you are not going to improve stimulus activities around here by doing that. So I would hope we would not proceed that way.

I have a lot of problems with the initial package. I do congratulate the White House. I do congratulate Speaker PELOSI and Congressman BOEHNER for putting together a package and for recognizing the need.

I have big reservations as to whether it is the most useful package from the standpoint of stimulus, but it appears, in light of what the Senate is now talking about, to be the high watermark. Maybe we should take the House package and pass it and acknowledge the fact that we have done something.

The biggest impact of this event is very obvious; it is psychological. It is a big price to pay for a psychological event, $150 billion, which adds up to $200 billion over 10 years to our children. That is the big impact, that the American people and the world can see the Congress and the President can work together to address what we see as an economic slowdown, even though what we are proposing probably will not have the effects we hope it will have in the short term.

But we should not aggravate this problem by significantly increasing the lack of focus of the package by throwing in all these other ideas, by expanding the rebate to high-income individuals, by extending unemployment insurance in areas where there is basically full employment. Literally, the House package becomes the high watermark. I thought I would never say that, but that is the way it looks right now from the Senate activity.

So I wished to make those points because I think we may have to have an open discussion of what goes on around here, but we also have to have expedited activity. I do not want to slow it down.

I do want to make the points that if we start throwing all this baggage under the bill, we will probably set the train in the wrong direction.

I appreciate the courtesy of the Chair and I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:32 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARPER).

The PRESIDING OFFICER. The Senator from New Jersey.

EXTENSION OF MORNING BUSINESS

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the period for morning business be extended for 2 hours, with the time equally divided.

The PRESIDING OFFICER. Is there objection?

Hearing none, it is so ordered.

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. LAUTENBERG. 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. LAUTENBERG. Mr. President, I ask unanimous consent that any quorum time be equally divided.

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 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 understand we are in a period of morning business.

The PRESIDING OFFICER. Yes, we are, for roughly 2 hours.

STIMULUS PACKAGE

Mr. HARKIN. Mr. President, I thought I would take a few moments to talk about this stimulus package that is sort of maybe making its way through the Congress.

I was in my home State of Iowa this weekend, and a lot of people came up to me, from various walks of life, questioning whether we had lost all our sanity around here in terms of this stimulus bill.

Well, as I probed and asked questions, it seemed everyone thought this idea of just sending a check out to everybody—when we are borrowing the money from our kids and grandkids—to do it did not seem to make much sense, especially if some of that so-called stimulus money is used to buy a flat-screen TV made in China.

So we borrow money from China, we go into more debt to them—which our kids and grandkids and great-grandkids and on and on will have to pay for—so that people here can buy a consumer good made in China, and send the money to China. So whose stimulus is this? Is it for our country or is it for China? So people really rightfully question it.

Now, they have heard that maybe we are going to send a check to everybody regardless of income, that Bill Gates—and God bless him; he is always the foil, I guess, for the wealthiest in our country—and people of that magnitude of income would actually get a check.

I have to believe people are beyond laughing about this now. I have to believe the citizens of this country are scratching their heads and wondering just what are we doing.

What I heard from my constituents in Iowa is that if you really want to do something in terms of the economy, first of all, you take care of those who are hurt the most, those at the bottom, and then you take and you invest money in the economic well-being of this country.

So the more I talked to people about this issue, it became very clear to me that what we should be focusing on in the stimulus package—not what the White House has said and not even what the House said. I was not part of that agreement. I was not invited to those talks or anything else. It was only done by the Speaker of the House, I guess, and the minority leader of the House and the President. Well, there are 100 Senators here, too, and we represent people. It would seem to me we should have some input into what this ''stimulus package'' is.

So it is clear to me that just taking a bunch of money we borrowed from China—which our kids and grandkids have to pay back—and giving it in a check to everyone, just throwing it out there, is just throwing money at the problem. How many times have we heard around here: Don't just throw money at the problem. So if we have an economic slowdown, let's target—let's target—what it is we are going to put our money into.

Now, first, you want to ask the legitimate question of, if you are going to spend a dollar, what gives you the most economic activity? What rolls around the most in the economy? What has the largest multiplier effect? Well, the Economic Research Service, the Moody's have all said that the biggest bang for the buck we could get is in food stamps—either a 1.73 or a 1.84 multiplier effect. It means for every $1 you put in, you are getting $1.84 more in economic activity. That is the highest. It dwarfs everything else. Here is a way we can actually do something about the economy, target money and help those who need help the most.

We have had a constant erosion in food stamps, a 30-year erosion in the asset level. The asset level right now for a person who qualifies for food stamps in this country is $2,000. In other words, if you are a single parent with a couple of kids and you are working—maybe you are in a temporary layoff now with the economic turndown, but let's say while you were working you saved a little bit of money for that rainy day. We are always telling people to save money. It is good for you. It is good for your future. So maybe they saved a little bit of money. Well, if they saved over $2,000, they do not get food stamps. That is the same level it was in 1977. If it had kept pace with inflation, the asset level today would be about $6,000. So we have had that erosion now for 30 years. We have had 11 years of an erosion of the standard deduction, which is, without getting into the nitty-gritty of how it works, just a standard deduction for a family on food stamps, taking into account certain factors that comes out to be a deduction of about $130 a month. That is at the level it was 11 years ago. It hasn't changed. It was frozen at that level in 1996.

The childcare deduction is now capped at $175, and it has been that way for 11 years. There has been no increase in the childcare deduction, even though we know childcare costs more money today than it did 11 years ago. So we have had great erosions. Couple that with the fact that since 2000, the number of people on food stamps in this country has gone from 16 million to 26 million.

So while the economy may have been good for some people over the last 5 or 6 years, it was good for people at the top. But if the economy was so darn good over the last several years, why did we go from 16 million on food stamps to 26 million on food stamps? Because for those at the bottom, the economy was not very good; thus, the widening gap between the rich and the poor in this country.

So it would seem to make sense, if we are going to have some kind of ''stimulus package,'' the first rule would be do no harm, and then target it so that it is effective. Ask the economists. They all say the best bang for the buck is when you put it in food stamps. So here is our opportunity, both to have some multiplier effects and to help stimulate the economy and do what really is morally right, what we should have done a long time ago, and that is to make sure the people at the bottom don't keep falling through the safety nets.

So I say, I don't know what the Finance Committee is going to do. This is not in their jurisdiction. I understand. They can't do anything about food stamps; that is not in their jurisdiction. But when that bill comes up, and when we get it to the floor, I want everyone to be aware that we are going to have an amendment—and I will have an amendment on food stamps—to put a significant amount of money into food stamps, about a 20-percent increase in food stamps for the next year. That gives us 12 months.

Now, why 12 months rather than 6 months or 7 months or 8 months? Well,

first of all, we have a farm bill in which both the House and the Senate addressed some of these longstanding problems in the food stamp structure. I don't know when that farm bill is going to get passed. The President has threatened to veto it. We will get it done sometime. Sooner or later we will get this farm bill done—hopefully, in the next month or so. But then the changes that have to take place to change the system so we can begin to increase the asset level, take the cap off of the childcare deduction, and then take a standard deduction and factor in inflation for that, that takes time. We will not get it done right away. I think it would be the height of cruelty to say to people who need this food and who need food stamps that we are going to increase it for 6 months and then we are going to take it away. Now, at least if you get a rebate—as I said, I am not in favor of all of these checks going out, but if you are going to get a check, you can save it for a rainy day or you can do something like that. But with food stamps, you can't do that. So if you get food stamps, and we say, OK, we will increase your food stamps, you can buy a little better protein, you can eat a little bit better for 6 months, and then we are going to cut it off.

Keep in mind that right now, under our Food Stamp Program, the amount of money a person gets per meal on food stamps is $1—$1—$1. Have you ever tried eating a meal for a dollar? Try it sometime.

So what we are talking about is not lavish living. We are talking about giving people just the basic necessities. So, again, this is our chance to do something that is morally right and at the same time target our help in stimulating the economy.

Second only to that would be increasing unemployment benefits. People who have been unemployed for a long time need to have it extended, to have their unemployment benefits extended. That also has a big multiplier effect. Also, close on the heels of that in terms of benefiting the economy is the money that we use to build our infrastructure; that is, the roads and the bridges, the school buildings, the sewer and water systems, government buildings. It would be things like community development block grants that we put out to our cities and communities to do construction projects.

So it seems to me, again, if we are going to put money out there, this is what we ought to be doing. We have billions of dollars of construction that is needed to be done in this country on school buildings, classrooms, bridges—need I mention Minnesota—highways. Our highway system is falling apart, that great interstate highway system that we built, and I worked on when I was in high school, well over a half a century old. Keep in mind when it was built, we didn't have the truck traffic then that we have today. So we need to put money into the infrastructure. Those jobs are ready to go by May. By the time these checks would get out they are talking about, you would have people starting to go to work.

The benefits of putting money into an infrastructure project are multiple. There are multiple benefits. First of all, the work is done locally. You can't outsource it to India or China. Obviously, if you are going to build a schoolhouse, you have to hire people locally to do it. So the work is done locally.

Secondly, almost all of the materials used in any kind of infrastructure project, whether it is cement or reinforcing rods or whether it is carpeting or doors or windows or lights, heating and air-conditioning systems, drywall—you name it—almost all of that is made in America. Maybe not all of it, but the vast majority of it is made in this country. So the ripple effect throughout our economy is great when you do an infrastructure project. You put people to work. Most of the materials and stuff you buy are American made.

Third, once you do this, you have something of lasting good to our economy, something that helps the free enterprise system function better.

When our roads and highways are plugged up with traffic and it can't move, that hurts business. When we don't have adequate clean water and sewer systems for communities, businesses can't locate and, therefore, operate efficiently. When we don't have the best schools in America with the best facilities, the high-speed hookups to the Internet, when we don't have schools which are the jewel of a neighborhood—the best thing that kids would ever see in their activities during the week would be the school—not the mall, not the theater, not the sports arena but their school. What if that was the nicest thing in every neighborhood? I tend to think that would help our teachers to teach better, our recruitment of teachers, and give kids more incentive to study. But it provides a lasting benefit for this country. So mark me down as one who is—I am just more than a little cautious and maybe a little bit more conservative on this idea of sending everybody a check. I think people would be better off and our economy would be better off if we did those three things: Do something on the food side for the people who are hardest hit in our economy, extend unemployment benefits, and put a slug of money into infrastructure.

That is what we ought to tell President Bush. That is what we ought to tell the White House. That is our program. That is the Democrats' program for this country: to put people back to work, not just to send everybody a check, but let's give everybody a job. Let's give them jobs out there that will build our country. The multiplier effect on that is enormous. But if you are just going to send somebody a check, that is it. They might just tend to buy something made in China or Japan or who knows where else. That is just not the best thing for our long-term economy and not for what we want to do in this country.

So, once again, it seems as though we look for short-term solutions to long-term problems. Our long-term problems are the infrastructure of this country and the fact that we don't have a good job base for people in this country—long-term problems. We are importing more and more and more from overseas. I listened to the President last night in his State of the Union message when he talked about how exports are up. He didn't mention how much more imports were up over exports. He just didn't even mention that. We are in hock to China up to our eyeballs, and it is getting worse not better. So we are going to send everybody $500 and tell them to go spend some money on things probably made in China.

So, again, I don't think we ought to roll over. I don't think we ought to block anything. But I think we ought to come up with a package that does something for our economy. The things I just outlined I think will do more for our economy than sending everybody a $300, $500, or maybe a $1,200 check.

Lastly, I see there is some talk about sending everybody a check—no income limit. Well, I thought the income limits in the House were too high: $75,000, $150,000 for a couple, so you could get up to 1,200 bucks. I just don't think that is logical, and I don't think it is healthy. I don't think it is good for our country. I don't think it is good for the long-term health of our economy.

So I hope we can work together in a bipartisan atmosphere to come up with a package that is not just throwing money at the problem but targets it, and targets it to those areas that will be effective in putting people back to work, helping people at the bottom of the ladder, and providing for the long-term economic underpinning of our country.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maine is recognized.

FISA

Ms. SNOWE. Mr. President, I rise today as a member of the Select Committee on Intelligence to discuss the pending legislation to modernize the Foreign Intelligence Surveillance Act that was originally passed in 1978. At the outset of my remarks I would like to first express my sincerest appreciation to the chairman of the committee, Senator ROCKEFELLER, and the vice chair, Senator BOND, for their exceptional leadership in working in a concerted, cooperative manner to shepherd the Intelligence Committee bill through the legislative process in a strong, bipartisan manner.

As my colleagues know, the act is set to expire on February 1—less than a week from now. It is imperative that Congress pass legislation reflecting the

will of this body and send it to the President's desk for enactment. At a time when al-Qaida lurks in the shadows, making no distinctions between combatants and noncombatants, between our battlefields and our backyards, we as lawmakers must work with firm resolve to ensure that the intelligence community possesses the tools and the legal authority that is required to prevent future terrorist attacks on our soil. Yet in the wake of years of controversy surrounding the Terrorist Surveillance Program, we all must be mindful of our duties to uphold the constitutional protections as old as this Republic. I do not believe these goals are mutually exclusive.

The Foreign Intelligence Surveillance Act, commonly known as FISA, establishes a distinct system of laws and regulations for the Government's ability to legally conduct national security-related surveillance of communications. The Intelligence Committee proposal, which was reported out on a strong 13-to-2 bipartisan vote, does not present the ideal solution to the urgent matter before us, underscoring the difficulties and complexities that are presented by the question of intelligence surveillance. However, it is a marked improvement over the Protect America Act and represents the collective agreement of 13 of the 15 members of the Intelligence Committee, both Republicans and Democrats. I appreciate the disparate views that many of my colleagues on both sides of this aisle espouse, but in the end, the Senate must work to achieve its will and to find the common ground that is so essential on this issue for our Nation's security. For Congress to be relevant, it must ultimately come to a legislative resolution and conclusion.

The underlying premise of FISA recognizes that obtaining a standard search warrant through a typical Federal or State court is not appropriate when dealing with sensitive security operations and highly classified information. In creating separate legal mechanisms for such matters, FISA has, for nearly 30 years, relied upon the rulings of the special Foreign Intelligence Surveillance Court and continuous congressional oversight in ensuring that fourth amendment protections against unreasonable searches and seizures are respected. Although FISA is and remains an indispensable tool in the war on terror, it was written almost 30 years ago—long before the name ''al-Qaida'' rang with any significance—and it has begun to show its age.

FISA was enacted before cell phones, before e-mail, and before the Internet, all of which are used today by hundreds of millions of people across the globe. Unfortunately, those numbers include terrorists who are using these tools for planning, training, and coordination of their operations. Put simply, FISA's technology-centered provisions do not correspond to the systems and apparati that are used in communications today. As Admiral McConnell, Director of National Intelligence, said most bluntly and straightforwardly:

> FISA's definition of electronic surveillance [has] simply not [kept] pace with technology.

But we all know this is not the only backdrop to FISA reauthorization. Prior to December 2005, only the party leaders in both the House and the Senate, and the chairmen and ranking members of those Houses' respective Intelligence Committees—the so-called gang of eight—had any knowledge that warrantless surveillance was occurring on U.S. soil with neither court approval nor congressional authorization. Once the program came to light, the administration asserted it had the legal authority to conduct such surveillance anyway, citing considerably tenuous interpretations of both article II of the Constitution and the 2002 authorization for the use of military force in Iraq.

This was not the power-sharing construct between the three branches of Government under which FISA had operated for nearly three decades. Rather, this was a unilateral exercise of executive branch authority to the exclusion of the other two. The use of unchecked executive power was neither how the Framers of the Constitution nor the framers of FISA intended this matter to be addressed.

Accordingly, less than 2 months later, I, along with Senators DeWine, HAGEL, and GRAHAM, introduced the Terrorist Surveillance Act of 2006, which called for strict legislative oversight and judicial review of the program. A number of colleagues joined the effort with a variety of additional proposals to both exert congressional oversight, as well as to modernize FISA; and the administration, bowing to this collective congressional pressure, finally permitted full access to the NSA program by members and staff of both Intelligence Committees. Congressional leverage also led the Attorney General this past January to submit the terrorist surveillance program to the requirements of FISA, including appropriate review of Stateside surveillance requests by the Foreign Intelligence Surveillance Court. At the time this was viewed as a step toward some restoration of the rule of law and constitutional principles, and FISA reform efforts focused on modernizing the statute for technological purposes.

Yet, as noted in the Intelligence Committee's report on the FISA Amendments Act of 2007,

> At the end of May 2007 . . . attention was drawn to a ruling of the FISA court . . . that the DNI later described as significantly diverting NSA analysts from their counterterrorism mission to provide information to the Court. In late July, the DNI informed Congress that the decision . . . had led to degraded capabilities in the face of a heightened terrorist threat environment.

FISA reform efforts quickly shifted to addressing this gap. Congress responded this past August by passing the bipartisan Protect America Act, a law which cleared the Senate 60 to 28. Although an imperfect statute, it granted the DNI the tools necessary to protect our homeland at a time when there were well-documented gaps in our intelligence gathering. Congress wisely employed a 6-month sunset to ensure that the shortcomings of this temporary law could be explored at length and properly corrected. The bill before the Senate today is a product of that 4-month deliberation, and given all that I have just outlined, clearly the time has now come to take precise and concrete action.

The Intelligence Committee has been guided by its vast expertise in overseeing American intelligence operations, and this proposal sorts out the confusion of the past several years and replaces legal gray areas with clear bright line rules. Central to this revision is the role of the FISA Court—a critical step in this process, as the courts must play a prominent role whenever fourth amendment concerns are at stake.

The bill rightly maintains the rule that no court order is required when targeting communications abroad, and clarifies that this remains the case even if, for example, a foreign-to-foreign e-mail transits a server located on U.S. soil. However, the bill would, going forward, allow for so-called ''umbrella surveillance'' only under the following conditions: First, it may be conducted for 1 year. Secondly, the DNI and the Attorney General must certify that such operations would target only those individuals reasonably believed to be outside of the United States. Third, the FISA Court must receive and approve the minimization procedures to ensure that any ''inadvertent collection'' is promptly destroyed.

More importantly, where the target is located within the United States, or where the target is a U.S. citizen or a permanent resident anywhere in the world, the bill now requires that a warrant first be obtained from the FISA Court. The FISA Court—only the FISA Court—will have the authority to determine that there is probable cause to believe that the U.S. person in question is an agent of a foreign power. Only then may a warrant be issued, and only then may targeted surveillance commence. This is a strong and substantial improvement over the provisions of the Protect America Act.

It is noteworthy that this bill, if passed, would recognize for the first time ever the right of a U.S. citizen or permanent resident to be free from warrantless surveillance by the U.S. Government even when such person is abroad. As our colleague Senator WYDEN said in the Washington Post on December 10, this is a change that was contemplated back in 1978 but which never received the attention necessary from Congress to become law.

Finally, the bill authorizes the inspectors general of the Department of

Justice and elements of the intelligence community to conduct independent reviews of agency compliance with the court-approved acquisition and minimization procedures—adding another independent check to ensure that the agencies charged with implementing the program are in fact complying with the court order and minimizing any information that was inadvertently collected.

This is not to say that the Judiciary Committee substitute was not superior in some regards. For example, it contained far stronger language asserting that the FISA Court and the Federal Criminal Code are the exclusive means by which the U.S. Government may conduct surveillance, counteracting allegations by the administration that the 2002 authorization of the use of military force against Iraq provided an alternate statutory authority.

To be clear, the Intelligence Committee bill does state that such a restriction applies to ''electronic surveillance.'' In fact, I felt strongly about this provision, and that is why I joined other colleagues on the Intelligence Committee in submitting additional comments regarding this provision—specifically that FISA is the exclusive means by which the U.S. Government may conduct surveillance. Yet the Judiciary Committee bill took this one step further, expanding exclusivity to cover any ''communications or communications information,'' a broader term meant to reach even those communications not covered under the more narrowly defined category of ''electronic surveillance.''

Yet, on balance, the Intelligence Committee legislation reflects the committee's expertise in this field, and it presents a bipartisan approach for restoring order to the state of the law surrounding Government surveillance.

As the Intelligence Committee report noted, the committee held seven hearings in 2007 on these issues, received numerous classified briefings, propounded and received answers to numerous written questions, and conducted extensive interviews with several attorneys in the executive branch who were involved in the review of the President's program. In addition, the committee received formal testimony from the companies alleged to have participated in the program and reviewed correspondence that was provided to private sector entities concerning the President's program.

The committee secured IG reports and the orders and opinions issued by the FISA Court following the shift of activity to the judicial supervision of the FISA Court and invited comments from experts on national security law and civil liberties. The committee also examined extensive testimony given before other committees in the last several years and visited the NSA, carefully scrutinizing the program's implementation.

The underlying committee bill vests significant authority—and rightfully so—in the FISA Court to authorize targeting of U.S. persons and to sign off on minimization procedures of any nontargeting surveillance. It further modernizes FISA so that its terms apply rationally to today's technology, and streamlines procedures to ensure that the men and women in our intelligence community can maximize their focus on detecting threats to our homeland. It does all of this while employing the Intelligence Committee's technical expertise to avoid any unintended consequences.

I wish to focus the remainder of my remarks on what has become the flashpoint of controversy—whether to grant retroactive immunity to the numerous telecommunications companies who have been sued for allegedly providing private customer information to the Government in violation of the law. I believe that this narrow, limited grant of immunity is a proper course of action for these reasons:

First, it is critical to note and understand that a grant of immunity to telecom providers for assisting the Government is not a novel concept, but rather a longstanding component of existing law. Specifically, the Federal Criminal Code already states that ''no cause of action shall lie in any court against any provider . . . for providing information, facilities, or assistance'' to the Federal Government in conducting electronic surveillance if the company is presented with either a court order or a certification signed by the Attorney General stating that ''no warrant or court order is required by law, that all statutory requirements have been met, and that the specific assistance is required.''

Why, then, must the bill before us contain an immunity provision for communications firms? The answer is that they are unable to invoke it because the very existence of whether a particular company—or any company—did or did not participate in any alleged surveillance has been designated as a state secret by the U.S. Government. This places the telecom companies in a Catch–22 scenario: if, hypothetically, a company did assist the Government, it cannot reveal that fact under the State Secrets Doctrine, and thus cannot claim the benefit of immunity; conversely, if a company did not provide any alleged assistance, it still cannot demonstrate that fact to conclusively dismiss the lawsuit, again because of the mandates of the State Secrets Doctrine. In the 40-plus active lawsuits, defendant telecom companies are in a ''no-win situation.''

To those who may ask why Congress should concern itself with addressing these pending lawsuits, I would answer that the credibility and effectiveness of America's intelligence community depends upon it. Particularly in the wake of the devastating attacks of September 11, 2001, any American company that, when reportedly presented with proper certification, assisted the Government in a matter of national security was doing so, in all likelihood, in the best interests of our Nation. And punishing such cooperation through subsequent lawsuits could have drastic future consequences.

This position has been asserted by former Attorney General John Ashcroft and former Deputy Attorney General James Comey, both of whom had well-documented misgivings about the administration's approach to surveillance. This view is also held by the distinguished chairman of the Intelligence Committee, who on October 31 of this year wrote in the Washington Post that the telecom lawsuits are ''unfair and unwise. As the operational details of the program remain highly classified, the companies are prevented from defending themselves in court. And if we require them to face a mountain of lawsuits, we risk losing their support in the future''—a development that Chairman ROCKEFELLER assessed would be ''devastating to the intelligence community, the Justice Department and military officials who are hunting down our enemies.''

The immunity provision in this bill is narrow and limited. First, it is only retroactive. It clearly delineates what types of surveillance require a search warrant from the FISA Court and what types do not. The very fact that the FISA Court will be involved contrasts starkly with the ''gray area'' under which the Terrorist Surveillance Program had operated prior to January of this year. This clarity will thus also make it clear as to whether a telecom company is complying with a lawful request and thus whether it will be entitled to statutory immunity.

As the Intelligence Committee report underscored, the action the committee proposes should be understood by the executive branch and provided as a one-time response to an unparalleled national experience in the midst of which representations were made that assistance to the Government was authorized and lawful.

In doing so, the underlying legislation acts prospectively to guard against any future infringements of constitutional liberties that might occur. By contrast, striking title II will accomplish nothing constructive in the future. To the contrary, as I indicated, it may be counterproductive by discouraging future cooperation by private entities.

Second, the bill only grants immunity for civil lawsuits. It would not provide amnesty to anyone—the telecommunications companies, Government officials or any other party—who engaged in any potential criminal wrongdoing. Should any criminal allegations arise against telecommunications officers, Government officials or others, such investigations would not be prevented by this provision. Nothing in this bill is intended to affect any of the pending suits against the Government or individual Government officials.

Third, this provision does not make any determination as to whether the

program in question was legal. It only grants the telecommunications carriers immunity if the Attorney General certifies those carriers cooperated with intelligence activities designed to detect or prevent a terrorist attack and that such a request was made in writing and with the assertion that the program was authorized by the President and determined to be lawful.

Finally, this bill provides the fairest course of action for addressing corporations that, when presented with an urgent official request at a critical period for our Nation's security, acted in a patriotic manner and provided assistance in defending this Nation. These companies were assured that their cooperation was not only legal but necessary and essential because of their unique technical capabilities. Also note that the President initially authorized the NSA program in the early days and weeks after the September 11 attacks, attacks that shocked our Nation and forced us to quickly react and adjust to the new reality of the 21st century, where terrorism was occurring in our own backyard. If a telecommunications company was approached by Government officials asking for assistance in warding off another terrorist attack and those Government officials produced a document stating the President had authorized that specific activity and that activity was regarded as legal, could we say the company acted unreasonably in complying with this request?

In the interest of protecting our Nation in this new environment of the 21st century and bringing stability and certainty to the men and women who are in our intelligence community as they carry out their very vital and critical missions in defending and preserving our freedoms at home, I urge passage of FISA reform that is bipartisan, that respects an active balance among all branches of Government, that will establish a key role for the courts going forward in evaluating surveillance measures in the United States and against U.S. persons abroad and that we will allow the intelligence community to devote its full efforts to fighting and winning the war on terror.

I yield the floor.

The PRESIDING OFFICER (Mr. PRYOR). The Senator from Oklahoma.

ORDER OF PROCEDURE

Mr. INHOFE. Mr. President, there is confusion as to the order of the speakers. I ask unanimous consent that the junior Senator from Pennsylvania, Mr. CASEY, be recognized for up to 15 minutes, in morning business, to be followed by me, to be recognized for up to 35 minutes in morning business.

The PRESIDING OFFICER. Is there objection?

Mr. CASEY. Reserving the right to object.

The PRESIDING OFFICER. The Senator is recognized.

Mr. CASEY. Will the Senator modify his request to add Senator WEBB to that lineup to be the next Democratic speaker?

Mr. INHOFE. May I ask how long Mr. WEBB, the junior Senator from Virginia, wishes to speak?

Mr. CASEY. Ten minutes.

Mr. INHOFE. I amend my request that it be, first, Senator CASEY for 15 minutes, Senator WEBB for 10 minutes, and myself for 35 minutes in morning business.

This is the new request: I ask unanimous consent that the junior Senator from Pennsylvania, Mr. CASEY, be recognized for up to 15 minutes, after which I will be recognized for up to 35 minutes, and then the Senator from Virginia, Mr. WEBB, will be recognized for up to 10 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Pennsylvania is recognized for up to 15 minutes.

Mr. CASEY. Mr. President, I thank the Senator from Oklahoma for working through that unanimous consent agreement.

IRAQ

Mr. CASEY. I rise today to speak about the war in Iraq. There is a lot of talk in this Chamber and across this town and across the country about our economy, and that is justifiable. But we have to remember that in the midst of a difficult economy in America, there is a lot to talk about and to work on to respond to that. We still have a war in Iraq to worry about, to debate, and to take action on. I don't think we can lose sight of a war that grinds on without end in Iraq.

This war does burden our troops, obviously, with repeated and prolonged deployments and, in fact, drains our national resources. The war hampers our efforts in places such as Afghanistan and Pakistan, the real frontlines in the global struggle against Islamic terrorism and extremism.

So we must ask ourselves at least a couple of questions when it comes to the war in Iraq. There are many, but there are at least a few I can think of.

What are we in the Congress doing about this war today, this week, this month, and in the months ahead, even as we struggle to deal with a difficult economy?

The second question might be: When will the Iraqi Government start serious discussions on national reconciliation?

Third, how will we know when we have achieved our objectives in Iraq? How will we know that?

Finally, and I think the most compelling question is: When will our troops come home?

Last night, the President spoke about a number of topics, and one was the economy. One of the first words the President said with regard to the economy, he talked about a time of uncertainty. Mr. President—President Bush I mean—I disagree. With regard to the economy, this is not about something that is uncertain. It is very certain. The lives of Americans, the perilous and traumatic economy they are living through is not uncertain or vague or foggy. It is very certain. The cost of everything in the life of a family is going through the roof, and we have to make sure we respond to that situation.

I argue that word ''uncertainty'' does apply when it comes to the war in Iraq in terms of our policy. I would argue to the President what is uncertain, if there is uncertainty out there in our land, it is about the war in Iraq. Uncertainty, frankly, about what our plan is in Iraq and what is this administration and this Congress doing to deal with this war in Iraq. That is where the uncertainty is. I think the reality of the economy is very certain for American families.

While the headlines about Iraq have all but vanished from the front pages and television screens and the administration continues to divert attention elsewhere, we have a fundamental obligation as elected representatives of the American people to continue to focus on the war until we change the policy and bring our troops home.

We marked the first year anniversary of the President's decision to initiate a troop escalation in Iraq, and we are coming upon the fifth anniversary of the invasion of Iraq.

Last night, in his State of the Union Address, the President described the surge in very positive terms. Make no mistake about it—we all know this—our soldiers have succeeded in their mission with bravery and heroism and violence in many parts of Iraq is, in fact, down. Yet despite all that, despite all that effort, despite all that work, Iraq today is still not a secure nation, and it will not be secure until its leaders can leave the Green Zone without fear of assassination. It will not be secure until they can leave the Green Zone without fear of suicide bombings. It will not be secure until its own national Army and police forces can stand up and protect all of Iraq's people without regard to ethnicity or creed.

In assessing whether the surge has worked, we should pay attention to the President's words from a year ago. President Bush declared in January 2007, when he first announced the surge:

> Iraqis will gain confidence in their leaders and the government will have the breathing space it needs to make progress in other critical areas.

Those are the President's words. So let's judge this issue by his words. Judged by those standards enunciated by the President, we can only conclude the surge has not worked, if that is what the objective was. I add to that, when I was in Iraq in August and I talked with Ambassador Crocker about the terminology used by this administration with regard to the war, because I said sometimes the terminology is way off and misleading, he said: The way I judge what is happening here is

whether we can achieve sustainable stability. That is what he said, sustainable stability.

Based upon what Ambassador Crocker said and based upon what the President said, if we measure what is happening now against those standards, the surge has not worked, based upon those assertions by the Ambassador and by the President.

The troop escalation did not prompt the Iraqi Government to make the hard choices or to meet the benchmarks laid out by the administration. As General Petraeus told me in that same meeting this past summer in Baghdad, the war in Iraq can only be won politically, not militarily, and he said that on the public record as well. But on national reconciliation, oil sharing, and other key issues where Iraqis must forge agreement in order to allow U.S. forces to eventually withdraw, we do not see nearly enough progress. In fact, the evidence of substantial progress is very bleak.

We heard recently about things that have been happening in Iraq. Although the Iraqi Parliament passed a debaathification measure this past month, it is unclear how far the legislation will go toward addressing Sunni concerns, since serious disagreements exist on the law's implementation. Some contend that former Baathists will still be barred from important ministries such as Justice, Interior, and Defense.

As has often occurred in the past, once again the Iraqi political leadership has chosen to avoid the hard choices and instead kick the can down the road, ensuring further bloodshed and national fragmentation in the interim.

We all know how long this war has endured. It has endured longer than the war we know as World War II. It is longer than that war, with over 3,900 dead, 178 Pennsylvanians, the number of wounded in Pennsylvania is about 1,200 or more; across the country, 28,000. Our military forces have done everything we have asked of them. They have matched the bravery and success in every way possible of those great American warriors who preceded them in past conflicts. But our troops, the best fighting men and women in the world, cannot force a foreign government to be stable, they cannot force the Iraqi national police to put aside their deep-seated sectarianism and corruption, and they cannot force Iraqi political leaders to want progress as much as our troops do and as much as the Iraqi people deserve.

We have much to do to make progress. But here is what is happening lately. This is a very important point, and I conclude with it. The President is showing every sign that he intends, in the waning days of his administration, to lock the United States and, in particular, to lock our fighting men and women into a long-term strategic commitment in Iraq without consultation with the elected representatives of the American people in Congress. He has signaled to the Iraqi Government that the United States can maintain significant U.S. troop levels in Iraq for at least 10 years—10 years—if not longer. He seeks to negotiate a long-term strategic agreement with the Iraqi Government that would commit the United States to providing security assurances to the Iraqi Government against external aggression—an unprecedented commitment that could embroil the United States in a future regional conflict or even a full-scale Iraqi civil war. The President's senior aides have proposed that such an agreement would need to be ratified by the Iraqi Parliament—the Iraqi Parliament—and bypass the U.S. Congress. That is unacceptable to me and I think to anyone in this body and to the American people, and it is why five other Members of this body joined me in December in sending a letter to the President stating that the Congress must be a full and coequal partner in extending such long-term commitments.

Mr. President, I ask unanimous consent to have printed in the RECORD my letter of December 6, 2007, to the President.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, December 6, 2007.

President GEORGE W. BUSH,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: We write you today regarding the ''*Declaration of Principles*'' agreed upon last week between the United States and Iraq outlining the broad scope of discussions to be held over the next six months to institutionalize long term U.S.-Iraqi cooperation in the political, economic, and security realms. It is our understanding that these discussions seek to produce a strategic framework agreement, no later than July 31, 2008, to help define ''*a long-term relationship* of cooperation and friendship as two fully sovereign and independent states with common interests''.

The future of American policy towards Iraq, especially in regard to the issues of U.S. troop levels, permanent U.S. military bases, and future security commitments, has generated strong debate among the American people and their elected representatives. Agreements between our two countries relating to these issues must involve the full participation and consent of the Congress as a co-equal branch of the U.S. government. Furthermore, the future U.S. presence in Iraq is a central issue in the current Presidential campaign. We believe a security commitment that obligates the United States to go to war on behalf of the Government of Iraq at this time is not in America's long-term national security interest and does not reflect the will of the American people. Commitments made during the final year of your Presidency should not unduly or artificially constrain your successor when it comes to Iraq.

In particular, we want to convey our strong concern regarding any commitments made by the United States with respect to American security assurances to Iraq to help deter and defend against foreign aggression or other violations of Iraq's territorial integrity. Security assurances, once made, cannot be easily rolled back without incurring a great cost to America's strategic credibility and imperiling the stability of our nation's other alliances around the world. Accordingly, security assurances must be extended with great care and only in the context of broad bipartisan agreement that such assurances serve our abiding national interest. Such assurances, if legally binding, are generally made in the context of a formal treaty subject to the advice and consent of the U.S. Senate but in any case cannot be made without Congressional authorization.

Our unease is heightened by remarks made on November 26th by General Douglas Lute, the Assistant to the President for Iraq and Afghanistan, that Congressional input is not foreseen. General Lute was quoted as asserting at a White House press briefing, ''We don't anticipate now that these negotiations will lead to the status of a formal treaty which would then bring us to formal negotiations or formal inputs from the Congress.'' It is unacceptable for your Administration to unilaterally fashion a long-term relationship with Iraq without the full and comprehensive participation of Congress from the very start of such negotiations.

We look forward to learning more details as the Administration commences negotiations with the Iraqi government on the contours of long-term political, economic, and security ties between our two nations. We trust you agree that the proposed extension of longterm U.S. security commitments to a nation in a critical region of the world requires the full participation and consent of the Congress as a co-equal branch of our government.

Sincerely,

ROBERT P. CASEY, JR.,
ROBERT C. BYRD,
EDWARD M. KENNEDY,
JIM WEBB,
HILLARY RODHAM CLINTON,
CARL LEVIN,
United States Senators.

Mr. CASEY. We now learn that the President, in signing the Department of Defense authorization bill into law yesterday, has once again taken the opportunity to issue another infamous signing statement, imposing his own interpretation of a law over the clear intent of the Congress.

Let's not forget that this important legislation has been needlessly delayed for weeks because the President wanted to defer to concerns of the Iraqi Government over compensation for U.S. victims of Saddam Hussein's acts of terrorism. Let me repeat that. A critical pay raise for our troops was delayed because a foreign government raised concerns with this White House.

In signing the Department of Defense authorization bill into law, the President declared his right to ignore—ignore—several important provisions, including the establishment of an important special commission to review wartime contracting. This provision was an initiative of the Senate Democratic freshmen class, led by Senators WEBB and MCCASKILL. The President also declared his right to ignore a provision prohibiting funding for U.S. military bases or installations in Iraq that facilitate ''permanent station'' of U.S. troops in Iraq.

Let me say that again in plain language. This provision sought to prevent the United States from establishing permanent bases in Iraq, and

the President has indicated he may ignore—ignore—this provision. Every time senior administration officials are asked about permanent military bases in Iraq, they contend it is not their intention to construct such facilities. Yet this signing statement issued by the President yesterday is the clearest signal yet that the administration wants to hold this option in reserve. This is exactly the wrong signal to send both to the Iraqi Government and its neighbors in the region and to others as well.

Permanent U.S. military bases gives a blank check to an Iraqi government that has shown no evidence that it is ready to step up and take full responsibility for what happens in Iraq. Permanent U.S. military bases feeds the propaganda of our enemies, who argue that the U.S. invasion in 2003 was carried out to secure access to Iraq's oil and establish a strategic beachhead for the U.S. military in the region. Permanent U.S. military bases means U.S. troops will be in Iraq for years to come, ensuring that the great strain on the American military will continue indefinitely.

Finally, and I will conclude with this, we have a lot on our plate this year to deal with. We have the economy to deal with and so many other difficult issues, but the war in Iraq continues to be a central foreign policy challenge faced by the President, by the Congress, and by the Nation. When this President departs office after 8 years, he should not—should not—commit our soldiers and our Nation to 10 more years—10 more years—if not longer, and hundreds of billions of dollars, if not more, spent on the war in Iraq.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INHOFE. 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. INHOFE. Mr. President, it is my understanding, under a previous unanimous consent request, that I would be recognized for up to 35 minutes.

The PRESIDING OFFICER. That is correct.

THE THIRD REASON

Mr. INHOFE. Mr. President, I don't very often do this, but I am going to make a presentation today, and I would like to give it a title, and the title is ''The Third Reason.'' The subtitle very likely could be ''The third reason we are winning in Iraq, and we should be in Iraq.''

I have to say that I have had occasion to be there many times, and there is no doubt in my mind and, I don't doubt, in many people's minds that we are actually winning in Iraq. But before I address this, I would like to point out something very few people are aware of; that is, the mess that was inherited by George W. Bush right after 9/11.

First of all, if we look back during the 1990s, there was this euphoric attitude that the Cold War was over and we no longer needed a national defense system. So during the 1990s, during the Clinton administration, we started decimating the system. And I have the documentation here because a lot of people don't understand this.

If you would take what happened in the first year, or the last year of the previous administration over the first year the Clintons had control of the budget, and if we had taken a flat amount to determine how much we were going to be spending on defending America, then draw a straight line and only add into that the inflation—in other words, that is what it would be if we didn't do anything else—well, the budget that came from the White House is this red line down here. If you take the difference between the red line and what would have been a flat budget, it is $412 billion. In other words, $412 billion came out of our defense system. However, the good news was that Congress looked at that and said that is too big of a cut, so they intervened and raised President Clinton's budget up to this brown line in the middle. So what was inherited by this President was an amount $313 billion less than it would have been if it had just been a static amount.

Now, that would have been bad enough—and I have always contended we have to make that the No. 1 priority in America: to defend America—but to make it worse, on 9/11 we went to war, and then we were pushed into a situation of going into and liberating Iraq, and all of a sudden, people started standing on the floor of the Senate and saying things like: Well, how in the world could this President be getting into deficits, how could he be spending so much, and all of this. This is the reason: because we started off $313 billion less than during the time period of the previous administration. That is the seriousness of it.

Now, I say that just because I recall so well the confirmation hearings for the Secretary of Defense, Secretary Rumsfeld. During his confirmation hearings, they were making statements at that time about what were they going to do with the problems that were there and that we are underfunded in the military, that our modernization program has gone sideways, our force strength is not what it should be, and what should we do about that. This was all live on TV.

During the confirmation hearing—and I was on the Senate Armed Services Committee—I said: Mr. Rumsfeld, we have a problem I see as very serious, and that is you are going to get all of your generals around you, we are going to get all these smart people, and they are going to be asked what are we going to be confronted with 10 years from today, and the generals, as smart as they are, are going to be wrong.

I can remember what I said at that meeting 7 years ago. I said: The last year I was in the House of Representatives, I was attending a House Armed Services Committee hearing, and in that committee hearing an expert witness said: Ten years from now, we will no longer need ground troops in America.

Of course, we saw what happened in Kosovo and Bosnia, and we knew that was wrong. So I said: Since we can't tell where we are going to be 10 years from now, and there is a lead time in preparing for war or a contingency, what is the answer to this thing? We don't know if we are going to have the best strike vehicles or lift vehicles or the best artillery pieces.

He said: I have made a study of that, and you are asking the right person, because in the average year, for the 100 years of the 20th century, we spent 5.7 percent of our GDP on defense. At the end of the 1990s, it went down to 2.7 percent.

I said: Down to 2.7 percent. Where should it be?

He said: We don't know for sure but somewhere in excess of 4 percent, probably 4½ percent, which is still less than it was for the previous several hundred years.

That was kind of interesting to me because when you look right now, how many people in America realize there are some things we have that are not as good as some of our potential adversaries?

I would say that one of my heroes prior to the time he was Chief of the Air Force was GEN John Jumper. General Jumper stood up and said publicly—in 1998, I believe it was—he said: Now the Russians are making a strike vehicle that is better than our best, and he talked about the SU–27s and the SU–30s. Our best were the F–15s and the F–16s. That was a shocking statement. So we started working on the F–22 and the F–35, the Joint Strike Fighter.

Right now, the best piece of artillery we have in our arsenal is World War II technology. It is a Paladin. It is something where you have to get out after every shot and swab the breech the way you did back in World War II. So now we are stepping ahead. But this has all happened during this administration, where we now have the new FCS—Future Combat System—that is going to revolutionize, for the first time in probably 40 years, how we fight battles.

I only say that because this is something we are going to have to contend with in the future, and it also paints a pretty good picture as to where we were when this thing happened on 9/11.

I would like to suggest there are three reasons we went into Iraq. The liberation of Iraq is the first one, and that is called to my mind now because I had an experience—you will enjoy this, I say to my good friend from Arkansas, who is occupying the chair—

two weekends ago when I happened to be in a place referred to now as JFK's winter White House. It was the Kennedy compound in West Palm Beach, FL. Ironically, it was sold to a very strong, wealthy, partisan Republican, and we were having an event down there. I looked out to the audience when giving a talk, and there were a lot of my heroes, among them Alexander Haig, who was previously Secretary of State under Ronald Reagan. He told the story of Saddam Hussein, that in 1991—and this is right after the first Persian Gulf war—we had what we called the first freedom flight into Kuwait. Now, it was so early in the end of the war that the Iraqis did not know the war was over, and they were still burning the fields down there, the oilfields, and all of a sudden, day would turn into night as the wind shifted and smoke went back and forth.

It wasn't all Republicans, I might add. Tony Cuello, who at that time was the majority whip in the House of Representatives, was there also.

Anyway, we had an occasion to go to Kuwait, and one of the persons on that trip was then the Ambassador from Kuwait to the United States, a man of nobility, and he had his daughter, who was around 8 years old, with him. They wanted to go see what their home looked like in the Persian Gulf. So we went there, only to find out that Saddam Hussein had been using that home as a headquarters. We went up to, I think it was the little girl's bedroom, or one of the bedrooms, and found that it had been used as a torture chamber. There were body parts strewn around the room, stuffed into walls, and horrible things had been going on. A little boy had his ear cut off because he was caught with a little tiny American flag within sight.

We talked about the horrible atrocities going on and personally witnessed some stories of individuals, people who were sentenced to a torturous death by Saddam Hussein. Many of them would beg that their body be eased into a vat of acid head first so that they would be able to die quicker than feet first.

We saw the fact that the weddings, any weddings that were taking place out in the streets at the time of Saddam Hussein, they would raid the weddings, they would kill the people, rape the girls, and bury them alive. We saw mass graves, hundreds of people had been buried alive or tortured to death.

I guess what I would say is, the first reason we went to Iraq, as I think we would go anywhere, our country would go anywhere, is to aid a country that had this type of Holocaust-type of atrocities taking place. So that was the first reason was to end Saddam Hussein's regime of torture. It was successful. We did it.

The second reason was because Iraq was a major terrorist-training area. There are four areas where they trained. You know about Samara and Ramadi because people now realize—they are pretty familiar with that. But you may have forgotten or may never even have known about some of the other areas. Sargat, for example, was an international terrorist training camp in northeastern Iraq near the Iranian border. It was run by Ansar al-Islam, a known terrorist organization. Based on information from the U.S. Army Special Forces, operators who led the attack said: It is indeed more than plausible that al-Qaida members trained in that particular training camp.

That is in Sargat. The Green Berets discovered, among the dead in Sargat, foreign ID cards, airline ticket receipts, visas, passports from Yemen, Sudan, Saudi Arabia, Qatar, Oman, Tunisia, Morocco, Iran, and many other places.

At Salman Pak, it was a facility south of Baghdad, and we have a number of videos and computer disks, documents, and other materials, including explicit jihadist propaganda, which revealed terrorist training footage, and the targets were clearly Americans. The foreign Arabs were being trained as hijackers of airplanes. That is interesting. They had a fuselage of an old Boeing 707 on the ground in Salman Pak, where they were training terrorists to hijack airplanes.

Now, we have no way of knowing whether those were the perpetrators of the crime that took place on 9/11, but very likely that could have been the case. Now, the bottom line, though, is the second reason for the liberation of Iraq was to do away with all of the training camps, the four specific training camps that I am talking about, and we did that.

So I would like, before getting into reason No. 3, to kind of compare what is going on from a perspective that most of you guys probably have not heard; that is, I have had occasion to be in what we call CENTCOM and Africa—that is where the major problems are—some 19 times. And let's go back and kind of compare the last three visits there—not the last three but three of the last visits.

One was before the surge. It was June of 2006. And that was in the wake of Zarqawi's death. We remember that so well. The Iraqis were operating under a 6-month-old parliament. Al-Qaida continued to challenge coalition forces throughout Iraq. Things were not going all that well, but the coalition forces did launch 200 raids against al-Qaida and cleared out some of the strongholds.

But I had occasion to talk to Defense Minister Jasim. And in visiting with him, we talked about the current situation in Iraq. And he felt it could be done. It could be done—our people would be able to be trained over a period of time with proper training to take care of this. And we talked about some of these things that our press talked about back in the United States.

He said the big conflict between Sunnis and the Shias was mostly a Western concept, and he used as evidence of that individuals in his own family. He happened to be married—I could get this backwards—either he was a Sunni married to a Shia or vice-versa.

We had a good discussion. But we could see very clearly that we believed things might be getting a little better, but they were not as better as we hoped. Let's fast-forward to May of 2007.

I returned to Iraq and visited Ramadi, Fallujah, Baghdad, and some of the other areas. And this is after the surge. The surge took place in January. So this was in May; this was 3 months later. So Ramadi went from being controlled by al-Qaida and hailed as their capital. We might remember this. About 15 months ago they had a news conference over there where they said that Ramadi was going to become the capital of terrorism in the world, the world capital.

Well, by May of 2007 it was under total control, totally secure not by U.S. troops but by the Iraqi security forces. The neighborhood security watch programs were working. It was kind of like the programs we have in this country. We have a neighborhood watch program, and they go out and they look and see what they can do to make things more peaceful.

And you have heard the stories of how they would go out and they would take an orange spray can, and they would draw circles around the undetonated IEDs. This was going on, and it seemed to be going very well. That is the first time that I realized—I am kind of a slow learner—I realized that the leaders in Iraq were not the political leaders but the religious leaders, the clerics and the Imams.

Prior to the surge, the average—we had intelligence people there—the average of the messages that were in the mosques on a weekly basis were 80 to 85 percent anti-American. Since April there had not been any anti-American messages.

The joint security stations seemed to be going very well there. That was where, instead of going back, our troops going back into the Green Zone in Baghdad after they were out on a raid or doing their work on a mission, they would instead go to some of the homes of the Iraqi security forces and actually bed down with them, they developed personal, intimate relationships with them.

The burden sharing was increasing. Fallujah came under the control of the Iraqi brigade. And that was an area that we might recall where our Marines went World-War-II style door to door.

In Anbar, it changed from the center of violence to a success story. In Baghdad, the sectarian murders decreased by 30 percent, and joint security stations stood up forming deep relationships between the coalition forces and the Iraqis. It was referred to by General Petraeus as ''brotherhood of the close fight.''

And there is some other good news, too. The media became about halfway honest. This was kind of interesting because I can remember on earlier trips, the first thing the troops would ask me when I would go in is, they would say: Why is it the American people do not understand what we are doing? Why do they not like us? Why is it the media do not like us?

I can remember LTC Tim Ryan. He said, as I have here:

> The inaccurate picture they paint has distorted the world view of the daily realities in Iraq. The result is a further erosion of international support for the United States' efforts there, and a strengthening of the insurgents' resolve and recruiting efforts while weakening our own. Through their incomplete, uninformed and unbalanced reporting, many members of the media covering the war in Iraq are aiding and abetting the enemy.

Well, that is what I heard from many of them, but this is one that we can actually quote.

Well, that is something that is changing. I think we saw a few months after I returned from that trip, two of the journalists—one was Michael O'Hanlon, the other Kenneth Pollack—wrote an op-ed piece in the New York Times, and this was actually above the fold on the front page, to let you know. If you want to look it up on your Web site, it was July 30, 2007.

They said things such as: Troop morale is high, and they had confidence in General Petraeus and his strategy. Civilian fatality rates were down roughly a third since the surge began. Streets in Baghdad were slowly coming back to life with stores and shoppers and so forth. American troop levels in Mosul now numbered only in the hundreds from where they were before. More Iraqi units are well integrated in terms of ethnicity and religion. And, keep in mind, these were statements that were made and were in the New York Times, which has not really been a bastion of support for the President or the war.

But here is another one. I happened to see this one September 2, 2007. Bob Schieffer had an interview televised with Katie Couric. Katie Couric is another one who has never been a supporter of the President. And they said this. This is a quote now. She was responding to questions.

> Well, I was surprised, you know, after I went to eastern Baghdad. I was taken to the Allawi market which is near Haifa street—

Which several of us have been to—

> which was the scene of a very bloody gun battle back in January, and, you know, the market seemed to be thriving, and there were a lot of people out and about, a lot of family-owned businesses and vegetable stalls, and so you do see signs of life that seem to be normal. . . . The situation is improving.

That was not me. That was not Senator JIM INHOFE who has always been supporting this effort. That was Katie Couric.

Before giving the press too much credit, though, let me suggest to you that if you look at this chart—this is something I stumbled onto yesterday—and since the success has been there, you notice they are not saying it is not successful, but they are not covering it. This is the coverage in September of 2007. It dropped down by about half in October, then it dropped down again in November. So I guess what we are saying is, if they cannot print something bad because nothing bad is happening there, they do not print anything at all.

Well, I returned to Iraq on August 30, and the surge continued its success. I traveled to the Contingency Operating Base Speicher in Tikrit and to the Patrol Base Murray south of Baghdad and visited Ambassador Crocker and General Petraeus. And so, again, the same changes that took place 3 months later were taking place and were much better. Less than half of the al-Qaida leaders who were in Baghdad when the surge began were still there. There was a 75-percent reduction in religious and ethnic killings in the capital, double the seizure of insurgents' weapons, and a rise in the number of al-Qaida killed and captured.

So, you know, the surge knocked out some six media cells which make it harder for al-Qaida to spread their propaganda. Anbar's incidents and attacks were down from 40 a day to less than 10 a day. Economic growth, you heard what Katie Couric said about the markets. I was in the same crowded markets. They were selling fresh food like normal times.

The large hospital project in the Sunni Triangle is back on track. The Iraqi Army is performing very well. The Iraqi citizens formed a grassroots movement called the Concerned Citizens League.

Baghdad returned to normalcy. Little kiddie pools, the lawns that were cared for, amusement parks and markets, and the surge provided security. Security allowed the local population and governments to stand up. Basic economics has taken root. Iraqis are spending money on Iraqi projects.

Now that is the good news. Here is the bad news. General Petraeus, after all of his success, the far left had crossed the line—I think we all remember this—when a full-page ad, paid for by moveon.org, besmirched the motives and the honor of our No. 1 commander on the ground in Iraq, General Petraeus.

Remember, they called him General ''Betrayus.'' I supported Senator LIEBERMAN's condemnation of moveon.org's attempt at character assassination, as well as Senator CORNYN's resolution. Senator CORNYN's resolution stood behind General Petraeus. And there were 28 Senators in this Chamber who supported moveon.org, an act, I am sure, will be remembered.

While no American is above scrutiny, this was clearly a calculated move on the part of this organization to undermine the noble efforts of this patriot to execute the duties that we in the Congress unanimously sent him to accomplish.

You simply have to wonder whose side some of these people were on. This goes to show how far some will go to root for American failure in Iraq. These organizations are clearly placing their political agenda ahead of the best interests of the United States and particularly the men and the women who are in uniform.

So let's just for a minute set Iraq aside and look at Iran. Beyond the obvious consequences that would befall an Iraq without U.S. support, lack of a secure and stable Iraq means instability in the Middle East; namely, an unimpeded rogue Iran. A crippled Iraq will create a power vacuum. Remember what Ahmadinejad said on August 28, 2007.

> Soon, we will see a huge power vacuum in the region. Of course, we are prepared to fill the gap, with the help of neighbors and regional friends like Saudi Arabia, and with the help of the Iraqi nation.

Maybe it was good that was said because people know what kind of person he is, and they know he was prepared and wanting to fill the gap, a gap, a vacuum that is not there now.

Arab nations in the region have expressed their concern about Iran and are eager to contain the growing Iranian power. The world knows what Iran is capable of. The world has seen their aggression.

BG Jimmy Cash, U.S. Air Force retired, former command director inside the Cheyenne Mountain Complex, that was 1987 to 1989. He was the only person who could initiate a nuclear attack after advising the sitting President of a missile launch by our enemies and our need to respond.

No political or civilian had more knowledge about day-to-day military actions around the world. He said—and this is a quote. This is BG Jimmy Cash:

> I watched Iran and Iraq shoot missiles at each other every day, and all day long, for months, they killed hundreds of thousands of their own people. . . . They were fighting for control of the Middle East.

Iran's nuclear work continues, including the enrichment of uranium, which could easily be used as part of a nuclear weapons program. I think we all understand that.

In the last 2 years, Iran has continued developing ballistic missile technology, launching missiles over 2,000 kilometers. Coalition forces have intercepted Iranian arms shipments in Iraq, including materials that are used to make explosively formed penetrators—that is EFPs—which are the most deadly of IEDs, which are being used against our American troops.

Coalition forces have also detained Iranian agents in Iraq. On January 7, Iranian gunboats—we remember that, how they were harassing some of our U.S. warships at the time.

Iran has now turned their attention to the only other threat to their dominance—freedom-loving nations throughout the globe. The world cannot afford to have Iran in control of the Middle East.

So Iraq remains as the critical link. Iraq is at a decisive turning point in their journey toward democracy. The surge has created opportunities that the Iraqi people have not taken for granted. The ''awakening'' is spreading from Al Anbar Province to Diyala Province. I saw it coming years ago. Years ago, I can remember going, as many of my colleagues had, from place to place in Iraq—long before the surge—seeing that our troops, when they would receive goods from home, such as cookies and candies, and they would take their packages and repackage them in small packages and throw them out to these kids way out in the countryside, and the kids would wave American flags. That was out there. We knew that success was taking place.

The once turbulent and violent Al Anbar Province is returning to Iraqi control—Iraqi control, not our control. The Government of Iraq enacted The Justice and Accountability Act—that law—on January 12, showing real progress toward former baathist reconciliation.

Al-Qaida is a spent force in Iraq. It is retreating to the Horn of Africa.

Speaking of Africa, I have had occasion to be in Djibouti in the Horn of Africa. I have to say this with some degree of pride—this picture you are seeing in the Chamber now is of a little girl who was actually found as a little orphan girl who was 3 days old, south of Djibouti. My wife Kay and I are blessed with 20 kids and grandkids. Our daughter had nothing but boys, so she has now adopted this little girl, and that little girl is my granddaughter.

Some good things are happening over there. But I have to say that looking at the squeeze that is taking place in the Middle East, a lot of the terrorist activity is going down into the Horn of Africa. The occupier of the chair is fully aware that we—both sitting on the Senate Armed Services Committee, we are very proud of the fact that we are setting up and helping the Africans set up African brigades.

Syria has ceased supporting foreign fighters in Iraq. The Saudis are cracking down on supporters of Islamic terrorists in their own country. Iran is isolated. The world must remain focused and steady.

Iraq is an example to the world of how to reject terror and confront those who practice it. It is not going unnoticed. Political leaders see this. The world sees now that little kids are not being tortured to death in Iraq. Girls are now going to school instead of being raped and murdered. No more mass graves, no more vats of acid. And the butcher, Saddam Hussein, is dead.

Yes, we are doing a difficult thing, but we are doing the right thing. Just as Americans always try to do the right thing, we are doing the right thing there. But think of it for a minute. Isn't Iraq trying to do what we were trying to do 230 years ago? We were seeking a parliament at that time 230 years ago, and that is what Iraq is doing today. We were seeking a constitution. That is what Iraq is trying to do. We were seeking democracy. We were seeking freedom. Iraq is seeking the same things we were seeking some 230 years ago.

The Iraqis are watching us. They are risking their lives, the same as we were risking our lives some 230 years ago. I think of that first election that took place up in Fallujah, when the Iraqi security forces were going—knowing they were going to be shot at, but they were willing to do that—to go vote. Remember the purple fingers. That is what was taking place.

I would have to say this: We went through the same thing in this country. I have always said one of the best speeches made was Ronald Reagan's ''Rendezvous With Destiny,'' when he talked about the Cuban who trying to escape Castro's Cuba. As his ship washed up on the shore of Florida, a lady was there and said—and he was talking about the atrocities of Castro's Cuba—and she said: I guess we in this country don't know how lucky we are. He said: How lucky you are? We are the ones who are lucky because we had a place to escape to.

I would have to say that the first reason was to end the murderous regime of Saddam Hussein. The second reason was to shut down the terrorist training camps. The third is they are doing exactly what we did 230 years ago.

When you stop and think about the message and the inspiration we had from our forefathers, and when you stop and think about the message that was given when a tall redhead stood before the House of Burgesses and made a speech for them at that time—and it is certainly for us today, and certainly for Iraq today—he said:

> They tell us, sir, that we are weak—

This is exactly what they have been saying to the Iraqis.

> They tell us, sir, that we are weak—unable to cope with so formidable an adversary. But when shall we be stronger? Will it be the next week or the next year? Will it be when we are totally disarmed . . . ? Shall we gather strength by irresolution and inaction? Shall we acquire the means of effectual resistance by lying supinely on our backs, and hugging the delusive phantom of hope . . . ? [W]e are not weak, if we make a proper use of those means which the God of nature has placed in our power. . . . armed in the holy cause of liberty, and in such a country as that which we possess, are invincible by any force which our enemy can send against us. Besides, sir, we shall not fight our battles alone.

This is important.

> . . . we shall not fight our battles alone. There is a just God who presides over the destinies of nations; and who will raise up friends to fight our battles for us. The battle, sir, is not to the strong alone; it is to the vigilant, the active, the brave. Besides. . . .if we were base enough to desire it, it is now too late to retire from the contest. There is no retreat but in submission and slavery! Our chains are forged.

Some would say that we should retreat, we should leave. But that man stood before the House of Burgesses and said:

> Why stand we here idle? What is it that gentlemen wish? What would they have? Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God!—I know not what course others may take; but as for me—

Said Patrick Henry—

> give me liberty or give me death!

I guess what I am saying is, the Iraqi freedom fighters are not unlike what we were some 200 years ago. Wouldn't it be great if we were to provide the inspiration for them that our forefathers provided for us?

That is what is happening right now. We are winning. We are doing the right thing.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

GI BILL

Mr. WEBB. Mr. President, I wish to raise two issues briefly to the Members of our body today.

The first is, if we look back at the State of the Union speech last night, the President, toward the end of his speech, talked about those who have been serving since 9/11—the same individuals my colleague from Oklahoma has been talking about for the last 35 minutes. The President said, at one point:

> We must keep faith with all who have risked life and limb so that we might live in freedom and peace. Over the past 7 years, we have increased funding for veterans by more than 95 percent. As we increase funding, we must also reform our veterans system to meet the needs of a new war and a new generation.

Unfortunately, what the President did not speak about in his remarks last night was probably the most important benefit we can be offering to people who have served our country since 9/11; and that is, a GI bill that would give them the same sort of educational benefits as those who served during World War II.

We have heard so many people on this floor and in the administration, in their speeches, talk about how this is the next greatest generation. We hear people lionizing the service they have given since 9/11, and I am one of those who is a great admirer of those young men and women who have stepped forward and served since then. But when they leave the military, they have an educational package that was designed in peacetime as a recruitment incentive in the 1980s and does not allow them to move forward toward truly a first-class future.

Here are a couple of examples for you:

When people came back from World War II—those veterans—8 million of them were able to take advantage of a GI bill that paid all their tuition, bought their books, and gave them a monthly stipend to the school of their choice.

For instance, Senator LAUTENBERG, who is a cosponsor of my GI bill legislation, S. 22, was able to go to Columbia on a full boat. Today, that would

cost $46,874 a year. Our average veteran coming out of Iraq and Afghanistan is able to receive about $6,000 a year under this Montgomery GI bill that is in place. That is about 12.8 percent of what it would take for our veterans today to be able to go to Columbia.

Senator WARNER, my senior colleague from Virginia, was able to take advantage of two GI bills. He was able to go to Washington and Lee University for his undergraduate degree, and then he was able to go to the University of Virginia Law School—full boat. Today, the Montgomery GI bill would pay about 14 percent of what it would take to go to the Washington and Lee University, and about 13 percent of what it would take to go to the UVA Law School.

I emphasize that I am standing here as a full beneficiary of Uncle Sam. After I was wounded in Vietnam and left the Marine Corps, I was able to go to Georgetown Law School, with my tuition paid for, my books bought, and a monthly stipend. Today's Montgomery GI bill would pay about 11.6 percent of that.

I think it is time for all of us in the political process, who like to use the words of praise—rightfully earned by the people on these battlefields—to talk the talk and then walk the walk. Let's get them a GI bill that truly allows them a first-class future. We have a majority—an overwhelming majority—of my Senate colleagues on the Democratic side who are cosponsors of this legislation. I am truly hopeful people on the other side of the aisle will understand this is not a political measure; it is a measure of respect, and it is an earned benefit.

We are giving this year $18.2 billion worth of educational grants to people in this country purely based on their economic status. Certainly we can afford to pay for a meaningful GI bill for these young men and women who have been serving since 9/11.

The senior Senator from Alaska mentioned, during the Christmas break, that we are spending approximately $15 billion a month in Iraq and Afghanistan. We could fund this GI bill for 1 week of what it would cost for us to run the wars in Iraq and Afghanistan. Unlike a lot of other comparisons that are made on this floor, this is a direct comparison because a GI bill is a cost of war.

I urge my colleagues to get behind it. Let's get this done early in this session before we go into the political season, and get these young men and women the benefits they not only deserve but they have earned.

COMMISSION ON WARTIME CONTRACTING

Mr. WEBB. Mr. President, the second issue I wish to mention today regards the National Defense Authorization Act, which the President signed into law yesterday. In that act was a commission on wartime contracting, which Senator MCCASKILL and I jointly introduced last year and were able to get embodied in the National Defense Authorization Act.

This is a very important piece of legislation. It will put into place an independent, bipartisan commission that has a 2-year sunset date on it—jointly picked, jointly selected by Democrats and Republicans in the Senate and in the House and from the administration—a commission filled with experts, not Senators sitting around or political people sitting around, to examine the wartime contracting that has taken place since our invasion of Iraq, particularly, also looking at Afghanistan, and trying to bring accountability to the broad range of fraud, waste, and abuse that we all know has occurred during that period.

Now, to my surprise, when the President signed this legislation yesterday, he issued a signing statement along with it saying this, with respect to this wartime contracting commission, that:

> This wartime contracting commission purports to impose requirements that could inhibit the President's ability to carry out his constitutional obligations to take care that the laws be faithfully executed to protect national security, to supervise the executive branch, and to execute his authority as Commander in Chief.

He goes on to say that:

> The executive branch shall construe such provisions in a manner consistent with the constitutional authority of the President.

In other words, the President of the United States, who has been in charge of the conduct of this war, and whose administration has been in charge of executing these contracts—supervising them, making sure that they meet the requirements of fairness in the law, is now saying that he believes a legislative body can enact a law that he can choose to ignore basically because he says it would interfere with his responsibility as Commander in Chief to supervise a war. I am totally at a loss. I am totally amazed to see this kind of language as it respects this legislation.

The Commission was put into place with broad bipartisan support and bicameral support by both the House and the Senate, the idea being to study systemic problems—the same sorts of things this President, I would think, would want to root out. Its historic precedent comes from the Truman Committee that took place during World War II, when then-Senator Harry Truman wanted to look at wartime fraud, waste, and abuse so we could get a proper handle on the Federal spending that was going into mobilization and into the projects that were being put on line during World War II. We certainly didn't see President Franklin Roosevelt trying to say the Truman Committee's work was going to interfere with his ability to conduct World War II. To the contrary, the President, during that war, saw this was the type of thing he needed in order to bring the right sort of supervision and the right sort of accountability that might eliminate waste, fraud, and abuse.

So we don't quite know what the administration intends with this sort of language, but I want all my colleagues to be aware of it and to be aware that it potentially is an impingement on the rights of the legislative body, in effect saying the President has the authority to ignore a law that has now passed, a law he has now signed.

So we are going to go forward with this Commission. We are going to work with the administration, we hope, to set it up. We are going to move as rapidly as we can because the clock is ticking in terms of statute of limitations on some of the charges that might be filed. I hope the people of this country understand we want to do this for the good of the American people; that we have a responsibility to make sure the Nation's purse strings have been properly taken care of and that we are acting as the stewards of America's taxpayers.

Again, if someone in the administration would like to explain to us what their constitutional issue is with a piece of legislation the President has signed, we would be happy to hear that. In the meantime, we are moving forward with this Commission. It is vitally important to accountability in the Government. I am very proud to have been a sponsor of it, and we are marching forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, I ask unanimous consent to proceed for 5 minutes as in morning business.

The PRESIDING OFFICER. The Senator has that right.

DEFENSE AUTHORIZATION ACT

Mr. LEVIN. Mr. President, first, let me commend Senator WEBB for the leadership on the issue he talked about. I am going to speak very briefly on that same issue—the signing of the statement by the President yesterday—but before I do that, I wish to commend him and the other sponsors of this legislation. It is critically needed. It is long overdue. But for the leadership of Senator WEBB and a few other Senators, we would not have had that provision in the bill which was finally signed yesterday.

Yesterday, the President did sign into law the National Defense Authorization Act, which is essentially the same bill the President vetoed last month. In his signing statement, the President identified a few provisions of the act and stated that they:

> Purport to impose requirements that could inhibit the President's ability to carry out his constitutional obligations.

The President's statement went on to say that:

> The executive branch shall construe such provisions in a manner consistent with the constitutional authority of the President.

The specific provisions the President cited relate to a commission to study

and submit reports to Congress on wartime contracting in Iraq and Afghanistan. He cited a provision that enhances the protections from reprisal for contractor employees who disclose evidence of waste, fraud or abuse on Department of Defense contracts. He objected—or at least raised a question—about a requirement for offices within the intelligence community to respond to written requests from the chairman or ranking member of the Armed Services Committees for intelligence assessments, reports, estimates or legal opinions within 45 days, unless the President asserts a privilege pursuant to the Constitution of the United States; and he also made reference to at least a limitation on the use of funds appropriated pursuant to the act to establish a military base or installation for the permanent stationing of U.S. Armed Forces in Iraq or to exercise U.S. control of the oil resources of Iraq.

Now, I understand the President's statement did not say these specific provisions or any other provisions of the act are unlawful, nor that the executive branch would not implement these provisions. I also understand similar statements have been included in signing statements on a number of laws by this President and that those statements did not result in the refusal to enforce the law as written.

Nevertheless, I believe it is important to come to the floor as the chairman of the Armed Services Committee to express the view that Congress has a right to expect the administration will faithfully implement all the provisions of the National Defense Authorization Act of 2008—not just the ones the President happens to agree with.

As I noted at the outset, the President vetoed an earlier version of this act which contained the same specific provisions he singled out in his signing statement yesterday. The President did not choose to exercise his veto over those provisions and, as a result, they have not changed in any way whatsoever in the version of the bill the President chose to sign. With his signature, these provisions become the law of the land. Congress and the American people have a right to expect the administration will now faithfully carry them out.

I note the absence of a quorum.

The PRESIDING OFFICER (Mr. WEBB). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. LEVIN. Mr. President, I ask unanimous consent that morning business be extended for 90 minutes, with the time equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SALAZAR). Without objection, it is so ordered.

Mr. STEVENS. Mr. President, is it in order for me to make a comment as in morning business at this time?

The PRESIDING OFFICER. The Senate is in a period of morning business.

(The remarks of Mr. STEVENS pertaining to the submission of S. Res. 433 are printed in today's RECORD under ''Submitted Resolutions.'')

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. 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.

FISA

Mr. CHAMBLISS. Mr. President, I come to the floor this afternoon to talk for a minute about the pending FISA legislation.

As a member of the Senate Intelligence Committee, I have been very pleased to be a part of the bipartisan process in which Chairman ROCKEFELLER and Vice Chairman BOND have crafted a very delicate, a very sensitive, yet important piece of legislation. Probably the most important piece of legislation that the Intelligence Committee has dealt with over the last several months or even years. Certainly, it is one of the most important pieces of legislation to come to the floor of this body this year.

This FISA legislation gives tools to our intelligence community which allow our brave men and women—who stand at the forefront today of the war on terrorism in every part of the world—to gather information from those who are plotting, planning, and scheming to kill and harm Americans. The tools with which the intelligence community seeks to get in this particular instance deal with their ability to gather information, primarily through what we refer to as electronic surveillance, from terrorists, or bad guys, who are overseas communicating to other individuals who are also overseas. There is no question that in order for our intelligence or law enforcement officials to be able to gather information from communications of persons located within the United States, it is necessary that they first obtain a court order. Let's make that very clear. We must first obtain a court order to conduct surveillance against individuals located within the United States. What we are seeking to do in this legislation is to give our intelligence community the ability to collect information without a court order from people who are planning attacks against the United States and located outside the United States. It is those individuals whom we seek to gather information from and prohibit from having the capability to kill and harm Americans. This legislation is a crucial piece in the puzzle to enable the intelligence community to gather information from these individuals.

This particular piece of legislation has been debated in the Intelligence Committee for 10 months and was voted out of the Intelligence Committee on a very bipartisan vote of 13 to 2. I actually voted against several of the amendments offered in the Intelligence Committee. But at the end of the day, even though some of the amendments I voted against were accepted and were included in the bill, I believed it was such an important piece of legislation and put such necessary power and authority into the hands of the intelligence community that I voted to support it.

I commend my vice chairman, Senator BOND, who is on the floor with me now, for his leadership. I would simply ask the vice chairman: We started debate on this bill on the Senate floor in December, have been debating this bill this week, as well as last week. Where are we? What is the holdup in passing this critical legislation? What is the problem? Why can't the Senate give our intelligence community the tools they need to protect Americans?

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. BOND. Mr. President, if I may respond to my colleague from Georgia, who is a very valuable member of the Intelligence Committee and who brings expertise from the other body and who has been a valuable contributor, when we passed the FISA bill in what is called the Protect America Act in August, everybody agreed that it should be 60 votes because this is a very important but very controversial bill that has to be adopted by 60 votes. Thus, we have asked that amendments to this bill be considered under a 60-vote rule.

It is very common in this Senate to demand 60 votes to be sure it is a nonpartisan bill. So far, we have not been able—although we have provided several alternatives to our friends on the other side—to get a clear way of going forward. So that is why we are stuck, waiting to find a reasonable manner of proceeding.

I would ask my colleague if, in fact, he feels we had adequate contact with, interaction, and advice from the intelligence community and whether it is important to have the advice and assistance of those who are experts in and know the operations of electronic surveillance, to have a role in our drafting of the legislation.

Mr. CHAMBLISS. Mr. President, I would respond to the vice chairman, the Senator from Missouri, that without question, under his leadership and the leadership of Senator ROCKEFELLER, the chairman, we have received important input and had dialogue with the intelligence community throughout the drafting stages of this legislation. We not only had the top leadership, including the DNI, the Director of the NSA, the head of the CIA, and folks from the FBI in to testify before the Intelligence Committee, but also every member of the Senate Intelligence Committee has had the opportunity to visit these agencies and see firsthand where and how this information is gathered. We have had the opportunity to see firsthand the methods our intelligence community uses and the professionalism they exhibit. All of this is very highly classified. Our committee deals with all of this information in a very sensitive and classified manner. But the fact is, we have had testimony and firsthand accounts from top to bottom—from the individuals who physically gather the information all the way to the top leadership. Members of the committee on both sides of the aisle have asked tough questions to the individuals who have presented testimony before the committee. Everybody had the opportunity to have a free and open dialog and debate with those individuals.

Again, based upon what our intelligence experts had to say, this legislation was crafted and debated within the committee. Without question, there was ample opportunity for every member to inquire of all of those in the intelligence community of why we need this legislation, why it is so critically important, where we would be without it, and why we need it to make sure we are able to stop those individuals who seek to do harm to Americans around the world.

Mr. BOND. Mr. President, I would ask the Senator from Georgia further why it is so important to have the intelligence community operatives and lawyers involved in drafting the measure. We had several good ideas offered in the committee that turned out not to be workable. I would ask my colleague why he thinks it is important to have the direct involvement by the intelligence community experts as to how to craft not only the legislation but amendments to it.

Mr. CHAMBLISS. Mr. President, I would respond to the distinguished Senator from Missouri that without question, it is necessary, from a legal standpoint and from a practical standpoint, to get testimony and advice from the legal experts and our operators in the intelligence community to make sure there are no unintended consequences that come out of the final product from the Intelligence Committee.

As the Senator will recall, we had some very heated debates on a couple of amendments within the committee. Very good debate on both sides of the issues. Sometimes, there were Democrats arguing with Democrats, other times Republicans were arguing with Republicans, but that is the nature of the Intelligence Committee. It operates in a bipartisan fashion to make sure we look at every aspect—legal, technical, as well as practical—to make sure we get it right. As the vice chairman knows and has been working to correct, some of the amendments adopted in committee were well intentioned but harmful to our collectors. With the input of the intelligence community the manager's amendment has been able to correct those unintended consequences while preserving the intent of the amendments. In this instance, I think we did get it right through engaging with our intelligence experts.

Mr. BOND. Mr. President, would the Senator from Georgia say that this bill not only enables the intelligence community to move forward, but it provides additional protections for Americans, for their privacy and constitutional rights? I would ask him if he thinks those amendments have been incorporated in the legislation before us and what he thinks the final product of the Intelligence Committee is as a result.

Mr. CHAMBLISS. Mr. President, I thank the Senator for his question. I would simply say that, again, there is just no doubt this legislation goes beyond the Protect America Act and the current FISA statute to protect American's privacy and constitutional rights. After all the discussion, after all the testimony that was presented, after all the debate that took place within the confines of the Senate Intelligence Committee, we found that for 25 years, the members of the intelligence community have been able to conduct surveillance against Americans overseas without a court order. I would point out that they did this in a professional manner and reduced the risk of compromising American's privacy through established minimization procedures. Since FISA's original enactment, the intelligence community has used minimization procedures to ensure that the information being gathered from Americans was necessary foreign intelligence information and from individuals who are foreign agents. This legislation subjects this type of surveillance to a court order, providing new protections for Americans.

One purpose of FISA reform was to ensure that the ultimate and final language we came up with would provide additional privacy protections to American citizens, both inside the United States as well as outside the United States.

Mr. BOND. Mr. President, I would ask, isn't this the first time any of the FISA bills—even the predecessor FISA bill or the Protect America Act—have included privacy protections for Americans overseas?

Mr. CHAMBLISS. Mr. President, I would respond to the distinguished Senator from Missouri that this is the first time these protections have been enacted. This bill also prohibits reverse targeting.

This is the first time in the history of our intelligence community that a FISA court order for U.S. persons is required regardless of where that individual is located. So if a U.S. citizen who goes abroad is an agent of a foreign power or a terrorist seeking to communicate, our intelligence community must first get a court order before they can conduct any electronic surveillance, irrespective of whether that person is inside the United States or outside. For the first time in the history of our intelligence operations, this will be the case. So the added protections of the fourth amendment, which normally are not needed for a person located outside the United States, are applied in this particular piece of legislation.

Mr. BOND. Mr. President, my colleague mentioned reverse targeting. I would ask him, after debate on both sides and suggestions from both sides, did we not also include an express prohibition of reverse targeting, as well as providing court review, as he has stated, of minimization, acquisition, and certification procedures? I would ask him if reverse targeting is prohibited and what reverse targeting really means.

Mr. CHAMBLISS. Again, I thank the vice chairman for his question. The issue of reverse targeting is directly addressed in the bill—it is prohibited explicitly. Reverse targeting refers to the hypothetical situation where our intelligence community targets a foreigner overseas solely to get a U.S. persons' communications between that foreign person and a U.S. person. The targeting of the foreign person is allowed without a court order. The targeting of a person located in the U.S. is not allowed unless a court order is first obtained. So if someone in the intelligence community targeted a foreigner with the intent to listen in on the U.S. citizen, that is reverse targeting. This is prohibited in this legislation. Again, this is the first time we have seen that protection put in the statute.

So as a lawyer still recovering from practicing law sometimes, I think, it is the first time that I can remember in all of my years since my days of constitutional law at law school where the United States applies fourth amendment rights to individuals who are outside of the United States.

Mr. BOND. Mr. President, I would ask my colleague—he just talked about the new protections for U.S. persons overseas: prohibition of reverse targeting, court review of acquisition, minimization, and certification procedures.

Now, some have said we just ought to extend the Protect America Act. As a sponsor of the Protect America Act, I thought it was pretty good. But if we were simply to extend the Protect America Act, would that not

eliminate or at least delay any of the additional protections against reverse targeting, providing court review, and preventing reverse targeting of U.S. persons?

Mr. CHAMBLISS. Again, Mr. President, I respond to the vice chairman that reverse targeting is not prohibited under the Protect America Act. It is a procedure that some allege could occur under the Protect America Act, but which is clearly prohibited under this act.

Anybody who is concerned about extending and protecting the rights of individuals ought to be a lot more concerned about getting this bill enacted into law than they should be about extending the Protect America Act. So this is one of those situations where it is totally unexplainable to me for someone to say: I don't think we ought to pass this law because it doesn't go far enough, when it goes further than current law and the Protect America Act which we already have voted for. Now there is an attempt being made to extend the Protect America Act for an additional period of time.

Mr. BOND. Mr. President, I ask my colleague why it has taken so long to get us to this point when the Protect America Act expires on February 1?

Mr. CHAMBLISS. As the Senator has said on the floor over the last several days, we are ready to pass this bill tonight if our friends on the other side of the aisle will simply get together with us and let us vote it up or down.

When it comes to the issue of 60 votes, I have only been in this body for 5 years, but I cannot think of one single major piece of legislation that I have seen on the floor of the Senate during those 5 years that didn't require 60 votes for all major amendments. I was the manager of the farm bill recently. That is a long way away from this sophisticated piece of legislation, but every major amendment we had required 60 votes. That was the most recent, large piece of legislation we have had on the floor. So every time we have a major bill, a 60-vote requirement is reasonable and is going to be called for. I think for us not to have it in this particular situation would be extremely unusual.

Mr. BOND. Mr. President, I might ask, isn't there a danger that if there is an amendment not subject to the 60-vote point of order, it is possible, with various Senators absent, that we could adopt, perhaps, on a 47-to-46 vote, an amendment that would make it impossible for the intelligence collection required by the intelligence community to go forward, and if such were adopted, what would happen to the legislation?

Mr. CHAMBLISS. Mr. President, if I may respond, the Senator is exactly right. If we did not have a 60-vote requirement on amendments, or dealing with any issue in this bill, then it is possible that we could adopt amendments, by less than a majority of the Members of the Senate, which could hamper our intelligence community. And on this critical, sensitive, most important piece of legislation, for us to pass an amendment without a 60-vote requirement really makes no sense at all.

I think all of us would certainly be remiss and derelict in our duties if we didn't insist on a 60-vote requirement.

Mr. DURBIN. Will the Senator yield for a question?

Mr. BOND. Of course.

Mr. DURBIN. Mr. President, is the Senator proposing to change the Senate rules that all amendments will now take 60 votes? Is that the proposal before the Senate?

Mr. BOND. Mr. President, if I may respond, as my friend from Georgia pointed out, in order to pass very important legislation such as this, it has been the practice in this body to require 60 votes, and as my colleague from Georgia just said, the farm bill passed with 60 votes on the amendments. When we passed the Protect America Act, we had to get 60 votes.

This bill could be enacted into law and will undoubtedly have to have 60 votes to be signed by the President. I say to my distinguished colleague from Illinois, if there are changes made with less than a 60-vote margin, if they destroy the ability of the intelligence community to operate the collection system as we have prescribed, then that bill will never be signed into law. We would have to start all over again, and we would thus be leaving our intelligence community without the tools to protect us.

We are not saying we are changing the rules of procedure. We are following the practice that has been adopted in this Senate.

Mr. DURBIN. If the Senator will further yield, I am new here; I have only been here 11 years. So I am trying to learn a little about how this works. I recall that somehow the Republic survived and the Nation did well, we kept our armies in the field and built our highways and passed our bills, and we did that for a long period of time without requiring 60 votes on every amendment. Then there came this age of the filibuster, where the Republican minority last year had 62 filibusters, breaking a record in the Senate. Well, to stop the filibuster, you need 60 votes.

So now I assume what the Senator is suggesting is that we are in a new age in the Senate, and it is going to take 60 votes for everything. If that is the proposal, I suggest a rules change. Let's get on with it and find out if there are enough votes here to make that the rule. If it is going to be the age of filibusters again this year, the public won't like it much. We were in the minority not that long ago.

But if that is your goal, if you want to make this a 60-vote requirement, it is a different Senate, and it will be, unfortunately, adding to the frustration many people have when they look at Washington and say: Why don't you pass something, or why don't you do something about health care or about other issues? We will have to tell them we don't have 60 votes.

Mr. BOND. Mr. President, if that was a question—and I assume it was a question—let me say that requiring 60 votes is something which has occurred frequently in previous years, when this side had the majority and the other side was in the minority. We found that it was very difficult to pass legislation without 60 votes. Thus, we have seen that practice before.

But this is not an ordinary piece of legislation. Had we dealt with this in a timely fashion, this could have been handled on a different basis. But the Director of National Intelligence, whom I will refer to as the DNI, submitted to the Intelligence Committee, in April, a measure that he felt was necessary to modernize FISA. That bill was not brought up. The DNI testified in person before the committee in open hearing in May. Despite my request, no legislation was developed in the committee. The DNI came before the Senate in closed session, in a confidential room, in July of this year, to say how important it was. No bill came out of the Intelligence Committee. So the DNI proposed a short-term fix, which I brought to the floor on his behalf at the end of July, the first of August, and we were able to pass the bill, but we had to pass on a 60-vote basis.

When there are very important pieces of legislation, with strong feelings on both sides—as my colleague from Georgia has pointed out, he handled a very important and difficult farm bill—those measures had to have 60 votes.

Now, the fact is, we could have a bunch of simple majority votes, and there are many we can take on a simple majority. But if there are amendments which, if adopted, would prevent the bill from being passed and signed into law, as a practical matter, it makes sense to have a 60-vote margin.

We are waiting for a response to the offers we have made to the other side because, frankly, February 1 is coming. I hope we will agree on it. I understand the House is sending us a 15-day extension. I say to my friend from Illinois that I hope we can adopt the 15-day extension and a collaborative agreement between the two sides on how we are going to proceed to finish this bill.

I see the distinguished assistant majority leader has some information. I am happy to yield to him for that.

EXTENSION OF MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the period for morning business be extended until 6:30 p.m., with the time equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. DURBIN. Mr. President, I announce to the membership that there

will be no further rollcall votes during today's session.

Mr. BOND. Mr. President, I thank the assistant majority leader for advising us that we won't have to continue the frenetic pace of voting this evening. I look forward to working with him. He is a pleasure to work with. Maybe tomorrow we will be able to go forward.

I was going to offer some thoughts on the intent of FISA, but I will defer to my colleague from Georgia if he has further points he wishes to raise.

Mr. CHAMBLISS. Mr. President, I am happy to yield to the vice chairman if he has prepared comments he intends to make. If I have something to supplement that, I will do so.

FISA

Mr. BOND. Mr. President, I thank my colleague from Georgia. I thought maybe, if anybody is still listening, we would talk a little bit about the intent of the Foreign Intelligence Surveillance Act. I hope maybe we can clarify some of the misunderstandings.

First, I believe that when the distinguished Senator from California, a valued member of the committee, Mrs. FEINSTEIN, spoke on the origins of FISA, she correctly noted that it was created, at least in part, in response to the disclosed abuses of domestic national security surveillance. However, as the legislative history makes clear, FISA was never intended to regulate the acquisition of the contents of international or foreign communications where the contents are acquired by intentionally targeting a particular known U.S. person who is in the United States.

The legislative history states:

> This bill does not afford protections to U.S. persons who are abroad, nor does it regulate the acquisition of the contents of international communications of U.S. persons who are in the United States, where the contents are acquired unintentionally. The Committee does not believe this bill is the appropriate vehicle for addressing this area. The standards and procedures for overseas surveillance may have to be different than those provided in this bill for electronic surveillance within the United States, or targeted against U.S. persons who are in the United States.

In essence, then, FISA, as originally drafted, was a domestic foreign intelligence surveillance act. Congress was concerned about targeting persons inside the United States with interceptions conducted inside the United States.

The FISA Act amendments legislation we are considering today is a very different animal, and it could be better characterized as an international foreign intelligence surveillance act. The bill is concerned mainly with targeting persons outside the United States when interception might occur inside the United States. What do I mean by that? The legislation will regulate how the President may conduct electronic surveillance of foreign terrorists operating in foreign countries when their communications just happen to pass through the United States on wire communications networks.

This strange interference with the intelligence community's and, indeed, the President's authority to conduct foreign intelligence activities appears to arise from an overabundant concern about the ''rights'' of persons in the United States whose communications are incidentally collected when they talk to terrorists overseas.

It is odd that we are creating a new law in this area that departs from the original construct of FISA because in the international surveillance realm, there have been no significant abuses of the intelligence community's ability to collect overseas foreign intelligence.

Unfortunately, two factors have compelled us to make these changes to FISA. First, we need to ensure that the critical intelligence gaps identified by the DNI last year do not reappear.

The Protect America Act effectively closed those gaps last summer, but there was bipartisan agreement that we could improve on its provisions, especially in the area of carrier liability protection, and that is what our committee did.

Second, this legislation is also required because we must address the practical reality that electronic communications service providers are now insisting on a formal process to compel cooperation in the foreign arena in order to obtain prospective liability protection similar to that enjoyed for domestic intelligence and criminal wiretaps. That is why the carrier liability protection and prospective liability protection provisions of this bill are so important.

Another area where we are departing from the original intent of FISA is the targeting of U.S. persons abroad. FISA, as passed in 1978, left the targeting of American citizens abroad to the President's Executive order applicable to the intelligence community and the procedures approved by the Attorney General. In this legislation for the first time in history, we build into the FISA new laws that govern the targeting of U.S. persons overseas who are agents, officers or employees of foreign powers when a significant purpose of the acquisition is to obtain foreign intelligence information.

These new procedures are sometimes referred to as 2.5 procedures because they are based in part upon section 2.5 of Executive Order 12333, which has long governed the electronic surveillance of U.S. persons overseas by requiring the approval of the Attorney General based upon a finding of probable cause that the target is a foreign power or agent of a foreign power.

These 2.5 changes were part of the overall bipartisan compromise and now require prior court review by the Foreign Intelligence Surveillance Court of all surveillance conducted by the U.S. Government targeting U.S. persons overseas. Americans will still be on their own with respect to being surveilled by foreign governments overseas, but at least they can remain confident that if they are not working for a foreign power as a spy or terrorist, their own Government will not be listening to their conversations.

The last area that merits discussion on the issue of FISA's original intent is the Foreign Intelligence Surveillance Court. We refer to it as the FISC. According to section 103 of FISA, the FISC was established as a special court with nationwide jurisdiction to ''hear applications for and grant orders approving electronic surveillance anywhere within the United States.'' That is it.

As evidenced by the application and order requirements in FISA, each application is for a ''specific target'' for the significant purpose of obtaining foreign intelligence information.

The court was originally structured so its seven judges would provide geographical diversity. The post-9/11 expansion of the FISC from 7 to 11 judges enhanced that diversity. Judges are nominated by the chief judge of their circuit to promote ideological balance on the FISC.

It was clearly recognized that only one or two judges would be in Washington, DC, on a rotating basis at any given time. This was intended to discourage judge shopping and make it unlikely that an application for the extension of an order would be heard by the same judge who granted the original order.

The FISC was never envisioned as a court that would or should handle protracted litigation. It possesses neither the staff nor the facilities to preside over such litigation. Moreover, it is very likely that such prolonged litigation would interfere with the main business of the FISC, which is to ensure the timely review and approval of individual operational FISA applications for court orders.

We need to remember that the FISC was set up to review domestic electronic surveillance and later physical searches, an area that has numerous parallels to the similar reviews conducted by district court judges when they are asked to authorize criminal wiretaps. As I mentioned previously, even the FISC has acknowledged its lack of expertise in the foreign-targeting context, which is, they say, better left to the executive branch.

The Court's recent opinion in the case of In re: Motion for Release of Court Records stated:

> . . . even if a typical FISA judge had more expertise in national security matters than a typical district court judge, that expertise would still not equal that of the Executive Branch, which is constitutionally entrusted with protecting the national security.

We should be very hesitant to disregard the Court's own assessment of its competency in the overseas intelligence realm, especially given the original intent of FISA. I urge all my colleagues to be mindful of the Court's own words as we consider some of the

proposed amendments, particularly those that would allow the court to assess compliance with minimization procedures used to target foreign terrorists. For example, amendment Nos. 3920 and 3908, and would require the court to determine the good faith of those providers who allegedly assisted the Government with the Terrorist Surveillance Program. As examples, amendment Nos. 3919 and 3858.

In conclusion, I offer these observations mainly to ensure the record reflect the legislation departs from FISA's original intent in a deliberate and carefully tailored manner. While there are some practical considerations, including a desire for a strong bipartisan bill, that have driven the need for this legislation, we should be extremely careful about adding new or changing existing provisions in the bill that could negatively impact the operational effectiveness of our intelligence community or provide unwarranted protection to overseas terrorists and spies.

Mr. President, I will not propound a unanimous consent request now, but I advise my colleagues that if we cannot reach agreement, I will ask unanimous consent that all amendments to the FISA bill be brought up and decided at a 60-vote threshold so we can move forward on this important legislation. I am not making that request now. I alert my colleagues on the other side of the aisle, I hope that will not be necessary, but we have not had a response to our proposal on how we move forward. We have been at this a week now, and we only have, at best, two full working weeks before we go on recess. We must get this bill done, sent to the House, conferenced, and passed before we leave for the President's Day recess. Failure to do so could leave our intelligence community without the tools they need and, thus, America without the protection it needs.

I yield the floor.

The PRESIDING OFFICER (Mr. MENENDEZ). The Senator from Colorado.

ADDRESSING THE ISSUES

Mr. SALAZAR. Mr. President, when we looked back at the work of this Chamber at the end of 2007, we saw this Chamber coming together in a bipartisan way to garner what was 82 votes for the passage of the 2007 farm bill. It is an example of Republicans and Democrats working together to address a fundamental need of America, and that is the issue of food security.

Last night, we heard the President of the United States address the Nation on the state of the Union, in which one of the things he talked about was the importance of moving forward with an economic stimulus package. That economic stimulus package, which has been negotiated at least with the House of Representatives on a bipartisan basis, is another example of when people are willing to work together, we can actually get some business done.

That is what we should be doing in this Chamber today. We should be working through amendments with respect to improving the Foreign Intelligence Surveillance Act in order for us to get that legislation finally approved. What we are up against, frankly, is an unwillingness on the part of the Republican minority to allow us to move forward to get to final passage of this bill in a way that would consider relevant and germane amendments that would make it better, in a way that would address the absolute need to protect the cherished civil liberties of Americans.

Those are the kinds of amendments with which we ought to be dealing. But instead, we are faced with a filibuster.

I hope we can act on this legislation and then move on to the urgent needs the people of America have brought us here to work on, on their behalf. We heard the President last night talk about the economic issues that face America.

In my view, when I look at my State of Colorado, I believe the economy is skating on very thin ice. We see it in a lot of different ways. We see it in rising gas prices. We see it in the extraordinary health care costs people have to pay. We see it with respect to the housing crisis we are facing in my State and across America.

When I think about my State, maybe it is a small State in comparison to the great States of New Jersey, New York, and others, but there are 5 million people in my State who I believe are very concerned with what is happening with housing in Colorado. That is because 1 out of every 376 homes today in the State of Colorado is in foreclosure. If 1 out of 376 homes is in foreclosure today, I would venture that probably 90 percent of the homes in Colorado have seen a very significant decline in their value over the last 2 years.

So, yes, the people of America are very nervous about what is happening with the economy, and it is our responsibility, therefore, to move forward with an economic stimulus package that will address that economic uncertainty. I am hopeful that with the leadership of Senator BAUCUS and Senator GRASSLEY and my colleagues on the Finance Committee, we will be able to get to a markup of legislation that can reach the floor of the Senate tomorrow evening, perhaps the next day, that will be that jump-start to the economy we need.

There is broad agreement on what that legislation will do. It will put money into the pockets of the consumers of America so it can help stimulate the economy. It will create initiatives for small businesses, which are so much of the economic engine of America, to go out and invest in equipment and growth so we can create jobs for people of this country.

We will move forward with a package that will also include extending unemployment benefits and also include in that making sure 20 million seniors who were left out of the House stimulus package are also included.

There will be other provisions that will come forward. So it is important we get beyond the legislation we are dealing with now with respect to FISA so we can work on those short-term economic issues. And having worked on those economic issues, which I hope we are able to do in a bipartisan fashion, then we will have the opportunity, hopefully, to work on the other legislation that addresses the longer term security needs of America.

In that long-term economic set of issues I believe we have to address, we have to, first of all, get the farm bill which garnered, I believe, 82 votes in the Senate, across the finish line so we can guarantee the food security of America for generations to come. It is the best farm bill, in my view, that has come out of this Senate Chamber, out of Congress for a long time. I think my Republican and Democratic colleagues would agree with that characterization of the farm bill.

We need to move beyond the farm bill to also address other long-term economic issues that face us. We must address the issue of the clean energy future for America. Yes, we can celebrate the fact that we came together in a bipartisan way to pass the Energy bill which the President signed in December, that we did a lot to move forward with efficiency and transportation and how we use electricity and other energy in our homes and buildings, a very significant step forward in embracing the new future with biofuels for America with the quintupling of the renewable fuel standards, and we took some steps to start dealing with the issue of global warming by putting carbon sequestration in that bill. But there is a lot more to be done on energy because what is missing in that bill, and still missing today, is a jet engine that will power us into the 21st century clean energy economy, because the legislation we passed out of the Finance Committee was one vote short to get to the 60 votes to stop the filibuster that was underway.

We need to turn back to the energy legislation so we can build that long-term economic security for America.

We also have to deal with the housing crisis. We will deal perhaps with it in some minor ways when we deal with the stimulus package, but there are other pieces of legislation which a number of committees have been working on to try to deal with the housing crisis. So we need to deal with both the short-term and the long-term economic challenges we face here in America, and yet we are wrapped around the axle in terms of moving forward on this FISA bill because the Republican minority has taken the view that we can simply stall, stall, stall until the time runs out.

I think we ought to be working in good faith, consider the amendments that many of my colleagues have brought to this floor and which are being prevented from being considered so we can then get a FISA bill passed

and we can move forward with the economic issues that we need to so urgently address.

I will continue to speak more specifically about FISA and some of the very important work that both Chairman ROCKEFELLER and Vice Chairman BOND have put together in this legislation, as well as the work of Chairman LEAHY and Senator SPECTER on the Judiciary Committee, and I probably have another 10 minutes or so to go on the general legislation in support of the bill and moving forward with it, but because we are at this impasse, because we are wrapped around the axle, it seems to me a timeout is what would make sense for us then to be able to turn our attention, to pivot over to the economic issues which we have to address and which the President asked us to address last night.

In that regard, Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 564, S. 2556; the bill be read a third time and passed; and the motion to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. BOND. Reserving the right to object, I thank my colleague for his courtesy and for his attention and his interest in this subject.

As I had previously stated, we have to get this bill done to replace the Protect America Act. I believe the House has passed or is considering passing a 15-day extension, which I think is long enough, and on behalf of our side, I must object to this unanimous consent request.

The PRESIDING OFFICER. Objection is heard.

The Senator from Colorado.

Mr. SALAZAR. I thank my friend from Missouri, and I look forward to the leadership that was shown by the Intelligence Committee in terms of Senators ROCKEFELLER and BOND bringing Republicans and Democrats together to fashion the legislation that is before us.

In addition to that, I think we have an opportunity to work with Senator LEAHY and the members of the Judiciary Committee to figure out the best way of moving forward to achieve the ultimate goal, which is to make sure we are protecting America. So I very much look forward to working with my good friend from Missouri and getting that done.

I don't think any Member in this Chamber would argue the fact that we need to update and extend FISA. The technologies available, surveillance methods that are now being used, and the threats that we face have changed dramatically since Congress first enacted FISA a long time ago—in 1978. Think of the attacks of the last years. September 11 illustrated in the most tragic and bloody and horrible way the great threat that extremist groups can pose to the United States. The attacks in New York, Washington, and Pennsylvania brought the spectre of terrorism to our front door. In many ways, the innocence of America was lost on that day.

But September 11 is not the only terrorist attack that we or our allies have endured in recent years. In 2002, a bombing in Bali killed 202 people and wounded 209. In 2004—this is after 9/11—the bombs on the trains in Madrid killed 191 people and wounded over 2,000 people. And in 2005, we saw the attacks on London's underground commuter train, killing 52 and injuring 700.

I could go on with a list of violent incidents that have been caused because of terrorism around the world. The State Department reports that the number of incidents of terrorism worldwide has grown dramatically in recent years. Between 2005 and 2006, the number of incidents rose from 11,153 to 14,338. Three-fourths of those incidents—that is three-fourths of 14,338 incidents—resulted in death, injury, or kidnapping. All told, terrorism has claimed the lives of more than 74,000 people around the world in only the year 2006. That is 74,000 people, most of them innocent members of our human race, who have been killed by the scourge of terrorism around the world.

Americans understand that our intelligence and surveillance capabilities are absolutely essential to preventing these types of attacks. Our Government needs to have the power and the tools to listen in on those who are plotting an attack on the United States and our interests. They need to be able to monitor the e-mails of a terrorist suspect. They need to be able to track people, and they need to be able to track those vital networks. They need to be able to respond quickly and decisively on information that is collected to make sure that we protect the innocent from harm.

Americans want a government that can and will fulfill its primary responsibility—the responsibility of keeping its citizens safe from attack. But we also want to make sure we have a government that will not abuse the power entrusted in it. We want a government that honors the rule of law and upholds the cherished values of our Constitution. We want a government that protects the privacy of law-abiding citizens, and we want a government that is worthy of respect, not fear.

Without a doubt, the events of September 11 demanded an expansion of our intelligence-gathering capabilities. We needed to take emergency action to ensure the security of Americans over the short term. But rather than work within the authorities provided by Congress, the President and then-Attorney General John Ashcroft built their own program—the terrorist surveillance program—out of the view of Congress, out of the view of the public, in the darkness, and without oversight of the courts. They built it on their own based on some assumed authority.

The administration hid the fact that it was implementing its program in a manner that overstepped the authorities that Congress had provided under law. It hid the fact that it could target Americans for surveillance without a warrant. There was no mention to the American people that their communications could be spied upon without a warrant or without any other kind of protection from the courts. It hid the fact that it was grabbing more power for the executive branch than our Founding Fathers would have ever thought wise in their quest to protect the civil liberties and freedoms of America.

We need to move, in my view, beyond the thinking that characterized the formation of this unlawful terrorist surveillance program within the executive branch, and we have indeed made some progress together in moving forward in a new direction. We have consolidated the information that our intelligence agencies collect, we have implemented the recommendations of the 9/11 Commission in this Congress, we have created the Department of Homeland Security, and we are now ready to bring FISA up to date with our technology in the threats we face.

Over the last few days, the administration has presented the American people with a false dichotomy. They claim we have to choose between protecting our national security on the one hand and protecting our civil liberties. That is a false dichotomy. As a former attorney general, I can tell you that we can do both. We can have a surveillance program that gives our law enforcement the tools it needs to protect America and at the same time we can make sure that we are protecting the civil liberties of the citizens of our country.

The bill before us places some simple but highly effective safeguards on the Government's surveillance program, and we should be thankful for this legislation in that regard. These safeguards will in no way impede our efforts to defeat the terrorist networks and prevent attacks on Americans. If an intelligence agency gets actionable information, it can establish surveillance immediately; no waiting for a warrant, no redtape, no delay. The agency will simply have to seek a retroactive warrant once surveillance has begun.

Mr. President, I ask unanimous consent to continue as in morning business for an additional 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SALAZAR. I thank the Chair.

The bill before us places some simple but highly effective safeguards on the Government's surveillance program. These safeguards will in no way impede our efforts to defeat the terrorist networks and prevent attacks on Americans. I want to highlight a few provisions of the bill that the Intelligence Committee reported, and which are at the center of our debate this week. These provisions require the FISA Court and Congress to play a greater

role in overseeing the Nation's surveillance program. I should say a greater role and an appropriate role in overseeing the Nation's surveillance program.

First, the FISA reauthorization will require the FISA Court to review the administration's procedures for determining that the targeted surveillance is reasonably believed to be outside the United States. Second, the FISA Court must review the procedures for minimizing the identities of and information about Americans incidentally detected during the surveillance of foreign targets. Third, the court must approve or disapprove the targeting of Americans overseas under this new authority on an individual basis, based on its review of whether there is probable cause to believe the person is an agent of a foreign power. Fourth, the bill includes a 6-year sunset to allow Congress to evaluate how the new authorities are carried out, and to ensure abuses do not occur before authorities are extended further. The threats and technologies are changing so fast that Congress will need to update the legislation during that time.

Finally, the bill requires the intelligence community to conduct an annual review and requires detailed semiannual reports to be submitted to the House and Senate Intelligence and Judiciary Committees concerning collections authorized under the bill, including instances of noncompliance.

These provisions represent a dramatic improvement to our Nation's international surveillance program, and I am pleased they are the foundation of the bill. But we can do more to strengthen the bill and do better to enforce the rule of law.

I support Senator CARDIN's amendment, which I cosponsored, to have a 4-year sunset for the bill rather than 6 years. If we learn of problems in the program, if the technologies continue to change or if the threat changes, we should have the opportunity to change the law.

Over the coming days, we will also debate how to handle the question of immunity for companies that participated in the warrantless surveillance program from 2001 until 2007.

In my view, if a company was knowingly acting in violation of existing law, the courts should review their actions to determine if there was wrongdoing. If, however, the Attorney General or an intelligence agency approached that company, and the company clearly tried to follow the law and act in good faith, it should not be held liable.

That is why I am cosponsoring Senator FEINSTEIN's amendment which establishes an independent process for reviewing whether a company should receive immunity. Under this amendment, the FISA Court would follow a three-step process for determining whether a lawsuit has merit.

Senator FEINSTEIN has proposed a smart and fair solution to this very difficult problem. The FISA reauthorization has become unnecessarily politicized, in my view. We are fully able to strengthen our Nation's international surveillance capabilities while protecting the privacy of Americans. I hope the Members of this Chamber can put the rhetoric and threats aside and move forward to assure that America is, in fact, protected, both in terms of threats against them in violence from terrorists and at the same time that we protect their civil liberties.

I hope we can pass the FISA bill soon. I hope the President will do what is right and sign it.

The Senator from Alaska.

(The remarks of Senator MURKOWSKI pertaining to the introduction of S. 2570 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Ms. MURKOWSKI. 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. BROWN. 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. BROWN. I ask unanimous consent to address the Senate as in morning business for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. I thank Senator MURKOWSKI for her work. There is absolutely a need for that legislation. I appreciate what she has done.

ECONOMIC STIMULUS

Mr. BROWN. Last night we heard a vision that the President of the United States was standing in the Chamber of the House of Representatives speaking to all of us. He talked about how best to proceed during times of clear economic crisis, job loss, health care, energy costs soaring, threats to our domestic safety nets, and a war in Iraq with no end in sight.

When news media people asked me what I thought about the speech, one of the things I said was I wished the President could have sat in on some of the meetings that I had as I traveled Ohio in the last year, my State. I had about 80 roundtable meetings of 15, 20, 25 people in a community where for an hour and a half I would ask them questions about their communities, about their problems. In every corner of the State, I heard from veterans and first responders, from farmers, from people running small businesses, from teachers, from students, from community leaders, from mothers and fathers. I wish the President had been able to hear some of this because people clearly want to hear their Government is finally committed to change and to fighting for the middle class.

They want to hear that the economic policies of the last 7 years, policies that have failed them, are a thing of the past and we have a new direction. They want to hear about a plan to finally bring back good-paying jobs, lower our health care and energy coasts, secure our safety nets, and end the war in Iraq.

For Ohioans, the future is about change. Let's say you are driving down the road. You notice that the signs, mile markers, exit signs, billboards as huge as houses are telling you that you are going in the wrong direction: Signs saying wages stagnating, signs saying U.S. jobs being shipped overseas, a housing crisis deepening, health care costs soaring, increased dependance on foreign oil, product safety unsure, no end to the war in Iraq. The longer you stay on the road, the worse things get.

So you hit the gas pedal and head further down that road. If you drive down the road, the wrong road, long enough, does it become the right one? Of course not. You do not proudly log more miles on the wrong road. You change direction.

If there is one thing you can say about the administration and its supporters in Congress it is that they are consistent. They consistently answer to the wealthiest Americans and to the largest corporations and pay lipservice to the rest of the population.

Think about last night. The President said 116 million people—if we extend the tax cuts, 116 million people will get tax cuts averaging $1,800 a person.

Does the President really say—does that really say what the tax cuts mean? It is a very small number of people getting huge tax cuts, and tens and tens and tens of millions of Americans are getting almost nothing.

Does he say it that way? Does he tell the American people that is what it is? Of course not. He says the average American will average $1,800 from the tax cuts. Simply, that is very misleading. We have seen that on tax policy over and over and over in this administration.

Mr. DORGAN. Mr. President, I wonder if the Senator would yield for a question.

Mr. BROWN. I will yield to the Senator.

Mr. DORGAN. Mr. President, I was going to inquire of the Senator from Ohio if he found, as I did last night, it very unusual to have the entire State of the Union Address talking about the economic difficulties in our country and the need for a stimulus plan and so on without ever mentioning the real root causes at all of what has put us in this position: For example, a $700 billion, going to an $800 billion-a-year trade deficit; a fiscal policy budget deficit that is going to require us to borrow $600 billion in this fiscal year, just that combination is $1.3 trillion in red ink, 10 percent of our GDP in 1 year.

You know, the fact is, everyone in the world, including American citizens, look at that and understand that is so far off the track there is no way that works.

I support a stimulus package. I think it is fine to do for psychological purposes. But I am wondering if the Senator from Ohio wonders, as I do, why the President does not even seem to recognize the underlying causes of the economic difficulty in our country.

Mr. BROWN. I appreciate the comments from the Senator from North Dakota, who understands probably better than anybody in this body what this trade deficit means, what this trade policy means. And what is amazing is the President does not look at the $800 billion trade deficit.

When I came to the Congress in 1992, it was $38 billion. Now it is over $800 billion.

The President's father once said $1 billion in trade deficits translates into the loss of 13,000 jobs. Now it is $800 billion, and the President did not address that. But what he did say is: Let's do more of this. He said: We need a trade agreement with Columbia, we need a trade agreement with Panama, we need a trade agreement with South Korea. And it just makes me incredulous that the President cannot look at what has happened and say: Wait a second, let's do a timeout. Let's do no further trade agreements. Let's go back, as the Senator from North Dakota, Mr. DORGAN, has suggested, and let's have benchmarks. Let's look at what NAFTA did to our country, look at what CAFTA has done to our country, look at what trade with China has done to the middle class.

The President totally missed that. At the same time, the President said: Let's do more tax cuts for the wealthiest 1 percent at the expense of the middle class and drive up these budget deficits. So we have trade deficits of $800 billion, plus we have budget deficits of about $1 billion a day. And that is fundamentally the biggest problem with our economy, as you suggest.

Mr. DORGAN. I agree with that analysis. I sat in that Chamber last evening. A joint session is always a wonderful privilege, to hear the President give the State of the Union Address. I was thinking, everyone is sitting here in dark suits and pretty well dressed up for a big occasion. Not one person in that Chamber is going to have their job lost because it was shipped overseas someplace in search of cheap labor. Nobody in this Chamber, nobody in the Senate has ever lost their job because somebody decided to outsource it to China for 30 cents an hour labor.

A lot of working people have to come home at the end of the day and say: Honey, I was given notice today. I lost my job because they found somebody halfway around the world who will do it for 20 cents an hour. They told me I can't compete with that. Our family can't live on that.

Just talking about the trade piece of this, the President completely ignores that. There ought to be a summit meeting at this point, if you have $1.3 trillion of red ink in 1 year. They say the budget deficit is only $300 billion, $275 billion. It is not. Take a look at the budget policy and find out how much we are going to increase the debt in this year. The debt is going to increase by $600 billion on the budget side and $700 to $800 billion on the trade side. That is $1.3 trillion off the track in one single year, 10 percent of our economic output. The fact is, that is unsustainable and is going to run this country's economy into a ditch. If we are going fix it, we have to diagnose it. This President hasn't come close to even acknowledging the difficulty on those two issues, fiscal policy and trade policy, let alone the issue of the scandal of the subprime loan which is regulators falling asleep or unbelievable hedge fund speculation outside of the view of regulators because they don't want to be regulated.

Would the Senator from Ohio agree that these are the underlying causes of concern about this economy?

Mr. BROWN. Absolutely. I remember back in the early 1990s, we were concerned about the twin deficits, the trade deficit and the budget deficit. We had a budget deficit then of about $300 billion a year and a trade deficit, as the Presiding Officer knows—who joined me in voting against NAFTA a decade ago—of under $100 billion. We considered that a serious problem. Today, President Bush doesn't recognize that this trade deficit means anything. To the contrary, he says, it seems to be working. Let's do more of it.

Again, I go back to what his father said, that a billion dollars in trade deficit translates into 13,000 lost jobs. You can see how it does. Because a billion dollars in trade deficit means we are buying a billion dollars, we are importing a billion dollars more than we are selling, and that means we are manufacturing less because we are not making it ourselves. If we manufacture less, it means thousands of Ohioans or North Dakotans or New Jerseyans are finding they are not working at $12 or $15 or $20 an hour. If those plants lay off workers, communities get less tax dollars, police, firemen and teachers are laid off. It undercuts the economic vitality of the community and the public safety. It undercuts the ability of our schools to educate our children. It is clearly a downward spiral that is only accelerated when we pass a trade agreement with Colombia and with Peru and Panama and another trade agreement with South Korea.

Mr. DORGAN. The fact is, it is not something I enjoy doing, to talk about the difficulties. I would like to talk about the opportunities for this country. We will not get to the opportunities until we decide we are going to start taking care of some things here at home.

This President, in this past fiscal year, the one we are in right now, sent us a request for $196 billion of emergency money and said: I want it put on top of the debt. Don't pay for it. Add it to the debt. That is $16 billion a month, $4 billion a week for Iraq and Afghanistan, to replenish the military accounts for that purpose. Now we are told he is going to send another $70 billion on top of that. That takes us to close to three-quarters of a trillion that will have been spent, none of it paid for, all of it requested by this President as an emergency so it didn't have to be paid for. You look at that and you say to yourself: We have so much that needs doing, including not just on the budget side getting our act together but on the trade side, standing up for our country's interests, demanding fair trade, and, on the investment side, investing in infrastructure, all these things.

Last night it was almost as if the President was oblivious to the fundamental causes of the economic difficulty. This is a great economic engine we have, but the fact is, it needs some work. It doesn't need somebody to polish it with a rag and hum a nice tune. It needs real work to get this engine going again. The American people are innovative, great workers. It is an inspired country in which we live. That is why we have progressed the way we have over 200 years. But the American people need something to work with. We need to invest in working people. We need to have faith in working people. Instead what we have done is pulled the rug out from under working families.

I have used so many examples in the Senate, and my friend from Ohio knows all of them because a good number of them come from the State of Ohio, Huffy bicycles and Etch A Sketch and so many examples, all those jobs now in China that used to be in Ohio.

One of my favorites is to talk about Fig Newton cookies. The National Biscuit Company, NABISCO, took Fig Newton cookies from New Jersey to Mexico. Why? They could find somebody who would shovel fig paste apparently at a much lower cost than it cost to pay somebody to shovel fig paste in New Jersey. If you want to buy some Mexican food, buy Fig Newton cookies, made in Mexico, still called the National Biscuit Company, except it isn't so national anymore. Now they are made in Mexico.

That is one example of a hundred, a thousand, a million we could give and have. It is the question of whether this country is going to stand up for its workers and whether we are going to have the courage not just to stand up for workers in fair trade agreements but whether we are also going to put on track fiscal policy, trade policy, regulatory authority in a way that gives people confidence about the future of this economy and jobs and opportunity.

Mr. BROWN. When I hear Senator DORGAN talk about this, I think about 20 years from now, 15 years from now. We are going to look back on this time, and we will think: What were they thinking when they changed the laws to allow so many cheap imports from

China, made by workers in unsafe conditions, sending products back, toxic toys to our children's bedrooms and contaminated food into our kitchens and pantries? We are going to look back 20 years from now and think: Why did we dismantle our industrial base, jeopardizing our national security, the security of our family farms in North Dakota and Ohio and small businesses and manufacturers in New Jersey and all over the country? We are going to look back and think: Why did we let corporations lobby this Congress so that they changed the rules so that it made sense for these companies, in terms of their bottom line, in terms of their profits, to go to China instead of manufacturing in Galion or Toledo or Youngstown, OH?

Imagine instead if we as a nation decided we were going to have a Marshall plan or go to the Moon kind of plan on alternative energy, that we changed our trade law and our tax law and we began through biomass, through production of wind turbines and solar panels. Imagine if we set out to remake our energy policy and our country's industrial base by changing trade law, by changing tax law. We clearly still do the best R&D in the world on all kinds of scientific research and medical research. But so often we do the R&D here, which is good for the economy and good for creating jobs, but then most of the production is shipped offshore. So what good is that for our country, when we develop the research, we do the research and development and then send it offshore?

The Senator mentioned the Ohio Art Company. That sort of tells the story. It is a company in northwest Ohio right in the corner where Indiana and Ohio intersect with Michigan. They make something that most of us knew as children called Etch A Sketch. About 7 or 8 years ago—I was in Bryan a couple months ago talking to an executive of Ohio Art Company. Seven or eight years ago a major U.S. retailer went to them and said: We want to sell your product in our stores for less money, for under $10. The only option that Ohio Art Company had was to stop most of its production in Ohio and move its production overseas. Every job that was moved to China meant less money for the Bryan Police Department, less money for the Williams County government, less money for public schools, less money paid into Medicare, less money paid into Social Security. It made us poor as a nation. At the same time, those products moved to China. But it lifted the living standards there because wages are so low. The Chinese wink and nod at best at any kind of environmental rules or worker safety rules. We have done little to lift up.

Senator DORGAN and I want more trade but a different set of rules. Instead of lifting workers up so Mexican workers would be buying American products and we would be buying Mexican products back and forth the way we should trade, and their living standards would go up, they would have good environmental and worker safety standards, their wages would rise. That is what happened with the 50 States in the United States. As companies moved around the United States to the South, eventually their wages went up and we began to enrich all sections of the country.

We are not doing that with China. We are not doing that with our trade policy. That is why I was so disappointed that last night the President said: We want a new trade agreement with Colombia. We want one with South Korea. We want one with Panama. Instead of going in the right direction, we are changing our trade policy and moving in a different direction.

Mr. DORGAN. Mr. President, the Senator and I are working on a piece of legislation we intend to introduce that would establish benchmarks for trade agreements. We had a $1.5 billion trade surplus with Mexico. We did a trade agreement. Guess what. We turned that surplus into a huge deficit, a giant deficit, $60 billion to $70 billion a year. So we turned a surplus into a deficit, shipped a lot of U.S. jobs to Mexico. What we need is a trade agreement with benchmarks and accountability. Is this trade agreement meeting the objectives we developed for our country? After all, we are stewards of our country. We want our country to do well. Yes, we want to lift others. We want to it be a more prosperous world. But first we want this country to do well.

Wouldn't it be the height of irony, an unbelievable perversion, if we passed a ''stimulus package,'' and we borrow the money from China to put money in the hands of American families who can take it to Wal-Mart and buy a Radio Flyer little red wagon made in China. We borrow the money from China, give to it an American consumer who goes to Wal-Mart to buy a Chinese wagon. I say Radio Flyer because that is one of those great American brands. Almost every child in this country has hooked a ride on a Radio Flyer, either theirs or their neighbor's. Do you know how Radio Flyer got its name? It was an immigrant who came to Chicago, IL, and decided to start trying to make some wagons. He made a few of them. Everybody liked them. He was a guy who came to our country and was so pleased with being able to come to our country. He liked two things. He loved airplanes and somehow he liked Marconi and the radio. So he decided he was going to put Radio Flyer on the side of the little red wagon, and it began. For 110 years, they built Radio Flyer little red wagons in America, the dream of this immigrant innovator. They don't make them here anymore. They are all made in China. They closed their doors, went in search of cheap labor.

It is interesting that when we talk about this, some will listen and say: The guy from Ohio, the fellow from North Dakota, they don't get it. They are a bunch of xenophobic isolationist stooges who can't see over the horizon. It is a global economy. Get over it.

It is a global economy. But the rules have not kept pace with galloping globalization. The result is pushing down standards in the United States, moving jobs from the United States overseas, a hemorrhaging trade deficit that is dangerous for our country's interests, $2 billion a day every day that we import more than we export. The largest export from the United States by volume is wastepaper to Asia. Think of that.

My point is simple. I appreciate the work the Senator from Ohio and others have done on this issue. We have to put this country on track. I am for trade and plenty of it. But I demand and insist that we stand up for this country's interests and demand fair trade. We have to bring this trade deficit down. That is putting dramatic amounts of money in the hands of the Chinese and Japanese and others. Don't be surprised when you open the paper to find out what they have purchased next, one of our major investment banking companies, you name it.

We to have fix this. I know the Senator from Ohio came here with a statement and I interrupted him, but what I wanted to do was to say, I was very surprised last night to sit in the State of the Union Address and hear talk about a stimulus and hear talk about the economy and not even hear one whisper about the real vulnerabilities of this economy—a trade deficit out of control, reckless fiscal policy, combined with adding $1.3 trillion in debt, 10 percent of the GDP in 1 year, and then regulators asleep and apparently applauded for being asleep, while we have unregulated hedge funds, leveraged transactions, $43 trillion of notional value, something most people can't understand, notional value, credit default swaps. Sounds like a foreign language. There is $43 trillion of notional value out there in credit default swaps. There is a totally unregulated hedge fund industry with derivatives.

There are a lot of things we need to care about and we need to fix. The Senator from Ohio is absolutely right in talking about it on the floor of the Senate tonight. I deeply appreciate his willingness to let me interrupt him for a couple minutes because these are very important issues for our country.

Mr. BROWN. Mr. President, I thank the Senator from North Dakota. He told the story about the immigrant who settled in Chicago. That may have been a story from a different era, but we still in so many ways are a nation of tinkerers and inventors, entrepreneurs and scientists—a nation that still leads the world in brain power in terms of figuring out new products, new ways of doing things, new services. The problem is, there has been a disconnect between that and production and job growth and job creation.

That is why the President's speech last night, to me, was so disappointing,

that he has asked for more tax cuts for the wealthiest Americans, tax cuts that, frankly—usually, these tax cuts to the wealthiest Americans are at the expense of the middle class. He has asked for more trade agreements while our trade deficit explodes year after year after year.

As Senator DORGAN suggested, we know what we need to do as a nation. We know what we need to do with tax policy to serve the middle class. We know what we need to do with trade policy to serve the middle class.

Even though the President wants to stay the course, wants to continue the same direction, I think there is change afoot in this country. People want change. People want to strengthen again the middle class and strengthen our communities in New Jersey and Rhode Island—Senator WHITEHOUSE is in the Chamber, too—and in my State of Ohio, from Lima to Zanesville and from Dayton to Warren.

I thank you, Mr. President, for your time and again exhort Americans to look down the road for a new trade policy, a new tax policy that helps to build the middle class.

FISA

Mr. COBURN. Mr. President, at the end of this week, Americans may find themselves at greater risk of a terrorist attack when the Protect America Act expires on February 1. On that date, we will be forced to revert to the antiquated 1978 Foreign Intelligence Surveillance Act, or FISA, to monitor the communications of suspected terrorists, unless this Congress moves quickly to make permanent changes to that law. It is therefore critical for Congress to enact permanent modernizations to FISA so that our intelligence officials will have every tool they need to monitor the communications of terrorists who seek to destroy the United States.

The consequences of allowing the Protect America Act to lapse could be deadly. The PAA was passed last August to modernize FISA so that the statute could do in practice what it was always intended to do—govern certain foreign intelligence surveillance activities directed at persons in the United States, without inadvertently burdening those activities directed at persons overseas. FISA, however, has not kept up with technological advances that have been made since 1978. As a result, prior to the PAA, intelligence officers were often forced to obtain a court order before beginning surveillance against a terrorist or other foreign target located in another country. This unnecessary and burdensome requirement caused U.S. intelligence agencies to lose about two-thirds of their ability to collect communications intelligence against al-Qaida.

Thankfully, the Protect America Act helped to close the inexcusable gap that left this country blind to the plans our enemies were making against us. As Director of National Intelligence Michael McConnell said, the PAA has ''allowed us to obtain significant insight into terrorist planning.'' To allow such a vital antiterror tool to lapse at this time would be the ultimate dereliction of duty.

The United States must remain vigilant against a terror threat that is real and constant. The National Intelligence Estimate on ''The Terrorist Threat to the US Homeland,'' released just 6 months ago, concluded that this country will face a ''persistent and evolving'' terrorist threat over the next 3 years, particularly from Islamic terrorist groups and cells like al-Qaida. No person in America is unfamiliar with the capabilities and determination of such terrorist groups, and Americans trust us to make the right decisions to protect them and their children. Without making permanent changes to FISA to ensure the fast and effective intercept of foreign intelligence information, little else we do will matter.

Retroactive immunity is in the best interest of this Nation's security and must be included in FISA modernization, as it was in the Intelligence Committee bill. Following the attacks of September 11, 2001, President Bush authorized the National Security Agency to intercept international communications into and out of the United States of persons linked to al-Qaida or related terrorist organizations. The administration's obvious and stated purpose of this authorization was to ''establish an early warning system to detect and prevent another catastrophic terrorist attack on the United States.'' Therefore, the administration made requests for telecom companies to cooperate with its intelligence activities. The companies complied with the government's request for help, relying on written assurance from the executive branch that their actions were both necessary and legal.

Now these companies face multibillion dollar lawsuits challenging their actions. Such lawsuits not only create potentially staggering liability for the companies, they also create the risk that sensitive details about our intelligence sources and methods will be revealed through discovery. Moreover, failing to protect those who cooperate with the Government to thwart terrorist activity will undermine the willingness of others to cooperate in the future. A powerful op-ed authored last October by former Attorneys General Benjamin Civiletti, Dick Thornburgh, and William Webster, said it best:

> The government alone cannot protect us from the threats we face today. We must have the help of all our citizens. There will be times when the lives of thousands of Americans will depend on whether corporations such as airlines or banks are willing to lend assistance. If we do not treat companies fairly when they respond to assurances from the highest levels of the government that their help is legal and essential for saving lives, then we will be radically reducing our society's capacity to defend itself.

Recognizing the gravity of the situation, the bipartisan Senate Intelligence Committee voted 13 to 2 to include retroactive immunity in its bill. This overwhelming vote came after the committee reviewed the classified documents on which these companies relied. The committee ultimately concluded that the Government ''cannot obtain the intelligence it needs without assistance from [telecommunications] companies.''

Protecting the corporate good citizens who answered the call to assist our intelligence community during a time of great danger to this country is the right thing to do. Anything short of full immunity for those companies that, at the Government's request, on the written assurance that such action had been authorized by the President and deemed lawful, would undermine the security of the United States is simply unacceptable.

The carefully crafted, bipartisan Senate Intelligence Committee bill protects privacy interests without undermining our intelligence community's ability to do its vitally important job. The bill was approved by a vote of 13 to 2 after careful consideration of complicated issues and classified documents. It will allow our intelligence professionals to continue collecting foreign intelligence against foreign targets located outside the United States without requiring prior court approval. This is consistent with the intent of the legislators who enacted FISA in 1978 and represents no change in the way that the NSA has always conducted foreign surveillance.

In so doing, the bill will also continue to protect the civil liberties of Americans in this country, surveillance of whom has always required prior court approval. Nothing we are considering in the Senate today would alter that. In the event that communication from a U.S. person is inadvertently intercepted, the intelligence community uses ''minimization procedures'' to suppress the data. The result is that the communication is never used or shared. These procedures have been used effectively for 30 years and will remain in place after permanent FISA changes are enacted.

Enacting permanent modernizations to FISA is one of the most important duties the Senate will undertake this year. We have known for 6 months that the Protect America Act would expire on February 1 and have no excuse for not getting this done correctly before that date. The stakes in this debate could not be higher. Although the details can be complicated, the basic issue is pretty simple. As Andy McCarthy said in a recent piece for the National Review Online, ''Osama bin Laden doesn't need to apply to a sharia court before blowing up an American embassy; the president shouldn't need to apply to a federal court to try to stop him.''

Unfortunately, I was unable to make it back to town in time for the two cloture votes that were held yesterday.

Had I been here, I would have voted for cloture on Rockefeller amendment No. 3911, the Intelligence Committee's FISA bill, and against cloture on Reid amendment No. 3918, to temporarily extend the Protect America Act.

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. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WHITEHOUSE.) Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that we now proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ECONOMY AND FORECLOSURES

Mr. REID. Mr. President, last night, President Bush spoke of the bipartisan effort we've seen to put together an economic stimulus package.

I have joined this chorus of praise. It is important for us to remember that despite our differences, we can find common ground in pursuit of common good.

The stimulus package is in markup today in the Finance Committee. I am confident that Chairman BAUCUS and Senator GRASSLEY will send a bill to the floor that all 100 Senators can proudly support.

We all agree that with our economy ailing, homeowners struggling and energy prices rising, this short-term stimulus plan will help working Americans make ends meet.

But I think we also all agree that this is only the first step. A short-term solution will help, but we must create long-term solutions that will treat the cause rather than the symptoms.

President Bush suggested last night that this could be accomplished with more tax cuts for the wealthy.

We strongly disagree. No one wondering if they can make their next mortgage payment or whether they can afford to retire believes that more tax cuts for the rich will solve this problem.

This morning, the Reno Gazette Journal reported that home foreclosures in Washoe County—the Reno area of Nevada—skyrocketed 614 percent in 2007 from the year before.

This pain isn't just felt in one area or neighborhood. Foreclosures have risen in all parts of the Truckee Meadows.

One realtor said:

> It's ridiculous. I'm up to 22 right now. A year ago, I had zero. I have potentially another 50 homes not foreclosed on yet but are on the brink. And that's just me.

Experts say this crisis in Reno, throughout Nevada, and all over America is going growing worse.

Nationally, foreclosures jumped 79 percent in 2007.

One of America's largest lenders, Countrywide, just reported that one out of every three subprime loans is now delinquent.

And this is affecting not just the families who may lose their homes—but their neighbors who are seeing property values drop, and all of us who are faced with the collateral damage of a badly damaged housing market.

We call on President Bush to work with us to solve this and other economic problems.

We need to provide tax incentives for companies to invest in renewable energy. This will create jobs, save consumers money, and protect our air.

America's infrastructure is crumbling. We saw it in the bridge collapse. Investing in our infrastructure will not only strengthen our communities, it will strengthen our economy by creating good-paying jobs.

For every $10 billion we spend on infrastructure, we create 47,500 new jobs. And for every $10 million capital investment in public transportation, we create $30 million in sales for businesses.

Instead of cutting funding for community block grants and the Consumer Credit Council in his budget, the President should sit down with us to come up with real long-term solutions.

With less than a year to go in his term, we can still come together to solve these problems and get America's economy working again.

CITY OF HARTFORD, KENTUCKY, CELEBRATES 200 YEARS

Mr. MCCONNELL. Mr. President, I wish today to honor a long respected community in the great Commonwealth of Kentucky, the city of Hartford, which on February 3, 2008, will celebrate 200 years of establishment in the Commonwealth.

Since February 3, 1808, the great city of Hartford has been a part of my great State. After an act of the legislature of the Commonwealth of Kentucky, Hartford was formally established on 400 acres of land around Rough River, in the county of Ohio, occupying the land of the late Gabriel Madison. The city humbly began governing with a group of seven trustees overseeing the town and has since grown to a population of over 2,000 outstanding citizens and has developed into the administrative center for Ohio County, becoming the county seat. Now, great leadership comes from Mayor Earl Russell, who proudly carries on the tradition of his family of governing in Hartford.

As proclaimed in Hartford's town slogan, this honored town is home to ''2,000 happy people and a few soreheads.'' These ''soreheads and happy people'' strenuously work to promote civic pride and generate the enthusiasm needed to accomplish future goals throughout their city.

Due to the enthusiasm from citizens like these and great leadership from Mayor Earl Russell, Kentucky has grown to the honorable State it is today. Inhabiting the western coal field region of the State, Hartford has been contributing to the Commonwealth for 200 years and has planned a celebration in honor of this. Because of the continued contribution of the citizens of Hartford to the betterment of their town, county and the Commonwealth, I ask my colleagues to join me in celebrating with them today for 200 years of dedication.

THE MATTHEW SHEPARD ACT OF 2007

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would strengthen and add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On January 14, 2008, 63-year-old Baljeet Singh was parking his car outside a Sikh temple in Queens, NY, when David Wood, 36, approached him. Wood reportedly shouted: ''Arab, go back to your country'' before physically attacking Singh. Wood continued to hurl epithets as he beat Singh, allegedly without provocation. Singh, whose family has attended the temple—known as a gurdwara—for over 12 years, sustained a broken nose and jaw, both of which may require surgery. Wood, who lives near the temple and allegedly has a history of harassing its members, has been charged with second-degree assault as a hate crime, second and third degree assault, and second-degree aggravated harassment.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. Federal laws intended to protect individuals from heinous and violent crimes motivated by hate are woefully inadequate. This legislation would better equip the Government to fulfill its most important obligation by protecting new groups of people as well as better protecting citizens already covered under deficient laws. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

JUSTICE

Mr. SMITH. Mr. President, I rise to speak about justice.

Today, the Simon Wiesenthal Center, in coordination with the Targum Shlishi Foundation, is conducting Operation: Last Chance, a final effort to bring the most guilty Nazis to justice before they die. The perpetrators of the Holocaust must not be allowed to cheat their deserved fate.

The uniqueness of the Holocaust crime lies not wholly in its number of

victims, though that number was horrifyingly large. Its singularity is also the reality of a modern government's methodically executed plan to annihilate an entire race, an effort that is now one of the greatest crimes against humanity the world has ever seen. Even in a century where so much blood was shed—in China, Russia, Africa, and the Middle East—the Holocaust stands alone. For the victims of the Holocaust were chosen not based on any threat to the state, real or imaginary. Indeed, some victims had served with distinction in the German Army during the First World War, and many had then given their lives for their country. They were chosen instead simply for who they were, one of the most ancient peoples to grace this Earth, and one which has never before come so perilously close to utter oblivion.

Historians have argued for years about why and how the Holocaust occurred. But for the survivors, and even more for victims, that question is entirely secondary. There is only the reality of the crime and the ongoing quest for justice.

We can argue about which Nazi organizations are the most culpable and which were relatively ignorant. As the Nuremburg war crimes trials showed, all Germans are not guilty, and not all are innocent. In some cases, the line blurs slightly. But that does not mean the line does not exist because some—many, perhaps all—are certainly guilty. The Einsatzgruppen. The concentration camp guards. The SS. The bureaucrats who signed off on orders with little thought of the immense crime which they were committing. For these people, there can be no amnesty. There can be no looking away. There must be justice.

Unfortunately, after the war, many of the guilty scattered to the four corners of the earth. Some, like Klaus Barbie, fled to South America. Others remained in Germany, Austria, and the Balkans, where successor governments to the Axis gradually lost interest in prosecution. Many fled to the United States, which had only finished fighting the Nazi threat when it faced a resurgent Soviet threat. The Cold War diverted, partially, the Western governments from bringing Nazi killers to justice. Living in homes across the United States and Europe, working at normal jobs and raising families, the most culpable killers may have thought they escaped a reckoning. And, for a time, they did. The Government was certainly not looking for them. But one man was. One man had himself been a prisoner in those terrible camps and had seen firsthand the horrors perpetrated there.

Simon Wiesenthal began searching for Nazis and documenting the crimes of them after World War II, and continued for many years. The Simon Wiesenthal Center was founded in 1977 and has an impressive track record of combating modern bigotry and anti-semitism, promoting human rights, and ensuring the safety of Jews worldwide. These efforts complement Simon Wiesenthal's life's work in hunting Nazi fugitives and trying to repair, in part, the damage of the Holocaust.

Today, however, the hour grows late. It is now almost 63 years since the end of World War II. Every week, Nazi criminals are passing away, 80 and 90-year-old men escaping the long arm of justice. Many of the host countries in which they reside are grateful for this quiet end, avoiding uncomfortable legal proceedings and revisiting old specters from the past.

But the easy way is almost never the right way. In these later days, it is incumbent on all of us to help finish the task Simon Wiesenthal began decades ago. In view of the dwindling time available, the center launched Operation Last Chance in 2002, which is aimed at finding Nazi fugitives in the Baltic states, Poland, Romania, Germany, Austria, Croatia, and Hungary. There is much work to do: the opening of the Soviet archives since 1991 offers a magnificent opportunity to identify some of the most guilty Nazis, previously hidden behind the Iron Curtain.

Operation Last Chance is fittingly named, after a final opportunity to bring those remaining Nazis to earthly justice before they meet eternal justice. To date Wiesenthal Center has identified nearly 500 war crimes suspects, 99 of whom have been turned over to prosecutors. Operation Last Chance primarily focuses on offering rewards for the location and arrest of such criminals as Dr. Sandor Kepiro, a Hungarian police official; Milivoj Asner, a police chief in fascist Croatia; Charles—Karoly—Zentai, a fascist Croatian city governor; Erna Wallisch, a German concentration camp guard; and many others; and Dr. Aribeit Heim was nicknamed ''Dr. Death'' for the medical murders and torture he inflicted on hundreds of concentration camp inmates. He is at large, and his whereabouts unknown. Finding him, and prosecuting all of the wanted Nazi criminals, is a task of the utmost moral importance.

The roadblocks are many, and the shortcuts few. This late hour demands that the U.S. Government make every effort to help with Operation Last Chance. I call upon the President and Secretary Rice to make it clear to our European and South American allies that we will not tolerate footdragging on extradition orders, deportation, and criminal indictments. We will not tolerate the easy way. We demand that they commit the resources of the U.S. Government to this cause that our descendents will not look back on us and say: In the end, they did too little. In the end, they turned away.

JOHN SIDNEY 'SID' FLOWERS POST OFFICE BUILDING

Mr. ISAKSON. Mr. President, I rise before you today to pay tribute to Sidney Flowers. Mr. Flowers was the respected Solicitor General for Liberty County, GA, a popular member of the community, a loving family man and a true Southern gentleman.

After high school, Sid Flowers gave 2 years of service to his country by enlisting in the Army. He then went on to study law at Mercer University law school in Macon, GA, before heading back to live and work in his hometown in Liberty County, GA.

The community was always at the center of Sid's life. He was chairman of the Liberty County Cancer Society, a member of the Lions Club, the Masonic Lodge and the American Legion, as well as an honorary member of the Georgia Sheriff's Association. He was also a committed elder at the First Presbyterian Church, to which he gave not only his time, but also his legal expertise.

The Senate has passed H.R. 3470, a bill naming the post office in Hinesville, GA, as the Sidney 'Sid' Flowers Post Office Building. It will stand as a reminder of one man's exceptional contribution to his community.

HONORING WILLIE HENSLEY

Ms. MURKOWSKI. Mr. President, I rise today to join in a colloquy with fellow Alaska Senator TED STEVENS to honor a giant of the Alaska Native rights and Native corporation movement, and an individual who has served his State and Nation for decades with great distinction, Mr. Willie ''Iggiagruk'' Hensley.

Mr. STEVENS. Mr. President, I too rise to join Senator MURKOWSKI in honoring a personal friend and long-time political colleague, Willie Hensley. He soon will be retiring after spending the last 10 years representing the Alyeska Pipeline Service Co. in Washington, DC, the pipeline that brings Alaska's North Slope oil to the rest of the Nation. Immediately prior to that job, he was Alaska's Commissioner of Commerce and Economic Development, under the administration of former Alaska Governor Tony Knowles. He also has served on important State commissions under both Democratic and Republican governors.

Besides leading Alaska's State department responsible for tourism and seafood marketing, international trade, insurance, banking and securities, and occupational licensing, he also was a director of the Alaska Permanent Fund Corporation, the Alaska Railroad Corporation, and the Alaska Industrial Development Authority under Democratic Governors, and chairman of the Capitol Site Selection Committee and the chairman of the Land Claims Task Force under Republican Governors Jay Hammond and Walter Hickel.

Ms. MURKOWSKI. And before then, as Senator STEVENS well knows, since he too served in the Alaska State Legislature at that time, Mr. Hensley

served as both a State Representative in Alaska for 4 years, as House majority leader, and as a State senator, for 4 years from 1971–75 and again for a term starting in 1987, representing his home region of northwest Alaska. Mr. Hensley was born, in Kotzebue, AK, a small village about 40 miles north of the Arctic Circle. He and his family lived in the Noatak River delta where they lived by subsistence hunting, fishing and trapping. While home schooled through the Harrison Chilbowee Academy, he studied for 2 years at the University of Alaska in Fairbanks before receiving his B.A. degree in political science with a minor in economics in 1966 from George Washington University. He then conducted postgraduate studies in law at the University of New Mexico.

It was in 1966 that he wrote a paper in a constitutional law course entitled, ''What Rights to Land Have the Alaska Natives: The Primary Issue.'' The paper covered the background of public land issues in Alaska and forcefully made the case for Alaska Native claims to aboriginal lands, that coming 7 years after Alaska had won statehood. The paper, which laid out steps Alaska Natives should take to win their land claims, became an important underpinning of the Alaska Native rights movement that culminated in passage of the Alaska Native Claims Settlement Act in 1971. The Act provided Alaska Natives with 44 million acres of Alaska and nearly $1 billion in funds and cemented Mr. Hensley's reputation as one of the most capable young Native leaders of Alaska.

Mr. STEVENS. As Senator MURKOWSKI knows, while Mr. Hensley entered the Alaska Legislature in 1967, he also was a founder of the NANA Regional Corporation, one of the 13 Alaska Native regional corporations formed by the 1971 Native Claims Act. He served as a director of the corporation for the first 20 years during its formative period, and ended his career at NANA as president. While at NANA, he directed its involvement in the oilfield service industry, most notably in environmental services and drilling ventures. He also was a guiding force in NANA's development of the Red Dog lead and zinc mine—the world's largest lead and zinc mine. While at NANA he also was a founder of the nonprofit Manillaq Corp., the regional nonprofit corporation that represented the tribes in northwest Alaska and that has been the leader in improving health care and social services for 11 villages in an area nearly the size of the State of West Virginia.

While at NANA, Mr. Hensley also served in the formation of the Alaska Federation of Natives, the umbrella organization that represents the hopes and aspirations of all Native Alaskans, and served as the AFN's executive director, president and cochairman. In 1979, partially for his pioneering work in Native rights, he was named as one of the young leaders of America by Time Magazine in a cover story ''50 Faces for America's Future,'' He was honored along with then Arkansas Governor and later President Bill Clinton, the Rev. Jesse Jackson, Congressman and later Federal Budget Director David Stockman and Ted Turner.

Ms. MURKOWSKI. I understand that Mr. Hensley has recently completed his first book, a memoir entitled, ''50 Miles from tomorrow: A Memoir of Alaska and the Real People,'' which will be published later this year.

Mr. Hensley, who joined Alyeska Pipeline Corp. years after Alaska's Prince William Sound oil spill, has worked tirelessly for the past decade to guarantee that Alaska's oil has flowed south without serious incident and without environmental damage or harm to the wildlife that is so important to Alaskans' way of life. He has worked tirelessly for the benefit of Alaska and all Alaskans. While he clearly has earned his retirement, Alaskans know that Willie will stay involved in issues that are vital for the economic betterment of his native State. I and I am sure Senator STEVENS can't thank him enough for all of his efforts, his wisdom and wise counsel and his dedication to making Alaska a better place.

Mr. STEVENS. I too wish him well and know that all Members of the Senate join us and all Alaskans in wishing him the very best in all his future endeavors.

TRIBUTE TO FAYE MANGER

Mr. LIEBERMAN, Mr. President, I come to the floor today to celebrate the 85th birthday of a truly extraordinary woman, my Aunt Faye.

Throughout her life, Faye Manger has been committed to philanthropy and community service. She established deep roots in Stamford, CT, where she and her late husband; my Uncle Ben, a successful business entrepreneur, established the B.L. Manger Foundation. The foundation, which Faye has continued since Ben's untimely death in 1995, has supported numerous Jewish charitable, educational, and cultural causes. It has also donated money to advance medical research.

In addition to her work with the foundation, Faye is involved in synagogue and community activities in Stamford. She has received numerous awards and honors for her commitment to charities throughout the United States and Israel. During World War II, Faye served her country in the Women's Army Corps at Fort Monmouth, NJ.

Aside from all of her great works, Faye is a loving mother, grandmother and aunt. Faye's and Ben's humanitarian spirit can be seen in their four children—Joyce, Marc, Renee, and Steven. All four have taken an active role in charitable activities. In fact, on November 28, Faye and her children were honored by the American Committee for Shaare Zedek Medical Center in Jerusalem for funding the hospital's pediatric ophthalmology Clinic.

Looking back at all she has already done, it would be understandable why one might expect her to take it easy and relax. But, if I know my Aunt Faye, she has a lot of good works she will still do, and, with God's help, a lot of great times our family will share together.

Thank you, Aunt Faye, for all you have done to make Stamford, and the rest of the world, a better place, and for all you have meant to all of us who are blessed to be your family and friends.

ADDITIONAL STATEMENTS

CELEBRATING THE 75TH ANNIVERSARY OF THE PORT OF STOCKTON

• Mrs. BOXER. Mr. President, I ask my colleagues to join me in celebrating the 75th anniversary of the Port of Stockton, the second busiest inland port on the west coast.

During the Gold Rush, the city of Stockton was an important seaport because it was the farthest point upriver ships could travel. In the early 20th century, Stockton became a vital hub for farm equipment that transformed the San Joaquin Valley from a primarily wheat-growing region to the Nation's most diverse and productive agricultural region.

When it became apparent that the San Joaquin River was too shallow to accommodate the increasingly large ships that supplied the region's growing demand for farm equipment, the first dredging contracts for the Stockton Deep Water Channel were awarded in 1930. The port of Stockton officially opened in 1933.

Today, the Port of Stockton processes more than 6 million tons of cargo annually. The port trades with more than 55 countries, from Canada to New Zealand, and from Thailand to Trinidad. It supports over 4,500 jobs in the region, accounting for more than $170 million in annual income.

In recent years, the Port of Stockton has made a commitment to implement a program for environmentally friendly port operations. Through its Delta Environmental Enhancement Program, the port has planted the seeds for sustained, long-term changes that will help protect the air, water, soil, and wildlife that are part of the precious Delta waterways.

The success of the Port of Stockton is made possible by the dedication of scores of hard-working people who work together to make sure that its operations go smoothly. Every person who has lent a helping hand over the years can take great pride in knowing that their support and hard work has resulted in the continued growth and success of the Port of Stockton.

I congratulate the Port of Stockton on its 75th anniversary and wish its

staff and supporters a bright future and continued success.●

TRIBUTE TO ARTHUR PRATT

● Mr. LUGAR. Mr. President, today I honor the memory of Arthur Pratt, a friend and distinguished Hoosier who dedicated his life to helping the less fortunate among us. While I am saddened by Arthur passing, I continue to be inspired by his legacy of selfless service.

Among his many remarkable endeavors, Arthur will be remembered by many in the Indianapolis community for the work that he did counseling inmates as they worked to address addiction to alcohol and drugs. The program that Arthur created to facilitate these efforts, Life Effectiveness Training, has worked in the Marion County Jail for more than 35 years and has since expanded to other counties across Indiana.

On July 14, 2001, I joined Arthur at Christ Church Cathedral to celebrate his important leadership of the Life Effectiveness Training program. Joining Arthur were community leaders who had witnessed the success of Arthur's leadership, including members of the religious community and law enforcement and government officials.

It was my great honor to work closely with Arthur to pass the Jail Based Substance Abuse Treatment Act as part of the 21st Century Department of Justice Appropriations Authorization Act in 2002. This legislation makes available additional resources to programs like Life Effectiveness Training as they work with inmates to address their substance abuse issues. Not only has this approach reduced recidivism by up to 64 percent, but it has given countless Hoosiers a new opportunity to turn away from crime and commit themselves to becoming productive, law-abiding members of the community.

While I know that this is a difficult time for Arthur's family and many friends, my thoughts are with his wife Amal and their children and grandchildren as they remember and celebrate his life of service and leadership.●

IN RECOGNITION OF BO PELINI

● Mr. NELSON of Nebraska. Mr. President, with the Senate having reconvened after the recess, I start the new year by rising to recognize Bo Pelini, the new head coach of the University of Nebraska Cornhuskers' football team.

The University of Nebraska at Lincoln, my alma mater, has a proud and distinguished record in National Collegiate Athletic Association, NCAA, football, including 5 National Championships, 3 Heisman Trophies, 8 Outland Trophies, 93 Academic All-Americans, and other impressive records and awards.

Nebraskans statewide are united behind their Cornhuskers and will undoubtedly welcome Coach Pelini at Memorial Stadium with an NCAA-record 290th consecutive sellout for his first home game on August 30, 2008. Husker fans' optimism has been renewed with the hiring of Coach Pelini, who we hope will build our program back to its glory days, which were marked not only by athletic success on the field, but also academic success in the classroom.

I joined many of my fellow Cornhusker fans on January 7, 2008, in celebrating the 38–24 victory of Louisiana State University, LSU, over Ohio State University in the Bowl Championship Series National Championship Game. Our partisanship was directed more at LSU's then-defensive coordinator, Bo Pelini, than it was for the team itself. Although Coach Pelini had already been hired as Nebraska's new head coach, he honorably chose to finish his commitment at LSU.

Coach Pelini and the Tigers came through as champions, further encouraging Nebraska fans everywhere that the Big Red can return to national prominence under our new leader. We look forward enthusiastically to the annual Red/White Spring Game and the start of the fall collegiate football season. On behalf of my fellow Huskers, I welcome Coach Bo Pelini with a resounding, ''Go Big Red!'' or perhaps, even more appropriately, ''Bo Big Red!''●

MESSAGES FROM THE HOUSE

At 2:18 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 bills, in which it requests the concurrence of the Senate:

H.R. 3913. An act to amend the International Center Act to authorize the lease or sublease of certain property described in such Act to an entity other than a foreign government or international organization if certain conditions are met.

H.R. 4140. An act to designate the Port Angeles Federal Building in Port Angeles, Washington, as the ''Richard B. Anderson Federal Building''.

H.R. 4240. An act 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''.

The message also announced that the House has passed the following bill, without amendment:

S. 2110. An act 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''.

At 3:53 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. 5140. An act to provide economic stimulus through recovery rebates to individuals, incentives for business investment, and an increase in conforming and FHA loan limits.

At 4:31 p.m., a message from the House of Representatives, delivered by Mrs. Cole, 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. 5104. An act to extend the Protect America Act of 2007 for 15 days.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3913. An act to amend the International Center Act to authorize the lease or sublease of certain property described in such Act to an entity other than a foreign government or international organization if certain conditions are met; to the Committee on Foreign Relations.

H.R. 4240. An act 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''; to the Committee on Homeland Security and Governmental Affairs.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 5140. An act to provide economic stimulus through recovery rebates to individuals, incentives for business investment, and an increase in conforming and FHA loan limits.

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–4804. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, the Department's Annual Category Rating Report for calendar year 2006; to the Committee on Armed Services.

EC–4805. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Research and Development Contract Type Determination'' (DFARS Case 2006–D053) received on January 24, 2008; to the Committee on Armed Services.

EC–4806. A communication from the Assistant Secretary of the Navy (Installations and Environment), transmitting, pursuant to law, a report relative to the results of a public-private competition at the Fleet Readiness Center; to the Committee on Armed Services.

EC–4807. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the purchases made by the Department from foreign entities; to the Committee on Armed Services.

EC–4808. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to space-available transportation; to the Committee on Armed Services.

EC–4809. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Revisions and Technical Corrections to the Export Administration Regulations and the Defense Priorities and Allocations System Regulation'' (RIN0694–AE15) received on January

24, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–4810. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations; Correction'' (44 CFR Part 67) received on January 24, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–4811. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13348 with respect to the former Liberian regime of Charles Taylor; to the Committee on Banking, Housing, and Urban Affairs.

EC–4812. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' (72 FR 73656) received on January 24, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–4813. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' (72 FR 73653) received on January 24, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–4814. A communication from the Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Electronic Shareholder Forums'' (RIN3235–AJ92) received on January 24, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–4815. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency declared in Executive Order 13396 with respect to Cote d'Ivoire; to the Committee on Banking, Housing, and Urban Affairs.

EC–4816. A communication from the Assistant Secretary of the Treasury, transmitting, pursuant to law, a report relative to the Department's competitive sourcing efforts during fiscal year 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–4817. A communication from the Deputy Assistant General Counsel, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of action on a nomination for the position of Administrator, received on January 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC–4818. A communication from the Liaison, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Mandatory Reliability Standards for Critical Infrastructure Protection'' (Docket No. RM06–22–000) received on January 24, 2008; to the Committee on Energy and Natural Resources.

EC–4819. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries'' ((RIN2060–AM85)(FRL No. 8522–4)) received on January 24, 2008; to the Committee on Environment and Public Works.

EC–4820. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Massachusetts: Final Authorization of State Hazardous Waste Management Program Revisions'' (FRL No. 8521–8) received on January 24, 2008; to the Committee on Environment and Public Works.

EC–4821. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''State Operating Permit Programs; Ohio; Revisions to the Acid Rain Regulations'' (FRL No. 8521–3) received on January 24, 2008; to the Committee on Environment and Public Works.

EC–4822. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Connecticut; State Implementation Plan Revision to Implement the Clean Air Interstate Rule'' (FRL No. 8517–4) received on January 24, 2008; to the Committee on Environment and Public Works.

EC–4823. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maine; Ozone Maintenance Plan'' (FRL No. 8522–1) received on January 24, 2008; to the Committee on Environment and Public Works.

EC–4824. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Michigan; Oxides of Nitrogen Regulations, Phase II'' (FRL No. 8519–4) received on January 24, 2008; to the Committee on Environment and Public Works.

EC–4825. 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 ''Applicable Federal Rates—February 2008'' (Rev. Rul. 2008–9) received on January 24, 2008; to the Committee on Finance.

EC–4826. 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 ''Intermediary Transaction Tax Shelter'' (Notice 2008–20) received on January 24, 2008; to the Committee on Finance.

EC–4827. 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 ''Application of Section 338 to Insurance Companies'' ((RIN1545–BF02) (TD9377)) received on January 24, 2008; to the Committee on Finance.

EC–4828. A communication from the Regulations Officer, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Suspension of New Claims to the Federal Reviewing Official Level'' (RIN0960-AG53) received on January 24, 2008; to the Committee on Finance.

EC–4829. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Visas: Documentation of Nonimmigrants Under the Immigration and Nationality Act'' (22 CFR Par 41) received on January 24, 2008; to the Committee on Foreign Relations.

EC–4830. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed manufacturing license agreement for the export of defense articles to Colombia to support the manufacture of the SP2022 SigPro semi-automatic pistol; to the Committee on Foreign Relations.

EC–4831. 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 ''Interstate Shipment of Etiologic Agents'' (RIN0920–AA19) received on January 24, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–4832. A communication from the White House Liaison, Department of Health and Human Services, transmitting, pursuant to law, the report of a nomination and discontinuation of service in an acting role for the position of Director of the Indian Health Service, received on January 24, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–4833. A communication from the Director, National Science Foundation, transmitting, pursuant to law, a report relative to the Foundation's competitive sourcing efforts during fiscal year 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–4834. 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 ''Workplace Substance Abuse Program at DOE Sites'' (RIN1992–AA38) received on January 24, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–4835. A communication from the Director of Regulations, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Veterans Education: Incorporation of Miscellaneous Statutory Provisions'' (RIN2900–AL28) received on January 24, 2008; to the Committee on Veterans' Affairs.

EC–4836. A communication from the Deputy General Counsel and Designated Reporting Official, Office of National Drug Control Policy, Executive Office of the President, transmitting, pursuant to law, the report of action on a nomination for the position of Deputy Director of National Drug Control Policy, received on January 24, 2008; to the Committee on the Judiciary.

EC–4837. A communication from the Acting Director, Trade and Development Agency, transmitting, pursuant to law, the Agency's Annual Report for fiscal year 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4838. A communication from the Commissioner, Social Security Administration, transmitting, pursuant to law, the Semiannual Report of the Administration's Inspector General for the period of April 1, 2007, through September 30, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4839. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the annual report of the Chief Human Capital Officers Council for fiscal year 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4840. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to unvouchered expenditures; to the Committee on Homeland Security and Governmental Affairs.

EC–4841. A communication from the Secretary of Commerce, transmitting, pursuant to law, the Semiannual Report of the Department's Inspector General for the period of April 1, 2007, through September 30, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4842. A communication from the Secretary, American Battle Monuments Commission, transmitting, pursuant to law, the

Commission's annual report for fiscal year 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4843. A communication from the Inspector General, Railroad Retirement Board, transmitting, pursuant to law, a Semiannual Report relative to the Board's activities and accomplishments during the period of April 1, 2007, through September 30, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4844. A communication from the President, James Madison Memorial Fellowship Foundation, transmitting, pursuant to law, the Foundation's annual report; to the Committee on Homeland Security and Governmental Affairs.

EC–4845. A communication from the Executive Director, Consumer Product Safety Commission, transmitting, pursuant to law, a report relative to the Commission's competitive sourcing efforts during fiscal year 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4846. A communication from the Director, National Gallery of Art, transmitting, pursuant to law, an annual report relative to the Gallery's competitive sourcing efforts during fiscal year 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–4847. A communication from the Acting Secretary, Smithsonian Institution, transmitting, pursuant to law, an annual report relative to the Institution's competitive sourcing efforts during fiscal year 2007; to the Committee on Homeland Security and Governmental Affairs.

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. LUGAR:

S. 2562. A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Kazakhstan; to the Committee on Finance.

By Mr. LUGAR:

S. 2563. A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Azerbaijan; to the Committee on Finance.

By Mr. LIEBERMAN (for himself and Ms. COLLINS):

S. 2564. A bill to make certain reforms with respect to the Government Accountability Office, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BIDEN (for himself, Mr. SUNUNU, and Mr. SPECTER):

S. 2565. A bill to establish an awards mechanism to honor exceptional acts of bravery in the line of duty by Federal law enforcement officers; to the Committee on the Judiciary.

By Mr. ISAKSON (for himself, Mr. GREGG, Mr. ALLARD, Mr. CHAMBLISS, and Mr. CRAIG):

S. 2566. A bill to amend the Internal Revenue Code of 1986 to provide a Federal income tax credit for certain home purchases; to the Committee on Finance.

By Mr. BURR:

S. 2567. A bill to provide Federal reimbursement to State and local governments for a limited sales, use, and retailers' occupation tax holiday; to the Committee on Finance.

By Mr. KERRY:

S. 2568. A bill to amend the Outer Continental Shelf Lands Act to prohibit preleasing, leasing, and related activities in the Chukchi and Beaufort Sea Planning Areas unless certain conditions are met; to the Committee on Energy and Natural Resources.

By Mrs. BOXER (for herself, Mrs. DOLE, Mr. TESTER, Mrs. MURRAY, Mr. WYDEN, Ms. CANTWELL, Ms. STABENOW, and Mr. OBAMA):

S. 2569. A bill to amend the Public Health Service Act to authorize the Director of the National Cancer Institute to make grants for the discovery and validation of biomarkers for use in risk stratification for, and the early detection and screening of, ovarian cancer; to the Committee on Health, Education, Labor, and Pensions.

By Ms. MURKOWSKI (for herself and Mr. STEVENS):

S. 2570. A bill to amend title II of the Social Security Act to authorize waivers by the Commissioner of Social Security of the 5-month waiting period for entitlement to benefits based on disability in cases in which the Commissioner determines that such waiting period would cause undue hardship to terminally ill beneficiaries; to the Committee on Finance.

By Mr. HARKIN (for himself and Mr. CHAMBLISS):

S. 2571. A bill to make technical corrections to the Federal Insecticide, Fungicide, and Rodenticide Act; considered and passed.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. STEVENS (for himself and Ms. MURKOWSKI):

S. Res. 433. A resolution honoring the brave men and women of the United States Coast Guard whose tireless work, dedication, and selfless service to the United States have led to more than 1 million lives saved over the course of its long and storied 217-year history; considered and agreed to.

By Mr. BIDEN (for himself, Mr. BAUCUS, Mr. KERRY, Mr. MENENDEZ, Mr. GRASSLEY, Mr. SPECTER, Mr. CORNYN, Mr. DOMENICI, Mr. ROBERTS, Mr. SALAZAR, Mr. CASEY, and Mr. LAUTENBERG):

S. Res. 434. A resolution designating the week of February 10-16, 2008, as ''National Drug Prevention and Education Week''; to the Committee on the Judiciary.

By Mr. VITTER (for himself and Ms. LANDRIEU):

S. Res. 435. A resolution recognizing the goals of Catholic Schools Week and honoring the valuable contributions of Catholic schools in the United States; considered and agreed to.

By Mrs. MURRAY (for herself and Mr. SMITH):

S. Res. 436. A resolution designating the week of February 4 through February 8, 2008, as ''National School Counseling Week''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 22

At the request of Mr. WEBB, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 22, a bill to amend title 38, United States Code, to establish a program of educational assistance for members of the Armed Forces who serve in the Armed Forces after September 11, 2001, and for other purposes.

S. 507

At the request of Mr. CONRAD, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 507, a bill to amend title XVIII of the Social Security Act to provide for reimbursement of certified midwife services and to provide for more equitable reimbursement rates for certified nurse-midwife services.

S. 582

At the request of Mr. SMITH, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 582, a bill to amend the Internal Revenue Code of 1986 to classify automatic fire sprinkler systems as 5-year property for purposes of depreciation.

S. 911

At the request of Mr. REED, the names of the Senator from Nebraska (Mr. NELSON), the Senator from North Carolina (Mrs. DOLE) and the Senator from Kansas (Mr. BROWNBACK) were added as cosponsors of S. 911, a bill to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers.

S. 958

At the request of Mr. SESSIONS, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 958, a bill to establish an adolescent literacy program.

S. 1018

At the request of Mr. DURBIN, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1018, a bill to address security risks posed by global climate change and for other purposes.

S. 1177

At the request of Mr. CARPER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1177, a bill to amend the Clean Air Act to establish a national uniform multiple air pollutant regulatory program for the electric generating sector.

S. 1794

At the request of Mr. BAYH, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1794, a bill to amend the Federal Direct Loan Program to provide that interest shall not accrue on Federal Direct Loans for active duty service members and their spouses.

S. 1991

At the request of Mr. BUNNING, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 1991, a bill to authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of extending the Lewis and Clark National Historic Trail to include additional sites associated with the preparation and return phases of the expedition, and for other purposes.

S. 2063

At the request of Mr. GREGG, the names of the Senator from Idaho (Mr. CRAIG) and the Senator from Minnesota (Mr. COLEMAN) were added as cosponsors of S. 2063, a bill to establish a Bipartisan Task Force for Responsible Fiscal Action, to assure the economic security of the United States, and to expand future prosperity and growth for all Americans.

S. 2115

At the request of Mr. CARDIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2115, a bill to amend title XVIII of the Social Security Act to extend for 6 months the eligibility period for the ''Welcome to Medicare'' physical examination and to provide for the coverage and waiver of cost-sharing for preventive services under the Medicare program.

S. 2146

At the request of Mr. CARPER, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 2146, a bill to authorize the Administrator of the Environmental Protection Agency to accept, as part of a settlement, diesel emission reduction Supplemental Environmental Projects, and for other purposes.

S. 2366

At the request of Mr. VITTER, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 2366, a bill to provide immigration reform by securing America's borders, clarifying and enforcing existing laws, and enabling a practical verification program.

S. 2396

At the request of Mr. HATCH, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 2396, a bill to amend title XI of the Social Security Act to modernize the quality improvement organization (QIO) program.

S. 2405

At the request of Mr. SANDERS, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2405, a bill to provide additional appropriations for payments under section 2604(e) of the Low-Income Home Energy Assistance Act of 1981.

S. 2439

At the request of Mr. MENENDEZ, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2439, a bill to require the National Incident Based Reporting System, the Uniform Crime Reporting Program, and the Law Enforcement National Data Exchange Program to list cruelty to animals as a separate offense category.

S. 2543

At the request of Mr. ENSIGN, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 2543, a bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

S. 2555

At the request of Mrs. BOXER, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 2555, a bill to permit California and other States to effectively control greenhouse gas emissions from motor vehicles, and for other purposes.

S. RES. 252

At the request of Mr. BOND, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. Res. 252, a resolution recognizing the increasingly mutually beneficial relationship between the United States of America and the Republic of Indonesia.

S. RES. 429

At the request of Mrs. DOLE, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. Res. 429, 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 confiscation of over 350,000 pounds of cocaine at sea during 2007.

S. RES. 431

At the request of Mr. FEINGOLD, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. Res. 431, a resolution calling for a peaceful resolution to the current electoral crisis in Kenya.

S. RES. 432

At the request of Mr. BIDEN, the names of the Senator from Kansas (Mr. BROWNBACK), the Senator from Michigan (Mr. LEVIN) and the Senator from Wisconsin (Mr. FEINGOLD) were added as cosponsors of S. Res. 432, a resolution urging the international community to provide the United Nations-African Union Mission in Sudan with essential tactical and utility helicopters.

AMENDMENT NO. 3900

At the request of Mr. SANDERS, the names of the Senator from Michigan (Ms. STABENOW), the Senator from New York (Mr. SCHUMER), the Senator from Oregon (Mr. SMITH), the Senator from Minnesota (Mr. COLEMAN), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Arkansas (Mrs. LINCOLN) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of amendment No. 3900 proposed to S. 1200, a bill to amend the Indian Health Care Improvement Act to revise and extend the Act.

AMENDMENT NO. 3919

At the request of Mrs. FEINSTEIN, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of amendment No. 3919 intended to be proposed to S. 2248, an original bill to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LUGAR:

S. 2562. A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Kazakhstan; to the Committee on Finance.

Mr. LUGAR. Mr. President, I rise today to introduce legislation designed to extend permanent normal trade relations to Kazakhstan. Kazakhstan is still subject to the provisions of the Jackson-Vanik amendment to the Trade Act of 1974, which sanctions nations for failure to comply with freedom of emigration requirements. This bill would repeal permanently the application of Jackson-Vanik to Kazakhstan.

In the post-Cold-War era, Kazakhstan has demonstrated a commitment to meet these requirements, and in addition, has expressed a strong desire to abide by free market principles and good governance. Since 1992, Kazakhstan has been certified annually as meeting the Jackson-Vanik requirements. This legislation would make this trade relationship permanent and, in so doing, stimulate further market reforms and encourage a commitment to safeguarding individual liberties.

The U.S. has a long record of cooperation with Kazakhstan through the Nunn-Lugar Cooperative Threat Reduction. Kazakhstan inherited the fourth largest nuclear arsenal in the world with the fall of the Soviet Union. Through the Nunn-Lugar Program the United States has assisted Kazakhstan in eliminating this deadly arsenal and joining the Nonproliferation Treaty as a nonnuclear state.

Earlier this month, a team of American scientists working under the Nunn-Lugar Program quietly entered Kazakhstan in sub-zero temperatures to begin the careful packaging of bubonic and pneumonic plague samples in accordance with international safety standards for the transport of dangerous biological materials. I am pleased to inform my Senate colleagues that the samples have been safely transported on a U.S. Air Force C–17 cargo plane to the U.S. Centers for Disease Control and Prevention in Fort Collins, Colorado. It marked the successful completion of a 5-year negotiation to secure, transport and develop a research program for the pathogens.

Cooperative research by American and Kazakhstani scientists will develop prevention and cure possibilities for this deadly plague. It provides new hope for places where the disease is naturally occurring and helps deter the plague's use as a bio-terror weapon. As many may know, Plague is a highly lethal disease spread from rodents to humans by fleas. It caused the Black Death which swept across Europe in the 14th century. It is estimated that 20–30 million Europeans died—perhaps as much as half of the continent's population at the time. An estimated 75 million people worldwide died from the Black Plague.

Kazakhstani and American plague experts will conduct joint research on the samples at Federal labs in Fort Collins, CO. They will develop advanced diagnostics and treatments for plague. This cooperative public health research funded through the U.S. Department Health and Human Services Biotechnology Engagement Program will yield valuable scientific insights into a potentially devastating disease, which is endemic throughout Central Asia. The aim of such cooperation is to improve the protection of Kazakhstani and global populations against a naturally occurring disease that could also be exploited by terrorists.

U.S. strategic and economic interests intersect in Central Asia. With Russia to the north and Iran and Afghanistan to the south, energy-rich Central Asia is at the frontline of American national security priorities. We have tremendous opportunities in the region, but it will take time and consistent high-level effort to build constructive relationships. This region needs to have a much higher priority on America's foreign policy agenda. In Kazakhstan, we have a record of 15 years of collaboration on weapons destruction through the Nunn-Lugar program. This is a solid foundation on which to continue building our relationship.

I recently traveled to Kazakhstan and met with senior government officials and discussed opportunities for expanding cooperation with the United States, including energy security. In my conversations with Kazakh leaders I encouraged the government to pursue trans-Caspian transportation options for oil and gas. At the current time, Kazakhstan relies almost exclusively upon Russia to transport oil and gas to world markets. In turn, Russia has occasionally demonstrated willingness to use its control over these supplies for political gain at the expense of our European allies. Opening trans-Caspian export routes will dilute Russia's control over energy supplies. Likewise, having multiple export options will reinforce the political independence of Kazakhstan. I was pleased that Kazakh officials indicated a willingness to work with the U.S. and their neighbors on these issues.

There are areas in which Kazakhstan needs to continue to improve. These include market access, democratic and human rights reforms. The U.S. must remain committed to assisting Kazakhstan in pursuing these reforms. The government in Astana still has important work to do in these critical areas. The permanent waiver of Jackson-Vanik and establishment of permanent normal trade relations will be the foundation on which further progress in a burgeoning partnership can be made.

I am hopeful that my colleagues will join me in supporting this important legislation. It is essential that we act promptly to bolster this burgeoning democracy and promote stability and in this region.

By Mr. LUGAR:

S. 2563. A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Azerbaijan; to the Committee on Finance.

Mr. LUGAR. Mr. President, I rise today to introduce legislation designed to extend permanent normal trade relations to Azerbaijan. Azerbaijan is still subject to the provisions of the Jackson-Vanik amendment to the Trade Act of 1974, which sanctions nations for failure to comply with freedom of emigration requirements. This bill would repeal permanently the application of Jackson-Vanik to Azerbaijan.

In the post-Cold-War era, Azerbaijan allows its citizens the right and opportunity to emigrate and has demonstrated a commitment to meet these requirements. In addition, Azerbaijan has expressed a strong desire to abide by free market principles and good governance. Since 1992, Azerbaijan has been certified annually as meeting the Jackson-Vanik requirements. This legislation would make this trade relationship permanent and, in doing so, stimulate further market reforms and encourage its continued commitment to safeguarding individual liberties.

The U.S. has a long record of cooperation with Azerbaijan through the Nunn-Lugar Cooperative Threat Reduction. Through the Nunn-Lugar Program the U.S. has assisted Azerbaijan in safely securing dangerous stockpiles of deadly pathogens and infectious diseases and improving its ability to interdict weapons and materials of mass destruction. In 2005 the Nunn-Lugar Program in close coordination with Government of Azerbaijan transported 124 samples of 62 unique strains of plague, anthrax, cholera, and other dangerous diseases from Baku to the U.S. Armed Forces Institute of Pathology in Washington, DC. These strains were collected over many years from environmental, human, and animal sources in Azerbaijan. The strains will be studied in joint research programs with the U.S. Department of Defense and Azerbaijan medical researchers.

Earlier this month I traveled to Azerbaijan and met with President Aliyev and the First Lady of Azerbaijan. We had an interesting discussion on the important role Azerbaijan is playing in energy recovery and transportation. It is a tribute to Azerbaijan that they are using their energy resources to the benefit of global security. Building pipelines and opening energy production to foreign markets requires difficult foreign policy decisionmaking. Azerbaijan is located in a tough neighborhood, and countries there are under tremendous pressure to keep their distance from the U.S. I thanked President Aliyev for taking concrete steps to affirm his country's strategic partnership with the U.S.

I discussed at length with the President and members of his Government the possibility of connecting Azerbaijan's energy infrastructure with Kazakhstan and Turkmenistan. I encouraged continued progress on rapprochement between Governments in Baku and Ashgabat. I heard encouraging statements toward improved relations and cooperation on energy in both Ashgabat and Baku. It is clear that there is willingness for progress.

Integrating some oil and gas production in Kazakhstan and Turkmenistan would diversify export routes for those countries and import sources for European nations. Successful integration of such trans-Caspian transport routes is a vital contribution to international peace and security. In some countries oil and gas revenues are a curse, leading to corruption and conflict. Two years ago President Aliyev pledged to me that Azerbaijan would follow the Norway model in managing its oil and gas revenues. As reflected by the State Oil Fund of Azerbaijan's receipt in 2007 of the United Nations Public Service Award, it is now on a path of transparency and is investing for development today and for future generations. I am hopeful that progress in Azerbaijan will continue and other emerging countries learn from Azerbaijan's example.

One of the areas where we can deepen U.S.-Azerbaijan relations is bilateral trade. In light of its adherence to freedom of emigration requirements, compliance with threat reduction and unwavering cooperation in the production and delivery of energy supplies, the products of Azerbaijan should not be subject to the sanctions of Jackson-Vanik. The U.S. must remain committed and engaged in assisting Azerbaijan in pursuing democratic and human rights reforms. The Government in Baku still has important work to do in these critical areas, including in the area of media freedom and freedom of assembly. I discussed the ongoing democratic reforms with President Aliyev during my visit and was assured that they are proceeding. Azerbaijan faces an important Presidential election this October. The support and encouragement of the U.S. and the international community will be key to encouraging the Government of Azerbaijan to hold free and fair elections. The permanent waiver of Jackson-Vanik and establishment of permanent normal trade relations will be the foundation on which further progress in a burgeoning economic and energy partnership can be made.

I am hopeful that my colleagues will join me in supporting this important legislation. It is essential that we act promptly to bolster this important relationship and promote stability in this region.

By Mr. BIDEN (for himself, Mr. SUNUNU, and Mr. SPECTER):

S. 2565. A bill to establish an awards mechanism to honor exceptional acts of bravery in the line of duty by Federal law enforcement officers; to the Committee on the Judiciary.

Mr. BIDEN. Mr. President, the Federal Law Enforcement Congressional Badge of Bravery Act of 2007 establishes an award to honor exceptional acts of bravery in the line of duty by Federal law enforcement officers. This bipartisan bill is cosponsored by Senators ARLEN SPECTER and JOHN SUNUNU and it is supported by the Federal Law Enforcement Officers Association along with other law enforcement groups.

An ''ABC Nightly News'' series last November reported that 2007 may turn out to be one of the deadliest years in history for law enforcement officers. That sour prediction has come to pass. The National Law Enforcement Officers Memorial Fund—which commemorates the service and sacrifice of law enforcement officers and helps promote law enforcement safety—found that officer deaths were up sharply nationwide last year. There were 194 fatalities—34 percent more than the year before.

Unfortunately, with crime on the rise around the country the increase in fallen officers should be no surprise. The FBI's Uniform Crime Report for 2006—the gold standard of crime reports in our country—must be taken seriously. Murders were up 1.9 percent on top of the previous year's increases—these were the largest increases in 15 years. What's more, violent crime rose 1.9 percent.

Clearly, our Federal law enforcement officers are doing their jobs in an environment more fraught with danger than ever. Police departments around the country are scrambling in an arms race to match the firepower of the bad guys. In my view, we should give special recognition to those Federal law enforcement officers who are going above and beyond to protect us in this kind of environment.

With this bill Congress can continue its support of the brave men and women law enforcement officers who risk their lives every day making sure our communities are safe. I hope this bill will be accepted by the full Senate.

By Mrs. BOXER (for herself, Mrs. DOLE, Mr. TESTER, Mrs. MURRAY, Mr. WYDEN, Ms. CANTWELL Ms. STABENOW, and Mr. OBAMA):

S. 2569. A bill to amend the Public Health Service Act to authorize the Director of the National Cancer Institute to make grants for the discovery and validation of biomarkers for use in risk stratification for, and the early detection and screening of, ovarian cancer; to the Committee on Health, Education, Labor, and Pensions.

Mrs. BOXER. Mr. President, today I am joined by my colleagues Senators DOLE, TESTER, MURRAY, WYDEN, CANTWELL, STABENOW, and OBAMA to introduce the Ovarian Cancer Biomarker Research Act of 2008—legislation that supports the research of early detection and screening of ovarian cancer

For many years, ovarian cancer has been called the ''silent killer'' because the list of symptoms women are warned to look out for are merely whispers about the dangers of this deadly disease.

There is currently no effective screening test available for ovarian cancer and the disease is difficult to identify because symptoms are easily misdiagnosed. Without an effective screening test most women who have ovarian cancer are diagnosed too late to be saved.

A woman's chance of surviving ovarian cancer is considerably greater if she is diagnosed early. When ovarian cander is diagnosed early, more than 93 percent of women survive longer than 5 years. Unfortunately, 4 out of 5 ovarian cancer cases in the U.S. are diagnosed in the later stages, when a woman's chance of surviving that long drops to about 30 percent.

Though only one in 69 women will face ovarian cancer, this disease ranks fifth in cancer deaths among women and causes more deaths than any other cancer of the female reproductive system. In the last year alone, the National Cancer Institute, (NCI), estimated there were 15,280 deaths from ovarian cancer in the U.S.

Developing the tools to detect ovarian cancer early is critical to improving the rate of survival for women struck by this disease—that is why this legislation is so necessary.

Specifically, the Ovarian Cancer Biomarker Research Act would authorize NCI to make grants for public or nonprofit entities to establish research centers focused on ovarian cancer biomarkers. Biomarkers are biochemical features within the body that can be used to measure the progress of a disease and predict the effects of treatment. This legislation also authorizes funding for a national clinical trial that will enroll at-risk women in a study to determine the clinical utility of using these validated ovarian cancer biomarkers.

I urge my colleagues to join me as well as the Society of Gynecologic Oncologists, the American College of Obstetricians and Gynecologists, the Ovarian Cancer National Alliance, and the American College of Surgeons in supporting the Ovarian Cancer Biomarker Research Act of 2008.

This legislation is of vital importance to the health of thousands of women across our Nation. I look forward to working with my colleagues to pass this critical investment in the fight against ovarian cancer.

By Ms. MURKOWSKI (for herself and Mr. STEVENS):

S. 2570. A bill to amend title II of the Social Security Act to authorize waivers by the Commissioner of Social Security of the 5-month waiting period for entitlement to benefits based on disability in cases in which the Commissioner determines that such waiting period would cause undue hardship to terminally ill beneficiaries; to the Committee on Finance.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Ms. MURKOWSKI. Mr. President, I rise this afternoon to discuss legislation that I have introduced that will fix an inequity in the Social Security disability insurance system. This inequity rises from Federal law that places an arbitrary 5-month waiting period on when an individual who has been diagnosed with a terminal illness is eligible for disability compensation provided through Social Security benefits.

Currently, under title II of the Social Security Act, Federal law requires a 5-month waiting period from when the patient is diagnosed until the disability benefits begin. Monthly cash benefits, about $980 on average, will be provided to the disabled individual to help offset medical or any other expenses and will also help diminish the financial hardships that are faced by those workers.

The monthly cash benefits that are available to the individuals can help not only offset the medical or other expenses, but they can really help to diminish financial hardships that are faced by the workers, by the families, who really may have very little or oftentimes no resources to fall back upon during the early months of a disability.

This legislation came about as a result of a telephone call received in my Anchorage office to the head of my constituent services. She received a call from a constituent in Alaska by the name of Robert James. He indicated he had been diagnosed in November with stage 4 lung cancer, and he was given, at that time, 3 to 6 months to live. He called my office asking for help.

He wanted to know how, as someone who had just been diagnosed with a terminal illness, he might be eligible for disability compensation provided through Social Security benefits.

And so my constituent service director, after listening to his story, went through everything to try to figure out a way to help this individual, only to learn that the process, the law as it sets out now, provides for a 5-month waiting period.

Although Mr. James has insurance coverage through his employer, he is unable to work because of his disability. He is going to incur thousands of dollars, probably hundreds of thousands of dollars in medical bills because of this arbitrary 5-month waiting period.

If he had only been given the opportunity to demonstrate his case for financial hardship to the Social Security Commissioner, he and his family may have qualified for this cash benefit offset. What my legislation would do is give the Social Security Commissioner the ability to waive the 5-month waiting period on a case-by-case basis for terminally ill individuals who would have to demonstrate the financial hardship.

In Mr. James's case, as I indicated, he is employed, works for the cargo department of a major airline in Alaska, but he would have to demonstrate there is financial hardship as a consequence of this terminal diagnosis.

It makes you wonder why this 5-month period. The capriciousness of a 5-month waiting period is evidenced by looking at the legislative history. In 1972, the House Ways and Means Committee report sought to reduce the waiting period from at that time 6 months to 5 months. At the time the Senate Finance Committee was pushing for a shorter period. They were pushing for a 4-month period.

So back in 1972, you had a 6-month period. Some wanted it to go to 4 months. Eventually they agreed upon a 5-month waiting period. But it begs the question: Should it be 4 months, 5 months? Should it only be 1 month?

My legislation would give the Social Security Commissioner the discretion to waive the waiting period if the terminally ill individual can demonstrate a financial hardship. This will alleviate the financial burden or help to offset the financial burden of a terminal illness on the disabled individuals and their families and will also provide for a financial offset for paying medical bills after he or she is deceased.

I would ask that in honor of my constituent, Mr. JONES, my colleagues support this bill because there are people who become disabled. We know they are unable to work. They need that monthly support to help offset the costs of their terminal illness.

For this reason, it is imperative that the Social Security Commissioner have that ability on a case-by-case basis to make a determination for disability benefits. Mr. James's chemotherapy costs, we understand, are about between $10,000 and $15,000 per monthly session, and this does not include the other medical bills he is facing.

I ask my colleagues to join me in supporting this legislation so that Robert James and Americans like Mr. James have the ability to qualify for disability benefits to offset these costly expenses without having to complete an arbitrary 5-month waiting period.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 433—HONORING THE BRAVE MEN AND WOMEN OF THE UNITED STATES COAST GUARD WHOSE TIRELESS WORK, DEDICATION, AND SELFLESS SERVICE TO THE UNITED STATES HAVE LED TO MORE THAN 1 MILLION LIVES SAVED OVER THE COURSE OF ITS LONG AND STORIED 217-YEAR HISTORY

Mr. STEVENS (for himself and Ms. MURKOWSKI) submitted the following resolution; which was considered and agreed to:

S. RES. 433

Whereas, since 1867 the United States Coast Guard has been a vital piece of Alaskan history, providing lifesaving medical treatment to native villages along its coasts, protecting its fisheries resources, and courageously rescuing those who face peril on the seas;

Whereas, in 2007 the men and women of the United States Coast Guard stationed in Alaska valiantly responded to 696 calls for assistance and saved the lives of 463 mariners in distress;

Whereas, the actions of Petty Officer Willard L. Milam personify the proud history of courage and public service of the United States Coast Guard on the 10th of February, 2007, when, on a pitch-black winter morning, Petty Officer Milam launched aboard a Coast Guard HH–65 helicopter in near-zero visibility to locate the source of a distress signal approximately 50 miles southwest in Makushin Bay, Alaska;

Whereas, Petty Officer Milam bravely deployed into storm tossed, 40-degree seas and swam to a life raft to find four survivors hypothermic and soaked in unprotected clothing;

Whereas, Petty Officer Milam heroically overcame exhaustion and hypothermia to pull each survivor from a life raft and assist them through the raging seas, placing them into a rescue basket to be hoisted into the rescue helicopter;

Whereas, Petty Officer Milam's courageous rescue off the coast of Alaska has earned him the 2007 Coast Guard Foundation Award for Heroism and the 2007 Captain Frank Erickson Aviation Rescue Award;

Whereas, through extraordinary teamwork, airmanship, and courage, the crew of the Coast Guard rescue helicopter saved four lives from the treacherous Bearing Sea: Now, therefore, be it

Resolved, That the Senate—

(1) honors the heroic accomplishments of Petty Officer Willard Milam, who represented the finest traditions of the United States Coast Guard during the dramatic rescue of four survivors from the treacherous Bering Sea; and

(2) honors the United States Coast Guard, America's lifesavers and guardians of the sea, for its unflinching determination and proud 217-year history of maritime search and rescue resulting in over 1 million lives saved; and

(3) recognizes the tireless work, dedication, and commitment of Coast Guard men and women, many of them stationed in Alaska, far away from family and friends, who commit themselves every day to executing this noble mission hundreds of miles from our shores with honor, respect, and devotion to duty.

SENATE RESOLUTION 434—DESIGNATING THE WEEK OF FEBRUARY 10–16, 2008, AS ''NATIONAL DRUG PREVENTION AND EDUCATION WEEK''

Mr. BIDEN (for himself, Mr. BAUCUS, Mr. KERRY, Mr. MENENDEZ, Mr. GRASSLEY, Mr. SPECTER, Mr. CORNYN, Mr. DOMENICI, Mr. ROBERTS, Mr. SALAZAR, Mr. CASEY, and Mr. LAUTENBERG) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 434

Whereas recent survey data suggests that illegal drug use among youth has declined by 24 percent since 2001;

Whereas, despite the reduction in drug use among youth, the number of 8th, 10th, and 12th graders who use drugs remains too high and the rates of prescription and over-the-counter drug abuse are alarming;

Whereas the overall rate of current illegal drug use among persons aged 12 or older is 8.3 percent, which has remained stable since 2002;

Whereas ecstasy (methylenedioxymethamphetamine, or MDMA) use among high school age youth has been rising since 2004;

Whereas, while methamphetamine use is down among 8th, 10th, and 12th graders, many counties across the country still report that methamphetamine is a serious drug problem;

Whereas 25 percent of youth in the 10th grade reported the use of marijuana during the past year;

Whereas youth who first smoke marijuana under the age of 14 are more than 5 times as likely to abuse drugs in adulthood;

Whereas nearly 6 percent of 12th graders have used over-the-counter cough and cold medications in the past year for the purpose of getting high;

Whereas Vicodin remains one of the most commonly abused drugs among 12th graders, with 1 in 10 reporting nonmedical use within the past year;

Whereas teenagers' and parents' lack of understanding of the potential harms of these powerful medicines makes it even more critical to raise public awareness about the dangers associated with their non-medical use;

Whereas the rates of use for any illegal drug are directly related to the perception of harm and social disapproval;

Whereas more than 20 years of research has demonstrated that prevention interventions, designed and tested to reduce risk and enhance protective factors, can help children at every step along their developmental path, from early childhood into young adulthood;

Whereas prevention efforts should be flexible enough to address and prevent local problems before they become national trends;

Whereas research has demonstrated that there are 4 major targets of prevention: youth, parents, schools (including colleges and universities), and communities and social environments that must be reinforced by each other to have the greatest effect in deterring the consequences of drug use;

Whereas a comprehensive blend of individually and environmentally focused efforts must be adopted and a variety of strategies must be implemented across multiple sectors of a community to reduce drug use;

Whereas community anti-drug coalitions are an essential component of any drug prevention and education campaign because they are data driven, know their community epidemiology, and are capable of understanding and implementing the multi-sector interventions required to reduce the availability and use of drugs;

Whereas community anti-drug coalitions help to change community norms, laws, policies, regulations, and procedures to create an environment that discourages the use of drugs;

Whereas school-based prevention programs should be part of a comprehensive community wide approach to deal with drug use;

Whereas the more successful we are at general prevention of drug use in younger adolescents, the less we will have to deal with the concomitant economic and societal consequences of their use;

Whereas the total economic cost of drug, alcohol, and tobacco abuse in the United States is more than $500,000,000,000;

Whereas the savings per dollar spent on substance abuse prevention rather than on substance abuse treatment are substantial, and can range from $2.00 to $20.00;

Whereas there will always be new and emerging drug trends that require additional prevention and education efforts;

Whereas preventing drug use before it begins and educating the public about the dangers of drug use is a critical component of what must be a consistent and comprehensive effort to stunt and decrease drug use rates throughout the country; and

Whereas thousands of community anti-drug coalition leaders and community based substance abuse prevention, treatment, and education specialists come to Washington, D.C. to receive state-of-the-art technical assistance, training, and education on drug prevention at the Community Anti-Drug Coalition of America's Annual National Leadership Forum in February: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of February 10–16, 2008, as ''National Drug Prevention and Education Week''; and

(2) urges communities, schools, parents, and youth to engage in, and carry out, appropriate prevention and education activities and programs to reduce and stop drug use before it starts.

Mr. BIDEN. Mr. President. Today I rise to introduce an important resolution designating the week of February 10–16, 2008 as National Drug Prevention and Education Week. While we have made progress in curbing the rate of illegal drug use among teens in this country, there remains a great deal of work to be done. Key components of staying on top of emerging drug threats and lowering the overall rate of drug use in this country are prevention and education. These efforts start at the local level and this resolution encourages communities, schools, parents, and youth to engage in and carry out community-based prevention and education activities and programs to reduce and stop drug use before it starts.

We have come a long way in combating drug use in this country, in large part because of the good work of so many talented professionals in the prevention and treatment fields. However, the rates of illegal drug use among teens and adults remains too high. The overall rate of current illegal drug use among persons aged 12 or older is 8.3 percent, which has remained stable since 2002. Moreover, the well-known Monitoring the Future survey found ''a clear pattern of gradually rising use [of ecstasy] in the upper grades'' over the past couple of years. Thus, as the data shows, clearly we have got a lot of work left to do.

The threat of illegal drugs is not our only concern. Newly released data shows that abuse of prescription and over-the-counter medicines is a huge problem that has not declined in recent years. One in ten 12th graders has reported non-medical use of the powerful painkiller Vicodin within the past year and abuse rates of other powerful narcotics are similarly troubling.

Abuse of over-the-counter drugs has also become concerning, with nearly 6 percent of 12th graders having used over-the-counter cough and cold medications in the past year for the purpose of getting high. These problems don't simply pose serious health risks, but they are also closely linked to low educational achievement and increased risk of illegal activity and crime.

One critical component of stemming drug use is prevention. Over 20 years of research has demonstrated that prevention intervention, designed and tested to reduce risk and enhance protective factors, can help children at every step along their developmental path, from early childhood into young adulthood. The more successful we are at general prevention of drug use in younger adolescents, the less we will have to deal with the concomitant economic and societal consequences of their use-including the more than $500 billion in societal costs associated with drug and alcohol use. Community anti-drug coalitions provide the flexibility needed to effectively address the local needs of their communities.

Coalitions of local leaders, including parents, teachers, religious leaders, local law enforcement officials, youth, and business leaders have the power to reduce the demand for drugs, and we must support their efforts and applaud them for their outstanding work on these issues.

During the week of February 10–16, thousands of community anti-drug coalition leaders and community based substance abuse prevention, treatment, and education specialists will come to Washington, DC to receive state-of-the-art technical assistance, training, and education on drug prevention at the Community Anti-Drug Coalition of America's Annual National Leadership Forum. I applaud these community leaders—and prevention and treatment professionals around the Nation—for their tireless efforts to curb drug use in our country and, in recognition of these efforts I have introduced this resolution to designate the week of February 10–16, 2008 as National Drug Prevention and Education Week.

NATIONAL DRUG PREVENTION AND EDUCATION WEEK

Mr. GRASSLEY. Mr. President, I am pleased to join my colleague, Senator BIDEN, in cosponsoring a resolution to designate the week of February 10–16, 2008, as National Drug Prevention and Education Month. Although recent survey data compiled by the Substance Abuse and Mental Health Services Administration shows illegal drug use among youth has declined by 24 percent since 2001, the number of teens abusing prescription and over-the-counter medicines has rapidly increased. Kids are turning to these dangerous drugs because they are easily accessible and widely used. Many of us do not realize that our left-over prescriptions and cold medicines are just as addictive and dangerous as meth or heroin when not properly used. This is why we must continue our efforts to inform the public about the dangers of these and other drugs. We must continue to do all we can to prevent our kids from falling into a vicious cycle of drug abuse and dependence.

Research has shown that if you can keep a child drug free until they turn 20, chances are very slim that they will ever try or become addicted to drugs. This is why it is essential to maintain a coherent antidrug message that begins early in adolescence and continues throughout the growing years. Such an effort must engage professionals, parents, communities, and young people. While the Federal Government has a role to play in supporting these activities, local, community-based initiatives are better able to target specific concerns and respond to them flexibly.

Local community antidrug coalitions are our first line of defense against the scourge of drug abuse. Each community is different from the other, and each community antidrug coalition is tailored to meet the specific antidrug needs of its community. For example, I formed the Face It Together, FIT, Coalition in an effort to combat drug use in Iowa. My goal with FIT is to bring to the same table parents, educators, businesses, religious leaders, law enforcement officials, health care providers, youth groups, and members of the media to promote new ways of thinking about how to reach and educate Iowans about the dangers of drug abuse. With everyone working together, we will make a difference in our communities. Moreover, together we can build healthy children, healthy families, healthy communities, and a healthy future for society at large.

Community antidrug coalitions would not be able to succeed in fighting drug abuse without the support of the Community Anti-Drug Coalitions of America, CADCA. CADCA works to strengthen the ability of new and existing community coalitions to build safe, healthy, and drug-free communities and helps provide vital funding to local coalitions through the Drug Free Communities grant program.

Since the inception of the Drug Free Communities grant program over 1,300 community coalitions have received grants nationwide. There have been 43 coalitions in my State of Iowa that have received grants to provide crucial assistance to combat the abuse of alcohol, tobacco, and illegal drugs. These coalitions have been successful in tracking the use of illegal drugs in their communities, starting after-school and summer programs for kids, holding community events and town-hall meetings, and uniting all sectors of the community to fight drug abuse.

I believe that we have a moral obligation to ensure that our young people have a chance to grow up without being accosted by drug dealers at every turn, whether on TV, in the movies, or on the way to school. We need, as a country, to create a strong moral context to help our kids know how to make the right choices. They need to know how to say ''no.'' They need to know that saying ''no'' is OK. They need to know that saying ''no'' to drugs is the right thing to do, not just the safe thing or the healthier thing

but the right thing. I urge my colleagues to join us in passing this resolution to show our ongoing support for community antidrug coalitions that work to eliminate drug abuse throughout the Nation.

SENATE RESOLUTION 435—RECOGNIZING THE GOALS OF CATHOLIC SCHOOLS WEEK AND HONORING THE VALUABLE CONTRIBUTIONS OF CATHOLIC SCHOOLS IN THE UNITED STATES

Mr. VITTER (for himself and Ms. LANDRIEU) submitted the following resolution; which was considered and agreed to:

S. RES. 435

Whereas Catholic schools in the United States have received international acclaim for academic excellence while providing students with lessons that extend far beyond the classroom;

Whereas Catholic schools present a broad curriculum that emphasizes the lifelong development of moral, intellectual, physical, and social values in the young people of the United States;

Whereas Catholic schools in the United States today educate 2,363,220 students and maintain a student-to-teacher ratio of 15 to 1;

(2) commends Catholic schools, students, parents, and teachers across the United States for their ongoing contributions to education, and for the vital role they play in promoting and ensuring a brighter, stronger future for the United States.

SENATE RESOLUTION 436—DESIGNATING THE WEEK OF FEBRUARY 4 THROUGH FEBRUARY 8, 2008, AS ''NATIONAL SCHOOL COUNSELING WEEK''

Mrs. MURRAY (for herself and Mr. SMITH) submitted the following resolution; which was considered and agreed to:

S. RES. 436

Whereas the American School Counselor Association has declared the week of February 4 through February 8, 2008, as ''National School Counseling Week'';

Whereas the Senate has recognized the importance of school counseling through the inclusion of elementary and secondary school counseling programs in the reauthorization of the Elementary and Secondary Education Act of 1965;

Whereas school counselors have long advocated that the education system of the United States must leave no child behind and must provide opportunities for every student;

Whereas personal and social growth results in increased academic achievement;

Whereas school counselors help develop well-rounded students by guiding them through their academic, personal, social, and career development;

Whereas school counselors have been instrumental in helping students, teachers, and parents deal with the trauma that was inflicted upon them by hurricanes Katrina, Rita, and Wilma, and other recent natural disasters;

Whereas students face myriad challenges every day, including peer pressure, depression, the deployment of family members to serve in conflicts overseas, and school violence;

Whereas school counselors are usually the only professionals in a school building who are trained in both education and mental health matters;

Whereas the roles and responsibilities of school counselors are often misunderstood, and the school counselor position is often among the first to be eliminated in order to meet budgetary constraints;

Whereas the national average ratio of students to school counselors of 476-to-1 is almost twice the 250-to-1 ratio recommended by the American School Counselor Association, the American Counseling Association, the American Medical Association, the American Psychological Association, and other organizations; and

Whereas the celebration of National School Counseling Week would increase awareness of the important and necessary role school counselors play in the lives of students in the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of February 4 through February 8, 2008, as ''National School Counseling Week''; and

(2) encourages the people of the United States to observe the week with appropriate ceremonies and activities that promote awareness of the role school counselors perform in the school and the community at large in preparing students for fulfilling lives as contributing members of society.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3960. Mr. KENNEDY (for himself, Mr. KERRY, and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 3911 proposed by Mr. ROCKEFELLER (for himself and Mr. BOND) to the bill S. 2248, to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes; which was ordered to lie on the table.

SA 3961. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2483, to authorize certain programs and activities in the Forest Service, the Department of the Interior, and the Department of Energy, and for other purposes; which was ordered to lie on the table.

SA 3962. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2483, supra; which was ordered to lie on the table.

SA 3963. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2483, supra; which was ordered to lie on the table.

SA 3964. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2483, supra; which was ordered to lie on the table.

SA 3965. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2483, supra; which was ordered to lie on the table.

SA 3966. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2483, supra; which was ordered to lie on the table.

SA 3967. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2483, supra; which was ordered to lie on the table.

SA 3968. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2483, supra; which was ordered to lie on the table.

SA 3969. Mr. SANDERS (for himself, Ms. SNOWE, Mr. LEAHY, Mr. SMITH, Mr. SCHUMER, Ms. COLLINS, Mr. KENNEDY, Mr. KERRY, Ms. CANTWELL, Mrs. MURRAY, Mrs. LINCOLN, Mr. OBAMA, Mrs. CLINTON, and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 3911 proposed by Mr. ROCKEFELLER (for himself and Mr. BOND) to the bill S. 2248, to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes; which was ordered to lie on the table.

SA 3970. Mr. SANDERS (for himself, Ms. SNOWE, Mr. LEAHY, Mr. SMITH, Mr. SCHUMER, Ms. COLLINS, Mr. KENNEDY, Mr. KERRY, Ms. CANTWELL, Mrs. MURRAY, Mrs. LINCOLN, Mr. OBAMA, Mrs. CLINTON, and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 3918 proposed by Mr. REID to the bill S. 2248, supra; which was ordered to lie on the table.

SA 3971. Mr. SANDERS (for himself, Ms. SNOWE, Mr. LEAHY, Mr. SMITH, Mr. SCHUMER, Ms. COLLINS, Mr. KENNEDY, Mr. KERRY, Ms. CANTWELL, Mrs. MURRAY, Mrs. LINCOLN, Mr. OBAMA, Mrs. CLINTON, and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill S. 2556, to extend the provisions of the Protect America Act of 2007 for an additional 30 days; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3960. Mr. KENNEDY (for himself, Mr. KERRY, and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 3911 proposed by Mr. ROCKEFELLER (for himself and Mr. BOND) to the bill S. 2248, to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 6, line 13, strike ''and'' and all that follows through page 10, line 5, and insert the following:

''(4) shall not intentionally acquire any communication as to which the sender and all intended recipients are known at the time of the acquisition to be located in the United States; and

''(5) shall be conducted in a manner consistent with the fourth amendment to the Constitution of the United States.

''(c) CONDUCT OF ACQUISITION.—An acquisition authorized under subsection (a) may be conducted only in accordance with—

''(1) a certification made by the Attorney General and the Director of National Intelligence pursuant to subsection (f); and

''(2) the targeting and minimization procedures required pursuant to subsections (d) and (e).

''(d) TARGETING PROCEDURES.—

''(1) REQUIREMENT TO ADOPT.—The Attorney General, in consultation with the Director of National Intelligence, shall adopt targeting procedures that are reasonably designed to ensure that any acquisition authorized under subsection (a) is limited to targeting persons reasonably believed to be located outside the United States and does not result in the intentional acquisition of any communication as to which the sender and all intended recipients are known at the time of the acquisition to be located in the United States.

''(2) JUDICIAL REVIEW.—The procedures referred to in paragraph (1) shall be subject to judicial review pursuant to subsection (h).

''(e) MINIMIZATION PROCEDURES.—

''(1) REQUIREMENT TO ADOPT.—The Attorney General, in consultation with the Director of National Intelligence, shall adopt, consistent with the requirements of section 101(h) or section 301(4), minimization procedures for acquisitions authorized under subsection (a).

''(2) PERSONS IN THE UNITED STATES.—The minimization procedures required by this subsection shall require the destruction, upon recognition, of any communication as to which the sender and all intended recipients are known to be located in the United States, a person has a reasonable expectation of privacy, and a warrant would be required for law enforcement purposes, unless the Attorney General determines that the communication indicates a threat of death or serious bodily harm to any person.

''(3) JUDICIAL REVIEW.—The minimization procedures required by this subsection shall be subject to judicial review pursuant to subsection (h).

''(f) CERTIFICATION.—

''(1) IN GENERAL.—

''(A) REQUIREMENT.—Subject to subparagraph (B), prior to the initiation of an acquisition authorized under subsection (a), the Attorney General and the Director of National Intelligence shall provide, under oath, a written certification, as described in this subsection.

''(B) EXCEPTION.—If the Attorney General and the Director of National Intelligence determine that immediate action by the Government is required and time does not permit the preparation of a certification under this subsection prior to the initiation of an acquisition, the Attorney General and the Director of National Intelligence shall prepare such certification, including such determination, as soon as possible but in no event more than 168 hours after such determination is made.

''(2) REQUIREMENTS.—A certification made under this subsection shall—

''(A) attest that—

''(i) there are reasonable procedures in place for determining that the acquisition authorized under subsection (a) is targeted at persons reasonably believed to be located outside the United States and that such procedures have been approved by, or will be submitted in not more than 5 days for approval by, the Foreign Intelligence Surveillance Court pursuant to subsection (h);

''(ii) there are reasonable procedures in place for determining that the acquisition authorized under subsection (a) does not result in the intentional acquisition of any communication as to which the sender and all intended recipients are known at the time of the acquisition to be located in the United States, and that such procedures have been approved by, or will be submitted in not more than 5 days for approval by, the Foreign Intelligence Surveillance Court pursuant to subsection (h);

''(iii) the procedures referred to in clauses (i) and (ii) are consistent with the requirements of the fourth amendment to the Constitution of the United States and do not permit the intentional targeting of any person who is known at the time of acquisition to be located in the United States or the intentional acquisition of any communication as to which the sender and all intended recipients are known at the time of acquisition to be located in the United States;

''(iv) a significant purpose of the acquisition is to obtain foreign intelligence information;

''(v) the minimization procedures to be used with respect to such acquisition—

''(I) meet the definition of minimization procedures under section 101(h) or section 301(4); and

''(II) have been approved by, or will be submitted in not more than 5 days for approval by, the Foreign Intelligence Surveillance Court pursuant to subsection (h);

''(vi) the acquisition involves obtaining the foreign intelligence information from or with the assistance of an electronic communication service provider; and

''(vii) the acquisition does not constitute electronic surveillance, as limited by section 701; and

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SA 3961. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2483, to authorize certain programs and activities in the Forest Service, the Department of the Interior, and the Department of Energy, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IX—MISCELLANEOUS

SEC. 901 ANNUAL REPORT RELATING TO LAND OWNED BY FEDERAL GOVERNMENT.

(a) ANNUAL REPORT.—

(1) IN GENERAL.—Subject to paragraph (2), not later than May 15, 2009, and annually thereafter, the Director of the Office of Management and Budget (referred to in this section as the ''Director'') shall ensure that a report that contains the information described in subsection (b) is posted on a publicly available website.

(2) EXTENSION RELATING TO CERTAIN SEGMENT OF REPORT.—With respect to the date on which the first annual report is required to be posted under paragraph (1), if the Director determines that an additional period of time is required to gather the information required under subsection (b)(3)(B), the Director may—

(A) as of the date described in paragraph (1), post each segment of information required under paragraphs (1), (2), and (3)(A) of subsection (b); and

(B) as of May 15, 2010, post the segment of information required under subsection (b)(3)(B).

(b) REQUIRED INFORMATION.—An annual report described in subsection (a) shall contain, for the period covered by the report—

(1) a description of the total quantity of—

(A) land located within the jurisdiction of the United States, to be expressed in acres;

(B) the land described in subparagraph (A) that is owned by the Federal Government, to be expressed—

(i) in acres; and

(ii) as a percentage of the quantity described in subparagraph (A); and

(C) the land described in subparagraph (B) that is located in each State, to be expressed, with respect to each State—

(i) in acres; and

(ii) as a percentage of the quantity described in subparagraph (B);

(2) a description of the total annual cost to the Federal Government for maintaining all parcels of administrative land and all administrative buildings or structures under the jurisdiction of each Federal agency; and

(3) a list and detailed summary of—

(A) with respect to each Federal agency—

(i) the number of unused or vacant assets;

(ii) the replacement value for each unused or vacant asset;

(iii) the total operating costs for each unused or vacant asset; and

(iv) the length of time that each type of asset described in clause (i) has been unused or vacant, organized in categories comprised of periods of—

(I) not more than 1 year;

(II) not less than 1, but not more than 2, years; and

(III) not less than 2 years; and

(B) the estimated costs to the Federal Government of the maintenance backlog of each Federal agency, to be—

(i) organized in categories comprised of buildings and structures; and

(ii) expressed as an aggregate cost.

(c) USE OF EXISTING ANNUAL REPORTS.—An annual report required under subsection (a) may be comprised of any annual report relating to the management of Federal real property that is published by a Federal agency.

SA 3962. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2483, to authorize certain programs and activities in the Forest Service, the Department of the Interior, and the Department of Energy, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IX—MISCELLANEOUS

SEC. 901. WRITTEN CONSENT REQUIREMENT.

(a) IN GENERAL.—Subject to subsections (b) and (c), the Department of the Interior, the Department of Energy, and the Forest Service, acting individually or in coordination, shall not assume control of any parcel of land located in a State unless the owner of the parcel of land voluntarily provides to the appropriate Federal agency written consent to sell, exchange, or otherwise convey to the Federal agency the parcel of land.

(b) NATIONAL EMERGENCIES.—The requirement described in subsection (a) shall not apply in the case of a national emergency, as determined by the President.

(c) PRIVATE LANDOWNERS.—The requirement described in subsection (a) shall not apply in the case of an exchange between a private landowner and the Federal Government of a parcel of land.

SA 3963. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2483, to authorize certain programs and activities in the Forest Service, the Department of the Interior, and the Department of Energy, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IX—MISCELLANEOUS

SEC. 901. REQUIREMENT OF APPROVAL OF CERTAIN CITIZENS.

(a) IN GENERAL.—Subject to subsections (b) and (c), the Department of the Interior, the Department of Energy, and the Forest Service, acting individually or in coordination, shall not assume control of any parcel of land located in a State unless the citizens of each political subdivision of the State in which a portion of the parcel of land is located approve the assumption of control by a referendum.

(b) NATIONAL EMERGENCIES.—The requirement described in subsection (a) shall not apply in the case of a national emergency, as determined by the President.

(c) PRIVATE LANDOWNERS.—The requirement described in subsection (a) shall not apply in the case of an exchange between a private landowner and the Federal Government of a parcel of land.

(d) DURATION OF APPROVAL.—

(1) IN GENERAL.—With respect to a parcel of land described in subsection (a), the approval of the citizens of each political subdivision in which a portion of the parcel of land is located terminates on the date that is 10 years after the date on which the citizens of each political subdivision approve the control of the parcel of land by the Department of the Interior, the Department of Energy, or the Forest Service under that subsection.

(2) RENEWAL OF APPROVAL.—With respect to a parcel of land described in subsection (a), the Department of the Interior, the Department of Energy, or the Forest Service, as applicable, may renew, by referendum, the approval of the citizens of each political subdivision in which a portion of the parcel of land is located.

SA 3964. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2483, to authorize certain programs and activities in the Forest Service, the Department of the Interior, and the Department of Energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 172, between lines 16 and 17, insert the following:

Subtitle G—Notification and Consent Requirements Relating to National Heritage Areas

SEC. 491. NOTIFICATION REQUIREMENT.

The Secretary of the Interior shall not approve a management plan for a National Heritage Area designated by this title unless the local coordinating entity of the proposed National Heritage Area provides written notification through the United States mail of the designation to each individual who resides, or owns property that is located, in the proposed National Heritage Area.

SEC. 492. WRITTEN CONSENT REQUIREMENT.

With respect to each National Heritage Area designated by this title, no employee of the National Park Service or member of the local coordinating entity of the National Heritage Area (including any designee of the National Park Service or the local coordinating entity) may enter a parcel of private property located in the proposed National Heritage Area without the written consent of the owner of the parcel of property.

SA 3965. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2483, to authorize certain programs and activities in the Forest Service, the Department of the Interior, and the Department of Energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 172, between lines 16 and 17, insert the following:

Subtitle G—Condition for Effective Date of Certain Sections Relating to Designation of Certain National Heritage Areas

SEC. 491 CERTIFICATION BY PRESIDENT.

Each designation made by sections 403, 423, and 443 shall not take effect until the date on which the President certifies that—

(1) the designation of each proposed National Heritage Area by this title will not cause an adverse impact on—

(A) agricultural or livestock production within the proposed National Heritage Area;

(B) energy exploration and production within the proposed National Heritage Area;

(C) critical infrastructure located within the proposed National Heritage Area, including the placement and maintenance of—

(i) electric transmission and distribution lines (including related infrastructure); and

(ii) natural gas pipelines (including related infrastructure); and

(D) the affordability of housing; and

(2) with respect to each State in which there is located a proposed National Heritage Area that is designated by this title, the total deferred maintenance backlog of the State is an amount not greater than $50,000,000, as reported by the Director of the National Park Service to the Federal Accounting Standards Advisory Board.

SA 3966. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2483, to authorize certain programs and activities in the Forest Service, the Department of the Interior, and the Department of Energy, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IX—DISPOSITION OF CERTAIN FUNDS

SEC. 901 CANDIDATE ASSET DISPOSITION LIST.

For fiscal year 2008, and each fiscal year thereafter, amounts made available to be used by the Director of the National Park Service to dispose of assets described in the candidate asset disposition list of the National Park Service shall be equal to 1 percent of, and derived by transfer from, all amounts made available to carry out Titles I, II, III and IV of this Act for each such fiscal year.

SA 3967. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2483, to authorize certain programs and activities in the Forest Service, the Department of the Interior, and the Department of Energy, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IX—MISCELLANEOUS

SEC. 901. USE OF FIREARMS IN UNITS OF THE NATIONAL PARK SYSTEM AND THE NATIONAL WILDLIFE REFUGE SYSTEM.

(a) FINDINGS.—Congress finds that—

(1) the second amendment to the Constitution provides that ''the right of the people to keep and bear Arms, shall not be infringed'';

(2) section 2.4(a)(1) of title 36, Code of Federal Regulations, provides that ''except as otherwise provided in this section and parts 7 (special regulations) and 13 (Alaska regulations), the following are prohibited: (i) Possessing a weapon, trap or net (ii) Carrying a weapon, trap or net (iii) Using a weapon, trap or net'';

(3) section 27.42 of title 50, Code of Federal Regulations, provides that, except in special circumstances, citizens of the United States may not ''possess, use, or transport firearms on national wildlife refuges'' of the United States Fish and Wildlife Service;

(4) the regulations described in paragraphs (2) and (3) prevent individuals complying with Federal and State laws from exercising the second amendment rights of the individuals while at units of—

(A) the National Park System; and

(B) the National Wildlife Refuge System;

(5) the existence of different laws relating to the transportation and possession of firearms at different units of the National Park System and the National Wildlife Refuge System entraps law-abiding gun owners while at units of the National Park System and the National Wildlife Refuge System; and

(6) the Federal laws should make it clear that the second amendment rights of an individual at a unit of the National Park System or the National Wildlife Refuge System should not be infringed.

(b) PROTECTING THE RIGHT OF INDIVIDUALS TO BEAR ARMS IN UNITS OF THE NATIONAL PARK SYSTEM AND THE NATIONAL WILDLIFE REFUGE SYSTEM.—The Secretary of the Interior shall not promulgate or enforce any regulation that prohibits an individual from possessing a firearm in any unit of the National Park System or the National Wildlife Refuge System if—

(1) the individual is not otherwise prohibited by law from possessing the firearm; and

(2) the possession of the firearm is in compliance with the law of the State in which the unit of the National Park System or the National Wildlife Refuge System is located.

SA 3968. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2483, to authorize certain programs and activities in the Forest Service, the Department of the Interior, and the Department of Energy, and for other purposes; which was ordered to lie on the table; as follows:

On page 98, between lines 18 and 19, insert the following:

Subtitle I—Miscellaneous

SEC. 381. REQUIREMENTS RELATING TO STUDIES AND COMMISSIONS.

(a) RECOMMENDATIONS.—

(1) DEFINITION OF COST-NEUTRAL.—In this subsection, the term ''cost-neutral'' means an outcome that does not require an increase or decrease in spending by the Federal Government.

(2) COST-NEUTRAL REQUIREMENT.—Each recommendation contained in a study carried out in accordance with subtitle C, or made by a commission established under, or amended by, subtitle D, shall result in an outcome that will—

(A) be cost-neutral; or

(B) result in a net reduction of costs to the Federal Government.

(b) CONFLICTS OF INTEREST.—An individual who is selected to contribute to a study carried out in accordance with subtitle C, or to serve as a member of a commission established under, or amended by, subtitle D, shall not have a financial conflict of interest with respect to the subject matter of the commission or the study.

(c) PUBLIC ACCESS.—

(1) IN GENERAL.—The proceedings relating to each study carried out in accordance with subtitle C, and of each commission established under, or amended by, subtitle D, shall be open to the public.

(2) MINUTES OF PROCEEDINGS.—The minutes of each proceeding described in paragraph (1) shall be made available on the public website of an appropriate Federal agency in a searchable, electronic format.

(d) TERMINATION.—Each study carried out in accordance with subtitle C, and each commission established under, or amended by, subtitle D, shall terminate not later than 5 years after the date of enactment of this Act.

SA 3969. Mr. SANDERS (for himself, Ms. SNOWE, Mr. LEAHY, Mr. SMITH, Mr. SCHUMER, Ms. COLLINS, Mr. KENNEDY, Mr. KERRY, Ms. CANTWELL, Mrs. MURRAY, Mrs. LINCOLN, Mr. OBAMA, Mrs. CLINTON, and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 3911 proposed by Mr. ROCKEFELLER (for himself and Mr. BOND) to the bill S. 2248, to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, insert the following:

SEC. 3___. LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM.

(a) IN GENERAL.—There are authorized to be appropriated, and there are appropriated, out of any money in the Treasury not otherwise appropriated—

(1) $400,000,000 (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) $400,000,000 (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) DESIGNATION.—Any amount provided under subsection (a) is designated as an emergency requirement and necessary to meet emergency needs pursuant to subsections (a) and (b) of section 204 of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008.

SA 3970. Mr. SANDERS (for himself, Ms. SNOWE, Mr. LEAHY, Mr. SMITH, Mr. SCHUMER, Ms. COLLINS, Mr. KENNEDY, Mr. KERRY, Ms. CANTWELL, Mrs. MURRAY, Mrs. LINCOLN, Mr. OBAMA, Mrs. CLINTON, and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 3918 proposed by Mr. REID to the bill S. 2248, to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the matter proposed to be inserted, insert the following:

SEC. ____. LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM.

(a) IN GENERAL.—There are authorized to be appropriated, and there are appropriated, out of any money in the Treasury not otherwise appropriated—

(1) $400,000,000 (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) $400,000,000 (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) DESIGNATION.—Any amount provided under subsection (a) is designated as an emergency requirement and necessary to meet emergency needs pursuant to subsections (a) and (b) of section 204 of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008.

SA 3971. Mr. SANDERS (for himself, Ms. SNOWE, Mr. LEAHY, Mr. SMITH, Mr. SCHUMER, Ms. COLLINS, Mr. KENNEDY, Mr. KERRY, Ms. CANTWELL, Mrs. MURRAY, Mrs. LINCOLN, Mr. OBAMA, Mrs. CLINTON, and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill S. 2556, to extend the provisions of the Protect America Act of 2007 for an additional 30 days; which was ordered to lie on the table; as follows:

At the end, insert the following:

SEC. _____. LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM.

(a) IN GENERAL.—There are authorized to be appropriated, and there are appropriated, out of any money in the Treasury not otherwise appropriated—

(1) $400,000,000 (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) $400,000,000 (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) DESIGNATION.—Any amount provided under subsection (a) is designated as an emergency requirement and necessary to meet emergency needs pursuant to subsections (a) and (b) of section 204 of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mr. WEBB. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Tuesday, January 29, 2008, at 10 a.m., in room 215 of the Dirksen Senate Office Building, in order to hear testimony regarding the nomination of Douglas H. Shulman to be Commissioner of Internal Revenue.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. WEBB. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, January 29, 2008, at 4 p.m. in order to hold a working coffee with Stephen Smith, Foreign Minister of Australia.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. CRAIG. Mr. President, I ask unanimous consent that the privilege of the floor be extended to Colin Jones, a fellow with my office, for the duration of my speech today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, I ask unanimous consent that David Walker, a fellow, be given the privilege of the floor for this legislative day.

The PRESIDING OFFICER. Without objection, it is so ordered.

VITIATION OF ORDER—H.R. 5140

Mr. REID. I ask unanimous consent that the adoption of the motion to proceed to H.R. 5140, the economic stimulus package, not displace any pending measures.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, the unanimous consent I just asked for, I would ask that that be withdrawn.

The PRESIDING OFFICER. Without objection, it is so ordered.

MAKING TECHNICAL CORRECTIONS

Mr. REID. I ask unanimous consent that the Senate proceed to the consideration of S. 2571.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2571) to make technical corrections to the Federal Insecticide, Fungicide, and Rodenticide Act.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I ask unanimous consent the bill be read three times and passed; the motion to reconsider be laid upon the table; that there be no intervening action or debate; that any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2571) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2571

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

SECTION 1. TECHNICAL CORRECTIONS TO THE FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT.

(a) PESTICIDE REGISTRATION SERVICE FEES.—Section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w–8) is amended—

(1) in subsection (b)(7)—

(A) in subparagraph (D)—

(i) by striking clause (i) and inserting the following:

''(i) IN GENERAL.—The Administrator may exempt from, or waive a portion of, the registration service fee for an application for minor uses for a pesticide.''; and

(ii) in clause (ii), by inserting ''or exemption'' after ''waiver''; and

(B) in subparagraph (E)—

(i) in the paragraph heading, by striking ''WAIVER'' and inserting ''EXEMPTION'';

(ii) by striking ''waive the registration service fee for an application'' and inserting ''exempt an application from the registration service fee''; and

(iii) in clause (ii), by striking ''waiver'' and inserting ''exemption''; and

(2) in subsection (m)(2), by striking ''2008'' each place it appears and inserting ''2012''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on October 1, 2007.

HONORING THE MEN AND WOMEN OF THE U.S. COAST GUARD

Mr. REID. I ask unanimous consent we now proceed to S. Res. 433.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A resolution (S. Res. 433) honoring the brave men and women of the U.S. Coast Guard whose tireless work, dedication, and selfless service to the United States have led to more than 1 million lives saved over the course of its long and storied 217-year history.

There being no objection, the Senate proceeded to consider the resolution.

Mr. STEVENS. Mr. President, I have come to the floor to speak to the Senate about the heroic actions of PO Willard Milam, a U.S. Coast Guard rescue swimmer who serves our Nation in Kodiak, AK.

I hope many Senators have seen the film ''The Guardian.'' Really, I do believe it was Willard Milam who inspired the preparation of that movie, and I want to tell the Senate about his actions.

Shortly after midnight on February 10, 2007, the U.S. Coast Guard Rescue

Coordination Center in Juneau, AK, received an emergency beacon from a fishing vessel. The vessel was the *Illusion*.

Like so many of our brave Coast Guard men and women, Petty Officer Milam and his crew of four launched in a Coast Guard rescue helicopter to investigate the source of the distress signal they had received, undaunted by a howling 50-mile-an-hour wind and heavy rain and near zero visibility.

When the aircrew arrived on the scene, they realized that the crew of the fishing vessel had abandoned their ship and climbed into a life raft, which was being tossed, at that time, in the treacherous Bering Sea. Petty Officer Milam readied himself to be hoisted down into the 40-degree temperature seas below.

As soon as Petty Officer Milam entered the water, he swam to the life raft and found four survivors. They were hypothermic and in shock and unprotected from the elements. They did not have any survival equipment on. One by one, Petty Officer Milam pulled the survivors out of the life raft and took them and swam with them over to a rescue basket that had been lowered through the darkness from the helicopter that was hovering above them.

After loading the first two survivors into the rescue basket, Petty Officer Milam could begin to feel the frigid water flowing into his own suit. He told me it had, unfortunately, hung up on the edge of the life raft and partially unzipped and that water was filling into his survival suit. But he had to fight the debilitating effects of the cold and struggle against exhaustion in order to continue to swim the third survivor from the life raft to the rescue basket.

While the third survivor was being lifted toward the spotlights of the rescue helicopter, Petty Officer Milam—his legs now numb with cold—realized that the life raft, with one survivor still onboard, had drifted too far for him to reach under its current condition. So he signaled for an emergency pickup, and he was hoisted back into the helicopter.

Once inside the helicopter, he became aware of the fact that the crew had only enough fuel to remain on the scene for 15 minutes more. But Petty Officer Milam courageously asked to be lowered back into the sea, now over the top of this survivor, to try and save that last remaining survivor.

Upon entering the water, Petty Officer Milam pulled the last survivor, who was now very combative because of the fear of the circumstances—he was nearly drowning—he was forced to drag this person from the life raft through the storm back into this rescue basket.

With the last survivor in the rescue helicopter, Petty Officer Milam drifted into a stage of unconsciousness as the aircrew lowered the rescue basket directly back to him. He was still in the water. Miraculously, Petty Officer Milam was able to climb inside that basket and was hoisted to safety.

He told me personally that the next time he awoke he was in the clinic at Dutch Harbor, AK, wrapped in blankets and surrounded by heat lamps. As a matter of fact, he told me he was in bed for a period of hours, and they told him his boat was leaving, so he just got himself up and went back to the dock and went onboard the boat. This man is one of the most courageous men I have ever met in my life.

When we consider the Coast Guard as the guardian of our last frontier, I am proud to tell the Senate that fellow Alaskans recognize him as a man who has dedicated his life to public service. Petty Officer Milam's heroic actions personify the selfless public service representative of U.S. Coast Guard men and women who are stationed around the globe and represent us so well.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 433) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 433

Whereas, since 1867 the United States Coast Guard has been a vital piece of Alaskan history, providing lifesaving medical treatment to native villages along its coasts, protecting its fisheries resources, and courageously rescuing those who face peril on the seas;

Whereas, in 2007 the men and women of the United States Coast Guard stationed in Alaska valiantly responded to 696 calls for assistance and saved the lives of 463 mariners in distress;

Whereas, the actions of Petty Officer Willard L. Milam personify the proud history of courage and public service of the United States Coast Guard on the 10th of February, 2007, when, on a pitch-black winter morning, Petty Officer Milam launched aboard a Coast Guard HH-65 helicopter in near-zero visibility to locate the source of a distress signal approximately 50 miles southwest in Makushin Bay, Alaska;

Whereas, Petty Officer Milam bravely deployed into storm tossed, 40-degree seas and swam to a life raft to find four survivors hypothermic and soaked in unprotected clothing;

Whereas, Petty Officer Milam heroically overcame exhaustion and hypothermia to pull each survivor from a life raft and assist them through the raging seas, placing them into a rescue basket to be hoisted into the rescue helicopter;

Whereas, Petty Officer Milam's courageous rescue off the coast of Alaska has earned him the 2007 Coast Guard Foundation Award for Heroism and the 2007 Captain Frank Erickson Aviation Rescue Award;

Whereas, through extraordinary teamwork, airmanship, and courage, the crew of the Coast Guard rescue helicopter saved four lives from the treacherous Bearing Sea: Now, therefore, be it

Resolved, That the Senate—

(1) honors the heroic accomplishments of Petty Officer Willard Milam, who represented the finest traditions of the United States Coast Guard during the dramatic rescue of four survivors from the treacherous Bering Sea; and

(2) honors the United States Coast Guard, America's lifesavers and guardians of the sea, for its unflinching determination and proud 217-year history of maritime search and rescue resulting in over 1 million lives saved; and

(3) recognizes the tireless work, dedication, and commitment of Coast Guard men and women, many of them stationed in Alaska, far away from family and friends, who commit themselves every day to executing this noble mission hundreds of miles from our shores with honor, respect, and devotion to duty.

CATHOLIC SCHOOLS WEEK

Mr. REID. Mr. President, I ask unanimous consent we proceed to the consideration of S. Res. 435.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 435) recognizing the goals of Catholic Schools Week and honoring the valuable contributions of Catholic Schools in the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 435) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 435

Whereas Catholic schools in the United States have received international acclaim for academic excellence while providing, students with lessons that extend far beyond the classroom;

Whereas Catholic schools present a broad curriculum that emphasizes the lifelong development of moral, intellectual, physical, and social values in the young people of the United States;

Whereas Catholic schools in the United States today educate 2,363,220 students and maintain a student-to-teacher ratio of 15 to 1;

Whereas the faculty members of Catholic schools teach a highly diverse body of students;

Whereas the graduation rate for all Catholic school students is 95 percent;

Whereas 83 percent of Catholic high school graduates go on to college;

Whereas Catholic schools produce students strongly dedicated to their faith, values, families, and communities by providing an intellectually stimulating environment rich in spiritual character and moral development; and

Whereas in the 1972 pastoral message concerning Catholic education, the National. Conference of Catholic Bishops stated, ''Education is one of the most important ways by which the Church fulfills its commitment to the dignity of the person and building of community. Community is central to education ministry, both as a necessary condition and an ardently desired goal. The educational efforts of the Church, therefore, must be directed to forming persons-in-community; for the education of the individual Christian is important. not only to his solitary destiny, but also the destinies of the many communities in which he lives.'': Now, therefore, be it

Resolved. That the Senate—

(1) recognizes the goals of Catholic Schools Week, an event cosponsored by the National Catholic Educational Association and the United States Conference of Catholic Bishops that recognizes the vital contributions of thousands of Catholic elementary and secondary schools in the United States; and

(2) commemds Catholic schools, students, parents, and teachers across the United States for their ongoing contributions to education, and for the vital role they play in promoting and ensuring a brighter, stronger future for the United States.

NATIONAL SCHOOL COUNSELING WEEK

Mr. REID. I ask unanimous consent that the Senate proceed to S. Res. 436.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 436) designating the week of February 4 through February 8, 2008 as ''National School Counseling Week.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motion to reconsider be laid on the table, and any statements relating to this matter be printed in the RECORD with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 436) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 436

Whereas the American School Counselor Association has declared the week of February 4 through February 8, 2008, as ''National School Counseling Week'';

Whereas the Senate has recognized the importance of school counseling through the inclusion of elementary and secondary school counseling programs in the reauthorization of the Elementary and Secondary Education Act of 1965;

Whereas school counselors have long advocated that the education system of the United States must leave no child behind and must provide opportunities for every student;

Whereas personal and social growth results in increased academic achievement;

Whereas school counselors help develop well-rounded students by guiding them through their academic, personal, social, and career development;

Whereas school counselors have been instrumental in helping students, teachers, and parents deal with the trauma that was inflicted upon them by hurricanes Katrina, Rita, and Wilma, and other recent natural disasters;

Whereas students face myriad challenges every day, including peer pressure, depression, the deployment of family members to serve in conflicts overseas, and school violence;

Whereas school counselors are usually the only professionals in a school building who are trained in both education and mental health matters;

Whereas the roles and responsibilities of school counselors are often misunderstood, and the school counselor position is often among the first to be eliminated in order to meet budgetary constraints;

Whereas the national average ratio of students to school counselors of 476-to-1 is almost twice the 250-to-1 ratio recommended by the American School Counselor Association, the American Counseling Association, the American Medical Association, the American Psychological Association, and other organizations; and

Whereas the celebration of National School Counseling Week would increase awareness of the important and necessary role school counselors play in the lives of students in the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of February 4 through February 8, 2008, as ''National School Counseling Week''; and

(2) encourages the people of the United States to observe the week with appropriate ceremonies and activities that promote awareness of the role school counselors perform in the school and the community at large in preparing students for fulfilling lives as contributing members of society.

HONORING THE UNITED STATES COAST GUARD

Mr. REID. I ask unanimous consent that the Senate proceed to S. Res. 429.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 429) 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 confiscation of over 350,000 pounds of cocaine at sea during 2007.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I watch The Weather Channel sometimes, and they have these pieces on what the Coast Guard does in violent seas. The Chair, being from Rhode Island, probably doesn't appreciate it as much as I do, being from the desert, but the Coast Guard rides some rough seas. So they are entitled to this resolution tonight.

I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 429) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 429

Whereas the estimated import value of the 350,000 pounds of cocaine confiscated by the United States Coast Guard in 2007 is more than $4,700,000,000, or nearly ½ of the Coast Guard's annual budget;

Whereas the Coast Guard's at-sea drug interdictions are making a difference in the lives of United States citizens, as evidenced by the reduced supply of cocaine in more than 35 major cities throughout the United States;

Whereas keeping illegal drugs from reaching our shores, where they undermine American values and threaten families, schools, and communities, continues to be an important national priority;

Whereas, through robust interagency teamwork, collaboration with international partners, and ever more effective tools and tactics, the Coast Guard has removed more than 2,000,000 pounds of cocaine during the past 10 years and will continue to tighten the web of detection and interdiction at sea; and

Whereas the men and women of the Coast Guard who, while away from family and hundreds of miles from our shores, execute this dangerous mission, as well as other vital maritime safety, security, and environmental protection missions, with quiet dedication and without need of public recognition, continue to display selfless service in protecting the Nation and the American people: Now, therefore, be it

Resolved, That the Senate—

(1) honors the United States Coast Guard, with its proud 217-year legacy of maritime law enforcement and border protection, along with the brave men and women whose efforts clearly demonstrate the honor, respect, and devotion to duty that ensure the parents of the United States can sleep soundly knowing the Coast Guard is on patrol; and

(2) recognizes the tireless work, dedication, and commitment that have allowed the Coast Guard to confiscate over 350,000 pounds of cocaine at sea in 2007.

PEACEFUL RESOLUTION TO THE CURRENT ELECTORAL CRISIS IN KENYA

Mr. REID. I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of S. Res. 431 and the Senate proceed to that matter.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 431) calling for a peaceful resolution to the current electoral crisis in Kenya.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid on the table, there be no intervening action or debate, and that any statements relating to this matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 431) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 431

Whereas on December 27, 2007, Kenyan citizens went peacefully to the polls to elect a new parliament and a new President and signaled their commitment to democracy by turning out in large numbers, and in some instances waiting in long lines to vote;

Whereas election observers reported serious irregularities and a lack of transparency that, combined with the implausibility of the margin of victory, and the swearing in of the Party of National Unity presidential candidate Mwai Kibaki with undue haste, all serve to undermine the credibility of the presidential election results;

Whereas the Government of Kenya imposed a ban on live media broadcasts that day, and shortly after the election results were announced, in contravention of Kenyan law, the Government also announced a blanket

ban on public assembly and gave police the authority to use lethal force;

Whereas subsequent to declaring Mr. Kibaki the winner, the head of the Election Commission of Kenya (ECK) stated that he did not know who won the presidential election;

Whereas in the aftermath of the election announcement, significant violence began and continues to flare;

Whereas on January 1, 2008, 4 commissioners on the ECK issued a statement which called for a judicial review and tallying of the vote;

Whereas the head of the European Union Election Observation Mission stated that ''[l]ack of transparency, as well as a number of verified irregularities . . . cast doubt on the accuracy of the results of the presidential election as announced by the ECK'' and called for an international audit of the results;

Whereas the Attorney General of Kenya has called for an independent investigation of the tallying of votes and for the votes to be retallied;

Whereas observers from the East African Community have called for an investigation into irregularities during the tallying process and for those responsible for such irregularities to be held accountable;

Whereas some estimates indicate that at least 700 people have died and as many as 250,000 have been displaced as a result of this violence, which continues;

Whereas the economic cost to Kenya of the violence and civil unrest in the wake of the disputed polls is estimated at $1,000,000,000;

Whereas the Assistant Secretary of State for African Affairs traveled to Nairobi in an attempt to mediate between the 2 leading presidential candidates and has stated that ''serious flaws in the vote tallying process damaged the credibility of the process'' and that the United States should not ''conduct business as usual'' in Kenya; and

Whereas Kenya has been a valuable strategic, political, diplomatic, and economic partner to those in the subregion, region, and to the United States and has been 1 of the major recipients of United States foreign assistance in sub-Saharan Africa for decades: Now, therefore, be it

Resolved, That the Senate—

(1) commends the Kenyan people for their commitment to democracy and respect for the democratic process, as evidenced by the high voter turnout and peaceful voting on election day;

(2) strongly condemns the violence in Kenya;

(3) urges all politicians and political parties to immediately desist from the reactivation, support, and use of militia organizations that are ethnic-based or otherwise constituted;

(4) calls on the 2 leading presidential candidates to—

(A) engage in an internationally brokered dialogue, which results in a new political dispensation that is supported by Kenyan civil society; and

(B) respect the will of the Kenyan people;

(5) simultaneously—

(A) supports a call for electoral justice in Kenya, including a thorough and credible independent audit of election results with the possibility, depending on what is discovered, of a recount or retallying of votes, or a rerun of the presidential elections within a specified time period; and

(B) encourages any political settlement to take into account these recommendations;

(6) calls on Kenyan security forces to refrain from use of excessive force and respect the human rights of Kenyan citizens;

(7) calls for those who are found guilty of committing human rights violations to be held accountable for their actions;

(8) calls for an immediate end to the restrictions on the media, and on the rights of peaceful assembly and association;

(9) condemns threats to civil society leaders and human rights activists who are working towards a peaceful, just, and equitable political solution to the current electoral crisis;

(10) holds all political actors in Kenya responsible for the safety and security of civil society leaders and human rights advocates;

(11) calls on the international community, United Nations aid organizations, and all neighboring countries to provide assistance to Kenyan refugees who have fled in search of greater security;

(12) encourages others in the international community to work together and use all diplomatic means at their disposal to persuade relevant political actors to commit to a peaceful resolution to the current crisis; and

(13) urges the President of the United States to—

(A) support diplomatic efforts to facilitate a dialogue between leaders of the Party of National Unity, the Orange Democratic Movement, and other relevant actors;

(B) consider the imposition of personal sanctions, including a travel ban and asset freeze on leaders in the Party of National Unity, the Orange Democratic Movement, and other relevant actors who refuse to engage in meaningful dialogue to end the current crisis; and

(C) conduct a review of current United States aid to Kenya for the purpose of restricting all nonessential assistance to Kenya, unless all parties are able to establish a peaceful, political resolution to the current crisis, which is credible with the Kenyan people.

EXTENSION OF THE PROTECT AMERICA ACT OF 2007

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 5104, a 15-day FISA extension, received from the House earlier today; that the bill be read a third time, passed, and the motion to reconsider be laid upon the table; that any statements relating to this matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 5104) was ordered to be read a third time, was read the third time, and passed.

Mr. REID. Mr. President, I appreciate the cooperation of my colleagues, especially Senator MCCONNELL. We are going to do our very best to have an agreement shortly so we can move to finish Senate action on this. There has been a lot of time spent on this by a lot of people—people in the Intelligence Committee, Democrats and Republicans; members of the Judiciary Committee, Democrats and Republicans.

There is an effort to try to resolve this. We have had a number of good meetings today. This will allow us to do that. Our goal is to get it done quickly so we can get it to the House and complete a conference prior to the 15 days being extended.

UNANIMOUS CONSENT AGREEMENT—H.R. 5140

Mr. REID. Mr. President, I now ask unanimous consent that the adoption of a motion to proceed to H.R. 5140, the economic stimulus package, not displace any pending measures.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. REID. Mr. President, let me say that we are going to work real hard tomorrow and the next day to get a lot of work done. We have so much to do. This is a relatively short work period. We have the stimulus package. We have foreign intelligence that we have to do. We have a lands bill from the Energy Committee. We have an agreement to move forward on that. We would like to finish the Indian health bill, if we can. We have a lot to do.

That being the case, we are going to have to have a vote this coming Monday. We are going to do it later rather than earlier, but we are going to have to work on Tuesday. Tuesday is Super Tuesday. I had talked to the Republican leader earlier hoping we could work something out, that we would not have to be in. Certainly, it is no one's fault, even though there is a lot of finger pointing going on. But we were not able to get much work done yesterday and today. So losing those 2 days, I do not see any alternative.

I know a number of people would like to go home on Super Tuesday, but they can vote absentee, and I think the country will survive without Senators being there on election day. I hope everyone here understands we have a limited amount of time to do a lot of work.

MEASURE READ THE FIRST TIME—H.R. 5140

Mr. REID. Mr. President, I understand that H.R. 5140 is now here and at the desk.

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. Mr. President, I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5140) to provide economic stimulus through recovery rebates to individuals, incentives for business investment, and an increase in conforming and FHA loan limits.

Mr. REID. I ask, Mr. President, that further work on this matter be terminated now, so I object to its second reading.

The PRESIDING OFFICER. Objection is heard.

ORDERS FOR WEDNESDAY, JANUARY 30, 2008

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand

adjourned until 10 a.m. tomorrow, Wednesday, January 30; that after the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and that there then be a period for the transaction of morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, the Finance Committee is meeting tomorrow at 2:30. Senator BAUCUS and his respective Democratic and Republican members are going to attempt to come up with a bipartisan stimulus package. I hope that can be done. That being the case, what we would do is go to the House bill. We would attempt to amend that with the matter that would come from the Finance Committee.

I will work very hard with my Republican colleague and all the Democrats and Republicans to try to come up with a procedure whereby we would have an extremely limited number of amendments on both sides so we can complete this legislation as rapidly as we can.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 8:30 p.m., adjourned until Wednesday, January 30, 2008, at 10 a.m.

EXTENSIONS OF REMARKS

ANNOUNCEMENT OF THE 2007 CONGRESS-BUNDESTAG/BUNDESRAT EXCHANGE

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Ms. PELOSI. Madam Speaker, since 1983, the U.S. Congress and the German Bundestag and Bundesrat have conducted an annual exchange program for staff members from both countries. The program gives professional staff the opportunity to observe and learn about each other's political institutions and interact on issues of mutual interest.

A staff delegation from the U.S. Congress will be selected to visit Germany from May 23 to June 1 of this year. During this 10 day exchange, the delegation will attend meetings with Bundestag/Bundesrat members, Bundestag and Bundesrat party staff members, and representatives of numerous political, business, academic, and media agencies. Participants also will be hosted by a Bundestag member during a district visit.

A comparable delegation of German staff members will visit the United States for 10 days July 12–20. They will attend similar meetings here in Washington and visit the districts of Members of Congress. The U.S. delegation is expected to facilitate these meetings.

The Congress-Bundestag/Bundesrat Exchange is highly regarded in Germany and the United States, and is one of several exchange programs sponsored by public and private institutions in the United States and Germany to foster better understanding of the politics and policies of both countries. This exchange is funded by the U.S. Department of State's Bureau of Educational and Cultural Affairs.

The U.S. delegation should consist of experienced and accomplished Hill staff who can contribute to the success of the exchange on both sides of the Atlantic. The Bundestag reciprocates by sending senior staff professionals to the United States.

Applicants should have a demonstrable interest in events in Europe. Applicants need not be working in the field of foreign affairs, although such a background can be helpful. The composite U.S. delegation should exhibit a range of expertise in issues of mutual concern to the United States and Germany such as, but not limited to, trade, security, the environment, economic development, health care, and other social policy issues. This year's delegation should be familiar with transatlantic relations within the context of recent world events.

In addition, U.S. participants are expected to help plan and implement the program for the Bundestag/Bundesrat staff members when they visit the United States. Participants are expected to assist in planning topical meetings in Washington, and are encouraged to host one or two staffers in their Member's district in July, or to arrange for such a visit to another Member's district.

Participants are selected by a committee composed of personnel from the Bureau of Educational and Cultural Affairs of the Department of State and past participants of the exchange.

Members of the House and Senate who would like a member of their staff to apply for participation in this year's program should direct them to submit a résumé and cover letter in which they state their qualifications, the contributions they can make to a successful program and some assurances of their ability to participate during the time stated.

Applications may be sent to the Office of Interparliamentary Affairs, HB–28, the Capitol, by 5 p.m. on Friday, March 14, 2008.

A TRIBUTE TO JOSEPH H. (JIM) ZARZYCKI

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. RUPPERSBERGER. Madam Speaker, I rise before you today to honor Joseph H. ''Jim'' Zarzycki, director of the Edgewood Chemical Biological Center at Aberdeen Proving Grounds. Graduating with honors in chemical engineering in 1969 from the New Jersey Institute of Technology, Joseph Zarzycki went on to earn a master's degree in industrial engineering from Texas A&M University in 1970. He is also a graduate of the Defense Systems Management College's Program Management Course and holds a master's degree in public administration from Harvard's John F. Kennedy School of Government. He is a licensed professional engineer in Maryland and New Jersey.

Jim has over 25 years of leadership in public and private organizations dealing with toxic and hazardous materials. He has worked in the Army's Chemical Demilitarization and Installation Program, as well as the Army Chemical Systems Laboratory, now the Edgewood Chemical Biological Center. Throughout most of the 1990s, Jim worked in the environmental consulting industry, directing the functions of waste management locations across the nation.

In 1998, Jim returned to government service as the director of the Edgewood Chemical Biological Center at Aberdeen Proving Grounds. There he has directed the efforts of over 1,600 scientists, engineers, and technicians working in the areas of chemical and biological defense, smoke obscurants, and non-lethal weapons technologies. He also manages technology development efforts in support of several important national security programs including chemical demilitarization, the chemical and biological warfare treaties, and chemical and biological counterterrorism.

Jim is a recipient of the 2002 Presidential Rank meritorious Executive Award. In both 2002 and 2007 he was named Federal Laboratory Consortium Technology Transfer Department of Defense Director of the Year. Most recently, his organization, the Edgewood Chemical Biological Center, was selected as the Army Laboratory of the Year in 2007.

Madam Speaker, I ask that you join with me today to honor Joseph H. ''Jim'' Zarzycki. His legacy as a brilliant engineer will be forever remembered in his service to our domestic agencies as well as our armed forces. It is with great pride that I congratulate Jim Zarzycki on his exemplary career in chemical and biological defense.

EXAMINATION OF VOTE ON H. RES. 847

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. HOLT. Madam Speaker, one of the reasons the United States of America has remained for more than two centuries a model to the world is the constitutional promise of the first amendment: ''Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof.''

I did not vote against H. Res. 847, but I strongly believe it should never have been brought to the floor of the House of Representatives. It is appropriate for Congress to address moral and ethical issues of societal import, but not issues of religious import. Congress should not legislate on whether Jesus is peoples' ''savior'' or whether Christmas symbolizes ''God's redemption and mercy.'' Despite some good phrases, H. Res. 847 was inappropriate legislation that deserved neither a ''yes'' nor a ''no.'' I voted present, as I have occasionally done for legislation that I believe should never have been brought forward.

Those of us who practice our deeply held religious beliefs are able to worship more freely than anywhere else in the world because of this important protection that our founders installed so wisely. My Christian religious faith not only supports my entire life and dedication to service; it also leads me often to speak out on religious tolerance in the world.

Some people have noted that earlier this year I had voted to honor the Muslim observance of Ramadan and then recently refused to vote to honor Christmas. That is not really true. In October I voted in favor of a resolution that at the time of the Muslim Ramadan expressed ''friendship'' and ''respect'' for Muslims and commended Muslims who reject ''hatred'' and ''bigotry'' and who present Islam as supporting ''tolerance and full civil and political rights.'' That was a message of societal and political import, not religious, and different in tone and content from the recent resolution celebrating Christmas.

That is the way I see it, and when it comes to votes on the floor of the House, I call them as I see them. I trust my constituents will see

it as a thoughtful and conscientious vote, even if they disagree with it.

CELEBRATING THE 50TH ANNIVERSARY OF THE U.S. EXPLORER I SATELLITE AND THE BIRTH OF THE UNITED STATES' SPACE EXPLORATION PROGRAM

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. UDALL of Colorado. Madam Speaker, today I am introducing a resolution to celebrate the 50th anniversary of the launch of the U.S. Explorer I satellite, and the birth of the United States' space exploration program. I am pleased that Chairman BART GORDON, Ranking Member RALPH HALL, Rep. TOM FEENEY, and Rep. NICK LAMPSON have joined me as original cosponsors and I thank them for their support.

On January 31, 1958, the United States successfully launched its first satellite into space and began a 50-year journey of exploration and achievement in space that continues to this day.

Yet the launch of Explorer I was not just a "photo-op". Explorer I carried a scientific package that included a cosmic ray detector and marked the first ever use of a satellite to carry out scientific research in outer space. Because of that detector, developed by Dr. James Van Allen of the University of Iowa, the United States made a significant discovery about the Earth's environment—namely, the discovery of regions of energetic charged particles trapped in the Earth's magnetic field—later referred to as the Van Allen radiation belts.

In addition, Explorer I was the first in a succession of small scientific spacecraft that continue to be an integral component of the U.S. space science program and an invaluable training ground for young scientists and engineers.

In light of all that, I ask my colleagues in Congress to join me in extending our profound thanks and appreciation for the contributions of the late Dr. James Van Allen and his team as well as those of the individuals at the Jet Propulsion Laboratory and the Army Ballistic Missile Agency who made possible the success of Explorer I and the birth of our space program.

Since the launch of Explorer I, the U.S. space program has maintained a record of high aspirations and remarkable accomplishments. America sent the first astronauts to the Moon and has launched robotic probes to study each of the planets in the solar system as well as the Earth's Moon. Moreover, American spacecraft have helped investigate the origin and structure of the universe and the formation of galaxies and stars—including our own Sun. Finally, our space program has delivered significant benefits to our citizens through communications and weather satellites, navigational and positioning systems, and remote sensing satellites that have helped increase our understanding of the Earth and its environment and our ability to manage our resources.

All in all, it has been an exciting half-century of U.S. human and robotic space exploration.

As we honor Explorer I and the birth of the U.S. space program, it is appropriate to remember that our efforts in space exploration have inspired generations of our young people to pursue careers in science and engineering. In addition, it is clear that the scientific and engineering advances of the U.S. space program have yielded dividends that have helped promote America's technological preeminence in the world as well as foster economic growth here at home.

As we look forward to the next 50 years in space exploration and utilization, it is important that Congress continue to support science and engineering educators and programs that will help prepare the men and women who will lead the United States in pushing back the frontiers of space exploration in coming years.

In closing, I think that America's space program has been a vital contributor to the nation's well being and standing in the world, as well as to significant scientific and technological advances over the last five decades. It is fitting and proper that we pause to celebrate and honor the anniversary of Explorer I and the birth of the U.S. space program—and to rededicate ourselves to the pursuit of a robust and vital space program over the next 50 years.

I hope that all Members will join me and my cosponsors in supporting this resolution.

RECOGNIZING JAMES JOHNSON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize James Johnson of Chillicothe, Missouri. On February 3, 2008, James will retire as Chief Executive Officer of the Hendrick Medical Center in Chillicothe, Missouri.

Jim joined Hendrick Medical Center in 1998 as Chief Executive Officer and brings more than 35 years of health care experience to his position. While in Chillicothe Jim has been active in many community organizations as a leader, a volunteer and a board member. He was president of Rotary, Habitat for Humanity and the YMCA and is the current president of the Livingston County Community Foundation.

Madam Speaker, I proudly ask you to join me in recognizing James Johnson, whose dedication to Hendrick Medical Center and the city of Chillicothe has been truly inspirational. I wish James and his family the best of luck in the future and I am honored to serve him in the United States Congress.

WHY AMERICA NEEDS A LITTLE LESS LAISSEZ-FAIRE

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. MCDERMOTT. Madam Speaker, a recent Op-Ed written by the Honorable BARNEY FRANK, Chairman of the House Committee on Financial Services, appeared in the Financial Times. Mr. FRANK, I believe, succinctly describes the challenges that face Federal policy makers and a new American president. Too often these days, the market fails to protect the interests of the common good. I look forward to working with a president and a Congress that understands the vital role of a little government regulation and intervention. I am entering Mr. FRANK's Op-Ed into the RECORD so that our colleagues, and interested Americans, can consider what lies ahead for our country if we do not carefully examine how we arrived in the current situation.

[From the Financial Times, Jan. 14, 2008]

WHY AMERICA NEEDS A LITTLE LESS LAISSEZ-FAIRE

(By Barney Frank)

As we prepare for this autumn's election, the results are in on America's 30-year experiment with radical economic deregulation. Income inequality has risen to levels not seen since the 1920s and the collapse of the unregulated portion of the mortgage and secondary markets threatens the health of the overall economy.

These two economic failures will be major issues in the forthcoming presidential election and, importantly, there is an emerging Democratic consensus standing in sharp contrast to the laisser faire Republican approach.

There are two central elements of this consensus. Democrats believe that government's role as regulator is essential in maintaining confidence in the integrity and fairness of markets, and we believe that economic growth alone is not enough to reverse unacceptable levels of income inequality. In the wake of the subprime mortgage crisis, credit markets round the world contracted sharply in response to concerns among market participants about the value of exotic and opaque securities being offered in largely unregulated secondary markets. This staggering implosion and its damaging and widespread reverberations make it clear that a mature capitalist economy is as likely to suffer from too little regulation as from too much.

With respect to income inequality, since the end of the last recession—a period of steady economic growth—average earnings for the vast majority of workers have fallen in real terms. During this period, after-tax incomes of the top 1 per cent nearly doubled.

Whether because of globalisation, technology or other factors, it is clear that market forces have produced too much inequality and government has not adequately used its capacity to mitigate the impact of these forces.

Conservatives have long argued that government efforts to address these issues would damage the economy. They are, of course, the same people who predicted that there would be an economic disaster after Bill Clinton and the Democratic Congress raised marginal tax rates in 1993, and who opposed other tax increases on upper-income people. Economic growth in the ensuing years was among the strongest in the postwar era. It is now clear that growth in the private sector is consistent with a far greater variation in many aspects of public policy—including taxation and regulation—than conservatives claim. In fact, appropriate intervention with respect to prudential market regulation is necessary to promote growth, and its absence—as we have learned—can retard it.

As recently as a year ago, one often heard the argument that U.S. financial activity would migrate offshore unless we moved to further deregulate markets. There is little evidence to support this claim. In fact, it is now clear that what has been migrating to the rest of the world are the problems associated with securities based on bad loans—often originated by unregulated institutions in the U.S. Banks in the UK and Germany were forced to close, either as a result of

holding large portfolios of these securities or because they could not roll over debt backed by them.

Widespread securitisation, and use of the ''originate to distribute'' model, has turned out to be far less than the unmitigated boon it had once appeared.

The market did its job with great efficiency in exploiting the benefits of securitisation but government failed to make good on its responsibilities. The failure of regulation to keep pace with innovation left us with no replacement for the discipline provided by the lender-borrower relationship that securitisation dissolves. Increasing and largely unregulated leverage multiplies the corrosive effect of this change.

In response to the current crisis, it appears that the regulatory tide may, at long last, be turning.

In 1994 a Democratic Congress—the last before the Republican takeover marked the arrival of the deregulators—passed the homeowners equity protection act, giving the Federal Reserve the power to regulate all home mortgage loans. The avatar of deregulation, Alan Greenspan, then Fed chairman, flatly refused to use any of that authority.

In contrast, today's Fed will soon issue rules using that authority. That represents a significant repudiation of the previous view. While the proposals made by the Democratic presidential candidates differ in detail, they are to a substantial extent consistent with the argument I have made here. Their Republican counterparts continue to advocate the hands-off approach pursued by the Bush administration. As a result, we are likely to have a healthy debate about the role of government in supporting a robust capitalist economy in the 21st century. It is important to note that this debate is not about policy details but represents fundamentally different views about the nature of our modern economy.

I believe the American people will decide that we should enact policies that seek to curb growing inequality and provide some check on market excesses.

HONORING THE 40TH ANNIVERSARY OF THE ELECTRIC FACTORY

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. ANDREWS. Madam Speaker, I rise today to celebrate the 40th anniversary of Philadelphia music landmark, The Electric Factory. For 40 years, The Electric Factory concert venue and its founders Larry Magid and Allen Spivak have hosted such legendary acts as Jimi Hendrix, The Who, and Pink Floyd.

The original Electric Factory began in 1968 as one of rock music's first ever live venues. First located in a converted tire warehouse, the venue moved in 1994 to its current site in an actual converted electric factory. This two story building has standing-room-only space for up to 3,000 audience members and gives spectators the unique ability to view a portion of the backstage.

Not only is The Electric Factory known for its major performers but it is also celebrated and respected for its philanthropic efforts throughout the years. Electric Factory Concerts has raised millions for local and international charities as well as local schools and children's programs in the area. In 1985, Electric Factory Concerts raised over 75 millions dollars for famine relief by hosting a large charity concert at JFK stadium.

Today, the venue still remains in its same location and is still led by one of its founders Larry Magid. The Electric Factory now features a variety of musical genres including heavy metal, rap, and rock and continues to hold philanthropic events ever year.

The Electric Factory is highly thought of as one of the nation's leading indoor concert venues. I want to congratulate and thank founders, Larry Magid and Allen Spivak, for their continued service to Philadelphia and South Jersey.

IN RECOGNITION OF MARY LU PLUNKETT

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. ACKERMAN. Madam Speaker, I rise today to pay tribute to Mary Lu Plunkett who this week is being honored by the Queens County Democratic party for her 50 years of outstanding and tireless work for the party and its candidates.

Mary Lu Plunkett was born in Brooklyn, New York, on March 26, 1928, but she moved to the great borough of Queens in 1949 after she married Queens-born John Plunkett. The two settled in Jackson Heights, the neighborhood where they met when they attended a dance. The couple raised two children, Steven and Jamie, and are the proud grandparents of Matthew, Christopher and Caroline.

Mary Lu's foray into Queens politics began with the friendship she shared with her mother-in-law Harriet Plunkett. The two joined the Amerind Democratic Club where they made great strides to improve the community in which they resided. Mary Lu later put to work the political savvy she acquired by volunteering countless hours for the Queens Democratic Organization. Then in 1956, she began working as a full time secretary at Democratic Headquarters.

Mary Lu's exceptional office and organizational skills have kept Queens Democratic Headquarters running smoothly for half a century. She has earned the respect and admiration from everybody with whom she has worked. These include almost all the Queens Democratic elected officials, candidates running for office, and party officials in recent memory.

Mary Lu has served under numerous county chairmen including Moses Weinstein, Jim Roe, Tom Manton, and the present leader, our colleague JOSEPH CROWLEY. She also, over the many years of her outstanding service, ran numerous fundraisers attended by such political legends as President John Kennedy, President Jimmy Carter, Senator TED KENNEDY, Governor Hugh Carey, Governor Mario Cuomo, Mayor Ed Koch, President Bill Clinton and Senator HILLARY RODHAM CLINTON.

While serving as one of the pillars of the Queens Democratic office, Mary Lu has witnessed the many changes that have taken place along the political landscape in Queens. These include everything from changes in elective office to shifts in the borough's population and demographics. However, throughout these turnovers and transformations, Mary Lu has always urged local citizens to be informed about their government and encouraged countless Queens residents to become involved in the political process.

About 25 years ago Mary Lu also began an annual fundraiser for the children of St. Gertrude's Parish in Far Rockaway, the community where the Plunketts presently reside. From its inception, the fundraiser was embraced by the borough and remains a worthy and wildly popular event.

In addition, Mary Lu continues to organize the affairs for the Women's Democratic Organization of Queens County, a group that still attracts a large audience.

In 1976, Mary Lu's daughter Jamie joined the staff of the Queens County Democratic Headquarters. Together, this mother and daughter team continue to administer and manage the office.

I know that all those involved in Democratic politics in Queens will be forever grateful for all of Mary Lu Plunkett's extraordinary contributions to the Queens Democratic Organization. She has made the Queens Democratic Headquarters a stronger workplace, which in turn has made Queens a better place to live and work.

Madam Speaker, I ask all my colleagues in the House of Representatives to join me now in congratulating Mary Lu Plunkett for 50 years of outstanding service to the Queens Democratic Organization. I am confident that she will continue to achieve success for many more years to come.

FREEDOM FOR DR. JOSE LUIS GARCÍA PANEQUE

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I rise today to again remind my colleagues about Dr. Jose Luis García Paneque, a political prisoner in totalitarian Cuba. The reason I rise once again to bring attention to Dr. García Paneque's imprisonment is because I have been told that his medical condition in Castro's gulag has seriously deteriorated.

Dr. García Paneque is a surgeon by training, an independent journalist and a member of the Cuban Independent Medical Association. As a director of the independent news agency Libertad, and administrator of the Carlos J. Finlay independent library in Las Tunas, Cuba, Dr. García Paneque has devoted his life to exposing the truth about the horrors inflicted upon the Cuban people by the dictatorship in Havana.

On March 18, 2003, the totalitarian Cuban regime began an island-wide crackdown on peaceful pro-democracy activists in order to stifle nonviolent political dissent. As part of the crackdown the regime arrested Dr. García Paneque and charged him with ''acts against the independence or territorial integrity of the state'' because of his work with the unofficial Cuban Medical Association. Just weeks after his arrest, in what was nothing more than a farce of a judicial proceeding, Dr. García Paneque was sentenced to 24 years in the totalitarian gulag. The real reason he was arrested is that he is a supporter of freedom and

democracy who has worked to expose the depraved horror that is the Cuban tyranny.

Since his initial incarceration in the subhuman conditions of the tyranny's totalitarian dungeons, Dr. García Paneque's weight has dropped from a healthy 190 pounds to an emaciated 100 pounds. Since last year prison authorities at the Las Mangas Prison have not allowed Dr. García Paneque access to fresh air or sunlight.

According to his mother, Dr. García Paneque suffers from dizziness due to a serious episode of diarrhea and profuse rectal bleeding and may be suffering from a duodenal ulcer. It is reported that the bleeding is a complication related to an eating disorder known as Malabsorption Syndrome, which he developed in prison. The condition does not allow food he ingests to nourish his body.

Dr. García Paneque's health while languishing in a hellish dungeon has been a point of constant concern for some time now. In June Dr. García Paneque was diagnosed with a kidney tumor and pneumonia. As a result of the pneumonia, he suffers from pleural effusion of the right lung and constant chest colds. Yet as Dr. García Paneque's condition continues to deteriorate, his jailers have refused to allow him consultation with doctors not affiliated with the prison or even provide him adequate medical care.

Madam Speaker, this is a textbook case of how the Cuban totalitarian regime treats prisoners of conscience who dare speak the truth and call for democracy and human rights.

But this cruel and inhumane treatment is not confined to those inside the regime's gulags. Since Dr. García Paneque's arrest, his wife and four young children faced intense harassments and attacks by angry mobs on their home. They have since fled Cuba and were granted asylum in the United States. His wife says that Dr. García Paneque "takes great comfort from his Bible . . . which he reads every day." While his wife says his physical health continues to suffer, his "spiritual health is strong."

On October 24, 2007, Dr. García Paneque's wife and his daughter Shirlen were received and honored by President George W. Bush at the White House, where the President publicly called upon the regime to release Dr. García Paneque forthwith.

Even though Dr. García Paneque has endured constant physical and psychological torture at the hands of regime thugs, he continues to demand human rights and dignity for the people of Cuba. He is languishing in the squalor of the infernal gulag at the whim of a merciless tyrant, simply because he believes in freedom, truth, democracy, and human rights for the people of Cuba.

Madam Speaker, it is unconscionable that journalists and physicians like Dr. García Paneque are locked in dungeons for writing the truth. My colleagues, we must demand the immediate and unconditional release of Jose Luis García Paneque before his prison sentence turns into a death sentence.

A TRIBUTE TO DAVID M. RUBENSTEIN

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. RUPPERSBERGER. Madam Speaker, I rise before you today to honor David M. Rubenstein, Co-Founder and Managing Director of The Carlyle Group, an American private equity firm. Born and raised in Baltimore, David Rubenstein graduated from Baltimore City College and went on to graduate magna cum laude from Duke University and earn his law degree from the University of Chicago Law School, where he was an editor of the Chicago Law Review. Prior to founding The Carlyle Group, David served as the Deputy Assistant to the President for Domestic Policy during the Carter Administration.

Most recently, David has become more well-known thanks to a Sotheby's auction item he purchased in December. On December 17, 2008, with a winning bid of over $21 million, David acquired the last copy of the Magna Carta remaining in the United States. The original Magna Carta, first signed in Britain in 1215, established the rights of the English citizens and placed checks on the power of the ruling monarch. Our own U.S. Constitution incorporates ideas and phrases almost directly from this historic document. The copy David purchased in December is a copy from 1297 when it was signed into law by the British Parliament.

Since 1985, it has been displayed at the National Archives as part of the Charters of Freedom exhibit, alongside the original Declaration of Independence, U.S. Constitution, and Bill of Rights. David has announced that the copy will continue to be housed at the National Archives in Washington, DC.

David is an active member of several Boards of Directors or Trustees, including Duke University, Johns Hopkins University, University of Chicago, Lincoln and Kennedy Centers for the Performing Arts, and the Council on Foreign Relations. David is also a member of The Business Council, the Madison Council of the Library of Congress, the Trilateral Commission and the National Advisory Committee of J.P. Morgan Chase and the Washington Economic Club, of which he is President-elect.

In addition to his extensive involvement in numerous organizations, David is also active in philanthropy. He has made significant contributions and donations to the John F. Kennedy School of Government at Harvard University, Duke's Terry Stanford Institute of Public Policy, the Lincoln Center and the Johns Hopkins Medical System here in Maryland.

Madam Speaker, I ask that you join with me today to honor David M. Rubenstein. His legacy as a leader in policy and finance will be matched only by his devotion to philanthropic projects. It is with great pride that I congratulate David Rubenstein on his exemplary career in business, law and government.

SMALL BUSINESS TELEWORK PROMOTION ACT

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. UDALL of Colorado. Madam Speaker, today I am introducing the "Small Business Telework Promotion Act" to assist our Nation's small businesses in establishing successful telework programs for their employees.

Across America, numerous employers are responding to the needs of their employees and establishing telework programs. In 2000, there were an estimated 16.5 million teleworkers. By the end of 2004, there were an estimated 30 million teleworkers, representing an increase of almost 100 percent in 4 short years. Unfortunately, the majority of growth in new teleworkers comes from organizations employing over 1,500 people, while just a few years ago, most teleworkers worked for small to medium-sized organizations.

By not taking advantage of evolving technology to establish successful telework programs, some small businesses are losing out on a host of benefits that will save them money, and make them more competitive. Successful telework programs can help small business owners to retain valuable employees by allowing them to work from a remote location, such as their home or a telework center.

In addition to the cost savings realized by businesses that employ teleworkers, there are a number of related benefits to society and the employee. For example, telecommuters help reduce traffic and cut down on air pollution by staying off the roads during rush hour. Fully 80 percent of home-only teleworkers commute to work on days they are not teleworking. Telework can also give employees more time to spend with their families, and reduce stress levels by eliminating the pressure of a long commute.

The bill establishes a program in the Small Business Administration, SBA, to raise awareness about telework among small business employers and to encourage those small businesses to establish telework programs for their employees.

Additionally, an important provision in the bill directs the SBA Administrator to undertake special efforts for businesses owned by, or employing, persons with disabilities and disabled America veterans. At the end of the day, telework can provide more than just environmental benefits and improved quality of life. It can open the door to people who have been precluded from working in a traditional office setting due to physical disabilities.

Several hurdles to establishing successful telework programs could be cleared by enacting our legislation. The bill will go a long way towards educating small business owners on how they can draft guidelines to make a telework program an affordable, manageable reality and expand their own telework policies.

Here is a brief outline of the bill's provisions—

Section One—provides a short title, namely "The Small Business Telework Promotion Act".

Section Two—sets forth findings regarding the potential benefits of increasing the extent to which employees have the option of teleworking.

Section Three—directs the Small Business Administration (SBA) to carry out a program to raise awareness of telework among small businesses and to encourage them to offer telework options to their employees. This program is to include special outreach to businesses owned by or employing people with disabilities, including disabled veterans.

RECOGNIZING JOSHUA AARON DICK FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Joshua Aaron Dick, 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 374, and in earning the most prestigious award of Eagle Scout.

Joshua has been very active with his troop, participating in many scout activities. Over the many years Alex 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 Joshua Aaron Dick for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

EXPLANATION OF DUTY SUSPENSION PROCESS

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. HOLT. Madam Speaker, the government often negotiates agreements or promulgates regulations that may produce unintended consequences for certain individuals. In such instances, Congress will review the implementation of the law and try to rectify those unintended problems even if the general requirements should remain. For example, exemptions are made in transportation regulations, Government land use, and trade legislation. Such is the case with the Harmonized Tariff Schedule, which was enacted in 1989. Since then Congress has acted occasionally to reduce, suspend, or repeal duties on certain imports as a matter of economic fairness and competitiveness.

Tariffs serve not only to raise revenue for the Government, but also to benefit American business and industry and holdings. Tariffs are notoriously complicated in their effects, and the policies are very difficult to get right.

Each of the nine bills I prepared recently would either suspend or reduce the import duty on a specific chemical compound. Each bill and the chemical compound in question is publicly available and open for all to see and comment on. I believe such openness is an important part of effective Government.

By suspending the import duty on products not made domestically in the United States, Congress can remove an economic barrier that might send production abroad—taking with it good-paying jobs—and also can help lower costs to consumers for the final products. These bills were all submitted to comply with procedures and criteria set by the House Ways and Means Subcommittee on Trade. None of the chemical compounds is manufactured in the U.S., the value of each of the requested duty suspensions is no more than $500,000, and their suspensions can be enforced by U.S. Customs officials. The products produced using the imported feedstocks are deemed to be desirable to produce and use in the U.S.

Introduction of the bills is just the beginning of a long process of scrutiny by the U.S. Trade Representative, U.S. International Trade Commission, and the Department of Commerce. Each one will seek information about potential domestic production, present and future imports, and will research the revenue loss associated with the suspension. Additionally, the Subcommittee on Trade will solicit public comment from all interested parties. An objection at any point throughout this process can disqualify the product for further consideration. At the end of this process, the Committee on Ways and Means will put together a miscellaneous tariff bill that includes hundreds of items that have met these rigorous criteria. I expect that temporarily suspending the duty on the nine products I have requested will help our local economy by making American manufacturers more competitive in the global marketplace.

HONORING DR. VERNON SINGLETON OF DAVIS, CALIFORNIA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. THOMPSON of California. Madam Speaker, I rise today to recognize Dr. Vernon Singleton on the occasion of a symposium of Wine Phenolic Research being held in his honor by the American Society of Enology and Viticulture.

Dr. Singleton was born in Mill City, Oregon on June 28, 1923. In 1951 he earned a PhD in Protein Biochemistry from Purdue University, where he had also received his bachelor and masters of sciences degrees. He moved to the University of California, Davis in 1958 where he would begin a long and distinguished career as one of the foremost enologists in the world.

He is perhaps best known for his groundbreaking work on wine phenolics and antioxidants. This research has opened the door for an ever expanding scope of knowledge concerning wine and its potential health benefits. He is also the author of more than 220 academic papers and many books that have become classics in the field of enology. For these contributions he has received numerous honors including twice winning the Outstanding Paper of the Year Award from the American Society for Enology and Viticulture in 1986 and 1992, the Office Internationale de la Vigne et du Vin Prize in Enology in 1998 for the best contribution to wine literature in any language for 1997–98, as well as being a life fellow of the American Institute of Chemists and a Charter member of the Phytochemical Society of North America. He retired in 1991, but remained a professor emeritus and continued publishing for another ten very productive years.

Madam Speaker, it is fitting at this time that we honor the long career and great achievements of Dr. Vernon Singleton. His dedication as a teacher and mentor has allowed him to touch the lives of his students and peers alike, and his research continues to guide and inspire the next generation of chemists and enologists around the world to explore the truly limitless possibilities in their fields.

THE BIPARTISAN FORMER SOVIET UNION MINORITY RELIEF ACT OF 2008

HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. KIRK. Madam Speaker, today, along with my colleague RON KLEIN (D–FL), I am introducing bipartisan legislation to curb the rise of hate crime violence in Russia, Ukraine and Belarus.

Acts of violence against Jews and other minorities are on the rise in the former Soviet Union. In Russia, xenophobic candidates are sweeping to power as state-sponsored hate speech incites anti-Semitism and violence. Widespread discrimination persists against religious and ethnic minorities, including Central Asians, Armenians, Roman Catholics and Evangelical Christians.

In Ukraine, neo-Nazi crimes against Jews are on the rise. Just last night, a rabbi was severely beaten on a main street in the eastern Ukrainian city of Dnepropetrovsk. The assailants have not been identified and no arrests have been reported. The key test of a democracy is tolerance for minorities—and this fledgling democracy is struggling.

In Belarus, human rights conditions continue to deteriorate. The dictator himself spouts anti-Semitic slurs through government media. The need for emergency resettlement of vulnerable communities may soon emerge.

The Former Soviet Union Minority Relief Act of 2008 would strengthen rule of law and democracy initiatives in Ukraine, undermine hate speech in Russia and Belarus through international broadcasting, and allow for emergency evacuations from Belarus or Russia if the need emerges.

When the Soviet Union fell, we thought the fight for persecuted minorities ended. Unfortunately, widespread discrimination persists against religious and ethnic minorities. The international community needs a wake up call that Jews and other minorities are under attack in the Former Soviet Union.

HONORING HRANT DINK

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. GARRETT of New Jersey. Madam Speaker, a little over a year ago, on January 19, 2007, Turkish-Armenian journalist Hrant Dink was murdered for reporting on the Armenian Genocide. The first anniversary of his

death should serve as a reminder of the ongoing need for improvement in Turkish-Armenian relations.

Hrant Dink worked as the editor of ''Agos'', a bilingual paper designed to reach both Turks and Armenians. He was an outspoken advocate of democratic change and freedom of speech.

While Turkish officials rightly condemned the political killing, Turkey has not yet repealed Article 301 of the Turkish Penal code, which makes it illegal to discuss the Armenian Genocide. This law, which criminalizes free speech, hampers Turkey's efforts to restore their relationship with Armenia, a goal the Turkish government claims to desire.

Hrant Dink's death was more than an assassination; it was an attack on the principle of free speech. Turkish officials should use the anniversary of his death as an opportunity to restore open communication between the citizens of both countries. Lasting reconciliation must be built on uninhibited dialogue and Turkey can begin building the road to restoration by recognizing the Armenian Genocide.

We remember the legacy of Hrant Dink by encouraging Turkey to tolerate democratic freedoms and rebuild their relationship with Armenia.

HONORING PASTER LLOYD MADDOUX AND HIS WIFE PAT

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. BRADY of Texas. Madam Speaker, I rise today in honor of great community and spiritual leaders, Paster Lloyd Maddoux and his wife Pat for their 25 years of service to the ministry at the First Assembly of God in Conroe, Texas. Pastor Maddoux is a true servant to society and has left a lasting impression on numerous lives.

Pastor Maddoux has touched countless lives—when people are in every season of life. Pastor Maddoux has celebrated with families when he's officiated at their weddings and offered blessing over the birth of a new baby. He's helped new Christian believers grow closer in their walks with their Savior through Bible teachings and baptism. He has helped honor the lives of men and women who have passed away with funerals that celebrated their lives and offered hope of eternity through Jesus Christ.

A Pastor is a servant to his congregation and community. Pastor Maddoux has opened up his home church as a shelter for Hurricane Rita victims, where over 300 people and pets took shelter. He and Pat have opened their home many times to help strangers, neighbors and friends.

Not only has he touched lives in our community, but he has reached out to do missions all over this country, as well as abroad in Mexico, the Philippines, Seoul, Korea, West Africa and Turkey. Pastor Maddoux has also touched lives through participating in prison ministries.

He has served in numerous positions such as the board of Greater Houston Teen Challenge and mission boards for the South Texas District-North Houston Section. Pastor Maddoux was a National Finals Chairman for the Oral Roberts University Educational Fellowship. He is the current Presbyter of the North Houston Section of the Assemblies of God Ministers and also served as a committee member. He has helped with Lifestyle Ministries Radio and Lifestyle Christian School, which began in 1985. He is the originator of many traditions in our community, such as the National Day of Prayer in Conroe and the Men's Day of Prayer. He was also a manager at the Kids Camp Victory.

Madam Speaker, Pastor Maddoux and his wife Pat are rare individuals whom I respect greatly. Our nation joins me in honoring both of them today for their 25 years of service to our community and First Assembly of God in Conroe, Texas.

IN HONOR OF ROBERT HUBER

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. GALLEGLY. Madam Speaker, I rise in tribute to my longtime friend and one-time colleague Robert Huber in recognition of being awarded the Strathearn Lifetime Achievement Award by the Simi Valley Community Foundation.

Bob Huber has been involved in my hometown of Simi Valley, California, for more than 40 years, and I have known him for more than 30 of those years. We worked together on many community projects over the years and served together some decades ago on the Simi Valley City Council.

In addition to his service on the City Council, Bob is past chairman of the Simi Valley Chamber of Commerce, an active member of Rotary Noon Time, and an elected member of the Ventura County Community College District Board of Trustees.

He is also a charter Board Member of the Simi Valley Community Foundation.

It's his passion for the community, and the Community Foundation in particular, for which he is being honored with the Strathearn Lifetime Achievement Award.

Several years ago the Community Foundation nearly closed due to a lack of community identity. Bob is credited with turning that around. His ideas, passion, and drive helped refocus the foundation. Today, it is again growing and thriving. One of Bob's inspirations was the foundation's successful Mayor's Dinner, which he has chaired for the past 3 years. This and other successful events have enabled the foundation to raise and grant monies to other charities annually.

Bob is also a trial lawyer, but nobody's perfect.

Madam Speaker, I know my colleagues will join me in thanking my friend Bob Huber for his decades of service to the community and join the Simi Valley Community Foundation in tribute to a job well done.

HONORING THE LIFE OF U.S. ARMY SPC JON MICHAEL ''MIKE'' SCHOOLCRAFT III

HON. BARON P. HILL

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. HILL. Madam Speaker, on January 19, 2008, the great states of Indiana and Ohio lost a brave son. Army SPC Jon Michael ''Mike'' Schoolcraft III was killed in Iraq from injuries sustained when his vehicle was struck by an improvised explosive device. A native of Wapakoneta, OH, several members of Specialist Schoolcraft's family currently live in Madison, IN, in Jefferson County.

Mike, as he was known, enlisted in the Army with a friend after graduating from Wapakoneta High School in northwest Ohio in 2001. At Wapakoneta High he excelled at wrestling and baseball, and enjoyed spending time outdoors.

Before embarking on his second 15-month deployment, Schoolcraft promised his mother that this would be his last deployment. He looked forward to finding a stateside military contracting job and living with his new wife.

Specialist Schoolcraft's father, Mike, Jr., described him as a ''typical All-American boy.'' He was a hero to his father. He further described his son as ''very respectful'' and that the Army took this wonderful young man and made him better.

Before deploying, Schoolcraft told his mother that he was going to Iraq for a reason: to keep his loved ones safe.

SPC Jon Michael Schoolcraft III is a true American hero. His sacrifice for our Nation deserves our most heartfelt thanks. I, along with Specialist Schoolcraft's family, and the towns of Madison, IN, and Wapakoneta, OH, will mourn Mike's premature death. His friends and family are in my prayers.

INTRODUCTION OF BILLS TO REDUCE RISKS OF WILDFIRES TO FOREST-AREA COMMUNITIES

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. UDALL of Colorado. Madam Speaker, Colorado and other Rocky Mountain States face a very real risk of severe wildfires in our forest lands, which directly threaten many communities and critical resources, including water supplies.

There are several reasons. One is drought. Another is past management that over-emphasized fire suppression, even though fire is an inescapable part of the ecology of our western forests, with the result that in many parts of the forests there is an accumulation of underbrush and small-diameter trees greater than would be present if there had been more, smaller fires over the years. They provide the extra fuel that can turn a small fire into an intense inferno.

The problem has been made worse by our growing population and increasing development in the places where communities meet the forests—the ''wildland-urban interface.'' And when you add the effects of widespread

infestations of insects, you have a recipe for even worse to come.

Many species of bark beetles, such as the mountain pine beetle, are native to our forests. They place stress on trees by burrowing through the bark. If a tree is healthy, it can defend itself by producing sap to repel and expel the invaders. But if the defense fails, the insects lay their eggs in the woody material below the bark. Once the eggs hatch, they feed on the tree's fiber and disrupt the flow of water and nutrients from the tree's roots to its needles and branches. In addition, the invading insects bring in fungi and other invaders that further damage the tree. If enough insects are able to penetrate the tree and lay eggs, the tree dies. The offspring then mature and fly to another tree and the cycle begins anew.

These insects help to balance tree densities and set the stage for fires and thereby the generation of new tree growth. And when forests are healthy and there are adequate supplies of water, the insects' effects are relatively low-scale and isolated. But under the right conditions—such as drought, unusually warm winters, or when there are dense stands of even-aged trees—the insects can cause large-scale tree mortality, turning whole mountainsides and valleys rust red.

That is what is happening in many mountainous areas in Colorado. And more and more our mountain communities find themselves in uncomfortable proximity to acres of dead trees, turned rust red by the insects and adding to their concerns about the danger of very severe wildfires.

All Coloradans were reminded of this earlier this month, when the Federal and State foresters reported that the beetle infestation first detected in 1996 grew by a half-million acres last year, bringing the total number of acres attacked by bark beetles to 1.5 million, and has spread further into Front Range counties east of the Continental Divide.

Last year, I introduced legislation to respond to this problem by, first, facilitating more rapid responses to the insect epidemic where that is needed to reduce the wildfire threats to our communities; and second, promoting research on ways to improve the health of our forest lands. That bill—H.R. 3072—was developed through broad consultation with many people in Colorado and discussions among our state's entire Colorado delegation. It is cosponsored by all my Colorado colleagues in the House, and Senators KEN SALAZAR and WAYNE ALLARD introduced identical legislation in the Senate. I intend to continue to work for enactment of its provisions, as a single measure or otherwise.

And that delegation measure would be supplemented in two different ways by the bills I am introducing today.

One bill focuses on steps to help our communities act to reduce the potential damages their residents could suffer as a result of wildfires. It is cosponsored by our colleague from California, Representative FILNER; I appreciate his support.

A House companion to legislation, S. 2390, introduced by Senator DIANE FEINSTEIN, this "Fire Safe Communities Act" would provide incentives for at-risk communities to adopt a new model Fire Safe ordinance that will set national standards in building codes, creation of "defensible space" around homes, and reduction of hazardous fuels. It also would authorize new Federal grants to help communities integrate fire-resisting aspects into local ordinances, and would authorize increased Federal reimbursement of firefighting costs to participating communities.

The other bill would amend the recently-enacted Energy Independence and Security Act of 2007, P.L. 110–140, to allow material removed from additional forest lands to reduce hazardous fuels to be eligible for some incentives for use of renewable biomass to generate energy.

Title II of the new energy law puts new emphasis on developing biofuels that rely on additional sources of biomass, including agricultural wastes, municipal solid waste, and dedicated energy crops such as perennial grasses, fast-growing trees, and algae.

Accordingly, the new law requires an expansion of the 2005 law's renewable fuel standard so as to require 36 billion gallons of renewable fuel in motor fuels annually by 2022, of which 21 billion gallons must be "advanced biofuel," defined as biofuel produced from feedstocks other than corn starch and having 50 percent lower lifecycle emissions than petroleum fuels.

For purposes of title II, the new energy law defines the term "renewable fuel" as "fuel that is produced from renewable biomass and that is used to replace or reduce the quantity of fossil fuel present in a transportation fuel."

But its definition of "renewable biomass" does not include material removed from Federal or State forest lands in order to reduce wildfire risks, except to the extent that the removal occurs in the "immediate vicinity of buildings and other areas regularly occupied by people, or of public infrastructure, at risk from wildfire."

I think this definition is too narrow and would unnecessarily limit the potential incentive for private industry to assist in reducing the buildup of hazardous fuels that threaten forest-area communities in Colorado and other States.

So, the second bill I am introducing today would revise the definition of "renewable biomass" in that part of the new energy law to include biomass removed in connection with a hazardous-fuel reduction project from lands within the wildland-urban interface, as defined in the Healthy Forests Restoration Act of 2003.

Madam Speaker, since coming to Congress I have put a priority on reducing the wildfire risks to our communities. In 2000, with our then colleague, Representative Hefley, I introduced legislation to facilitate reducing the buildup of fuel in the parts of Colorado that the Forest Service, working with State and local partners, identified at greatest risk of fire—the so-called "red zones." Concepts from that legislation were included in the National Fire Plan developed by the Clinton Administration and were also incorporated into the Healthy Forests Restoration Act of 2003. As a Member of the Resources Committee, I had worked to develop the version of that legislation that the committee approved in 2002, and while I could not support the different version initially passed by the House in 2003, I voted for the revised version developed in conference with the Senate later that year—the version that President Bush signed into law.

Since then, in Colorado there has been very welcome progress in developing community wildfire protection plans and focusing fuel-reduction projects in the priority wildland-urban interface—which we sometimes call the "red zone" areas—two important aspects of the new law. But the problem remains very serious, and both H.R. 3072 and the two additional bills I am introducing today would take important further steps to address it.

We cannot eradicate insects from our forests—nor should we, because insects are a natural part of forest ecosystems. Instead, we can and should act to reduce the wildfire threats to our communities—and their residents' lives and property—as well as to promote research on ways to improve the health of our forest lands.

That is the purpose of H.R. 3072, and it is also the purpose of the two bills I am introducing today. For the information of our colleagues, here are outlines of both bills:

FIRE SAFE COMMUNITY ACT

This bill, a House companion to S. 2390, would establish new incentives for communities at risk of wildfire to improve fire-prevention efforts. Key components include:

Creating a model ordinance for communities at risk of fire located within the Wildland Urban Interface (WUI). Bill will direct the National Institute of Standards and Technology (NIST) to create a model ordinance, in partnership with the U.S. Fire Administration, the U.S. Forest Service, and the Bureau of Land Management. The purpose of this model ordinance is to provide a baseline for communities to become "fire safe," including suggested water supply, construction materials and techniques, defensible space, vegetation management, and infrastructure standards;

Developing a new $25 million grant program to assist local communities in implementing the activities and policies of the NIST model ordinance. To qualify for this grant program, communities must be located in a fire hazard area and take steps toward the implementation of the model ordinance. These grants, administered by FEMA, can be used to enforce local ordinances and codes, develop incentive programs to improve code compliance, educate local planners on fire resistant planning, zoning and home construction, as well as train local fire departments on emerging technologies such as GIS fire mapping;

Providing grants to States on a 50/50 cost share basis to create or update fire hazard maps. Authorizes $15 million annually for States to develop or update statewide fire hazard maps which identify communities at risk of wildfire;

Establishing incentives for communities that decide to become more fire safe by changing the federal share of firefighting and emergency expenses reimbursed under FEMA's Fire Management Assistance Grants. Currently states and local communities can have 75 percent of their firefighting and emergency service expenses reimbursed by the federal government, if FEMA determines that a fire threatened a significant number of homes and structures. Under this bill, communities in fire hazard areas that adopt the new model ordinance would be eligible to have 90 percent of their firefighting and emergency service expenses reimbursed under the Fire Management Assistance Grants program;

Authorizing the U.S. Forest Service and the Department of the Interior to offer grants to local communities for fire safe practices. The bill makes revisions to the authorization of the U.S. Forest Service and the Department of the Interior to allow them to administer grants to local communities for model ordinance compliance and for responsible zoning and fire protection strategies. The U.S. Forest Service would administer $35 million in fire-safe grants. The

Department of the Interior would administer $15 million in these grants.

WILDFIRE RISK REDUCTION AND RENEWABLE BIOMASS UTILIZATION ACT

This bill would revise the definition of ''renewable biomass'' in section 201 of the Energy Independence and Security Act of 2007 so as to facilitate and encourage the use of biomass removed from certain additional forest lands as an energy source, in order to reduce the risk of severe wildfires to communities, infrastructure, and water supplies.

Specifically, the bill would expand the current definition of ''renewable biomass'' to include biomass removed from lands within the wildland-urban interface in connection with an authorized hazardous fuel reduction projects.

The bill uses the definitions of ''hazardous fuel reduction project'' and ''wildland-urban interface'' that are used in the Healthy Forests Restoration Act of 2003.

That Act defines the term ''wildland-urban interface'' as including ''an area within or adjacent to an at-risk community that is identified ... in a community wildfire protection plan'' or, with regard to a community that has not developed a community wildfire protection plan, lands within a specified distance from the community's boundary (a distance that can vary depending on the presence of steep slopes or other geographic features) as well as areas adjacent to an evacuation route for an at-risk community that require hazardous fuel reduction to provide safer evacuation from an at-risk community.

These definitions provide greater specificity than the term ''immediate vicinity'' now used in this part of the new energy law, and will broaden the scope of its applicability. I supported enactment of the Healthy Forests Restoration Act, and I think it is appropriate to follow its example in this respect.

RECOGNIZING COREY DYLAN JEPSON FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Corey Dylan Jepson, 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 374, and in earning the most prestigious award of Eagle Scout.

Corey has been very active with his troop, participating in many Scout activities. He has held several leadership positions in the troop including Patrol Leader and Assistant Patrol Leader. Not only has Corey had many accomplishments within his troop, but he has also earned the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Corey Dylan Jepson for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING VERIDIAN HOMES' BUILDER OF THE YEAR 2008 AWARD

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Ms. BALDWIN. Madam Speaker, I rise today to honor Veridian Homes for receiving Professional Builder magazine's Builder of the Year for 2008, one of the homebuilding industry's most prestigious and coveted awards. This honor not only demonstrates a unique level of innovation but also a vigorous dedication to quality and customer service.

As the largest residential builder in the State of Wisconsin, Veridian builds nearly 500 homes and condominiums each year. This level of productivity has earned it a market share of over 30 percent while offering a variety in price, style, and size. In only 4 short years, Veridian Homes has claimed the spotlight as an industry leader despite the uncertainties presented by the current market.

Co-founders David Simon and Jeff Rosenberg have successfully combined the conventional wisdom of community development with a creative blend of environmentally conscious business practices and quality improvement strategies. All of Veridian's homes and condominiums meet Green Built Home and Energy Star program standards. The company has also built six LEED-certified homes and initiated its own recycling program, in addition to actively experimenting with more resource and material-efficient processes.

Even more impressive, though, is their attention to partnership and accountability. Simon and Rosenberg have consistently demanded feedback from their employees, trade partners, and customers alike to ensure a level of continuous development. This customer and product-first approach leaves no aspect of quality improvement unattended.

To the truest extent, Veridian Homes has made Wisconsin a great place to live. I am proud to have such an extraordinary innovator and trendsetter right here in Dane County. I wish Veridian Homes many more years of success as a model for excellence and customer satisfaction.

CONGRATULATING DR. HAN SEUNG-SOO ON HIS NOMINATION AS PRIME MINISTER OF THE REPUBLIC OF KOREA

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. FALEOMAVAEGA. Madam Speaker, I rise today to offer congratulations to my friend, Dr. Han Seung-soo, on his nomination as the next Prime Minister of the Republic of Korea by President-Elect Lee Myung-Bak.

Dr. Han, currently serving as Special Envoy of the UN Secretary-General on Climate Change, has had a long and distinguished career in public service. He has previously served as South Korea's Deputy Prime Minister and Minister of Finance and Economy, Minister of Foreign Affairs and Trade, Minister of Trade and Industry, Ambassador to the United States, and Chief of Staff to the President of the Republic of Korea. He served three terms in the South Korean National Assembly and thus has been, like us, a member of his country's legislature.

Moreover, in recognition of his exemplary record as a diplomat, Dr. Han was also elected President of the 56th session of the UN General Assembly in 2001. He was to be officially elected to the presidency on the fateful morning of September 11, 2001 but was, instead, sworn in on the next day. His leadership was instrumental in the passage of a resolution by the UN General Assembly session denouncing the terrorist attacks. He wrote about these experiences in his new book entitled ''Beyond the Shadow of 9–11: A Year at the United Nations General Assembly.'' He recently sent me a signed copy of his memoirs, which I greatly appreciate.

Over the years, Dr. Han and I have crossed paths on more than one occasion due to our mutual interest in international environmental policy and, in particular, the issues surrounding global climate change. As chairman of the House Committee on Foreign Affairs Subcommittee on Asia, the Pacific, and Global Environment, I have always been personally impressed by Dr. Han's depth and breadth of knowledge, his ability to listen to people with different—and sometimes technically complex—ideas, and his capacity for synthesizing the best of available knowledge for eventual decisionmaking.

Last November, speaking in Bangkok at the Committee on Managing Globalization of the United Nations Economic and Social Commission for Asia and the Pacific, ESCAP, Dr. Han noted the need for rapid economic growth in Asia and the Pacific—home to two-thirds of the world's poor. However, he pointed out, actions on climate change could be compatible with economic growth, saying: ''We can turn the crisis of climate change into a new economic opportunity.''

The choice of Dr. Han Seung-soo to be Prime Minister by President-Elect Lee Myung-Bak provides excellent evidence that the U.S.-Korea alliance partnership will continue to further consolidate and deepen under their leadership. During Dr. Han's tenures as both the Republic of Korea's Foreign Minister and Ambassador to the United States, he cultivated many friends and admirers in Washington.

Let me also take this opportunity to say that I am pleased to be an original cosponsor of the resolution congratulating Lee Myung-Bak on his election to the presidency of the Republic of Korea. I look forward to working with his incoming administration on the important challenges facing the region, especially peace and reconciliation on the Korean peninsula.

Madam Speaker, I hope that my colleagues will join me in offering their own congratulations to Dr. Han Seung-soo and wish him well in his new responsibilities.

HONORING COACH JIM ALGEO

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Ms. SCHWARTZ. Madam Speaker, I rise today to honor and congratulate Coach Jim Algeo on celebrating his 40th anniversary as

Coach of the Lansdale Catholic High School football team. I am proud that such a dedicated and honorable man has served the constituents of my district for the past four decades.

For the past 40 years, Coach Jim Algeo has been a teacher and head football coach at Lansdale Catholic High School. Through far more than football plays and academics, Coach Alego has also taken great pride in preparing the young men on his team for life by teaching them to live by the admirable motto: ''Faith, Family, and Football.''

Coach Algeo's well-rounded approach mentoring players has enabled Lansdale Catholic to achieve a winning record with five PAC–10 titles and six District 1 crowns during his tenure as head coach. Coach Alego has been recognized with numerous distinctions and awards, including the Pennsylvania State Football Coaches Association Hall of Fame, Associated Press PA Class AA Coach of the Year and the Maxwell Football Club Lifetime Achievement Award. Together, these inspired young men and their determined coach were able to bring home the PIAA AA State Championship in 2004.

Coach Alego lives his personal life with the same commitment as his life on the field, sharing the past 48 years with the Crusaders' biggest cheerleader, Mickey Algeo. Together Jim and Mickey have raised nine children, and are the proud grandparents of 16 loving grandkids.

Madam Speaker, I ask that my colleagues join me in celebrating Coach Jim Algeo's 40th anniversary milestone and in wishing him many more years of enriching the lives of those around him. In the many roles Coach Alego has been blessed to fulfill in his life, he has set an example for all of us to follow

WILD MONONGAHELA: A NATIONAL LEGACY FOR WEST VIRGINIA'S SPECIAL PLACES

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. RAHALL. Madam Speaker, today I am pleased to introduce legislation to designate additional areas as wilderness within the Monongahela National Forest in our State of West Virginia. Joining me in this initiative are my West Virginia colleagues Representatives SHELLEY MOORE CAPITO and ALAN MOLLOHAN.

Our senior Senator, ROBERT C. BYRD, is fond of noting that: ''West Virginia is one of the most beautiful and unique places. It is the most southern of the northern and the most northern of the southern; the most eastern of the western and the most western of the eastern. It is where the East says good morning to the West, and where Yankee Doodle and Dixie kiss each other good night.''

Indeed, West Virginia is a most beautiful and unique place. And with the introduction of our legislation, ''Wild Monongahela: A National Legacy for West Virginia's Special Places,'' we are striving to keep it that way.

This is about the heart and soul of West Virginia. Our southern mountains have been yielding their coal for generations and our northern ridge lines are being targeted by the merchants of wind power. More development is coming, and, in most cases, it is welcomed.

But as West Virginians we are intimately connected to our land. Our roots are planted deep in our misty hollers and our majestic mountains. We know that we will be judged by future generations on our stewardship of this land that is West Virginia. And so I believe that it is of paramount importance that we, once again, set aside some of God's handiwork in our forests by preserving these Federal lands in their pristine state.

We hunt these woods; we fish these streams. These few areas that we are proposing to conserve in their natural state represent a significant national resource. But more importantly to us, they constitute a fundamental right of West Virginians to retain a vital link to our heritage, and to know that, forever more, these lands will remain in their natural state as our Creator forged them. We cherish this as nothing less and nothing more than our birthright as West Virginians.

By way of background, the Monongahela National Forest is comprised of over 919,000 acres of Federal land in 10 counties of the eastern portion of West Virginia. The forest is a major recreational resource for West Virginians as well as people from neighboring States, hosting approximately 3 million visitors annually. Currently, the forest has five federally designated wilderness areas comprising 78,041 acres: Otter Creek, Dolly Sods, Laurel Fork North and South, and the Cranberry Wilderness.

As part of the revision of the Forest Plan completed in 2006, 18 roadless areas were inventoried and evaluated for their wilderness potential. As a result of this process, the West Virginia Delegation to the U.S. House of Representatives is proposing to designate seven of the evaluated areas as wilderness. Totaling 47,128 acres, three of the areas are additions to existing wilderness: the Cranberry Expansion in Webster and Pocahontas Counties, the Dolly Sods Expansion in Tucker County and the Dry Fork Expansion in Tucker County to the Otter Creek Wilderness. The other four are proposed new wilderness areas: Big Draft in Greenbrier County, Cheat Mountain in Randolph County, Roaring Plains West in Pendleton and Randolph Counties and Spice Run in Greenbrier and Pocahontas Counties.

Under the new Land and Resource Management Plan for the Monongahela National Forest, all seven areas are now being managed essentially as wilderness. Cheat Mountain, the Cranberry Expansion, the Dry Fork addition to Otter Creek Wilderness and Roaring Plains West are under Management Prescription 5.1, Recommended Wilderness. Meanwhile, the Big Draft area, the Dolly Sods Expansion and the Spice Run area are under Management Prescription 6.2, Backcountry Recreation. This management prescription emphasizes a non-motorized setting with a largely natural environment and a lack of management-related disturbance.

Before I describe the special attributes of the seven areas contained in our legislation, I would like to note the support this initiative has among working men and women in West Virginia. I am proud that the West Virginia AFL–CIO passed a resolution last October in support of additional wilderness in the Monongahela National Forest. Their resolution states that ''wilderness forest areas and the outdoor recreation, hunting and fishing they provide improve the quality of life for all West Virginians.'' The resolution further notes that ''protected wilderness helps diversify and stabilize economies by attracting and retaining business, residents, and a local workforce, in addition to generating travel and tourism, one of the fastest growing sectors of West Virginia.''

I am also proud that people of faith in West Virginia support additional wilderness. The Reverend Dennis Sparks, executive director of the West Virginia Council of Churches, wrote to me as follows: ''An area of federal land belonging to all Americans, the Monongahela National Forest can uniquely provide opportunities for reflection and inspiration that are becoming ever scarcer in our rapidly modernizing and developing world. We believe that carefully protecting this wonderful national forest and its wilderness-quality lands not only has a sound Biblical basis, but is also the best and most practical course of action for safeguarding the world which we will pass along to our children.''

Similarly, Bob Marshall, D.V.M., wrote: ''Like me, you were probably raised by parents who took you to church, where you learned many of the morals and ethics that guide your decisions today. I was taught to 'Love God with all your heart, soul, and mind, and to love your neighbor as yourself.' These words still speak to me today, and have led me to believe that West Virginia needs to preserve as much of our wild lands as possible, through the Wilderness proposal.''

This proposal also enjoys the support of various West Virginia chapters of Trout Unlimited. The vice president of the Mountaineer Chapter, Randy Kesling, wrote to me as follows: ''National Forest Wilderness Areas are the tap-roots into the landscape of our beginnings—the original forest. The U.S. Forest Service itself calls them 'ecological anchors in a fragile landscape.' Today we are at another crossroad in the natural history of this great forest. This is in every sense a watershed moment—to set this fragile forest on the path to recovery.'' He concluded: ''The Mountaineer Chapter of Trout Unlimited believes that Wilderness Designation provides the best path to that recovery.''

Mr. Don Gasper, who worked for the West Virginia Division of Natural Resources for many years, and who is a highly respected fish biologist, wrote: ''You lawmakers in Congress have an important opportunity right now to permanently protect some of the most special remaining wild places in the Monongahela National Forest.''

Many communities across West Virginia have registered their support for wilderness. The Honorable John Manchester, the mayor of the City of Lewisburg in Greenbrier County, and that city's Council, passed a resolution which in part states: ''wilderness forest areas encompass the development of rural communities as people are attracted to, or stay in, places that are clean, beautiful and where they have ample opportunities to connect with nature. . . .''

The Honorable Martin Saffer, a Pocahontas County Commissioner, wrote: ''I encourage you to take quick action to introduce legislation to protect some of our most special landscapes. This is truly a watershed moment. The time is now.''

In addition, the Fayette County Commission wrote in support, stating: ''Wildlands in the National Forest enhance our area's natural resource based tourism economy, increase the

quality of life for Fayette County residents, protect our hunting and fishing lands, clean air, clean water, and protect the headwaters of some of Fayette County's rivers from disturbance, thus reducing the threats from flooding.''

The Greenbrier County Convention and Visitors Bureau wrote to me and specifically requested the inclusion of the Big Draft and Spice Run areas as wilderness. They noted: ''From the luxury of The Greenbrier Resort to the primitive Monongahela National Forest, visitors can choose their own unique experience while visiting Greenbrier County.''

The Pocahontas County Convention and Visitors Bureau has also weighed in, stating: ''We feel that designating additional wilderness areas will increase the strong economic base that outdoor recreation in Pocahontas County relies on. Benefits associated with designated wilderness are far reaching for the people of West Virginia, our wildlife populations and the land itself. Protecting our last few remaining wilderness areas will ensure that present and future generations can use and enjoy parts of the forest in their natural state.''

Following is a brief description of the seven areas the West Virginia Delegation propose to be designated as wilderness—

Big Draft: This 5,242-acre area in the southern tip of the forest is located about 5 miles from White Sulphur Springs, the home of the famed Greenbrier Resort. According to the Forest Service evaluation of the area, the primary vegetative type is oak and hickory with pockets of hemlock and white pine as well as black hickory and sassafras. The evaluation makes note of the area's ''natural untrammeled appearance, and natural ecological processes that are the primary factors affecting the area.'' Trout and small-mouth bass fishing is considered excellent. The area has also been popular for wilderness quality whitewater trips down Anthony Creek, and the trout and rock bass fishing is excellent.

Cheat Mountain: Comprised of 7,955 acres, the area ranges in elevation from 3,000 to 3,800 feet and is a relatively flat forested plateau. The area is dissected by six streams flowing through rugged terrain dropping steeply to the river. According to the Forest Service evaluation, the vegetation consists of northern hardwood stands with some red spruce. It has a ''natural untrammeled appearance'' and ''the opportunity to experience remoteness is good.'' Special features of the area include the High Falls of the Cheat, which is a major waterfall, and a favorite destination for hikers and excursion train visitors. Cheat Mountain is a favorite of hunters and anglers.

Cranberry Expansion: A proposed 12,032-acre addition to the highly popular Cranberry Wilderness, the expansion is located between the Williams River on the north and the Cranberry River on the south and west. According to the Forest Service evaluation, ''both natural integrity and appearance are considered high over much of the area . . .'' It contains an excellent trail system and is held in high esteem by hunters, anglers and hikers. The combination of the Cranberry Wilderness, Cranberry Backcountry and Cranberry Expansion would create the largest area of non-motorized recreational opportunities in West Virginia—a vast silent forest primeval.

Dolly Sods Expansion: Another well-known and popular wilderness area, Dolly Sods, is proposed to be expanded by 7,215 acres to the north. Most of the area is a rolling plateau of over 3,800 feet in elevation. The Allegheny Front drops 2,200 feet on the east, just outside the proposed wilderness boundary. According to the Forest Service evaluation, ''the bog and heath eco-types are more typical of what one would expect to find in Maine or southern Canada rather than West Virginia.'' Views west from Cabin Mountain across the Canaan Valley National Wildlife Refuge are outstanding.

Dry Fork Expansion: This small 740-acre proposed expansion of the Otter Creek Wilderness area has a high natural integrity and appearance and is dominated by spruce at its higher elevations with a mixture of northern hardwoods. This area occupies the northern and eastern flanks of McGowan Mountain leading down to the Dry Fork of the Cheat River. It provides much of the scenic view for this popular river, which contains excellent whitewater recreation opportunities and trout fishing.

Roaring Plains West: This 6,820-acre area located southwest of Dolly Sods ranges in elevation from 3,700 feet to over 4,700 feet and is, according to the Forest Service evaluation, minimally affected by outside forces. The Roaring Plains and Flatrock Plains areas encompassed by the proposed wilderness comprise the highest plateaus in the eastern United States. They are part of the geologic backbone of West Virginia called the Allegheny Front. The evaluation also notes it is remote backcountry, providing a good opportunity for solitude. Special features include an area known as Mt. Porte Crayon, with exceptional views.

Spice Run: A proposed 7,124-acre new wilderness, this area rises from the Greenbrier River on its western boundary and is an extremely remote place primarily accessible from the river. There are no system trails within the area. The elevation ranges from 2,000 feet along the Greenbrier River to 3,284 feet on the top of Slab Camp Mountain. Spice Run, along with Davy Run and Kincaid Run, cut steep hollows which delineate the terrain. Spice Run is one of the most remote places in the State and provides excellent opportunities for solitude and backcountry recreation.

In conclusion, I thank my colleagues in the West Virginia Delegation to the U.S. House of Representatives in joining with me to introduce this bill, ''Wild Monongahela: A National Legacy for West Virginia's Special Places.''

MR. THIERRY PORTÉ, NEW CHAIRMAN OF THE JAPAN-U.S. FRIENDSHIP COMMISSION

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. PETRI. Madam Speaker, I want to join my colleague, Representative JIM MCDERMOTT, in congratulating Mr. Thierry Porté on his appointment as the new chairman of the Japan-U.S. Friendship Commission. He will also serve as chairman of the U.S.-Japan Conference on Cultural and Educational Interchange, known as CULCON.

The Japan-U.S. Friendship Commission is an independent Federal agency that provides support, primarily through grants, to Americans to better understand and meet the challenges of the U.S.-Japan relationship. The commission consists of both private and certain designated public officials, and I am pleased to serve as one of two commissioners appointed from the House.

Mr. Porté was nominated to join the commission and serve as chairman last year with overwhelming support from commission members, and his appointment was recently approved by the White House.

His long and very direct experience in Japan and U.S.-Japan issues will serve the commission and CULCON well as we work to build greater understanding and strengthen ties between our two countries through the funding of educational, cultural, and academic programs. Mr. Porté has vast experience in the financial services industry and currently is the president and CEO of Shinsei Bank Limited.

He also is a member of the board of directors and chairman of the Finance Committee of the American School in Japan. Previously, he served as vice president and governor of the American Chamber of Commerce in Japan, and in 2002–2003, Mr. Porté was a member of the Invest Japan Forum, which provided recommendations on the promotion of foreign direct investment in Japan to Prime Minister Koizumi.

But his interest in Japan extends beyond the financial markets—he is knowledgeable in Japanese culture and the arts as well, and he will bring a unique perspective to our efforts.

It is a privilege to have Mr. Porté serve as our chairman. I know he has the right background, skills and energy to continue to build on the important work of the commission.

CONGRATULATING MR. THIERRY PORTÉ FOR HIS APPOINTMENT AS CHAIRMAN OF THE JAPAN-U.S. FRIENDSHIP COMMISSION

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. MCDERMOTT. Madam Speaker, I would like to take this time to congratulate Mr. Thierry Porté for his recent appointment as the new Chairman of the Japan-U.S. Friendship Commission (JUSFC) and the U.S.-Japan Conference on Cultural and Educational Interchange (CULCON).

Mr. Porté, who is the President and CEO of Shinsei Bank, Ltd. has a long and established history as an advocate for exchanges of ideas and culture between the U.S. and Japan. His distinguished experience in the business community as the first American to head a major Japanese bank combined with his work as Chairman of the U.S.-Japan Bridging Foundation's Tokyo Advisory Board in promoting better educational and cultural relations between the two countries make him uniquely qualified for this position.

As a member of the JUSFC, which was established as an independent Federal agency by Congress in 1975 to administer a trust fund and makes grant to promote scholarly, cultural and public affairs activities between Japan and the U.S., I look forward to working with Mr. Porté over the next few years on coordinating the goals of the Commission and moving the bilateral relationship forward.

HONORING ALEXANDRA MCGREGOR

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. KNOLLENBERG. Madam Speaker, two years ago I met a young high school student who had a brilliant and patriotic idea. Alexandra McGregor, from Waterford, Michigan, set out to establish a ''Support the Troops Day'' and, for the third year in a row, I am introducing a resolution inspired by Alexandra.

Alexandra's extraordinary effort started as a grassroots campaign to encourage people to take a moment and reflect on the service and sacrifice of those currently in our military. What began as a small effort by a local high school student has turned into a nation-wide event honoring our active duty military men and women.

Every year, Americans participate in numerous patriotic celebrations; from past Presidents to our veterans. But never do we honor our active-duty military men and women who are protecting our freedom today. With inspiration from Alexandra, my resolution encourages Americans to participate in a moment of silence on March 26th to reflect on the sacrifice of those who are serving this country both at home and abroad.

Madam Speaker, ''Support the Troops Day'' is a yearly celebration in Oakland County, Michigan and I come to the floor today to reintroduce the resolution marking March 26th as ''Support the Troops Day.'' Both the House of Representatives and the Senate passed similar resolutions two years ago and I hope this Congress will actively show its support for our service members by passing this resolution.

PERSONAL EXPLANATION

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Ms. BERKLEY. Madam Speaker, due to flight delays in traveling from my congressional district to Washington DC, I was unable to vote on rollcall Nos. 23 and 24. Had I been present, I would have voted ''aye.''

RECOGNIZING THE 80TH ANNIVERSARY OF CATHOLIC CHARITIES OF NORTHWEST FLORIDA

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. MILLER of Florida. Madam Speaker, on behalf of the United States Congress, it is with great honor that I rise today to recognize the immeasurable community contributions of Catholic Charities of Northwest Florida after 80 years of devoted service.

In 1928, the Missionary Servants of the Most Blessed Trinity recognized the growing need for the Lord's work with the poor and disadvantaged and traveled to Pensacola, Florida to form the Bureau of Catholic Charities. The group aided in a variety of ministries such as social services, nursing, and education. Catholic Charities has operated out of a responsibility ''to answer Christ's call to help those in need,'' regardless of race, ethnicity, or religion. Over 90 percent of those they have served are not Catholic.

Ten years earlier, this same congregation of Roman Catholic sisters founded in Holy Trinity, Alabama, traveled to Pensacola to begin their ministries at St. Joseph's Catholic Church. However, these women were faced with unfortunate conditions that jeopardized their health, and it proved impossible to carry out their mission at that time. While their mission was delayed, they soon returned and were able to administer their ''dynamic and effective system for bringing about a better society.''

Catholic Charities has been a devoted caretaker of the region since its inception, with continuous growth as they have expanded their services to include all charity work within the Pensacola area and have opened several offices to better serve members of the community. They have been instrumental in creating a kindhearted and compassionate environment in Northwest Florida.

This remarkable organization has also implemented programs to assist with disaster recovery, refugee resettlement, immigration processes, and child placement to help build strong, loving families. Catholic Charities' dedication and vision has touched the lives of countless people and will forever be appreciated by generations to come.

Madam Speaker, on behalf of the United States Congress, I would like to offer my sincere gratitude to a generous group that has served as an inspiration to us all. I am proud to honor Catholic Charities of Northwest Florida for their deep sense of personal service to the Lord's work for so many years.

TRIBUTE TO MR GLENN ''OMODIENDE'' REITZ

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. BRADY of Philadelphia. Madam Speaker, I rise today to honor the life, legacy, and accomplishments of Mr. Glenn ''Omodiende'' Reitz. Glenn Reitz was a scholar, teacher, and socio-political activist, whose life and life's work is a testament of one's ability to triumph over adversity, and transcend race, class, and gender in order to actualize a more humanist conception of community. His African name ''Omodiende'' means ''the child returns''; Glenn's zealous approach to life befits his given name.

Glenn was born in Fond du Lac, Wisconsin on April 7, 1964. He served in the U.S. Navy from 1982 to 1994 when he was medically retired. He then enrolled at Temple University in Philadelphia, PA, where he earned a bachelor of arts degree and a master of arts degree in African American Studies. Given his ultimate search for truth, his love of knowledge, and his innovative and ingenious nature, it is no surprise that at the time of his death, Mr. Reitz was in the process of pursuing a PhD in African American Studies.

Glenn lived with HIV/AIDS for over 18 years, and in that time created a legacy that can never be replicated. Rejecting his physical condition as a debilitating force, Glenn developed his mind in ways that placed him in a rare class of human beings who do not seek knowledge just for knowledge's sake, but to transcend normal social constructs of race and gender, to transform status quo, and to positively alter our communities. It goes without saying that Glenn was not a genius for genius' sake.

Combining his ontology with social activism made Glenn a pillar in his Philadelphia Community. I know that he would find my submission of remarks to the CONGRESSIONAL RECORD in his honor quite ironic and entertaining given the fact that he was very critical of government and many government policies. Even though I know he would debate (and possibly contest) this assertion, I believe that Glenn was the ultimate example of a true American precisely because he challenged and critiqued our system and policy of governance; he truly believed that status quo was never acceptable; that things could always be improved. Glenn's social philanthropy is evidence of his convictions. He worked with the City to develop a safe playground for his North Philadelphia neighborhood, worked with prison programs to directly address the needs of those who are incarcerated, mentored countless young people, taught and participated in many community educational programs on HIV/AIDS, and taught a class on Death and Dying. In 43 brief years, he accomplished what many never achieve in a lifetime.

Glenn departed this life on December 14, 2007 and will be sorely missed by his family, friends, loved ones, and community. His phenomenal human spirit should be an inspiration to us all.

RECOGNIZING JAMES CLIFFORD SEWARD FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize James Clifford Seward, 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 374, and in earning the most prestigious award of Eagle Scout.

James has been very active with his troop, participating in many scout activities. He has earned many awards and has held many leadership positions including librarian, historian and assistant patrol leader. Not only has James had many accomplishments within his troop but he has also earned the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending James Clifford Seward for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO DR. THOMAS GORRIE ON HIS RETIREMENT FROM JOHNSON & JOHNSON

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. HOLT. Madam Speaker, I rise today to pay tribute to Dr. Thomas Gorrie, Johnson & Johnson's Corporate Vice President for Government Affairs & Policy on his retirement from the company.

Johnson & Johnson has a long history as a New Jersey-based company, starting as it did making bandages and emerging over the years to become the world's largest healthcare company. I am proud to represent many thousands of Johnson & Johnson's employees, including Dr. Gorrie, who is also a friend and neighbor. He has informed me of his plan to retire from Johnson & Johnson on March 1, 2008 after a productive 35 years of service, and I want to take a moment today to pay tribute to his lifetime of service and accomplishments.

My colleagues here in the House may be familiar with Dr. Gorrie's work, even if they have not personally met him. Under his leadership he brought Johnson & Johnson to Congress by establishing the Johnson & Johnson Day on the Hill, where new pharmaceuticals, breakthrough technology and medical devices are on display for Members and staff to learn about and in the case of the iBOT, a power wheelchair, take it out for a spin.

Born and raised in New Jersey, Dr. Gorrie received his bachelor of arts degree from Rutgers University and his masters and doctorate degrees in chemistry from Princeton University.

After completion of post-doctoral studies at the Swiss Federal Institute of Technology in Zurich, Dr. Gorrie began his career with Johnson & Johnson in 1972 as a senior research scientist in the medical device area. He subsequently held positions of increasing responsibility in marketing, sales, and general management, including Company Group Chairman and Worldwide Franchise Chairman of Johnson & Johnson Medical, Inc., and member of the Consumer Pharmaceuticals and Professional Operating Group. He then worked with the Johnson & Johnson Development Corporation before assuming his current position as world-wide head of government affairs and policy in 1999.

Tom is an active member of his community and currently serves on numerous non-profit boards. He is Chair of the Duke University Health System, a member of the Board of Directors of Duke University, and a Trustee Emeritus of the Board for the Hun School of Princeton. He is a member of the Board of the National Committee for U.S.-China Relations and Vice Chair of the China Association of Enterprises with Foreign Investment (CAEFI). Finally, he is an adjunct professor at one of our state's finest educational facilities, the Rutgers Business School.

The way that Dr. Gorrie imbues all of his work with admirable ethics is reflected in this book he edited a few years ago, ''Ethics and the Pharmaceutical Industry.'' For the book Dr. Gorrie brought together representatives of industry, government, NGOs, and leading thinkers in medicine, health ethics and economics to propose solutions and safeguards to the many ethical challenges facing the pharmaceutical industry. The book touched on such topics as the ethical demands and economic constraints of drug research, the right of patients to participate in clinical trials, the regulation of prescription drugs and intellectual property rights. I was pleased to write a chapter on how government should regulate stem-cell research. As Congress continues to debate many of the issues the book explores, I recommend its scholarship to my colleagues.

Madam Speaker, Johnson & Johnson is one of America's leading and most innovative pharmaceutical, biotech, medical device and consumer healthcare companies. I commend Dr. Gorrie's service at Johnson & Johnson. I know we have all benefited from Dr. Gorrie's leadership during the past 35 years, and as he continues to increase his civic participation, many will continue to benefit from Tom's vision and talents.

A TRIBUTE TO MR. RONEY CHEERS

HON. MIKE McINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. McINTYRE. Madam Speaker, I rise today to pay tribute to Mr. Roney Cheers of Shallotte, North Carolina, who recently passed away. The life of Mr. Cheers was diverse in experience and rich in success. The interests and endeavors of Mr. Cheers varied extensively. However, the common thread that wove all of his passions together was his devotion to and pride for his hometown of Shallotte.

Mr. Cheers was elected mayor of Shallotte at the age of 26, the youngest in the State of North Carolina at the time, and would return to the office again years later for nearly a decade. He also served as alderman for the town of Shallotte, first in 1947 and again from 1991 to 1999. Mr. Cheers would go on to serve his State as a justice of the peace as well as magistrate. A man with an expansive vision for the future, he was instrumental in helping establish the weekly publication that currently serves many of the coastal communities in North Carolina, The Brunswick Beacon.

Throughout his life, Mr. Cheers was also active in the non-political aspects of his community, for example, serving as chairman of the Shallotte Centennial Committee in 1998 and spearheading efforts to mark the town's 100th anniversary and celebrate its rich history. As Co-Chairman and Co-Founder of the Congressional Caucus on Youth Sports, I appreciate his dedication to the young athletes of his community. Through his work as a volunteer referee and umpire, Mr. Cheers clearly recognized the importance of serving as a positive role model and mentor for the next generation.

Individuals like Mr. Cheers serve as powerful inspirations for what can be accomplished with limitless energy and persistent drive. As a lifelong servant to the town of Shallotte as well as one of its most devoted visionaries, Mr. Cheers never forgot the traditions of the small town he grew up in while working simultaneously towards its growth and progress. May we never forget and always be grateful for the contributions and service of Mr. Cheers.

HONORING THE 100TH ANNIVERSARY OF ROSELAND, NEW JERSEY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. FRELINGHUYSEN. Madam Speaker, I rise today to congratulate the people of the Borough of Roseland, County of Essex, New Jersey, as they commemorate the 100th anniversary of the incorporation of their community.

In 1908, the residents of the Roseland Community, displeased with the services they were receiving, took action to separate themselves and their town from the Township of Livingston. During this time, many communities throughout the State of New Jersey decided to separate from larger townships and the time was right for the residents of Roseland to make a change.

The completion of the Morristown and Erie Railroads in 1904–1905 had made it possible for residents of Roseland to work in neighboring cities, while enjoying life in the country. During this time, the Borough purchased water supply lines and installed electric home and street lighting which further enhanced life in Roseland. And by the 1920s, Henry Ford's methods of mass production of the automobile changed the development of Roseland forever.

After World War I, new houses went up, many residents now owned cars and Roseland flourished. At this time, the Borough outgrew its country-style living and joined the more urban society we know today. The Great Depression and World War II brought with them some hard times for the people of Roseland, but the residents proved that as a community they could survive. When called to serve their country, all residents accepted their responsibilities, in both military and civilian service, and did their part. After victory, the pride felt all over the Nation was especially strong in Roseland.

In the following decades, Roseland's development continued. During this time, great improvements in community services and facilities were made. Roseland is now thriving with a prosperous business and corporate center, excellent schools, recreational facilities and a strong sense of community.

Madam Speaker, for the past 100 years, the Borough of Roseland has prospered as a community and continues to flourish today. By all accounts, it will continue to thrive in the future, and I ask you, Madam Speaker, and my colleagues to congratulate all residents of Roseland on this special 100th anniversary year.

HONORING CHIEF GARY WESTPHAL FOR 35 YEARS OF SERVICE

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. HENSARLING. Madam Speaker, today I rise to recognize an outstanding citizen and public servant, Chief Gary Westphal, in honor of his retirement from 35 years of service at the Mesquite Police Department.

In 1972, Chief Westphal started his service as a jailer and was promoted through the ranks until 2002, when he became Chief of Police for the Mesquite Police Department.

Chief Westphal pioneered several student, anti-drug campaigns such as ''Slama Bama Jama,'' ''What If,'' and the ''Cheese Anti-drug Initiative.'' Esteemed by his community and peers, Chief Westphal was named ''Hometown Hero'' by Town East Mall and ''Top Cop'' 2006 by the Texas Police Chiefs Association.

In addition to faithfully serving his community, Chief Westphal is a husband to Susan, a father of three children, and a grandfather.

Madam Speaker, on behalf of the Fifth District of Texas, I am honored to recognize Chief Gary Westphal for his courage in protecting and serving the citizens of Mesquite.

HONORING DR. IRA SARISON

HON. ROBERT WEXLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. WEXLER. Madam Speaker, I rise today to honor the life of Dr. Ira Sarison, a constituent and friend of mine from Boynton Beach, who passed away unexpectedly on January 11, 2008 while traveling in Argentina.

Dr. Sarison was a native of the Bronx, New York, and had a distinguished career as an educator, last serving as Assistant Superintendent of Schools in Oceanside, New York. Following his retirement in 1988, he relocated to Florida where he established a successful elder care management practice in my congressional district. He also served as the founding past president of the Democratic Club of Greater Boynton Beach. Dr. Sarison will best be remembered for his life-long passion for and commitment to education and for his tireless work helping those who needed it most in his community.

Ira Sarison is survived by his wife, Rivalee, his children Lynn and Robert, his sister and grandchildren, his extended family, and a large circle of friends, of which I am honored to be a part.

Everyone who knew Ira Sarison loved him dearly, and he will be deeply missed.

HONORING THE STATE OF MICHIGAN SCHOOL BOARD MEMBERS

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. McCOTTER. Madam Speaker, today I rise to honor and acknowledge the State of Michigan school board members in observance of School Board Recognition Month for their service and unwavering commitment to our children and our schools.

The Michigan Association of School Boards was founded in 1949 to provide a united voice for the thousands of men and women who champion the cause of public education as board members. Michigan's 4,100 school board members contribute hundreds of hours each year leading their districts by adopting policies, hiring superior personnel and administrators, and listening to staff, parent and student concerns. Through their tireless motivation and many contributions, school board members have distinguished themselves as compassionate individuals who are deeply committed to educating our children. These members have sought to ensure every child is given the opportunity to learn and succeed. Also, their many contributions serve as a fine example to inspire others.

The Michigan Association of School Boards launched the National School Board Recognition program in Michigan in 1989, in which only five states chose to celebrate this special month. Subsequently, the National School Board Association's Delegate Assembly resolved to initiate National School Board Recognition Month in 1995. Other States followed suit by annually recognizing their local school board members' service and commitment to their children and schools. January 2008 marks the annual observance of this year's School Board Recognition Month. This year's theme is ''School Boards Lead Strong.'' This theme reflects school board members' combined commitment to leadership and accountability in ensuring all children succeed.

Madam Speaker, for 59 years, Michigan state school board members have exemplified civic duty by making decisions which fundamentally enrich the quality of education for over 1.7 million Michigan students. Today, I ask my colleagues to join me in congratulating these school board members upon observance of School Board Recognition Month; and recognizing their years of loyal commitment to education which has, undoubtedly, helped to create exceptional scholars and citizens.

HONORING DR. DAVID DENNIS DUNN

HON. PHIL ENGLISH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. ENGLISH of Pennsylvania. Madam Speaker, I rise today to recognize and honor Dr. David Dennis Dunn for his dedication to his country, exemplary service during World War II and contributions to the medical field and the Erie, Pennsylvania community. This honorable citizen will soon celebrate his 95th birthday on February 6, 2008.

WW II is filled with stories of heroism, selflessness, patriotism and a relentless desire to secure a future for the United States of America and the international community. Brave men left their ordinary lives in order to serve a cause greater than themselves. Dr. Dunn was among those great men to make that sacrifice.

Contributing his medical skills to that noble cause, Dr. Dunn served more than four years in the U.S. Army Medical Corps, including overseas duty in Iceland, England, Ireland, France, Germany, Luxembourg and Austria. He attained the rank of Captain serving in the 5th Medical Battalion, 5th Infantry Division and later served in the 30th Field Hospital. Dr. Dunn was awarded five Battlestars and the Bronze Star among a variety of other medals of commendations for his service.

Dr. Dunn pursued a 50 year career in General Surgery, starting as an instructor at the University of Pennsylvania Medical School, completing a residency in surgery at the Lankenau Hospital in Philadelphia and practicing general surgery at Hamot Hospital in Erie. He reached the pinnacle of his remarkable medical career when he was ultimately appointed Chief of Surgery at Hamot and later became a traveling guest lecturer at the highly esteemed Harvard University.

Not only has Dr. Dunn contributed to society professionally, but he also has had a great impact through his volunteer efforts in the Erie community of Pennsylvania's 3rd district. He is a member of the Sons of the American Revolution and has served on the boards of multiple community organizations, notably as Founder and Board member of Hospice of Metropolitan Erie. He also was actively involved in Meals for Wheels, the Erie Community Foundation and the Erie Cemetery Association.

I am often reminded that America has been blessed with great people and leaders; Americans who rose to the challenge when their country was in need. I take great pride in representing a district with such honorable men in history.

I hope my colleagues will join me in honoring Dr. Dunn for his admirable service to our country. His lifetime of achievements in the medical field and the community is certainly deserving of recognition, celebration and a great deal of gratitude.

INTRODUCTION OF THE DEPARTMENT OF HOMELAND SECURITY COMPONENT PRIVACY OFFICER ACT OF 2008

HON. CHRISTOPHER P. CARNEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. CARNEY. Madam Speaker, I rise today to introduce the Department of Homeland Security Component Privacy Officer Act of 2008.

In the Homeland Security Act of 2002 Congress created within the Department of Homeland Security a Chief Privacy Officer.

The Privacy Officer is responsible for ensuring that an individual's privacy rights are not infringed upon by the creation of Department of Homeland Security policies and programs.

The DHS Chief Privacy Officer is unique within the structure of the Federal government insofar as it is a statutory position that is intended to be involved at all levels of the Department's activities—from policy formation to its implementation.

However, time has shown that the Chief Privacy Officer needs help in achieving this goal.

This bill will create Privacy Officers that will report directly to the Chief Privacy Officer in the following DHS Components: TSA, the Bureau of Citizenship and Immigration Services, CBP, ICE, FEMA, the Coast Guard, the Science and Technology Directorate, the Intelligence and Analysis Directorate, and the National Protections and Programs Directorate.

The level of public confidence and trust in the Department's handling of privacy matters remains abysmally low.

Moreover, there is also a major concern regarding the Privacy Office's involvement at the outset of the policymaking process, as intended by Congress.

This was made clear in testimony before the Committee on Homeland Security when it was

revealed that the Privacy Officer was not brought into the development of a new National Applications Office, NAO, that would monitor the use of spy satellites for homeland security purposes, until almost 2 years after the development stage began.

Bringing in the Privacy Office at the 11th hour is not the proper way to blend in privacy protections and appropriate safeguards before policies and programs are underway.

Placing Privacy Officers in the component agencies that make up the Department of Homeland Security is the first step to ensuring that privacy protections are in place at the beginning of the process.

The Component agencies are the pulse of the Homeland Security Department. Most homeland security efforts stem from Component Agency actions.

Privacy Officers need to be where the action is happening, not waiting for a phone call after decisions have already been made.

Under the current structure, the Privacy Office has to rely on Component Agencies for information concerning programs and policies that impact privacy rights. Sometimes this happens; sometimes it does not.

When it does not happen, the risk is clear:

Recently, the Department's Inspector General determined that the Science & Technology Directorate's ADVISE program should be cancelled due to privacy concerns.

This determination was made after the Department spent $42 million on the program.

It was also determined that the Chief Privacy Office was not brought into the process until almost 2 years after the system had been deployed.

This bill would put a Privacy Officer in the Science & Technology Directorate.

Moreover, the Automated Targeting System, which is a Customs & Border Protection program, has been heavily criticized by privacy advocates, and after two separate requests for public comments, the future of this program remains unclear. Again, this was a program that had operated for some time in the dark without proper safeguards and departmental oversight.

Pursuant to this bill, CBP would get a Privacy Officer as well.

Quite frankly, there has been a litany of DHS programs that have been cancelled, delayed, or discontinued due to privacy concerns. Almost all of these were the products of Department Component Agencies that do not have a Privacy Officer within their ranks.

Additionally, the DHS Privacy Officer is responsible for conducting Privacy Impact Assessments on DHS programs and policies affecting privacy.

There are currently over 150 Privacy Impact Assessments that need to be completed. To put this number in perspective, in all of 2006, the Privacy Office only published 25.

This bill will help in decreasing that overload.

I urge my colleagues to join me in supporting this legislation that is critical to not only the privacy rights but the security of our country as well.

INTRODUCTION OF THE ROBIN DANIELSON ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mrs. MALONEY of New York. Madam Speaker, Robin Danielson's two daughters will never forget the tragic day in Speaker, 1998 when their mother died at the age of 44. Nor will they forget the preventable illness that killed her.

Like thousands of others, Robin Danielson was the victim of Toxic Shock Syndrome, TSS, a rare but potentially life-threatening illness that is often linked to high-absorbency tampon use. Robin's death could have been prevented if only she had recognized the symptoms. Yet, even today, many women are not fully aware of the risks of tampon use or TSS.

According to the Centers for Disease Control and Prevention, one to two of every 100,000 women between the ages of 15–44 years old will be diagnosed with TSS each year. Yet, the last national surveillance was conducted in 1987 and in only four States. Moreover, although TSS is a nationally notifiable disease that States report to CDC, reporting by the States is voluntary. Dismissed as ''sporadic,'' the CDC has not even released this information to the public since 2003. Clearly, we do not have enough transparent or timely information to evaluate the reality of TSS today.

The presence of dioxin—a probable cancer-causing agent—in tampons is also a major concern to women's health. Tampons currently sold in the United States are composed of rayon, cotton, or a combination of both. Alarmingly, rayon is produced from bleached wood pulp, and dioxin is a byproduct of chlorine bleaching of pulp. Although chlorine-free bleaching processes are available, most wood pulp manufacturers use elemental chlorine-free bleaching processes. These processes use chlorine dioxide as a bleaching agent and thus still produce dioxin. According to the Environmental Protection Agency, even 100 percent cotton tampons and completely chlorine-free tampons have trace amounts of dioxin due to decades of pollution that have led to the infiltration of dioxin in the air, water, and ground and thus can be found in both cotton and wood pulp.

The effects of dioxin are cumulative. Women may be exposed to dioxin in tampons and other menstrual products for as long as 60 years over the course of their reproductive lives. Although the FDA requires tampon manufacturers to monitor dioxin levels in their finished products, this information is not readily available to the public.

I am proud to reintroduce the Robin Danielson Act, which would amend the Public Health Service Act to establish a uniform program for the collection and analysis of data on Toxic Shock Syndrome. The bill also directs the National Institutes of Health, NIH, to conduct research to determine the extent to which the presence of dioxin, synthetic fibers, and other additives in tampons and related products pose any health risks to women and asks the Centers for Disease Control, CDC to collect and report information on TSS.

IN HONOR OF FIREFIGHTERS PHILIP C. ADDISON, PROSPER W. BUCHHART, AND CHARLES W. STEWART OF THE KNICKERBOCKER HOOK & LADDER

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. GARRETT of New Jersey. Madam Speaker, I rise today to pay tribute to three men who have together given nearly 160 years of service as firefighters in North Jersey. This weekend the Knickerbocker Hook & Ladder Company in Closter, New Jersey will honor these men at their golden anniversary of service. Knickerbocker Hook & Ladder has served the people of Closter since 1893. And, these men have been a part of nearly half of that century of service.

Philip Addison first joined the Closter Fire Department in March 1957. He served as Chief in 1970 and as President in 1972.

Prosper Buchhart joined the Closter Fire Department shortly after Philip, in December 1957, and has also served as Chief and President.

Charles Stewart started with Dumont Fire Company #2 in April 1949 and transferred to the Closter Fire Department 12 years later.

Knickerbocker Hook & Ladder was honored in 2001 by the Volunteer Center of Bergen County for the work of its volunteers to keep the people and businesses of Closter safe and secure. These 45 volunteers spend countless hours on call at work, in their homes, or at the firehouse, responding to about 275 calls a year. They also participate in constant training to ensure their skills are always sharp. In addition to giving selflessly of themselves to respond to fires, accidents, and other emergencies, these firefighters also provide fire prevention education to school children and have sponsored an Explorer Boy Scout Troop.

Philip Addison, Prosper Buchhart, and Charles Stewart exemplify the service and spirit that has long sustained this volunteer fire department and will sustain in for years to come. Their dedication to the public good is commendable and I join the people of Closter in honoring them as they reach this milestone in service.

CONDOLENCES TO INTERSTATE 4 ACCIDENT VICTIMS

HON. ADAM H. PUTNAM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. PUTNAM. Madam Speaker, I rise today to express my condolences to the victims of the deadly 70-car pile up on Interstate 4 in Polk County, Florida earlier this month. I would also like to express appreciation for the work of many local and state agencies that responded to the accident and provided assistance.

I specifically would like to commend Polk County Sheriff Deputy Carlton Turner III who was the first deputy on the scene in the early morning hours of January 9th, and who used his vehicle as a barrier and later a place of refuge for victims. I would also like to commend Deputy Paul Buoniconti, who was also

on the scene very early and provided critical assistance to the victims.

In emergency situations it is rightly expected that government agencies respond and help citizens in need. The Polk County Sheriff's Office, under the leadership of Sheriff Grady Judd, provided critical incident command services and logistical support for many responding agencies—and they did an outstanding job.

During the course of this accident, agencies that came together to provide critical support included the Polk County Sheriff's Office, the Florida Highway Patrol, the Lake County Sheriff's Office, the Lake County Fire Department, the Auburndale Police Department, the Haines City Police Department, the Lake Alfred Police Department, the Florida Fish and Wildlife Conservation Commission, the Florida Department of Transportation, the State Fire Marshal's Office, the State of Florida State Emergency Response Team, the Polk County Emergency Medical Services, Polk County Fire Rescue and Osceola County Fire Rescue.

The State of Florida is often credited with having one of the best—if not the best—emergency response models in the nation, and the combined efforts of all responding agencies earlier this month exemplified this well. Their service likely prevented an even greater number of deaths or injuries, and I thank them for their work and service.

RECOGNIZING BILL AND BRADLEY GARR

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. MITCHELL. Madam Speaker, I rise today to recognize the father and son team of Bill and Bradley Garr. I use the word, ''team'' because on the afternoon of June 29, 2007, their actions helped save the life of an automobile accident victim.

On that day, as they were traveling along a Phoenix freeway, they witnessed a car go out of control and flip over. They were the first ones to stop to render aid to the seriously injured young woman who was driving. Due to the smoking engine and leaking gasoline, they needed to remove the woman from her car. They then used a fire extinguisher to make sure that a fire did not ensue. By the time fire and paramedics responded, the fire danger was over and the young woman was in a safe place.

While many others kept driving, Bill made the decision to stop and help, and in so doing demonstrated to Bradley important values that will last a lifetime.

I commend Bill and Bradley for their actions, and congratulate them on their selfless actions.

HONORING REKHA CHANDRA SEKARAN'S SERVICE TO TENNESSEE'S SIXTH CONGRESSIONAL DISTRICT

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. GORDON of Tennessee. Madam Speaker, today I rise to honor Rekha Chandrasekaran for her service to Tennessee's Sixth Congressional District while working in my Washington, DC, office.

Rekha hails from Monterey, California—just 2,339 miles away from Monterey, Tennessee, which I have the honor of representing in this esteemed body. Despite the difference in geography, Rekha has been a great help to me and my staff and has helped me to better represent Middle Tennesseans.

During her four years in the office, she has proven herself to be a strong writer and a talented systems administrator as she worked to launch a new Web site for the office. She has also taken on the task of coordinating a crew of interns each year and shepherding them throughout the Halls of Congress and around the nation's capital.

February 1 is Rekha's last day in the office, as she is leaving to pursue other opportunities on Capitol Hill. My staff and I thank Rekha for her help, and we wish her all the best in her future endeavors.

HONORING HOUSTON MAYOR LOUIE WELCH

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. POE. Madam Speaker, the city of Houston recently lost a Texas Gentleman and great civic leader. Former Houston Mayor Louie Welch died on Sunday, Jan. 27, 2008 after a long battle with cancer. He was 89 years old. Mayor Welch's contributions to Houston government will impact generations of city residents that now enjoy a better quality of life and greater economic opportunity.

Louie Welch was born on Dec. 9, 1918 in the west Texas town of Lockney. Welch was an industrious boy who performed many tasks to earn money such as sell magazines, deliver milk and sell popcorn for a nickel a bag. In high school, he participated in debate and was elected president of his senior class. These activities were an early sign of his life-long interest in politics.

Welch attended Abilene Christian University and graduated in 1940 with a history degree. While in college, he met his future wife, Iola Faye Cure and they were married on Dec. 17, 1940. They later had five children. After Iola Faye died, Louie married Helen.

After graduating from college, his political career began in 1949 as a Houston city councilman. He served four terms as council member. With a tough political resolve, he ran for Houston mayor four times before finally becoming successful. Welch served as mayor of Houston from 1964 to 1973.

His mother's religious influence left a permanent impression with Welch who, in addition to graduating from a Christian university, was a member of Garden Oaks Church of Christ for more than 35 years and frequently quoted from the Bible throughout his life. I had the opportunity to serve on the Board of Trustees at Abilene Christian University with the Mayor.

Mayor Welch will be remembered for a rich legacy of vital construction projects that he helped oversee to completion which improved city services and prepared for future growth in Houston. These projects included construction of Bush Intercontinental Airport, Lake Conroe and Lake Livingston reservoirs which provided much needed water supplies for Houston's rapidly growing residential and commercial areas. Welch's other projects involved closing down inefficient sewer treatment plants, starting the cleanup of the Houston Ship Channel and bayou beautification.

His leadership abilities also extended into national positions with Welch serving as vice president of the National League of Cities from 1970 to 1973 and president of the U.S. Conference of Mayors from 1972 to 1973.

Mayor Welch was a man who loved Houston tremendously. He joked that he didn't tell his sons that they were born in that ''northern'' city of Dallas until they were much older to protect them from the horrible truth for as long as possible.

He was known for his witty observations on Texas politics and himself. He once said, ''When I was elected mayor I spent the better part of my first term weeding out the political appointees I had inherited from my predecessor. Virtually all of my second term, I spent weeding out my own political appointees.''

Welch even served a brief stint as guest weatherman for the local TV channel ABC 13. When weatherman Ed Brandon gave the forecast for the chance of rain one day, Mayor Welch was hiding above him in the studio on a ladder and dumped a bucket of water on Brandon's head. He told the very surprised weatherman, ''You never get that right. Let's face it: it's always 50 percent. Either it's going to rain or it's not going to rain.''

Following his years as mayor, Welch went to work for the Houston Chamber of Commerce, which later became the Greater Houston Partnership, and served as president of the organization for 12 years.

I met the Mayor when I was a teenager. I showed up at the Garden Oaks Church of Christ one Wednesday night seeking out a local girl. The Mayor cornered me and wanted to know who I was and my intentions. I was quite intimidated by the 5′6″ Mayor, but after the interrogation, I was approved to speak to the girl—(but she still turned me down for a date).

Years later, I went to see the Mayor, then President of the Houston Chamber, because I had decided to run as a Republican for State District Judge in Houston. Being a political nobody and novice I needed sound political advice from an expert. The Mayor told me no Republican had been elected to a state judgeship in Hous'ton since Reconstruction. So, he recommended instead that I run for the nonpartisan position of City Council, because Houstonians preferred ''nobodies'' over Republicans. I did overcome the handicap of being a Republican and for years appreciated his wise political counsel when I served as a judge.

When I taught an Adult Sunday School Class at Bammel Church of Christ, Louie and

his wife Helen would always sit on the front row of the class. The Mayor would interrupt my lesson at some critical point and make a humorous comment about the lesson that would sidetrack our discussion. Louie Welch knew the Good Book as well as the Apostle Paul, but he was much funnier. We shall miss Louie Welch.

His son Gary Welch recently told the Houston Chronicle, ''I would like for him to be remembered as a mayor who cared deeply about the city of Houston and each and every person who lived in the city of Houston.''

And that's just the way it is.

HONORING THE LIFE OF LANCE CORPORAL CAMERON BABCOCK OF PLYMOUTH, INDIANA

HON. JOE DONNELLY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. DONNELLY. Madam Speaker, I rise today to remember and honor Lance Corporal Cameron Babcock a native son of Plymouth, Indiana, and a proud member of the United States Marine Corps. Cameron lost his life in a tragic accident at Twentynine Palms Marine Base in California. On Sunday, January 20, another Marine unintentionally discharged his privately-owned firearm at the Air Ground Combat Center. The bullet struck Cameron in the chest and ultimately killed this fine young Marine. His death was tragic and leaves us all mourning a life cut short. But as we mourn his life, we also remember and honor the richness of Cameron's life with us.

Cameron was a handsome young man who loved his family and loved his country. He was fun-loving and known for his bear hug. He knew the value of the small things that make life a joy: hanging out with friends, playing music, four-wheeling, and spending time with family. And he was successful in enjoying the many riches of life. His talent with the trumpet led to him to compete at the State Jazz Festival in 2005 and his musical talent also led to his participation in the Wind Ensemble comprised with some of the top musicians at Plymouth High School. His warm personality attracted to him a wide circle of friends. Just days after his death, more than three hundred people belonged to an online group dedicated to his memory, with many reminiscing about the joy of having just been able to spend time with Cameron at Christmas.

But Cameron also knew the value of matters larger than himself: his lifelong dream was to join the proud ranks of the United States Marine Corps. Shortly after graduating from Plymouth High School in 2006, Cameron dove right into his lifelong dream and enlisted. His energy, enthusiasm, and many gifts made the Marine Corps, and this nation, better.

He became an infantry rifleman, excelling all through basic training. Before long, he proved his bravery by serving a tour of duty in Iraq. As a member of Kilo Company, 3rd Battalion, 7th Marine Regiment, 1st Marine Division, he spent several months in Ramadi, Iraq, in the infamous Sunni Triangle. In this dangerous setting, he continually did his job, and did it well. He earned the National Defense Service Medal, Iraqi Campaign Medal, Global War on Terrorism Service Medal, Combat Action Ribbon, Sea Service Deployment Ribbon, and a Certificate of Commendation. Cameron was slated to return to Iraq in the winter of 2008 and was ready to answer the call of duty once again.

Matt Keller, a lifelong friend, said of Cameron, ''He would always be there as someone you needed,'' and noted his service in Iraq as an example. Cameron was there when we needed him and as a nation, we counted on him. His absence is a sad loss to his parents Jeffery and Ann, his siblings, Kailey, Abigail, Hope and Samuel, and his many other friends and relatives.

Semper Fi. Always Faithful. Today we remember the faithful life of Lance Corporal Lance Babcock, and his dedicated service to his country. From Cameron's example, let us remember to be always faithful as well: always faithful to our family and friends; always faithful to this great nation; and always faithful to the God whose rich and all-encompassing love now and for all eternity surrounds Cameron Babcock.

CITY OF TEMPE TOP 100 BEST COMMUNITIES FOR YOUNG PEOPLE

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. MITCHELL. Madam Speaker, I rise today to recognize the City of Tempe, my hometown, which was recently honored by America's Promise Alliance, with the designation as one of the 100 Best Communities for Young People for 2008. This organization, founded by General Colin Powell, is the largest alliance dedicated to children and youth. Recognition just once is a proud achievement, but this is the third year in a row that the city has been so recognized, and so is deserving of special praise.

One of the entities cited in the award, is the Mayor's Youth Advisory Commission, which is believed to be the oldest such commission in the country. When I instituted this commission during my tenure as Mayor of Tempe, I was confident that it had great potential. I am especially pleased that subsequent Mayors have realized the value of this commission which was so deservedly recognized by America's Promise Alliance. The award noted that Tempe was a ''pioneer'' in this area. Tempe's three multigenerational facilities were also recognized for the city's commitment to facilitate nonprofit organizations' youth services.

America's Promise Alliance evaluates applicants based on Five Promises which have been shown to ensure that children receive the fundamental resources they need to successfully lead healthy and productive lives. These are: caring adults, a safe place, a healthy start, an effective education, and opportunities to help others.

Tempe has made a commitment to keeping these promises, and has been justifiably recognized for the effort. I extend my congratulations and thanks for a job well done.

HONORING LOYD AND SUE EUBANKS ON THEIR 50TH WEDDING ANNIVERSARY

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. MARCHANT. Madam Speaker, I rise today to honor Loyd and Sue Eubanks on their 50th wedding anniversary.

The Eubanks met in February 1956 at the Methodist Church in Havelock, N.C. Loyd proposed to Sue in December of that year and then left for fourteen months to Japan as a 2nd Lt. and pilot with VMF–334. Upon his return, the Eubanks were married on March 8, 1958 at Wesley United Methodist Church in Modesto, California. Their honeymoon was spent traveling back across the country in a brown Volkswagen to Havelock, North Carolina.

After 7–8 months, Loyd finished his staff duty and went to Pensacola and Jacksonville, N.C. where he trained and eventually flew helicopters for the remaining 14 months of service. During that time, they celebrated the birth of their first son, Kenneth Allen, at the Naval Hospital at Camp Lejuene. After Loyd's time in the service, he earned a degree in Accounting and for the next thirteen years, they lived in Dallas and Kansas City where Loyd worked for the International Accounting Firm of Ernst and Ernst. Their second son, Clifford Daniel, was born in Dallas in November 1964.

In 1975, Loyd went to work for the LTV Corporation in Oklahoma City and then Dallas. While living in Southlake, Texas, Sue worked as a substitute teacher at Carroll ISD and taught in the Mothers Day Out Program at the Bedford UMC. She also earned an Associate Degree from Tarrant County Community College. Loyd served on the City Council.

In the early 1990's, and after 18 years as residents of Texas, the Eubanks moved to California. The LTV Corporation dismantled and was acquired by Northrop Grumman Corporation whose headquarters was Los Angeles. After 4 years in California and missing their grandchildren, the Eubanks moved back to the Dallas/Ft. Worth metroplex and currently live in Euless, Texas.

Loyd and Sue have been active members of their community and do most things together. Sue is a Republican Precinct Chairman and Election Judge. Loyd builds signs and serves as a low ranking Election Clerk. They are active members of the Metroplex Republican Women's Club, the Northeast Couples Club and the Bedford United Methodist Church. Throughout the years, they have been active in the PTA, the Cub Scouts, the JCs, the Kiwanis, the United Methodist Women and the Republican Party.

The Eubanks enjoy camping and spending time with their children and grandchildren: Kristi, Mason, Allie, Caleb and Alyssa.

It is my honor to recognize Loyd and Sue Eubanks and congratulate them on this wonderful and momentous event. Together they exemplify the ideals of strong family and community involvement. I would like to extend my best wishes to the Eubanks as they celebrate their 50th wedding anniversary.

RECOGNIZING CHARLES BOSWELL FOR HIS YEARS OF DEDICATION AND SERVICE TO THE CITY OF FORT WORTH, TEXAS

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. BURGESS. Madam Speaker, I rise today in recognition of Fort Worth City Manager Charles Boswell. After 30 years with the City of Fort Worth, and just over three years as the City Manager, Mr. Boswell has announced that he will retire in January of 2008.

Mr. Boswell began his career with the City of Fort Worth in 1977 as a Budget Analyst and over the years climbed the ladder to become the city's 21st City Manager in 2004. Under his leadership, Fort Worth citizens approved six bond packages which resulted in more than $766 million in new streets, parks, libraries, fire stations and other major improvements. These feats repeatedly helped Fort Worth earn honors as one of the best places in the nation to live and work.

Mr. Boswell is credited with introducing innovative financial management strategies that have resulted in a financially solid municipal organization and have been key in reducing the amount of city tax dollars needed for debt service. At the same time, Mr. Boswell built the city's reserve funds to their highest levels to cover emergency needs as they arise.

I have been privileged to have had a city manager in my district who understands what it means for a city to be healthy as a whole. Mr. Boswell's focus and efforts to include ''The Other Fort Worth'', an area east of I-35 that had been forgotten for decades by some, has planted a seed for revitalization that will benefit Fort Worth and Tarrant County residents for years to come.

Although his tenure as City Manager is officially ending, I know Mr. Boswell will continue to serve Fort Worth as a dedicated citizen and advocate. I join his colleagues, friends and family members in wishing him all the best as he looks forward to spending more time with his family.

Again, Madam Speaker, I am proud to recognize Charles Boswell for his tireless duties as a dedicated serviceman to the City of Fort Worth, Texas. It is an honor to recognize such a hard-working and devoted citizen. It is the servant leadership of Mr. Boswell, and those like him, which truly makes our nation great.

IN RECOGNITION OF SERGEANT MAJOR BILLY DEAN ONEYEAR

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. LAMBORN. Madam Speaker, I rise today to recognize SGM Billy Dean Oneyear, who passed away on January 7, 2008. A longtime resident of Fountain, Colorado, Sergeant Major Oneyear was a true servant to his nation and community. I rise today to honor his contribution to our country.

Sergeant Major Oneyear served in the United States Army in both the Korean War and Vietnam conflict. He received numerous decorations including the Bronze Star. As a veteran, Sergeant Major Oneyear served as national first vice president of the Retired Enlisted Association.

Sergeant Major Oneyear, a ping-pong champion and college football referee, had a vibrant spirit and pursued a variety of interests. He and his family also graciously hosted several Air Force Academy cadets.

Throughout his life, Sergeant Major Oneyear was committed to serving to this great country, whether in the Army or as a veteran helping retirees and veterans. I deeply mourn his passing, and today ask that we honor the life of a true American hero.

HONORING PETTY OFFICER ALEXANDER LEMARR

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. TANCREDO. Madam Speaker, I rise today to honor the sacrifice of a fallen hero and Sailor from my district, Petty Officer Alexander ''Kip'' LeMarr of Parker, Colorado. Petty Officer LeMarr was tragically killed on January 16 when his helicopter crashed on a mission near the Naval Air Station in Corpus Christi, Texas. He was only 25 years old.

Petty Officer LeMarr joined the Navy in 2004, becoming a qualified aviation warfare system operator. He was assigned to Helicopter Mine Countermeasures Squadron 15. He served admirably overseas in Bahrain before returning to the United States to continue his training and service.

Hundreds of sailors and members of the Naval Air Station in Corpus Christi gathered on base on January 25th to honor Petty Officer LaMarr and his colleagues. Petty Officer Hector Reyes described LeMarr as a good friend, ''Kip was the kind of person that loved to fly,'' Reyes said.

Americans should never forget his service or sacrifice, and the nation will forever owe a great debt of gratitude to Alexander and his family. His life was a tribute to the best America has to offer.

Madam Speaker, my most heartfelt condolences go out to Alexander's family and friends. He will be missed by all those who knew and loved him.

CITY OF SCOTTSDALE TOP 100 BEST COMMUNITIES FOR YOUNG PEOPLE

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. MITCHELL. Madam Speaker, I rise today to recognize the City of Scottsdale, which was recently honored by America's Promise Alliance, with the designation as one of the 100 Best Communities for Young People for 2008. This organization, founded by General Colin Powell, is the largest alliance dedicated to children and youth. Recognition just once is a proud achievement, but this is the third year in a row that the city has been so recognized, and so is deserving of special praise.

This award was not earned by a single entity, but rather from the combined efforts of organizations throughout the city. This recognition would not have been possible without the collaboration of all city departments, the Scottsdale Unified School District, the excellent health care network and outstanding nonprofit organizations which serve the youth of the community and contribute to the quality of life in Scottsdale.

America's Promise Alliance evaluates applicants based on Five Promises which have been shown to ensure that children receive the fundamental resources they need to successfully lead healthy and productive lives. These are: caring adults, a safe place, a healthy start, an effective education, and opportunities to help others.

The City of Scottsdale has made a commitment to keeping these promises, and has been justifiably recognized for the effort. I extend my congratulations and thanks for a job well done.

IN RECOGNITION OF RICHARD MICHAEL ''GOOSE'' GOSSAGE

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. LAMBORN. Madam Speaker, I rise today to congratulate Richard Michael ''Goose'' Gossage, on his acceptance into the Baseball Hall of Fame, and to recognize the contributions he has made to my hometown of Colorado Springs and the State of Colorado. In his 22 years in Major League Baseball, this skilled and powerful closer helped to change the way the game was played.

While playing with the Yankees, Gossage, one of the first closers in baseball, pioneered the set-up/closer configuration. He had the most saves in the American League 1975, 1978, and 1980—a record which is still impressive today. In addition, Gossage made 9 All-Star appearances, pitched in 3 World Series, and finished out 681 games.

Not only are his pitching statistics significant, but Gossage has also made a sizable contribution to his community in Colorado. In recognition of Gossage's extensive work in support of youth sports in Colorado, the Gossage Youth Sports Complex located in Colorado Springs was named after him.

Today I honor Richard Michael ''Goose'' Gossage's achievements, and express my gratitude, as a resident of Colorado Springs, for all he has done for our community. It is with great joy that I hear of his acceptance to the Hall of Fame. I wish him the best as he continues his work on behalf of American youth, Colorado Springs, and the sport of baseball.

HONORING BORDER AGENT LUIS AGUILAR

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. TANCREDO. Madam Speaker, I rise today to honor the sacrifice of Senior Patrol

Agent Luis Aguilar of the Border Patrol from Yuma, Arizona. Agent Aguilar was killed in the line of duty on January 19th while trying to apprehend a suspected drug smuggler in the Imperial Sand Dunes Recreation Area. He was 32 years old.

The core values of the Border Patrol emphasize vigilance, service, and integrity in the defense of America and its laws. Those individuals who commit themselves to these principles recognize the prominence of the American way of life as well as its fragility; something that must be defended against those elements which seek to undermine democracy and freedom. Agent Aguilar spent much of his life as a guardian of these values and this Nation.

Agent Aguilar began his career with the Border Patrol in 2002 when he enrolled in the 519th session of the Border Patrol Academy. Following graduation, he was stationed at the Yuma Border Patrol Station where he quickly earned the respect and loyalty of his fellow agents and the surrounding community.

This tragic incident highlights not only the dangers border agents encounter, but also emphasizes the extreme heroism and valor exhibited by those whose job it is to keep Americans safe.

Madam Speaker, my most heartfelt condolences go out to Luis' family and friends. He will undoubtedly be missed by all those who knew and loved him.

CITY OF CHANDLER TOP 100 BEST COMMUNITIES FOR YOUNG PEOPLE

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. MITCHELL. Madam Speaker, I rise today to recognize the City of Chandler, which was recently honored by America's Promise Alliance, with the designation as one of the 100 Best Communities for Young People for 2008. This organization, founded by General Colin Powell, is the largest alliance dedicated to children and youth. Recognition just once is a proud achievement, but this is the third year in a row that the city has been recognized, and so is deserving of special praise.

Chandler was recognized for this honor because of its intense commitment to youth. One of the key items noted by the Alliance was the Coalition for Chandler Youth, which was organized in September 2006 to address youth issues on a communitywide basis.

This award was not earned due to the efforts of a single entity, but rather from the combined efforts of members of government, local businesses, youth representatives, and numerous other organizations throughout the city.

America's Promise Alliance evaluates applicants based on Five Promises which have been shown to ensure that children receive the fundamental resources they need to successfully lead healthy and productive lives. These are: caring adults, a safe place, a healthy start, an effective education, and opportunities to help others.

The City of Chandler has made a commitment to keeping these promises, and has been justifiably recognized for the effort. I extend my congratulations and thanks for a job well done.

HONORING THE MEMORY OF JOHN WATKINS JR.

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. BONNER. Madam Speaker, the city of Atmore and the state of Alabama recently lost a dedicated community leader, and I rise today to honor Mr. John Watkins Jr. and pay tribute to his memory.

After graduating from the Escambia County Training School, Mr. Watkins continued his studies at Faulkner State College in Bay Minette, Alabama, and received an associate's degree in applied science.

A World War II veteran, John served in the United States Army on the Marianas Islands in Guam. Following his service in the Army, he spent 31 years at Monsanto/Solutia Textile and Chemical Plant in Pensacola where he served as a cook, cafeteria foreman and a main plant foreman.

In 1992, John was elected to the Atmore City Council. As the councilman for District 3, he was influential in securing various grants for housing rehabilitation, paving streets and demolishing condemned houses throughout the community. He served as chairman of both the Atmore Planning Board and the Escambia County Quality Assurance Committee for 12 years. In 1996, he was named the mayor pro-tempore of Atmore.

In addition to his work as an elected member of the Atmore City Council, John was a member of the Atmore Lions Club and served as its president from 2000–2001. He was also a member of Gaines Chapel AME Church in Atmore and served as a chairman of the trustee board for over eight years.

Madam Speaker, I ask my colleagues to join me in remembering a dedicated community leader, a friend to many throughout Alabama, as well as a wonderful husband and devoted father. John Watkins will be dearly missed by his family—his wife of 55 years, Veola Watkins; their children, Brenda Jackson, John Watkins III, and Roderick Lynn Watkins; his sisters, Bessie Brock, Carrie Millender, Ella Quaker, Ethel Spaulding; his 10 grandchildren; and his one great-grandchild—as well as the many countless friends he leaves behind. Our thoughts and prayers are with them all during this difficult time.

CELEBRATING 61 YEARS OF BROADCASTING AT WKRM IN COLUMBIA, TN

HON. LINCOLN DAVIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. LINCOLN DAVIS of Tennessee. Madam Speaker, on November 25th, 1946, at 7:00 p.m., Robert McKay, Jr. put WKRM on the air from the Bethell Hotel in Columbia, Tennessee for the very first time. Over sixty years later, Robert continues to provide quality broadcasting to the people of Columbia.

Robert's service to Columbia, to Tennessee and to our country goes beyond his work at WKRM. A veteran of World War II, Robert served our military in the Philippines from 1942 until the War's end. When he returned, Robert took it upon himself to found the area's first local radio station with its own News Director.

Since its founding, WKRM has continually provided Maury County with outstanding news coverage, bringing the news to Columbia and its surrounding areas and, beginning in 1947, covering the annual Mule Day celebration live from the front porch of WKRM's station.

From their inaugural broadcast at the Bethell Hotel, Robert's tenacity has made WKRM the success that it is today. Even a devastating fire in 1950 that destroyed all but the station's antenna only kept WKRM off the air for thirteen days before Robert was again bringing news to Columbia. Robert's firm resolve has grown WKRM into two stations that he continues to operate today. At eighty-seven year's old, Robert is still working hard for Tennessee, and I join my colleagues today in commending him for his work, his life and his service.

INTRODUCING THE INNOCENCE PROJECT GOLD MEDAL BILL

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. RUSH. Madam Speaker, today I rise to introduce a bill to award the Congressional Gold Medal to Barry C. Scheck and Peter J. Neufeld in recognition of their outstanding service to the Nation as co-founders and co-directors of the Innocence Project.

Madam Speaker, the Innocence Project is responsible for exonerating 210 innocent individuals who were on Death Row. In my home State of Illinois, through their work in the Innocence Project, Mr. Scheck and Mr. Neufeld have helped free 27 innocent individuals. Twenty-seven, Madam Speaker, twenty-seven individuals that if not for the work of these two men and their colleagues may be dead right now.

Dead for crimes they did not commit.

Madam Speaker, in addition to helping with wrongful convictions Mr. Scheck and Mr. Neufeld have worked to create clinics across the country that help prove the innocence of the wrongfully convicted. Furthermore, their work through the Innocence Project has been instrumental in encouraging States across the country to reform their death penalty systems. These reforms range from preservation of evidence, to providing access to DNA evidence for convicted individuals.

Madam Speaker, even today the inconsistencies and injustice of the death penalty system continues to come to light.

A recent study by the American Bar Association illustrates the very problems that the work of these two men hopes to counter. For example, the ABA study found that:

''States are not requiring that crime laboratories and medical examiner offices be accredited'';

States ''are failing to provide for the appointment of counsel in post-conviction proceedings'';

''Most states fail to require that the jury be instructed that it may impose a life sentence if a juror does not believe that the defendant should receive the death penalty'';

''Every state studied appears to have significant racial disparities in its capital system, particularly those associated with the race of the victim''; and

''States do not formally commute a death sentence upon a finding that the inmate is incompetent to proceed on factual matters requiring the inmate's input''.

As illustrated by this small sampling, these injustices are so grave, Madam Speaker, that the ABA—an organization normally silent in regards to the death penalty—has called for a nationwide moratorium.

Madam Speaker, in light of such regular occurrences of injustice in our system, it is important now more than ever to celebrate the work of individuals who are correcting the ills in our judicial system.

I encourage my colleagues to join me in bestowing upon Barry C. Scheck and Peter J. Neufeld the Congressional Gold Medal. Their work to ensure that we, as a country, remain a nation devoted still to ''truth, justice, and the American way'' is admirable and must be recognized.

CELEBRATING THE BIRTH AND LIFE OF FATHER D'AGOSTINO

HON. GEORGE MILLER

OF CALIFORONIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. GEORGE MILLER of California. Madam Speaker, I rise today to commemorate the anniversary of the birth of Father Angelo D'Agostino, SJ, MD. Father D'Ag, as he was called by all who knew and loved him, was born on January 26, 1926 in Providence, Rhode Island. Unfortunately, Father D'Ag was taken from us in 2006. However, his birth is a cause for continued celebration as he was a living testament to the principle that one person can indeed make a difference.

I have met many wonderful and inspiring people in my years of service in Congress, but there was clearly something very special about Father D'Ag, and I feel honored and, frankly, lucky to have had the opportunity to meet him in Kenya and in Washington. He made a lasting impression on me, just as he did on so many others throughout the world.

In 1992, at a time in Africa when so many lives were lost to the scourge of AIDS, Father D'Ag set up the first facility in Kenya to care for HIV infected children known as Nyumbani, Swahili for ''home''. These children were orphaned by the loss of a parent from the same affliction or who were abandoned by parents who could not or would not care for an HIV-positive child. His first three children soon blossomed into a community of children, but they were dying at an alarming rate. Through strong perseverance and advocacy on behalf of the children, Father D'Ag battled the drug companies for affordable anti-retroviral medicines. He also battled the Kenyan government to allow the children into the public primary schools.

Ultimate success on both fronts enabled him to manage the virus and start to chip away at the societal HIV stigma against these precious children. As a result, Nyumbani was transformed from a hospice into a program that nurtured the children's growth and development, thanks to the painstaking care and love that he and his staff gave to these kids. Nyumbani today has 107 bright children with loving hearts, beautiful smiles, and boundless energy on the soccer field.

Despite this monumental accomplishment at Nyumbani, Father D'Ag did not rest after providing a home for HIV-positive children without parents. He went on to develop another program: Lea Toto, Swahili for ''to raise the child'', to provide medical care and nutrition to HIV-positive children who have parents but live in poverty in the many slums in and around Nairobi. Today there are approximately 2,500 people who benefit from this community outreach program and stand a chance to survive under extreme hardship because of Father D'Ag.

However, Father D'Ag was not done. After reading the stories about abandoned street children that had been slain by police, Father D'Ag felt a need to expand his reach and protect the ever burgeoning number of street children in Kenya. He designed an additional program, one that pairs children and the elderly, the two groups most vulnerable to the ravages of the HIV/AIDS pandemic. Father D'Ag designed this program in his mind, and through his perseverance and guile acquired a tract of land in Kitui that became his beloved Nyumbani Village. In this eco-friendly, self-sustaining village the grandparents care for their own grandchildren as well as other needy children in a house with a garden, access to the village school, and training in one of the many income-generating projects. While this village is still a work in progress, it already has 258 residents, 29 grandparents, and 229 children, with a capacity of 1,000 residents.

These achievements by Father D'Ag should serve as an inspiration to us all. He changed the world one child at a time, and he expanded his reach to do so much for so many people who are in desperate need of food, medical care and love. Even though he has departed from this world, he has left behind an enduring legacy through his programs for children. His passion and commitment are carried on through his incredible disciple and partner, Sister Mary Owens, who continues his work. She is joined by many other dedicated staff members and volunteers who will continue to nurture and protect Father D'Ag's children. No one can visit Nyumbani without being changed forever.

Today, Kenya, the home of Father D'Ag's work, is facing unusually difficult civil discord. This recent civil unrest reminds us how fragile life can be in a nation where so many people live in such quiet desperation. Hopefully, these tribal divisions will soon be healed. In the meantime, we must stop and take a moment to reflect upon one man—a Jesuit priest and medical doctor—who put his heart, soul and life into caring for those who could not care for themselves. It is an honor to rise today and call on all of my colleagues and people around the world to join in celebrating the great fortune that the birth and life of Father D'Agostino was for the children of Kenya and each of us who had the opportunity to know him.

Happy Birthday, Father D'Ag, and thank you for your enduring contributions.

HONORING HURON HUMANE SOCIETY

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. STUPAK. Madam Speaker, I rise to recognize the Huron Humane Society (HHS) in Alpena, Michigan, on its 25th anniversary this year. HHS is a nonprofit organization dedicated to caring for the homeless dogs and cats of Alpena County. On any given day, the shelter is charged with caring for more than 20 dogs and more than 80 cats. With a maximum capacity of 120 animals, the shelter often houses closer to 150. With so many urgent needs in our local communities, our pets are often overlooked. The Huron Humane Society is making sure the welfare of four-legged friends, considered family to many, is not overlooked.

The Huron Humane Society has been providing a valuable service to Alpena and the surrounding communities for more than a quarter century. HHS is a no-kill shelter and works to heal and rehabilitate the pets that come through its doors. While HHS cooperates with local governments to provide services to the surrounding city, township and county, it relies mostly on private donations to keep the doors open. Fundraisers, grants and donations account for more than 85 percent of its budget. And even with limited resources, the shelter continues to put the animals it cares for first.

The Huron Humane Society provides a full range of services to help keep animals in homes and rehabilitate those animals that come to the shelter. The shelter serves as safe haven for stray animals, and provides a service for the residents of the community by making sure all animals that come through its doors are properly vaccinated. HHS provides shelter for stray and lost pets, rehabilitates those that are ill or injured, and ultimately locates suitable homes for those pets. The Huron Humane Society promotes a public education program, urging individuals to spay and neuter their pets, helping to reduce the number of unwanted animals in the community. HHS also offer valuable training to pet owners on properly caring for their pets, and offers a microchipping service to the community to aid in locating pets should they become lost.

The shelter manages to accomplish this great work with a full-time staff of three and three additional part-time employees. While the shelter also receives assistance from those required to perform community service and local inmates, it is the community volunteers that provide the additional labor to keep the Huron Humane Society running.

This coming weekend, the Huron Humane Society will hold its 25th Anniversary Gala. One year ago, this annual event raised more than $15,000. More than 200 people opened up their checkbooks to help the shelter continue to provide its valuable service to the community. Especially as we see story after story in the news of helpless animals being abused and mistreated, it is important every community have its own Huron Humane Society to look out for the animals that can't look out for themselves.

Madam Speaker, as the Huron Humane Society celebrates its 25th anniversary, I ask that

you and the entire U.S. House of Representatives join with me in recognizing the valuable contribution the shelter, its staff and volunteers make to Alpena County. Please join with and the people of Alpena County, Michigan in congratulating the Huron Humane Society on a job well done and best wishes for the future.

INTRODUCTION OF THE NATIONAL GEOLOGIC MAPPING REAUTHORIZATION ACT OF 2008

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. COSTA. Madam Speaker, today I am proud to be joined by the Chairman of the Natural Resources Committee, Mr. RAHALL of West Virginia, in introducing the National Geologic Mapping Reauthorization Act of 2008, which would reauthorize the National Cooperative Geologic Mapping Program, a critically important initiative that was created by the Geologic Mapping Act of 1992, originally sponsored by Chairman RAHALL.

The importance of geologic maps to our society is not very well known by the general public, but it is hard to overstate. Geologic maps help us build highways, safeguard drinking water, prepare for disasters, protect wildlife, discover precious minerals, locate the fuels that power our society, and much more.

Geologic maps are particularly essential for my own home State. Californians face more geologic hazards than almost anyone else in the country. Over 25 million people live in the State's tectonically active regions near the coast, where earthquakes are only one of a multitude of geologic threats. Landslides, floods, hazardous minerals, and tsunamis are some of the other dangers that come with living in one of the most seismically active and geologically diverse states in the nation.

The STATEMAP component of the National Cooperative Geologic Mapping Program has provided over $2.5 million to California, matched by over $2.6 million from the State, to create highly precise geologic maps that are being used by the California Geological Survey's Seismic Hazard Mapping Program to identify areas that are most prone to liquefaction or landslides during earthquakes. This information allows communities to require stronger building codes in areas that are more susceptible to these hazards, or to avoid them altogether.

In addition, the maps created through STATEMAP provide information about the location of California's abundant supply of oil, natural gas, and valuable minerals, and have also been used to support water management decision-making around Lake Tahoe.

California is, of course, not the only State that benefits from the National Cooperative Geologic Mapping Program. Since the program's inception, 49 States, plus Puerto Rico, have matched nearly $70 million in STATEMAP funds to help produce over 7,500 new geologic maps. Despite this effort, only about 25 percent of the Nation has been mapped at a precision that provides the maximum benefits. And only 2 percent of California has been mapped under the STATEMAP program.

There are two additional components to the National Cooperative Geologic Mapping Program: the FEDMAP component, which is run by the United States Geological Survey and carries out geologic mapping according to priorities developed by a Federal advisory committee, and the EDMAP component, which has provided millions of dollars to help train over 600 students at 131 universities across the Nation. According to the Department of the Interior, the vast majority of those students receiving EDMAP grants continued in the geosciences, indicating that this program is truly helping to train the next generation of geologists.

A reauthorization of the National Cooperative Geologic Mapping Program is necessary in order to continue to move the goals of the program forward, to build on the momentum of the previous 16 years, and to provide comprehensive geologic mapping of the entire country. The program has been reauthorized with broad bipartisan support in 1997 and 1999, and a similar bill introduced in the 109th Congress received the endorsement of the administration and passed the House on a voice vote. I urge my colleagues to join me in supporting this legislation, and moving forward quickly toward reauthorizing this essential program.

HONORING HRANT DINK

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. BACA. Madam Speaker, this month we remember the one-year anniversary of the tragic death of Hrant Dink, a prominent Turkish-Armenian intellectual and human rights advocate. Dink fought tirelessly to engage the Turkish community in open discussions of the many injustices suffered by Armenians, beginning with the Genocide of 1915. As a mentor and a hero, his tragic death shook the lives of many around the world.

Dink's tireless efforts and strong conviction to educate the citizens of Turkey, and his writings of the Armenian Genocide led to a 6-month jail sentence in October 2005. He advocated for justice, and wrote with a conscience, all despite daily threats to his life. Hrant Dink was killed because he was a courageous journalist and continued to write his columns in hopes of getting rid of the ignorance that exists in Turkey. On the one-year anniversary of his death we remember Dink's message of liberty, civility, truth and bridge-building. In Dink's memory, I have joined my House colleagues in recognizing the Armenian Genocide of 1915.

It is my hope that Turkey will repeal the arbitrary statute, which makes it a crime to "insult Turkishness." Turkey claims to be a secular state with free elections, yet it clearly lacks the chief principle of a democratic nation: freedom of the press. The death of Hrant Dink is a tragedy that was fueled by injustice, and I strongly urge Turkey to abolish this capricious and dated statute.

I express my condolences to the family and colleagues of Hrant Dink. As we recall him in life, and mourn his tragic death, we renew our commitment to work towards advancing the ideals and values, for which he so passionately stood.

IN TRIBUTE TO GUAM POLICE OFFICER FRANKIE E. SMITH

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Ms. BORDALLO. Madam Speaker, I rise today to join the people of Guam in mourning the loss of one of Guam's finest in a senseless hit and run. On the night of December 30, 2007, Guam Police Officer Frankie E. Smith was on his police motorcycle responding to a 911 call for police assistance when he was fatally struck by a drunken driver. I rise to honor and pay tribute to Officer Frankie E. Smith, and all law enforcement personnel on Guam and throughout our country, who have paid the ultimate sacrifice while serving and protecting our communities.

Officer Frankie E. Smith, a young man of 35 years, was born on August 30, 1972, attended the public schools of Guam and graduated from the 1st Guam Community College Basic Law Enforcement Academy in 1997. He immediately began his career in service to his community in the aftermath of the devastation of Supertyphoon Paka. But even before the completion of his police training, his service to his people and his country began as a citizen soldier of the United States Army and Air Force Reserves. "Smitty" wanted to become the best police officer he could be, and this motivated him to seek out and complete extensive training in various areas of law enforcement, including crime scene investigation, responding to terrorist threats, and detection of illegal substances. His desire for greater knowledge and skills was answered through intensive training with various local and Federal law enforcement agencies, including the U.S. Drug Enforcement Administration, the U.S. Department of Justice, and the U.S. Environmental Protection Agency.

Officer Smith's tenacity as a police officer was instrumental in solving numerous crimes against property and violent crimes against individuals, in the apprehension and arrest of their perpetrators, and in the recovery of evidence leading to convictions. His skills and motivation as an officer of the law were recognized and commended on numerous occasions by the leadership of the Guam Police Department and the Governor of Guam. His resolve and determination to serve the public and protect our community will be sorely missed by his fellow officers and the citizens of Guam, but his memory will always serve as motivation to those who served with him and to those who will follow.

On behalf of the people of Guam I extend our sincere condolences and heartfelt sympathy to his wife Tishawnna Hernandez Smith, daughters, Tamara Perez and Kae'Ana Justine Smith, to his parents, Frank Borja and Teresita Fejeran Smith, and to his fellow brothers and sisters in uniform, the officers in the Guam Police Department.

IN RECOGNITION OF THE TEXAS WATER DEVELOPMENT BOARD RECEIVING THE ENVIRONMENTAL PROTECTION AGENCY'S 2007 CLEAN WATER STATE REVOLVING FUND PERFORMANCE AND INNOVATION AWARD

HON. CIRO D. RODRIGUEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. RODRIGUEZ. Madam Speaker, today I stand supporting the passage of H. Res 832. This legislation recognizes the Texas Water Development Board for receiving the Environmental Protection Agency's 2007 Clean Water State Revolving Fund Performance and Innovation Award. The award recognizes states that have been the most innovative and effective in advancing EPA's goals of performance and protection through the Clean Water State Revolving Fund (CWSRF) program. The award is given to one State in each of the ten EPA regions.

The ten State programs were nominated by the regional offices based upon the following criteria: pace level greater than 80 percent, audit with no serious programmatic or financial problems, outstanding performance in at least two of the following areas: better management practices, full-cost pricing, efficient water use, watershed approach, creative use of technologies, leveraging practices, innovative partnerships, innovative lending practices, and effective outreach.

The Texas Water Development Board (TWDB) was region six award winner because of its support of water efficiency through water reuse and conservation. One of its major accomplishment in 2007 was a $10.7 million Northwest Water Reuse Initiative consisting of a five-phase project in El Paso County to deliver treated wastewater for reuse to irrigators, industries, and homeowners from El Paso's Northwest Wastewater Treatment Plant.

I would like to thank TWDB for their work with the Uvalde County Underground Water Conservation District to institute well metering on wells of a number of irrigators using groundwater from formations other than the Edwards Aquifer. The District will use the TWDB grant and local funds to purchase and install 80–90 meters.

The TWDB continues is goals of assisting with regional planning, and preparing the state Water Plan for the development of the state's water resources, and administering cost-effective financial programs for the construction of water supply, wastewater treatment, flood control and agricultural water conservation projects. For being the recipient of the Clean Water State Revolving Fund Performance and Innovation Award, I recognize Texas Water Development Board on this day.

PERSONAL EXPLANATION

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. DAVIS of Illinois. Madam Speaker, I was unable to cast votes on the following legislative measures on January 22 and 23, 2008. If I were present for rollcall votes, I would have voted "yea" on each of the following bills:

Roll 19, January 22, 2008: On Motion to Suspend the Rules and Pass: H.R. 4211, Naming the Judge Richard B. Allsbrook Post Office.

Roll 20, January 22, 2008: On Motion to Suspend the Rules and Agree: H. Res. 866, 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.

Roll 21, January 23, 2008: On Ordering the Previous Question: H.R. 3963, Children's Health Insurance Program Extension and Improvement.

Roll 22, January 23, 2008: Passage, Objections of the President Not Withstanding: H.R. 3963, Children's Health Insurance Program Extension and Improvement.

TRIBUTE TO CHARLES LUCE

HON. NORMAN D. DICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. DICKS. Madam Speaker, as we look forward to considering legislation in Congress this year to address our Nation's energy shortage, it is my sad duty to announce that one of the real giants of the energy business in the United States has passed away. Charles F. Luce, the former chairman and Chief Executive Officer of Consolidated Edison, died this past weekend at age 90 after a brief illness.

Starting as a meter reader for a power company when he was a teenager, Chuck Luce rose to become a legend in the electric power industry through an interesting career progression. Following his clerkship for Supreme Court Justice Hugo Black, Chuck Luce practiced law in Walla Walla, Washington, for 15 years. In 1961, President John F. Kennedy summoned him into public service as the Administrator of the Bonneville Power Administration, which markets the power from the Columbia River hydroelectric system in the Pacific Northwest. At BPA, he was an enlightened leader who keenly understood federal energy issues, pioneering many jurisdictional arrangements that established the distribution of federal power resources in the Northwest, including the Pacific Northwest-Pacific Southwest Intertie.

During the Johnson Administration, Interior Secretary Stewart Udall brought him back to Washington to serve as Undersecretary of the Interior Department, but his talents were quickly recognized and summoned when Con-Ed, New York's largest utility, needed a steady hand to confront looming problems of growth and supply. He led Con-Ed during the toughest times that any American utility has faced in our Nation's history, including the oil supply crisis of the 1970s and the infamous New York City blackout in 1977. His leadership through those times of crisis set an example of calm and focused action, and he is remembered as one of the most effective and thoughtful leaders in an industry that affects every American every day.

I want to take this opportunity, Madam Speaker, to insert into the RECORD Mr. Luce's obituary, printed today in the New York Times, so that Members can read the story of a truly legendary figure in the history of electric power generation and transmission in the United States.

[From the New York Times, Jan. 29, 2008]

CHARLES F. LUCE, EX-CHIEF OF CON ED, IS DEAD AT 90

(By Dennis Hevesi)

Charles F. Luce, the chairman and chief executive of Consolidated Edison, the giant New York electric and gas utility during some of its most difficult times, died Saturday in Torrance, Calif. He was 90 and lived in Bronxville, N.Y.

The cause was prostate cancer, said Joyce Hergenhan, a former company spokeswoman.

Mr. Luce headed Con Ed from 1967 to 1982 and dealt with the oil crisis of the 1970s, customer rage over rising rates, the 1977 blackout that paralyzed New York City and the settlement of a decades-long struggle with environmental groups over construction of a power plant at Storm King Mountain on the Hudson River.

A liberal Democrat and an environmentalist, Mr. Luce did not fit the standard profile of the big-business executive when he agreed to leave his post as under secretary of the interior in the Johnson administration to take over Consolidated Edison.

"The metropolitan area's need for electric energy doubles about every 15 years," Mr. Luce said then. "To supply these vast new quantities of energy at reasonable cost, but protect the city's environment from pollution and unsightly structures, is a king-size job."

It became particularly difficult in 1973, when fuel prices skyrocketed because of the Arab oil embargo, and Con Ed's rates followed.

Facing customer protests, Mr. Luce chose to soften the monthly billing blow by eliminating the company's April 1974 dividend. That prompted shareholder protests, and on May 24, 1974, Mr. Luce presided over a meeting at the old Commodore Hotel on 42nd Street at which customers and shareholders boisterously expressed their views.

A New York Times headline the next day said, "Days of Anxiety for the Man Who Saved a Watt."

That was a reference to the "Save-a-Watt" program, which Mr. Luce had instituted soon after taking over as Con Ed chairman. It was a shift from the electricity industry's traditional marketing strategy, succinctly expressed as "Live better electrically."

For 25 hours, starting on the evening of July 13, 1977, New York City could not live electrically at all. Two lightning strikes on major tie-lines in Westchester County led to the collapse of the entire system.

Some Con Ed officials attributed the blackout to "an act of God." Although Mr. Luce did not utter the phrase himself, he became associated with it.

He kept cool in the face of Mayor Abraham D. Beame's accusations of "gross negligence" on the part of the company, saying, "Respectfully, I think he's wrong," and calling for a fair review.

In the end, Con Ed had to concede that the systemwide expansion of the power failure after the local lightning strikes was largely its fault.

Four years before Mr. Luce became chairman, Con Ed had started seeking approval from regulators to build a hydroelectric plant on Storm King Mountain in Orange County, 55 miles north of New York City. Opposition to that plan and to proposals for other power plants along the Hudson River

was fierce and unrelenting for nearly 20 years.

Then, in December 1980, 11 environmental groups, Con Ed and other utility companies reached what became known as the Hudson River Peace Treaty. Mr. Luce had asked Russell E. Train, a former head of the Environmental Protection Agency, to mediate the dispute.

Under the agreement, Con Ed abandoned efforts to build the Storm King plant. In return, the environmental groups and the federal Environmental Protection Agency dropped their demands that Con Ed build six costly cooling towers to protect fish from being sucked into power plants at Indian Point and several other sites along the river. The agreement was widely cited as a model for balancing economic and environmental needs.

Charles Franklin Luce was born on Aug. 12, 1917, in Platteville, WI, a son of James and Wilma Luce. His father owned a furniture store and a mortuary.

As a teenager, Mr. Luce got some early exposure to the utility business as a meter reader for the local power company.

Mr. Luce earned a bachelor's degree and a law degree through a five-year program at the University of Wisconsin in 1941, then received a master's degree in law at Yale in 1942.

Unable to enlist for military service in World War II because of an attack of polio, Mr. Luce became a staff lawyer for the Board of Economic Warfare in Washington.

A year later, on the recommendation of a professor at Yale, he was chosen as a law clerk to Justice Hugo L. Black of the Supreme Court.

For 15 years after World War II, Mr. Luce practiced law in Walla Walla, Washington.

Then, in 1961, President Kennedy chose him to head the Bonneville Power Administration, which markets power from the Grand Coulee Dam and more than 20 other federal hydroelectric plants in the Columbia River Basin.

Mr. Luce also worked with Interior Secretary Stewart L. Udall in creating the Pacific Northwest-Pacific Southwest Intertie, a vast power transmission complex. He negotiated a 1964 treaty with Canada for joint hydroelectric development of the Columbia River.

At Mr. Udall's request, President Johnson appointed Mr. Luce as under secretary of the Interior in September 1966. But within six months, Con Ed officials—spurred by a Fortune magazine headline, ''The Company You Love to Hate''—asked Mr. Luce to take control of the company.

Mr. Luce's first wife, Helen Oden, died in 2001. He is survived by his second wife, the former Margaret Richmond; two sons, James, of Vancouver, Washington, and Charles Jr., of Boulder, Colorado; two daughters, Christina Gordon of Mansfield Center, Connecticut, and Barbara Luce of Portland, Connecticut; and eight grandchildren.

Mr. Luce was an avid biker. As Con Ed chairman, he would regularly pedal around Manhattan on a three-speed bike, wearing a meter-reader's cap, inspecting company work crews and peeking into open manholes.

RECOGNIZING THE OHIO NEWSPAPER ASSOCIATION'S 75 YEARS OF SERVICE

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. TIBERI. Madam Speaker, congratulations are in order for the Ohio Newspaper Association, which is celebrating 75 years of service to its members and those who read and use newspapers every day. The ONA represents 83 daily newspapers, more than 170 weeklies, and over 150 newspaper Web sites.

As you might expect, the ONA provides effective representation for its members before all levels of government, but it does far more than that. The association has long been a strong advocate for open government, benefiting all our citizens. It also provides seminars, workshops, and other tools for professional development.

Just as important are the activities of the affiliated Ohio Newspapers Foundation. This charitable organization provides scholarships and internships for journalism students, assistance to high school newspapers, and sponsors projects promoting literacy across Ohio.

For 75 years, the Ohio Newspaper Association and its members have provided leadership in promoting freedom of the press and a well-informed society, ideals that are important to all of us. I join others throughout our State in wishing them decades of more success.

CONGRATULATING THE SIGNATURE LEARNING CENTER

HON. BRAD ELLSWORTH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 2008

Mr. ELLSWORTH. Madam Speaker, I rise today to congratulate Signature Learning Center in Evansville for being recognized as one of the top high schools in the Nation by US News & World Report.

Of course, they aren't telling us anything we didn't already know. In the Evansville community, the Signature Learning Center has developed a well-deserved reputation of academic excellence with 100 percent enrollment in advanced college prep courses and 100 percent graduation rate.

And people are taking notice. In addition to this recognition, the school was listed by Newsweek as one of the top 100 high schools in the Nation last year, and just this year was named a National Charter School of the Year by the Center for Education Reform.

These students are the next generation of leaders in our community. The quality of education they receive has a direct impact on the strength of our country.

The Signature Learning Center is providing students in southern Indiana with the tools they need to meet their full potential and make a difference in our world. I am proud of their accomplishments and grateful for their continued contributions to the Evansville community.

SUPPORTING THE GOALS AND IDEALS OF NATIONAL MENTORING MONTH

SPEECH OF

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2008

Mr. LARSON of Connecticut. Madam Speaker, throughout the month of January, we observe National Mentoring Month, which calls to attention the importance of fostering positive, helping relationships with our youth. I rise today to recognize the importance of mentoring to the vitality of our Nation.

According to the Corporation for National and Community Service, there are 3 million mentors in the United States. While impressive at first glance, the reality is, there are far more young people in need of the caring support of an adult mentor that go without one—over 14 million youths across the Nation are still in need of a mentoring relationship.

I would like to commend the many community-based organizations in the Greater Hartford region, in my own State of Connecticut that provide mentoring services and youth focused programs like the Community Renewal Team, Hartford Communities that Care, Mi Casa Family Services and Education Center and Our Piece of the Pie. These groups partner with local, State and non-profit organizations to ensure the positive development of the young people in my district.

Madam Speaker, on behalf of the many youths in need of encouragement and support, the many adults who are engaged in mentoring activities, and the organizations that work tirelessly to close the mentoring gap, I ask my colleagues to join me in thanking mentors across the country and recognizing National Mentoring Month.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S403–S458

Measures Introduced: Ten bills and four resolutions were introduced, as follows: S. 2562–2571, and S. Res. 433–436. **Page S445**

Measures Passed:

Technical Corrections: Senate passed S. 2571, to make technical corrections to the Federal Insecticide, Fungicide, and Rodenticide Act. **Page S454**

Honoring United States Coast Guard: Senate agreed to S. Res. 433, honoring the brave men and women of the United States Coast Guard whose tireless work, dedication, and selfless service to the United States have led to more than 1 million lives saved over the course of its long and storied 217-year history. **Pages S454–55**

Catholic Schools Week: Senate agreed to S. Res. 435, recognizing the goals of Catholic Schools Week and honoring the valuable contributions of Catholic schools in the United States. **Pages S455–56**

National School Counseling Week: Senate agreed to S. Res. 436, designating the week of February 4 through February 8, 2008, as "National School Counseling Week". **Page S456**

Honoring United States Coast Guard: Committee on Commerce, Science, and Transportation was discharged from further consideration of S. Res. 429, 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 confiscation of over 350,000 pounds of cocaine at sea during 2007, and the resolution was then agreed to. **Page S456**

Electoral Crisis in Kenya: Committee on Foreign Relations was discharged from further consideration of S. Res. 431, calling for a peaceful resolution to the current electoral crisis in Kenya, and the resolution was then agreed to. **Pages S456–57**

Protect America Act Extension: Senate passed H.R. 5104, to extend the Protect America Act of 2007 for 15 days, clearing the measure for the President. **Page S457**

Recovery Rebates and Economic Stimulus for the American People Act—Agreement: A unanimous-consent agreement was reached providing that the adoption of a motion to proceed to H.R. 5140, to provide economic stimulus through recovery rebates to individuals, incentives for business investment, and an increase in conforming and FHA loan limits, not displace any pending measures. **Page S457**

Messages from the House: **Page S443**

Measures Referred: **Page S443**

Measures Read the First Time: **Pages S443, S457**

Executive Communications: **Pages S443–45**

Additional Cosponsors: **Pages S445–46**

Statements on Introduced Bills/Resolutions: **Pages S446–51**

Additional Statements: **Pages S442–43**

Amendments Submitted: **Pages S451–54**

Authorities for Committees to Meet: **Page S454**

Privileges of the Floor: **Page S454**

Adjournment: Senate convened at 10 a.m. and adjourned at 8:30 p.m., until 10 a.m. on Wednesday, January 30, 2008. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S458.)

Committee Meetings

(Committees not listed did not meet)

LONG-TERM BUDGET OUTLOOK

Committee on the Budget: Committee concluded a hearing to examine the long-term federal budget outlook, focusing on action that is needed to avoid the possibility of a serious economic disruption in the future, after receiving testimony from David M. Walker, Comptroller General, Government Accountability Office.

NOMINATION

Committee on Finance: Committee concluded a hearing to examine the nomination of Douglas H. Shulman, of the District of Columbia, to be Commissioner of Internal Revenue, Department of the Treasury, after the nominee testified and answered questions in his own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 70 public bills, H.R. 5151–5220; 1 private bill, H.R. 5221; and 13 resolutions, H. Con. Res. 284–287; and H. Res. 946–954 were introduced. **Pages H554–58**

Additional Cosponsors: **Pages H558–59**

Reports Filed: Reports were filed today as follows:

H.R. 3521, to improve the Operating Fund for public housing of the Department of Housing and Urban Development, with an amendment (H. Rept. 110–521). **Page H554**

Speaker: Read a letter from the Speaker wherein she appointed Representative Israel to act as Speaker pro tempore for today. **Page H481**

Recess: The House recessed at 10:48 a.m. and reconvened at 12:00 p.m. **Page H483**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Recovery Rebates and Economic Stimulus for the American People Act of 2008: H.R. 5140, to provide economic stimulus through recovery rebates to individuals, incentives for business investment, and an increase in conforming and FHA loan limits, by a 2/3 yea-and-nay vote of 385 yeas to 35 nays with 1 voting ''present'', Roll No. 25 and **Pages H485–H509**

Extending the Protect America Act of 2007 for 30 days: H.R. 5104, amended, to extend the Protect America Act of 2007 for 30 days. **Pages H510–17**

Agreed to amend the title so as to read: ''To extend the Protect America Act of 2007 for 15 days.''. **Page H517**

Suspension—Proceedings Resumed: The House agreed to suspend the rules and agree to the following measure which was debated on Monday, January 28th:

Commending the Louisiana State University Tigers football team for winning the 2007 Bowl Championship Series national championship game: H. Res. 933, amended, to commend the Louisiana State University Tigers football team for winning the 2007 Bowl Championship Series national championship game, by a 2/3 yea-and-nay vote of 409 yeas to 1 nay, with 4 voting ''present'', Roll No. 26. **Pages H509–10**

New England National Scenic Trail Designation Act: The House passed H.R. 1528, to amend the National Trails System Act to designate the New England National Scenic Trail, by a recorded vote of 261 ayes to 122 noes, Roll No. 28. **Pages H517–35**

Rejected the Bishop (UT) motion to recommit the bill to the Committee on Natural Resources with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 183 yeas to 205 nays, Roll No. 27. **Page H533**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill shall be considered as an original bill for the purpose of amendment under the five-minute rule. **Page H531**

Accepted:

Bishop (UT) amendment (No. 2 printed in H. Rept. 110–519) that states that State and local laws regarding hunting, fishing, trapping and netting shall be the exclusive laws regarding these activities on the trail. **Pages H532–33**

Rejected:

Bishop (UT) amendment (No. 1 printed in H. Rept. 110–519) that sought to delay designation of the trail until all environmental analyses and the review required by Public Law 107–338 have been completed by the Secretary of the Interior. **Pages H531–32**

H. Res. 940, the rule providing for consideration of the bill, was agreed to by voice vote after agreeing to order the previous question. **Pages H517–22**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, February 6th. **Page H537**

Quorum Calls Votes: Three yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H508–09, H509–10, H534–35 and H535. There were no quorum calls.

Adjournment: The House met at 10:30 a.m. and at 8:20 p.m., pursuant to the provisions of H. Con.

Res. 279, the House stands adjourned until 2 p.m. on Wednesday, February 6, 2008.

Committee Meetings

OUTSOURCING—DOD INSPECTOR GENERAL

Committee on Appropriations: Subcommittee on Defense met in executive session on DOD Inspector General on Outsourcing. Testimony was heard from Claude M. Kicklighter, Inspector General, Department of Defense.

INTERAGENCY REFORM

Committee on Armed Services: Subcommittee on Oversight and Investigations held a hearing on Interagency Reform: Can the Provincial Reconstruction Team (PRT) Case Study Illuminate the Future of Reconstruction and Stabilization Operations? Testimony was heard from public witnesses.

BOLSTER U.S. ECONOMY—USING FISCAL POLICY

Committee on the Budget: Held a hearing on Using Fiscal Policy to Bolster the U.S. Economy. Testimony was heard from Lawrence H. Summers, former Secretary of the Treasury; and public witnesses.

AMERICANS WITH DISABILITIES ACT PROTECTIONS

Committee on Education and Labor: Held a hearing on H.R. 3195, ADA Restoration Act of 2007. Testimony was heard from Representative Hoyer; and public witnesses.

COVERING UNINSURED KIDS

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled ''Covering Uninsured Kids: Missed Opportunities for Moving Forward.'' Testimony was heard from Dennis G. Smith, Director, Center for Medicaid and State Operations, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Ann C. Kohler, Deputy Commissioner, Department of Human Services, State of New Jersey; Chris L. Peterson, Specialist in Health Care Financing, Domestic Social Policy Division, CRS, Library of Congress; and public witnesses.

ISSUANCE OF SUBPOENAS—FDA PRESCRIPTION DRUG SAFETY; FDA SCIENCE MISSION

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations agreed by a roll call vote of 12–0 a motion by Chairman Stupak to issue subpoenas relating to witnesses and documents in connection with the Subcommittee's ongoing investigation into the adequacy of the efforts of the FDA to protect the American public from excessive risks from prescription drugs and other matters.

The Subcommittee also held a hearing entitled ''Science and Mission at Risk: FDA's Self-Assessment.'' Testimony was heard from the following officials of the GAO: Marcia G. Crosse, Director, Health Care; and Lisa Shames, Director, Food and Agriculture Issues; Andrew C. von Esechenbach, M.D., Commissioner, FDA, Department of Health and Human Services; Donna V. Porter, Specialist in Life Sciences, Science Policy Research Division, CRS, Library of Congress; and public witnesses.

DIGITAL TV AND PUBLIC BROADCASTING

Committee on Energy and Commerce: Subcommittee on Telecommunications and Internet held a hearing entitled ''Public, Educational, and Governmental (PEG) Services in the Digital TV Age.'' Testimony was heard from John B. O'Reilly, Jr., Mayor, Dearborn, Michigan; and public witnesses.

WAKE OF DISASTERS—HOUSING PROGRAMS

Committee on Homeland Security: Held a hearing entitled ''Ensuring Safe and Effective Housing Programs in the Wake of Disasters.'' Testimony was heard from Carlos Castilllo, Assistant Administrator, Disaster Assistance Directorate, FEMA, Department of Homeland Security; Henry Falk, M.D., Director, Coordinating Center, Environmental Health and Injury Prevention, Centers for Disease Control and Prevention, Department of Health and Human Services; Nelson Bregon, General Deputy Assistant Secretary, Office of Community Planning and Development, Department of Housing and Urban Development; Michael Gerber, Executive Director, Department of Housing and Community Affairs, State of Texas; and a public witness.

MORTGAGE FORECLOSURE CRISIS

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on the Growing Mortgage Foreclosure Crisis: Identifying Solutions and Dispelling Myths. Testimony was heard from Jack Kemp, former Secretary, Department of Housing and Urban Development; and public witnesses.

OVERSIGHT—STATE SECRETS PRIVILEGE REFORM

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights, and Civil Liberties held an oversight hearing on Reform of the State Secrets Privilege. Testimony was heard from Patricia Wald, Retired Chief Judge, U.S. Court of Appeals for the D.C. Circuit; and public witnesses.

FEDERAL ESPIONAGE LAWS ENFORCEMENT

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on Enforcement of Federal Espionage Laws. Testimony was heard from J. Patrick Rowan, Principal Deputy Assistant Attorney General, National Security Division, Department of Justice; and public witnesses.

OVERSIGHT—CALIFORNIA WATER DELIVERIES

Committee on Natural Resources: Subcommittee on Water and Power held an oversight hearing on the Immediate Federal and State Role in Addressing Uncertain Water Deliveries for California and the Impacts on California Communities.'' Testimony was heard from Bob Johnson, Commissioner, Bureau of Reclamation, Department of the Interior; Lester Snow, Director, Department of Water Resources, State of California; and public witnesses.

MISCELLANEOUS MEASURES; BREAST-CERVICAL CANCER SCREENING GAP

Committee on Oversight and Government Reform: Ordered reported the following measures: H. Con. Res. 273, Recognizing the 50th Anniversary of the National Academy of Recording Arts and Sciences; H. Res. 867, Commending the Houston Dynamo soccer team for winning the 2007 Major League Soccer Cup; H. Res. 931, Expressing the support for designation of February 17, 2008, as ''Race Day in America'' and highlighting the 50th running of the Daytona 500; H. Res 942, Recognizing the significance of Black History Month; H. Res. 943, Remembering the space shuttle Challenger disaster and honoring its crew members, who lost their lives on January 28, 1986; H.R. 3532, To designate the facility of the United States Postal Service located at 5815 McLeod Street in Lula, Georgia, as the ''Private Johnathon Millican Lula Post Office;'' H.R. 3936, To designate the facility of the United States Postal Service located at 116 Highway in Cleveland, Georgia as the ''Sgt. Jason Harkins Post Office Building;'' H.R. 4203, To designate the facility of the United States Postal Service located at 3035 Stone Mountain Street in Lithonia, Georgia, as the ''Jamaal RaShard Addison Post Office Building;'' H.R. 4454, 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 service men and women from Louisville, Kentucky, who died in service during Operation Enduring Freedom and Operation Iraqi Freedom; H.R. 5135, To designate the facility of the United States Postal Service located at 201 West Greenway Street in Derby, Kansas, as the ''Sergeant Jamie O. Maugans Post Office Building;'' S. 2272, To designate the facility of the United States Postal Service known as the Southpark Station in Alexandria, Louisiana, as the John ''Marty'' Thiels Southpark Station, in honor and memory of Thiels, a Louisiana postal worker who was killed in the line of duty on October 4, 2007; and S. 2478, To designate the facility of the United States Postal Service located at 59 Colby in East Hampstead, New Hampshire, as the ''Captain Jonathan D. Grassbaugh Post Office.''

The Committee also held a hearing on Addressing the Screening Gap: The National Breast and Cervical Cancer Early Detection Program. Testimony was heard from Rosemarie Henson, Deputy Director, National Center for Chronic Disease Prevention and Health Promotion, Centers for Disease Control and Prevention, Department of Health and Human Services; Pama Joyner, Director, Breast and Cervical Health Program, Department of Health, State of Washington; and public witnesses.

PLAIN LANGUAGE IN GOVERNMENT COMMUNICATIONS ACT OF 2007

Committee on Oversight and Government Reform: Subcommittee on Information Policy, Census and National Archives approved for full Committee action H.R. 3548, Plain Language in Government Communications Act of 2007.

PAKISTANI ELECTIONS

Committee on Oversight and Government Reform: Subcommittee on National Security and Foreign Affairs continued hearings on Pakistani Elections: Will They Be Free and Fair or Fundamentally Flawed (Part II). Testimony was heard from Richard A. Boucher, Assistant Secretary, Bureau of South and Central Asian Affairs, Department of State.

SMALL BUSINESS INNOVATING RESEARCH

Committee on Small Business: Held a hearing entitled ''SBIR: America's National Technology Development Incubator.'' Testimony was heard from public witnesses.

VA'S CLAIMS PROCESSING IMPROVEMENTS

Committee on Veterans' Affairs: Subcommittee on Disability Assistance and Memorial Affairs held a hearing on the Use of Artificial Intelligence to Improve the VA's Claims Processing System. Testimony was heard from the following officials of the Department of Veterans Affairs: Kim Graves, Director, Office of Business Process Integration, Veterans Benefits Administration; and Stephen W. Warren, Principal Deputy Assistant Secretary, Office of Information

and Technology; Gary Christopherson, former Veterans Health Administration Chief Information Officer, Department of Veterans Affairs; representatives of veterans organizations; and public witnesses.

VA CREDENTIALING AND PATIENT SAFETY

Committee on Veterans' Affairs: Subcommittee on Oversight and Investigations held a hearing on VA Credentialing and Privileging: A Patient Safety Issue. Testimony was heard from the following officials of the Department of Veterans Affairs: John D. Daigh, M.D., Assistant Inspector General, Healthcare Inspections, Office of the Inspector General; Gerald M. Cross, M.D., Principal Deputy Under Secretary for Health; and a public witness.

BRIEFING—PAKISTAN

Permanent Select Committee on Intelligence: Met in executives session to receive a briefing on Pakistan. The Committee was briefed by departmental witnesses.

Joint Meetings

COMBATING ANTI-SEMITISM

Commission on Security and Cooperation in Europe: Commission concluded a hearing to examine anti-Semitism in the Organization for Security and Cooperation in Europe (OSCE) region, focusing on initiatives, lessons learned, and the way forward in monitoring and combating anti-Semitism, after receiving testimony from Gert Weisskirchen, Personal Representative on Combating Anti-Semitism, and Kathrin Meyer, Office for Democratic Institutions and Human Rights, both of the Organization for Security and Cooperation in Europe, Vienna, Austria.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D1672)*

H.R. 366, to designate the Department of Veterans Affairs Outpatient Clinic in Tulsa, Oklahoma, as the ''Ernest Childers Department of Veterans Affairs Outpatient Clinic''. Signed on December 26, 2007. (Public Law 110–156)

H.R. 797, 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. (Public Law 110–157)

H.R. 1045, to designate the Federal building located at 210 Walnut Street in Des Moines, Iowa, as the ''Neal Smith Federal Building''. Signed on December 26, 2007. (Public Law 110–158)

H.R. 2011, to designate the Federal building and United States courthouse located at 100 East 8th Avenue in Pine Bluff, Arkansas, as the ''George Howard, Jr. Federal Building and United States Courthouse''. Signed on December 26, 2007. (Public Law 110–159)

H.R. 2761, to extend the Terrorism Insurance Program of the Department of the Treasury. Signed on December 26, 2007. (Public Law 110–160)

H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008. Signed on December 26, 2007. (Public Law 110–161)

H.R. 3470, to designate the facility of the United States Postal Service located at 744 West Oglethorpe Highway in Hinesville, Georgia, as the ''John Sidney 'Sid' Flowers Post Office Building'. Signed on December 26, 2007. (Public Law 110–162)

H.R. 3569, to designate the facility of the United States Postal Service located at 16731 Santa Ana Avenue in Fontana, California, as the ''Beatrice E. Watson Post Office Building''. Signed on December 26, 2007. (Public Law 110–163)

H.R. 3571, to amend the Congressional Accountability Act of 1995 to permit individuals who have served as employees of the Office of Compliance to serve as Executive Director, Deputy Executive Director, or General Counsel of the Office, and to permit individuals appointed to such positions to serve one additional term. Signed on December 26, 2007. (Public Law 110–164)

H.R. 3974, to designate the facility of the United States Postal Service located at 797 Sam Bass Road in Round Rock, Texas, as the ''Marine Corps Corporal Steven P. Gill Post Office Building''. Signed on December 26, 2007. (Public Law 110–165)

H.R. 3996, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions. Signed on December 26, 2007. (Public Law 110–166)

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''. Signed on December 26, 2007. (Public Law 110–167)

S. 1396, to authorize a major medical facility project to modernize inpatient wards at the Department of Veterans Affairs Medical Center in Atlanta, Georgia. Signed on December 26, 2007. (Public Law 110–168)

S. 1896, to designate the facility of the United States Postal Service located at 11 Central Street in Hillsborough, New Hampshire, as the ''Officer Jeremy Todd Charron Post Office''. Signed on December 26, 2007. (Public Law 110–169)

S. 1916, to amend the Public Health Service Act to modify the program for the sanctuary system for surplus chimpanzees by terminating the authority for

the removal of chimpanzees from the system for research purposes. Signed on December 26, 2007. (Public Law 110–170)

S.J. Res. 13, granting the consent of Congress to the International Emergency Management Assistance Memorandum of Understanding. Signed on December 26, 2007. (Public Law 110–171)

H.R. 4839, to amend the Internal Revenue Code of 1986 to make technical corrections. Signed on December 29, 2007. (Public Law 110–172)

S. 2499, to amend titles XVIII, XIX, and XXI of the Social Security Act to extend provisions under the Medicare, Medicaid, and SCHIP programs. Signed on December 29, 2007. (Public Law 110–173)

S. 2271, to authorize State and local governments to divest assets in companies that conduct business operations in Sudan, to prohibit United States Government contracts with such companies. Signed on December 31, 2007. (Public Law 110–174)

S. 2488, to promote accessibility, accountability, and openness in Government by strengthening section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act). Signed on December 31, 2007. (Public Law 110–175)

S. 2436, to amend the Internal Revenue Code of 1986 to clarify the term of the Commissioner of Internal Revenue. Signed on January 4, 2008. (Public Law 110–176)

H.R. 660, to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members. Signed on January 7, 2008. (Public Law 110–177)

H.R. 3690, to provide for the transfer of the Library of Congress Police to the United States Capitol Police. Signed on January 7, 2008. (Public Law 110–178)

S. 863, to amend title 18, United States Code, with respect to fraud in connection with major disaster or emergency funds. Signed on January 7, 2008. (Public Law 110–179)

H.R. 2640, to improve the National Instant Criminal Background Check System. Signed on January 8, 2008. (Public Law 110–180)

H.R. 4986, to provide for the enactment of the National Defense Authorization Act for Fiscal Year 2008, as previously enrolled, with certain modifications to address the foreign sovereign immunities provisions of title 28, United States Code, with respect to the attachment of property in certain judgments against Iraq, the lapse of statutory authorities for the payment of bonuses, special pays, and similar benefits for members of the uniformed services. Signed on January 28, 2008. (Public Law 110–181)

COMMITTEE MEETINGS FOR WEDNESDAY, JANUARY 30, 2008

(Committee meetings are open unless otherwise indicated)

Senate

Committee on the Budget: to hold hearings to examine the economic stimulus, focusing on budget policy for a strong economy over the short- and long-term budget outlook, 10 a.m., SD–608.

Committee on Energy and Natural Resources: business meeting to consider S. 86, to designate segments of Fossil Creek, a tributary to the Verde River in the State of Arizona, as wild and scenic rivers, S. 127, to amend the Great Sand Dunes National Park and Preserve Act of 2000 to explain the purpose and provide for the administration of the Baca National Wildlife Refuge, S. 128, to amend the Cache La Poudre River Corridor Act to designate a new management entity, make certain technical and conforming amendments, enhance private property protections, S. 189, to decrease the matching funds requirements and authorize additional appropriations for Keweenaw National Historical Park in the State of Michigan, S. 327, to authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of Cesar Estrada Chavez and the farm labor movement, S. 783, to adjust the boundary of the Barataria Preserve Unit of the Jean Lafitte National Historical Park and Preserve in the State of Louisiana, S. 868, to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System, S. 1039, to extend the authorization for the Coastal Heritage Trail in the State of New Jersey, S. 1143, to designate the Jupiter Inlet Lighthouse and the surrounding Federal land in the State of Florida as an Outstanding Natural Area and as a unit of the National Landscape System, S. 1247, to amend the Weir Farm National Historic Site Establishment Act of 1990 to limit the development of any property acquired by the Secretary of the Interior for the development of visitor and administrative facilities for the Weir Farm National Historic Site, S. 1304, to amend the National Trails System Act to designate the Arizona National Scenic Trail, S. 1329, to extend the Acadia National Park Advisory Commission, to provide improved visitor services at the park, S. 1341, to provide for the exchange of certain Bureau of Land Management land in Pima County, Arizona, S. 1365, to amend the Omnibus Parks and Public Lands Management Act of 1996 to authorize the Secretary of the Interior to enter into cooperative agreements with any of the management partners of the Boston Harbor Islands National Recreation Area, S. 1377, to direct the Secretary of the Interior to convey to the City of Henderson, Nevada, certain Federal land located in the City, S. 1433, to amend the Alaska National Interest Lands Conservation Act to provide competitive status to certain Federal employees in the State of Alaska, S. 1476, to authorize the Secretary of the Interior to conduct special resources study of the Tule Lake Segregation Center in Modoc County, California, to determine suitability and

feasibility of establishing a unit of the National Park System, S. 1522, to amend the Bonneville Power Administration portions of the Fisheries Restoration and Irrigation Mitigation Act of 2000 to authorize appropriations for fiscal years 2008 through 2014, S. 1634, to implement further the Act approving the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, S. 1740, to amend the Act of February 22, 1889, and the Act of July 2, 1862, to provide for the management of public land trust funds in the State of North Dakota, S. 1802, to adjust the boundaries of the Frank Church River of No Return Wilderness in the State of Idaho, S. 1921, to amend the American Battlefield Protection Act of 1996 to extend the authorization for that Act, S. 1939, to provide for the conveyance of certain land in the Santa Fe National Forest, New Mexico, S. 1940, to reauthorize the Rio Puerco Watershed Management Program, and S. 1941, to direct the Secretary of the Interior to study the suitability and feasibility of designating the Wolf House, located in Norfolk, Arkansas, as a unit of the National Park System, and any other pending legislation, 11:30 a.m., SD–366.

Committee on Environment and Public Works: to hold hearings to examine the threats and protections for the polar bear, 10 a.m., SD–406.

Committee on Finance: to hold hearings to examine private fees for service in Medicare Advantage plans, 10 a.m., SD–215.

Full Committee, business meeting to consider an original bill entitled, ''The Economic Stimulus Act of 2008'', and to consider changes to the rules of procedure of the Committee on Finance, 2:30 p.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine the nominations of James K. Glassman, of Connecticut, to be Under Secretary for Public Diplomacy with the rank of Ambassador, Goli Ameri, of Oregon, to be Assistant Secretary for Educational and Cultural Affairs, and David J. Kramer, of Massachusetts, to be Assistant Secretary for Democracy, Human Rights, and Labor, all of the Department of State, 11:15 a.m., SD–419.

Full Committee, to receive a closed briefing from members of the intelligence community, 3:30 p.m., S–407, Capitol.

Committee on the Judiciary: to hold oversight hearings to examine the Department of Justice, 10 a.m., SH–216.

Committee on Small Business and Entrepreneurship: to hold hearings to examine the Small Business Administration's accountability, focusing on the efficacy of women's contracting and lender oversight, 10 a.m., SR–428A.

House

Select Committee on Energy Independence and Global Warming, hearing entitled ''Learning from a Laureate: Science, Security and Sustainability,'' 9 a.m., 1324 Longworth.

Next Meeting of the SENATE

10 a.m., Wednesday, January 30

Senate Chamber

Program for Wednesday: Senate will be in a period of morning business.

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Wednesday, February 6

House Chamber

Program for Wednesday, February 6: To be announced.

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